



Prawn Export Charge Act 1995

Act No. 15 of 1995 as amended

[Note: This Act is to be repealed by Act No. 75 of 1998, *see* Note 2]

This compilation was prepared on 9 October 2000
taking into account amendments up to Act No. 75 of 1998

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

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An Act to impose a charge on the export of sea-caught prawns, parts of sea-caught prawns and sea-caught prawn products

1 Short title *[see Note 1]*

This Act may be cited as the *Prawn Export Charge Act 1995*.

2 Commencement *[see Note 1]*

This Act commences on the day on which the *Prawn Boat Levy Act 1995* commences.

3 Interpretation

- (1) Unless the contrary intention appears, a word or expression used in this Act that is not defined in this Act but is defined in the *Prawn Export Promotion Act 1995* has the same meaning in this Act as in the *Prawn Export Promotion Act 1995*.
- (2) A reference in this Act to the prescribed industry organisation is a reference to the organisation that is the prescribed industry organisation for the purposes of the *Prawn Export Promotion Act 1995*.

4 Imposition of charge

A charge is imposed on:

- (a) sea-caught prawns; and
- (b) parts of sea-caught prawns; and
- (c) sea-caught prawn products;

exported from Australia on or before 31 December 1997.

5 Rate of charge

The rate of charge payable under section 4 is such amount, not exceeding 10 cents, per kilogram of the net weight of sea-caught prawns, parts of sea-caught prawns or sea-caught prawn products exported as is prescribed by the regulations.

6 Person liable to pay charge

Charge imposed on sea-caught prawns, parts of sea-caught prawns or sea-caught prawn products exported from Australia is payable by the exporter of the prawns, parts or products.

7 Regulations

- (1) The Governor-General may make regulations prescribing matters required or permitted by this Act to be prescribed.
- (2) The Governor-General must not make regulations for the purpose of section 5 unless the Governor-General has taken into consideration any recommendation relating to the proposed regulations made to the Minister by the prescribed industry organisation.
- (3) The prescribed industry organisation must not make a recommendation to the Minister for the purposes of subsection (2) unless the terms of the recommendation were approved at the last annual general meeting of the organisation held before the making of the recommendation.

Table of Acts**Notes to the *Prawn Export Charge Act 1995*****Note 1**

The *Prawn Export Charge Act 1995* as shown in this compilation comprises Act No. 15, 1995 amended as indicated in the Tables below.

For all relevant information pertaining to application, saving or transitional provisions, *see* Table A.

Table of Acts

Act	Number and year	Date of Assent	Date of commencement	Application, saving or transitional provisions
<i>Prawn Export Charge Act 1995</i>	15, 1995	28 Mar 1995	1 July 1995 <i>see</i> s. 2	
<i>Fisheries Legislation Amendment Act (No. 1) 1998</i>	75, 1998	30 June 1998	Schedule 3 (Part 1): 1 July 1997 Schedule 3 (Part 2): [<i>see</i> (a) and Note 2]	S. 4

Act Notes

- (a) The *Prawn Export Charge Act 1995* was amended by Schedule 3 only of the *Fisheries Legislation Amendment Act (No. 1) 1998*, subsections 2(2) and (3) of which provide as follows:
- (2) This section, section 3, Part 1 of Schedule 2 and Part 1 of Schedule 3 are taken to have commenced on 1 July 1997.
 - (3) Section 4, Part 2 of Schedule 2, Part 2 of Schedule 3 and Schedule 4 commence 3 years after the day on which this Act receives the Royal Assent. [see Note 2]

Table of Amendments

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

<u>Provision affected</u>	<u>How affected</u>
S. 4	am. No. 75, 1998

Note 2

Note 2

Fisheries Legislation Amendment Act (No. 1) 1998 (No. 75, 1998)

The following amendment commences on 1 July 2001:

**Part 2—Repeal that commences 3 years after the day on
which this Act receives the Royal Assent**

2 The whole of the Act

Repeal the Act.

As at 9 October 2000 the repeal is not in force.

Table A

Table A

Application, saving or transitional provisions

Fisheries Legislation Amendment Act (No. 1) 1998 (No. 75, 1998)

4 Saving—levy and charge collection

Despite the repeal by this Act of the *Prawn Boat Levy Act 1995*, the *Prawn Export Charge Act 1995* and the *Prawn Export Promotion Act 1995*:

- (a) the Act repealed; and
- (b) any regulation made under or for the purposes of the Act repealed; and
- (c) any agreement entered into between the Commonwealth and a State or Territory under the Act repealed;

continue to apply in relation to a levy or charge imposed before the repeal as if the repeal had not happened.