

Dried Fruits Levy

No. 19 of 1971

An Act to impose a Levy upon certain Dried Fruits.

[Assented to 27 April 1971]

BE it enacted by the Queen's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows:—

1. This Act may be cited as the *Dried Fruits Levy Act 1971*. **Short title.**

2. This Act shall come into operation on the day on which it receives the Royal Assent. **Commencement.**

3. The *Dried Fruits Levy Collection Act 1971* shall be read as one with this Act. **Collection Act to be read with this Act.**

4. In this Act, unless the contrary intention appears— **Definitions.**
 - “dried fruits” means dried vine fruits or dried tree fruits;
 - “dried tree fruits” means dried apricots, dried pears, dried peaches, dried nectarines or dried plums;
 - “dried vine fruits” means dried currant grapes, dried sultana grapes or dried raisin grapes;
 - “levy” means an amount of the levy;
 - “packing house” means any premises or place at which dried fruits are packed for sale;
 - “packed” means packed at a packing house, whether before or after the commencement of this Act;
 - “received for packing”, in relation to dried fruits, means received into a packing house, whether before or after the commencement of this Act;

“ season ” means the period of twelve months that commenced on the first day of January, One thousand nine hundred and seventy-one, and each succeeding period of twelve months and, when used in relation to dried fruits, means the season in which the dried fruits were harvested;

“ the Committee ” means the Dried Fruits Research Committee constituted under the *Dried Fruits Research Act 1971*;

“ the levy ” means the levy imposed by this Act;

“ the packer ”, in relation to dried fruits received for packing, means the proprietor of the packing house into which the dried fruits were received.

Imposition
of levy.

5. A levy is imposed on dried fruits of a season received for packing.

Rate of levy.

6.—(1.) The rate of the levy shall not exceed—

(a) in the case of dried vine fruits—One dollar per ton; or

(b) in the case of dried tree fruits—Five dollars per ton.

(2.) Subject to the last preceding sub-section, the regulations may fix an amount per ton as the rate of the levy in respect of a specified kind of dried fruits of a specified season.

(3.) Before making any regulations for the purposes of the last preceding sub-section, the Governor-General shall take into consideration any relevant recommendation with respect to a rate of levy made to the Minister by the Committee, and regulations shall not be made fixing an amount per ton as the rate of the levy with respect to dried fruits of a specified kind of a specified season that is higher than the amount per ton last recommended by the Committee to the Minister with respect to dried fruits of that kind of that season.

(4.) For the purposes of the calculation of levy, the weight of any dried fruits is their weight at the time when they were received for packing.

By whom
levy payable.

7.—(1.) Where any dried fruits received for packing have been purchased by the packer or received by him under a contract or arrangement that permits or requires him to sell, or to arrange for the sale of, the packed dried fruits derived from the dried fruits received for packing and to receive the net proceeds of the sale, the packer is liable to pay the levy on the dried fruits received for packing.

(2.) Where the last preceding sub-section does not apply, the grower of the dried fruits received for packing is liable to pay the levy on those dried fruits.

Regulations.

8. The Governor-General may make regulations for the purposes of section 6 of this Act.