Date Introduced: 18 October 1979  
House: House of Representatives  
Presented by: Hon. A.E. Adernann, Minister for Veterans' Affairs and Minister Assisting the Minister for Primary Industry

Short Digest of Bill

Purpose

To set out the procedural arrangements for the collection of the levy imposed on canned fruits under the Canned Fruits Levy Bill 1979.

Background

This bill is to be read with the Canned Fruits Levy Bill 1979 which provides for the imposition of a levy on canned fruits production. See Short Digests to the Canned Fruits Levy Bill 1979 and the Canned Fruits Marketing Bill 1979.

Provisions

The Act is to come into operation on the day it receives Royal Assent (clause 2).

Provision is made for the levy to become due and payable on 15 July in respect of half the levy imposed during the first half of the season (1 January to 30 July). The remainder, plus levies imposed in the second half of the season (1 July to 31 December) become payable on 15 January of the subsequent year (clause 4).

Penalties on outstanding levies are provided for at the rate of 10 per cent p.a. of the value of the levy outstanding for the period of time the levy remains outstanding. Provision is made for the remission of any penalty by the Minister; or by an authorized person where the penalty does not exceed $500 (clause 5). The penalty is specified as being a debt due to the Commonwealth and that a statement by the Commonwealth is to be prima facie evidence of the debt (clause 6). Provision is made for the refunding of over paid levies or levies paid on destroyed canned fruit, canned fruit declared unfit for human consumption or canned fruit domestically consumed by the factory owner (clause 7).
Provision is made for an authorized person to enter premises on reasonable grounds for the purpose of searching for canned fruit and related papers (clause 8). The Minister may appoint authorized persons for the purposes of the Act (clause 9). Provision is made for an authorized person to require a person to furnish information relating to matters relevant to the operation of the Act (clause 10) with a penalty of $500 for failure to comply.

Provision is made for appeals to the Administrative Appeals Tribunal to review decisions to impose penalties for late or non-payment of levies (clause 12).

Clause 13 specifies a general regulation making power in relation to all matters required or permitted by the Act to be prescribed and in particular with regard to the manner of payment of the levy, the keeping of records by producers, the furnishing of certain returns and also prescribing penalties not exceeding a fine of $200 for offences against the regulations.

5 November 1979
Finance, Industries, Trade & Development Group
LEGISLATIVE RESEARCH SERVICE