

1987-88

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA
HOUSE OF REPRESENTATIVES

Presented and read a first time, 17 February 1988

(Minister for Primary Industries and Energy)

A BILL

FOR

An Act to amend the *Export Inspection Charges Collection Act 1985*, and for related purposes

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

Short title etc.

5 **1. (1)** This Act may be cited as the *Export Inspection Charges Collection Amendment Act 1988*.

(2) In this Act, "Principal Act" means the *Export Inspection Charges Collection Act 1985*¹.

Commencement

10 **2.** This Act commences on the commencement of the *Export Inspection (Service Charge) Amendment Act 1988*.

Interpretation

3. Section 3 of the Principal Act is amended:

- (a) by omitting “(other than fresh fruit)” from paragraph (c) of the definition of “prescribed commodity” in subsection (1);
- (b) by inserting after paragraph (g) of the definition of “prescribed commodity” in subsection (1) the following paragraphs: 5
 - “(ga) live animals;
 - (gb) animal reproductive material;”;
- (c) by omitting “(other than fresh vegetables)” from paragraph (s) of the definition of “prescribed commodity” in subsection (1); 10
- (d) by inserting in subsection (1) the following definitions:
 - “‘animal’ means any member, alive or dead, of the animal kingdom (other than a human);
 - ‘animal reproductive material’ means:
 - (a) an embryo, egg or sperm of an animal; or 15
 - (b) any other part, or product, of an animal from which another animal could be produced;
 - ‘external export inspection service’ means an export inspection service that is provided at a place other than an establishment; 20
 - ‘requester’, in relation to an external export inspection service, means the person who requested the service;”.

4. Section 3A of the Principal Act is repealed and the following section is substituted:

Provision of export inspection services 25

“3A. (1) For the purposes of this Act, but subject to this section:

- (a) where an authorised officer attends an establishment in connection with the *Export Control Act 1982* or export control orders, an export inspection service shall be taken to have been provided at the establishment during the attendance; and 30
 - (b) where, at the request of a person, an authorised officer attends a place (other than an establishment):
 - (i) in connection with the *Export Control Act 1982* or export control orders; and
 - (ii) in relation to a prescribed commodity; 35
- an export inspection service shall be taken to have been provided at that place, during the attendance, in relation to the prescribed commodity.

“(2) Subsection (1) does not apply to an attendance if the attendance is of a kind declared by the regulations to be an attendance to which this section does not apply.”. 40

Returns in respect of service charge

5. Section 6A of the Principal Act is amended by adding at the end the following subsection:

5 “(2) Where an external export inspection service was provided during any month at the request of a person, being a service in respect of which service charge is imposed, the requester shall submit a return to the Secretary in respect of that month containing such particulars as are required by the regulations to be specified in the return.”.

Records to be kept

10 6. Section 9 of the Principal Act is amended:

(a) by omitting subsection (1A) and substituting the following subsection:

“(1A) A person shall keep, or cause to be kept, such records as will enable the person to prepare such returns as are required to be provided by the person under section 6A.”;

15 (b) by omitting from subsection (2) “shall be retained by the exporter or registered occupier, as the case may be,” and substituting “in relation to the grant of an export permit or the provision of an export inspection service shall be retained by the exporter, the registered occupier or the requester, as the case requires,”.

20 **Saving of regulations**

7. Regulations that were in force immediately before the commencement of this Act for the purposes of section 3A of the Principal Act have effect as if made for the purposes of section 3A of the Principal Act as amended by this Act.

NOTE

1. No. 27, 1985, as amended. For previous amendments, see No. 115, 1985; and Nos. 141 and 158, 1987.

