DAIRYING INDUSTRY RESEARCH AND PROMOTION LEVY COLLECTION BILL 1978

Date Introduced: 14 September 1978
House: House of Representatives
Presented by: Rt. Hon. Ian Sinclair, M.P., Minister for Primary Industry

Short Digest of Bill

Purpose

To validate past impositions and collections in certain circumstances, of levies on whole milk and butter fat.

Background

This Bill is complementary to the Dairying Industry Research and Promotion Levy Amendment Bill 1978, which removes doubts regarding the legality of the imposition and collection of the Commonwealth levy on whole milk and butter fat which is produced by one person and supplied to another person for disposal or processing by him on the producer's behalf. The Background in the Digest of the above Bill explains the schemes concerned with the levy on whole milk and butter fat.

This Bill is complementary in that it ensures the validity of past levy payments in the above circumstances, such as supply by a producer to a co-operative dairy factory and collection of the levy by the co-operative on the Commonwealth's behalf. Funds raised by the levy on whole milk and butter fat under the above two Acts were used to finance research from 30 June 1972 (when the Acts commenced) until 1976. From 1976, such monies were used to finance domestic sales promotion and the activities of the Australian Dairy Corporation, as well as research.

Provisions

Clause 3 provides that, where a payment has been made that would have been payable as levy or as an amount equal to levy if, but only if, the amendments made by the Dairying Industry Research and Promotion Levy Amendment Bill 1978 had been in operation since 30 June 1972 (when the levy first became payable) then the amount paid shall be deemed to have always been an amount so payable. The Bill thus validates the imposition and collection of the levy where it
was actually paid but does not impose any obligation to pay on any person who has not done so.

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Finance, Industries, Trade & Development Group
LEGISLATIVE RESEARCH SERVICE