



INFORMATION, ANALYSIS  
AND ADVICE FOR THE PARLIAMENT

INFORMATION AND RESEARCH SERVICES

Bills Digest  
No. 67 2003–04

## National Residue Survey Customs Levy Rate Correction (Lamb Exports) Bill 2003

ISSN 1328-8091

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Published by the Department of the Parliamentary Library, 2003

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National Residue Survey Customs Levy Rate Correction  
(Lamb Exports) Bill 2003

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2 December 2003

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# National Residue Survey Customs Levy Rate Correction (Lamb Exports) Bill 2003

**Date Introduced:** 26 November 2003

**House:** House of Representatives

**Portfolio:** Agriculture, Fisheries and Forestry

**Commencement:** Royal Assent

## Purpose

To amend the *National Residue Survey (Customs) Levy Act 1998* (the Act) so as to validate levy already collected under the *Primary Industries Levies and Charges (National Residue Survey Levies) Regulations 1998* (the Regulations) in respect of lambs with a sale price of more than \$75 a head.

## Background

This Bill is complementary to the National Residue Survey Excise Levy Rate Correction (Lamb Transactions) Bill 2003. Two bills are required to satisfy section 55 of the Constitution which in part provides that 'laws imposing duties of customs shall deal with duties of customs only, and laws imposing duties of excise shall deal with duties of excise only'.

For further background the reader is referred to the Bills Digest on the National Residue Survey Excise Levy Rate Correction (Lamb Transactions) Bill 2003 (Bills Digest No. 66, 2003-04).

### **Warning:**

*This Digest was prepared for debate. It reflects the legislation as introduced and does not canvass subsequent amendments.*

*This Digest does not have any official legal status. Other sources should be consulted to determine the subsequent official status of the Bill.*

## **Main Provisions**

**Clause 3** provides for definitions of certain terms to have the same meaning as those in the Act and the Regulations that were in force prior to 30 May 2003. On 30 May 2003 Schedule 1 of the *Primary Industries Levies and Charges (National Residue Survey Levies) Amendment Regulations (No. 2)*, 2003 commenced and corrected a drafting fault in the Regulations from that date.

**Clause 4** has the effect of correcting retrospectively the operative rate of levy on lambs where the sale price exceeds \$75 a head. **Subsection 4(1)** provides that the period to which this correction applies is between 1 July 2000 and ending immediately before 30 May 2003. **Subsection 4(2)** allows for a levy rate of 8 cents to have applied during this period. **Subsection 4(3)** gives effect to the corrected levy rates in **subsection 4(2)** despite the provisions of the Act and the Regulations in force before 30 May 2003.

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