



Australian Meat and Live-stock (Quotas) Act 1990

Act No. 117 of 1990 as amended

This compilation was prepared on 2 February 2000
taking into account amendments up to Act No. 146 of 1999

The text of any of those amendments not in force
on that date is appended in the Notes section

Prepared by the Office of Legislative Drafting,
Attorney-General's Department, Canberra

Contents

1	Short title [see Note 1].....	1
2	Commencement [see Note 1].....	1
3	Definitions.....	1
4	Object of this Act.....	2
5	Limitation on exports	2
6	Quotas.....	2
7	Secretary not obliged to grant quota	3
8	Act to have effect subject to Division 3 of Part 2 of the <i>Australian Meat and Live-stock Industry Act 1997</i>	3
8A	Delegation	3
9	Regulations.....	3

Notes

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An Act relating to the establishment of systems of quotas to protect the orderly export of Australian meat and live-stock

1 Short title [see Note 1]

This Act may be cited as the *Australian Meat and Live-stock (Quotas) Act 1990*.

2 Commencement [see Note 1]

This Act commences on the day on which it receives the Royal Assent.

3 Definitions

(1) In this Act, unless the contrary intention appears:

class has a meaning affected by subsection (3).

country includes a part of a country.

export means export from Australia.

goods means meat or live-stock, as the case requires.

quota means a quota referred to in section 6.

restriction includes an economic disincentive, such as a tariff.

(2) Unless the contrary intention appears, expressions used in this Act have the same meanings as in Part 2 of the *Australian Meat and Live-stock Industry Act 1997*.

(3) For the purposes of this Act, the factors by reference to which a class of goods may be determined include, but are not limited to, the following:

(a) the quality, standard or grade of goods;

(b) the period during which the goods are to be exported;

- (c) the way in which a restriction on export is to apply to goods (for example, the rate of tariff or other similar charge that is to apply to goods).

4 Object of this Act

The object of this Act is to enable the Secretary to establish systems of quotas to protect the orderly export of goods:

- (a) where restrictions on exports of meat or particular classes of meat to particular countries are imposed, or in the opinion of the Secretary will be imposed, either by Australia or the countries concerned; or
- (b) where, in relation to live sheep and lambs, the Secretary otherwise considers it in the best interests of the industry to do so.

5 Limitation on exports

- (1) The Secretary may, by notices in writing given to licensees, impose a limitation on the total quantity of goods, or a specified class of goods, that may be exported to a specified country.
- (2) A licensee who has been given a notice under subsection (1) must not export goods, or goods of the class specified in the notice, as the case may be, to the country referred to in the notice, except in accordance with a quota held by the licensee.

6 Quotas

- (1) Where a limitation has been, or is to be, imposed under section 5 in relation to particular exports, the Secretary may grant:
 - (a) a single quota authorising the holder to make all those exports; or
 - (b) 2 or more quotas authorising each of the holders to make a specified proportion of those exports.
- (2) The Secretary may grant a quota:
 - (a) by allocating it to a licensee on application by the licensee and on payment of the prescribed fee; or
 - (b) by selling it to a licensee by auction, sale by tender or private sale.

- (3) A quota has effect for the period, not exceeding 2 years, specified in the quota document, but this subsection does not prevent the grant of other quotas.
- (4) A quota is subject to the conditions, if any, specified in the quota document.

7 Secretary not obliged to grant quota

The Secretary is not obliged:

- (a) to sell or allocate a quota of a particular amount or kind; or
- (b) to sell or allocate a quota to a particular person;

if the Secretary is satisfied that it is not in the best interests of the industry to do so.

8 Act to have effect subject to Division 3 of Part 2 of the *Australian Meat and Live-stock Industry Act 1997*

This Act has effect subject to Division 3 of Part 2 of the *Australian Meat and Live-stock Industry Act 1997*.

8A Delegation

The Secretary may, in writing, delegate all or any of the Secretary's powers under this Act to a person engaged under the *Public Service Act 1999*, who is employed in the Department.

9 Regulations

The Governor-General may make regulations prescribing all matters:

- (a) that are required or permitted by this Act to be prescribed; or
- (b) that are necessary or convenient to be prescribed for carrying out or giving effect to this Act.

Table of Acts**Notes to the *Australian Meat and Live-stock (Quotas) Act 1990*****Note 1**

The *Australian Meat and Live-stock (Quotas) Act 1990* as shown in this compilation comprises Act No. 117, 1990 amended as indicated in the Tables below.

Table of Acts

Act	Number and year	Date of Assent	Date of commencement	Application, saving or transitional provisions
<i>Australian Meat and Live-stock (Quotas) Act 1990</i>	117, 1990	28 Dec 1990	28 Dec 1990 (a)	
<i>Australian Meat and Live-stock (Quotas) Amendment Act 1993</i>	75, 1993	25 Nov 1993	25 Nov 1993	—
<i>Australian Meat and Livestock (Quotas) Amendment Act 1995</i>	68, 1995	30 June 1995	1 July 1995	S. 13
<i>Australian Meat and Live-stock Industry (Repeals and Consequential Provisions) Act 1997</i>	207, 1997	17 Dec 1997	Schedule 1 (item 11): Royal Assent Schedule 1 (items 1-10): 1 July 1998 (see (a) and <i>Gazette</i> 1998, No. GN22)	—
<i>Public Employment (Consequential and Transitional) Amendment Act 1999</i>	146, 1999	11 Nov 1999	Schedule 1 (item 210): 5 Dec 1999 (see <i>Gazette</i> 1999, No. S584) (b)	—

Act Notes

- (a) The *Australian Meat and Live-stock (Quotas) Act 1990* was amended by Schedule 1 only of the *Australian Meat and Live-stock Industry (Repeals and Consequential Provisions) Act 1997*, subsections 2(2) and 2(3) of which provide as follows:
- (2) Item 11 of Schedule 1, item 20 of Schedule 2, Part 1 of Schedule 5, Divisions 1, 4 and 8 of Part 4 of Schedule 5 and Part 6 of Schedule 5 commence on the day on which this Act receives the Royal Assent.
 - (3) Subject to subsection (5), Schedule 1 (other than item 11), Schedule 2 (other than item 20), and Part 2 of Schedule 5, commence on the same day as Part 2 of the *Australian Meat and Live-stock Industry Act 1997*.
- (b) The *Australian Meat and Live-stock (Quotas) Act 1990* was amended by Schedule 1 (item 210) only of the *Public Employment (Consequential and Transitional) Amendment Act 1999*, subsections 2(1) and (2) of which provide as follows:
- (1) In this Act, **commencing time** means the time when the *Public Service Act 1999* commences.
 - (2) Subject to this section, this Act commences at the commencing time.

Table of Amendments

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ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted

Provision affected	How affected
Ss. 3-6.....	am. No. 68, 1995; No. 207, 1997
S. 6A.....	ad. No. 68, 1995 rep. No. 207, 1997
Heading to s. 7.....	am. No. 68, 1995; No. 207, 1997
S. 7.....	am. No. 68, 1995; No. 207, 1997
S. 8.....	rs. No. 68, 1995; No. 207, 1997
S. 8A.....	ad. No. 68, 1995 rs. No. 207, 1997 am. No. 146, 1999
S. 9.....	am. No. 75, 1993; No. 68, 1995 rs. No. 207, 1997