

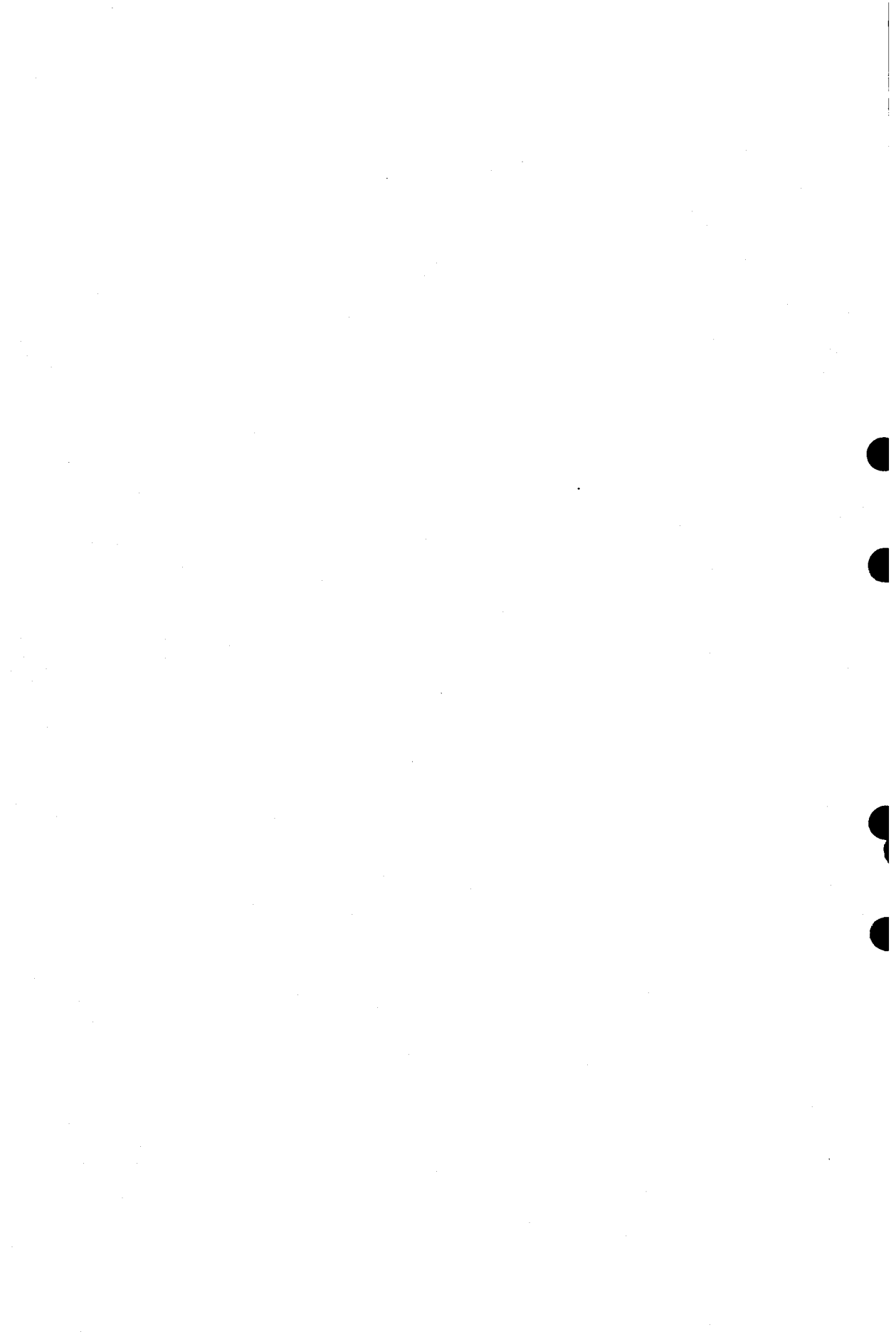
1982

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA
HOUSE OF REPRESENTATIVES

Honey (Export Inspection Charge) Collection Bill 1982

EXPLANATORY MEMORANDUM

(Circulated by authority of the Minister for Primary Industry,
the Hon. Peter Nixon, M.P.)

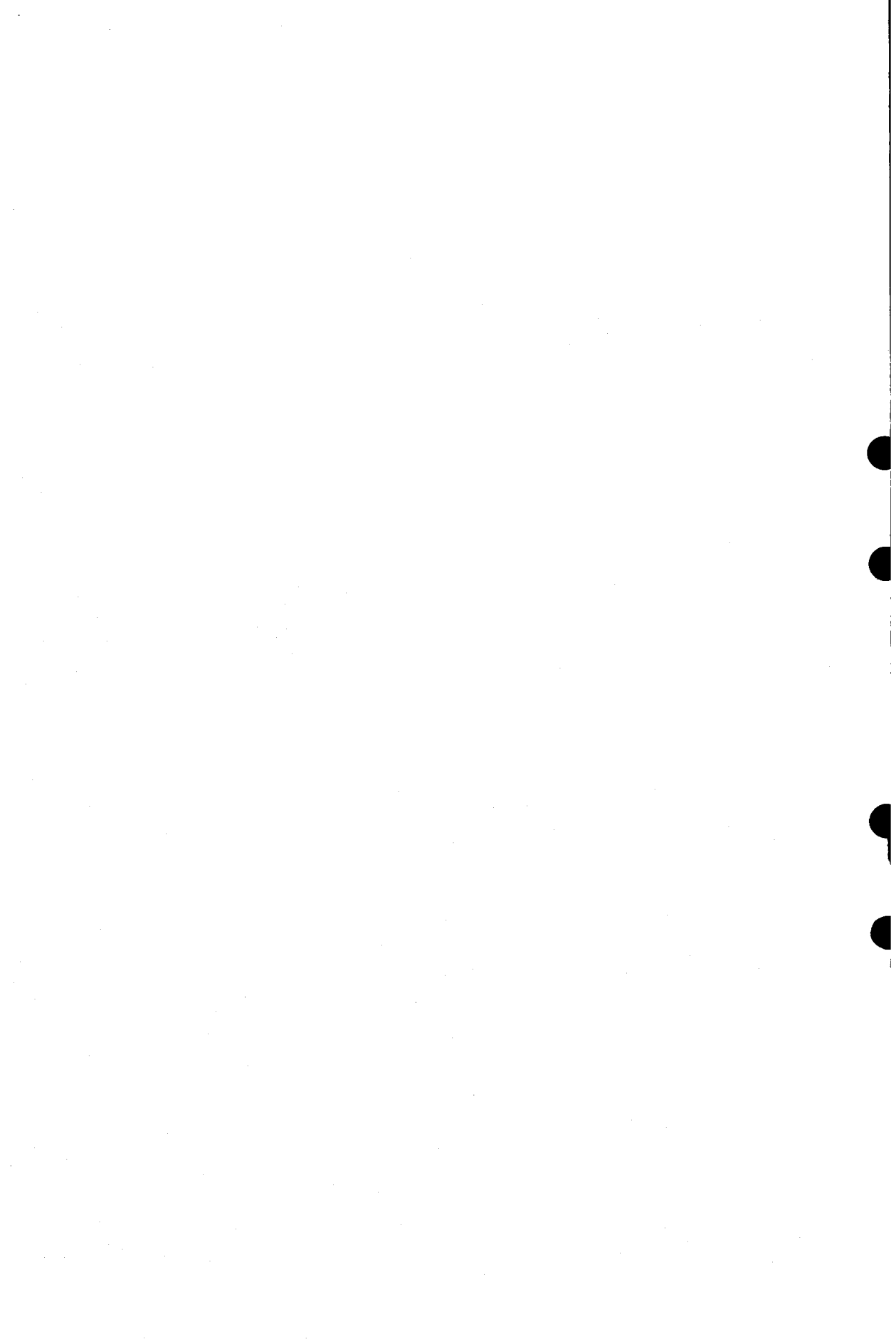


OUTLINE

Honey (Export Inspection Charge) Collection Bill 1982

This Bill is associated with the Honey (Export Inspection Charge) Bill 1982 which will be introduced simultaneously. It provides for the collection of charges proposed in that Bill.

The Bill establishes the date on which payment of the charge is due. It provides for the recovery of the charge (including penalty for non-payment), the remission of penalty, in whole or in part, where appropriate, and access to premises by authorized persons (including penalty for obstructing or hindering such persons). The functions of authorized persons are laid down.



Explanation

No. of
Clause

- 1 Citation
- 2 Date of Commencement of 1 July 1982.
- 3(1) Provides definitions for "honey", and "charge".
In particular defines:
- . "certified export notice" as being a notice certified in pursuance of paragraph 24(1)(c) of the Exports (Honey) Regulations, the relevant part of regulation 24 is:

"24. - (1.) Where an officer who has examined honey intended for export is satisfied that -

 (a) the containers of the honey are marked in the prescribed manner with the prescribed trade description; and

 (b) the conditions and restrictions applicable under these Regulations in respect of the honey have been complied with,

 the officer shall -

 (c) certify to that effect on the notice and declaration furnished in respect of the honey in pursuance of the last preceding regulation; and"
 - . "officer" as having the same meaning as in the Commerce (Trade Descriptions) Act 1905 which is -

 "'Officer' means an officer of Customs, and, in relation to exports, also includes an officer of the Department of Primary Industry, or any employee of the Department of Primary Industry, or any officer of a State engaged in the performance or execution for the Government of the Commonwealth of any work connected with the inspection or examination of goods in pursuance of this Act."
 - . "honey inspected for export" as being the product ~~fr~~ which a notice has been certified so as to ensure the charge is payable from the date inspection takes place

No. of
ClauseExplanation

- . "export notice" as being a notice and declaration furnished in pursuance of regulation 23 of the Exports (Honey) Regulations which is -
 - "23. A person who intends to export honey shall furnish in writing to an officer, at least three clear working days before the proposed date of shipment of the honey, a notice and declaration in accordance with Form 3."
- (2) Provides a definition for an "authorized person".
- 4(1) Provides that where honey has been inspected and meets the requirements of paragraph 24(1)(c) of the Exports (Honey) Regulations the officer shall certify accordingly and serve the notice on the person who furnished the notice. The relevant part of Regulation 24 is set out under the explanation of clause 3(1).
- (2) Is a saving clause for the operation of the Exports (Honey) Regulations.
- 5 Establishes the date on which payment of the charge is due.
- 6 Provides for Commonwealth to recover as debts the amounts due for payment and any penalties for non-payment by the due date.
- 7(1) Provides for a penalty for non-payment at a rate which is common to export inspection charge Acts.
- (2) Provides for a remission of the penalty if the Minister or authorized person considers sufficient reasons exist.
- (3) Limits to \$100 any remission by an authorized person.

<u>No. of Clause</u>	<u>Explanation</u>
8	Provides a penalty for offences relating to returns, etc.
9(1)	Provides for access to premises by an authorized person with consent of occupier.
(2)	Establishes procedures whereby an authorized person may apply to a Justice of the Peace for a warrant to enter premises.
(3)	Establishes circumstances in which a Justice of the Peace may issue a warrant.
(4)	Provides for an authorized person to carry out his functions.
(5)	Provides for penalty for obstructing an authorized person without reasonable excuse.
(6)	Sets out the functions which an authorized person may perform.
10	Provides for regulations relating to collection, manner of payment, remissions or refunds, keeping of records, furnishing of returns, warrants and penalties.

