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Dairying Industry Research and Promotion  
Levy Amendment Bill 1976

Date Introduced: 3 November 1976  
House : House of Representatives  
Presented by : Hon. I. McC. Sinclair M.P.  
Minister for Primary Industry

SHORT DIGEST OF BILL

1. PURPOSE

The purpose of this Bill is to amend the Dairying Industry Research and Promotion Levy Act 1972-1976, to remove any doubts regarding the legality of the collection by State Milk Authorities, of the Commonwealth levy on whole milk and butter fat which is produced in Australia and subsequently vested in State Milk Authorities.

2. SUMMARY

The concept of "producer", which is defined in section 5 of the Dairying Industry Research and Promotion Levy Act 1972-1976, is expanded; the existing definition provides that the producer of any whole milk is the owner of the cow and the amendment provides that where a person other than the owner is entitled to the milk, that person is the producer of the milk (clause 4(a)).

Under section 6 of the Dairying Industry Research and Promotion Levy Collection Act 1972-1976, the levy may be paid on behalf of the producer by the purchaser, who then collects it from the producer. The amendment made by clause 4(b) deems milk which has been vested in a person by operation of law, to have been sold to that person. This covers the situation where, under State

Law, milk vests in a State Milk Authority; such bodies are now clearly authorised to collect the levy for the Commonwealth.

The amendments are deemed to have been in operation since immediately after the commencement of the original Dairying Research Levy Act in 1972, (Clause 4(2)).

Finance, Industries, Trade &  
Development Group

LEGISLATIVE RESEARCH SERVICE

11 November 1976.