

1983-84

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA
HOUSE OF REPRESENTATIVES

Presented and read a first time, 13 September 1984

(Minister for Primary Industry)

A BILL

FOR

An Act to amend section 4 of the *Canned Fruits Levy Collection Act 1979*

BE IT ENACTED by the Queen, and the Senate and the House of Representatives of the Commonwealth of Australia, as follows:

Short title, &c.

5 1. (1) This Act may be cited as the *Canned Fruits Levy Collection Amendment Act 1984*.

 (2) The *Canned Fruits Levy Collection Act 1979*¹ is in this Act referred to as the Principal Act.

Commencement

2. This Act shall come into operation on 1 December 1984.

10 **Time for payment of levy**

3. Section 4 of the Principal Act is amended—

(a) by inserting in paragraph (1) (a) “that commenced before 1 December 1984” after “season” (first occurring);

15 (b) by inserting in paragraph (1) (b) “that commenced before 1 December 1984” after “season” (first occurring); and

(c) by adding at the end of sub-section (1) the following paragraphs:

“(c) one-half of the levy imposed during the first half of a season commencing on or after 1 December 1984 becomes due on 15 June in that season and becomes payable on 15 July in that season and the remainder of the levy so imposed becomes due on 15 December in the year in which that season ends and becomes payable on 15 January in the year immediately following that season;

(d) levy imposed during the last half of a season commencing on or after 1 December 1984 becomes due on 15 December in the year in which that season ends and becomes payable on 15 January in the year immediately following that season.”.

Access to premises, books, &c.

4 Section 8 of the Principal Act is amended by omitting from sub-section (6) “\$500” and substituting “\$1,000 or imprisonment for 6 months, or both”.

Offences in relation to returns, &c.

5. Section 11 of the Principal Act is amended—

(a) by inserting after sub-section (1):

“Penalty for contravention of this sub-section: \$1,000.”; and

(b) by omitting from sub-section (3) “Penalty: \$500.” and substituting “Penalty for contravention of this sub-section: \$1,000 or imprisonment for 6 months, or both.”.

6. After section 12 of the Principal Act the following section is inserted:

Statement to accompany notice of decisions

“12A. (1) Where the Minister or an authorized person makes a decision of a kind referred to in section 12 and gives to the person or persons whose interests are affected by the decision notice in writing of the making of the decision, that notice shall include a statement to the effect that, subject to the *Administrative Appeals Tribunal Act 1975*, application may be made to the Administrative Appeals Tribunal for review of the decision to which the notice relates by or on behalf of the person or persons whose interests are affected by the decision.

“(2) Any failure to comply with the requirements of sub-section (1) in relation to a decision does not affect the validity of the decision.”.

Regulations

7 Section 13 of the Principal Act is amended by omitting from paragraph (d) “\$200” and substituting “\$500”.

NOTE

1. No. 162, 1979, as amended. For previous amendments, see No. 39, 1983.