



Rural Industries Research and Development Corporation Regulations 2000

Statutory Rules No. 324, 2000

made under the

Primary Industries Research and Development Act 1989

Compilation No. 10

Compilation date: 1 September 2017

Includes amendments up to: F2017L01015

Registered: 4 September 2017

About this compilation

This compilation

This is a compilation of the *Rural Industries Research and Development Corporation Regulations 2000* that shows the text of the law as amended and in force on 1 September 2017 (the *compilation date*).

The notes at the end of this compilation (the *endnotes*) include information about amending laws and the amendment history of provisions of the compiled law.

Uncommenced amendments

The effect of uncommenced amendments is not shown in the text of the compiled law. Any uncommenced amendments affecting the law are accessible on the Legislation Register (www.legislation.gov.au). The details of amendments made up to, but not commenced at, the compilation date are underlined in the endnotes. For more information on any uncommenced amendments, see the series page on the Legislation Register for the compiled law.

Application, saving and transitional provisions for provisions and amendments

If the operation of a provision or amendment of the compiled law is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

Editorial changes

For more information about any editorial changes made in this compilation, see the endnotes.

Modifications

If the compiled law is modified by another law, the compiled law operates as modified but the modification does not amend the text of the law. Accordingly, this compilation does not show the text of the compiled law as modified. For more information on any modifications, see the series page on the Legislation Register for the compiled law.

Self-repealing provisions

If a provision of the compiled law has been repealed in accordance with a provision of the law, details are included in the endnotes.

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Part 1—Preliminary

1 Name of Regulations

These Regulations are the *Rural Industries Research and Development Corporation Regulations 2000*.

4 Transitional

Despite the repeal of regulations by regulation 3, those regulations (as in force or having effect immediately before the commencement of regulation 3) continue to have effect in relation to levies attached to the Corporation before the commencement of regulation 3.

5 Definitions

In these Regulations:

Collection Act means the *Primary Industries Levies and Charges Collection Act 1991*.

Corporation means the Rural Industries Research and Development Corporation established under subsection 9 (1) of the PIRD Act.

Customs Charges Act means the *Primary Industries (Customs) Charges Act 1999*.

Excise Levies Act means the *Primary Industries (Excise) Levies Act 1999*.

PIRD Act means the *Primary Industries Research and Development Act 1989*.

6 Primary industries for which the Corporation is established

- (1) For subsection 9 (2) of the PIRD Act, the primary industries in respect of which the Corporation is established are the following:
 - (a) the growing and harvesting of plants, grains, seeds, fruit or vegetables;
 - (b) the raising and breeding of animals;
 - (c) the production and processing of meat and the distribution and sale of meat and meat products;
 - (d) the production of animal and plant fibres;
 - (e) the industry concerned with:
 - (i) the raising, breeding and slaughter of deer;
 - (ii) the export of live deer;
 - (iii) the production, processing and export of deer velvet;
 - (f) the industry concerned with:

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Part 1Preliminary

Division 1Buffalo levy

Regulation6

- (i) the production, processing, sale and distribution of honey, beeswax and pollen;
 - (ii) the provision of pollination services by honeybees;
 - (iii) the breeding, sale and distribution of queen bees;
 - (g) the production, processing, manufacture, distribution and sale of animal milk and animal milk products;
 - (j) the growing, harvesting and processing of trees;
 - (k) the production of animal feed;
 - (l) a primary industry that the Minister specifies under subregulation (2) to be a primary industry for the purposes of subsection 9 (2) of the PIRD Act.
- (2) The Minister may, by order, specify a primary industry in respect of which the Corporation is established.

Part 2—Attachment of levies

Division 1—Buffalo levy

7 Definition

In this Division:

buffalo industry means the part of the primary industry specified in paragraph 6 (1) (c) that is concerned with the raising of buffalo, the production and processing of buffalo meat, and the distribution and sale of buffalo meat and buffalo meat products.

8 Attachment of buffalo levies

- (1) For paragraph 5 (1) (a) of the PIRD Act, the following levies are attached to the Corporation:
 - (a) levy imposed by clause 1 of Schedule 2 to the Excise Levies Act;
 - (b) charge imposed by clause 1 of Schedule 1 to the Customs Charges Act.
- (2) For paragraph 5 (3) (a) of the PIRD Act, the research component of the levy is so much of the levy as is payable because of the operation of:
 - (a) for levy mentioned in paragraph (1) (a)—paragraph 2 (a) of Schedule 2 to the Excise Levies Act; and
 - (b) for charge mentioned in paragraph (1) (b)—paragraph 2 (a) of Schedule 1 to the Customs Charges Act.
- (3) For paragraph 5 (3) (b) of the PIRD Act, the buffalo industry is the primary industry to which each levy relates.

9 Accounting records for buffalo levies

- (1) For paragraph 40 (1) (a) of the PIRD Act, the Corporation must keep separate accounting records of the funding of R & D activities relating to the buffalo industry.
- (2) For paragraph 40 (1) (b) of the PIRD Act, the following amounts must be credited in the accounting records kept under subregulation (1):
 - (a) amounts of levy mentioned in subregulation 8 (2) that are received by the Commonwealth under the Collection Act and paid to the Corporation under paragraph 30 (1) (a) of the PIRD Act;
 - (b) amounts paid to the Corporation by the Commonwealth under paragraph 30 (1) (b) of the PIRD Act;
 - (c) amounts received by the Corporation as contributions to the cost of R & D activities relating to the buffalo industry;
 - (d) amounts received by the Corporation:

Regulation 9

- (i) from the sale of property paid for by money spent by the Corporation under section 33 of the PIRD Act on R & D activities relating to the buffalo industry; or
 - (ii) from the sale of property produced in the course of carrying out R & D activities relating to that industry; or
 - (iii) from dealings in patents or other intellectual property arising out of the carrying out of R & D activities relating to that industry; or
 - (iv) for work paid for by money spent by the Corporation under section 33 of the PIRD Act on R & D activities relating to that industry;
 - (e) amounts paid to the Corporation as interest on investment of an amount mentioned in any of paragraphs (a) to (d).
- (3) For paragraph 40 (1) (b) of the PIRD Act, all amounts spent under section 33 of the PIRD Act in relation to the buffalo industry are to be debited in the accounting records kept under subregulation (1).
- (4) For subsection 40 (2) of the PIRD Act, the only R & D activities on which amounts credited under subregulation (2) can be spent are R & D activities relating to the buffalo industry.

Division 2—Goat fibre levy

10 Definition

In this Division:

goat fibre levy means levy imposed by clause 2 of Schedule 11 to the Excise Levies Act.

11 Attachment of goat fibre levy

- (1) For paragraph 5 (1) (a) of the PIRD Act, goat fibre levy is attached to the Corporation.
- (2) For paragraph 5 (3) (a) of the PIRD Act, the whole of the levy is the research component of the levy.
- (3) For paragraph 5 (3) (b) of the PIRD Act, the growing of goat fibre is the primary industry to which the levy relates.

12 Accounting records for goat fibre levy

- (1) For paragraph 40 (1) (a) of the PIRD Act, the Corporation must keep separate accounting records of the funding of R & D activities in relation to the growing of goat fibre.
- (2) For paragraph 40 (1) (b) of the PIRD Act, the following amounts must be credited in the accounting records kept under subregulation (1):
 - (a) amounts of goat fibre levy received by the Commonwealth under the Collection Act and paid to the Corporation under paragraph 30 (1) (a) of the PIRD Act;
 - (b) amounts paid to the Corporation by the Commonwealth under paragraph 30 (1) (b) of the PIRD Act;
 - (c) amounts received by the Corporation as contributions to the cost of R & D activities in relation to the growing of goat fibre;
 - (d) amounts received by the Corporation:
 - (i) from the sale of property paid for in connection with research and development relating to the growing of goat fibre; or
 - (ii) from the sale of property produced, or from dealing in patents in respect of inventions made, in connection with research and development relating to the growing of goat fibre; or
 - (iii) in respect of work paid for in connection with research and development relating to the growing of goat fibre;
 - (e) amounts paid to the Corporation as interest on investment of an amount mentioned in any of paragraphs (a) to (d).

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Part 2 Attachment of levies

Division 2 Goat fibre levy

Regulation 12

- (3) For paragraph 40 (1) (b) of the PIRD Act, all amounts specified in section 33 of the PIRD Act that are required to be paid by the Corporation in relation to the growing of goat fibre are to be debited in the accounting records kept under subregulation (1).
- (4) For subsection 40 (2) of the PIRD Act, the only R & D activities on which amounts credited under subregulation (2) can be spent are R & D activities in relation to the growing of goat fibre.

Division 3—Honey levy

13 Definition

In this Division:

honeybee industry means the primary industry specified in subparagraphs 6 (1) (f) (i) and (ii).

14 Attachment of honey levies

- (1) For paragraph 5 (1) (a) of the PIRD Act, the following levies are attached to the Corporation:
 - (a) levy imposed by clause 2 of Schedule 14 to the Excise Levies Act;
 - (b) levy imposed by clause 3 of Schedule 14 to the Excise Levies Act;
 - (c) charge imposed by clause 2 of Schedule 9 to the Customs Charges Act.
- (2) For paragraph 5 (3) (a) of the PIRD Act, the research component of the levy is:
 - (a) for levy mentioned in paragraph (1) (a)—so much of the levy as is payable because of the operation of paragraph 4 (1) (b) of Schedule 14 to the Excise Levies Act; and
 - (b) for levy mentioned in paragraph (1) (b)—so much of the levy as is payable because of the operation of paragraph 4 (2) (b) of Schedule 14 to the Excise Levies Act; and
 - (c) for charge mentioned in paragraph (1) (c)—the whole of the charge.
- (3) For paragraph 5 (3) (b) of the PIRD Act, the honeybee industry is the primary industry to which each levy relates.

15 Accounting records for honey levies

- (1) For paragraph 40 (1) (a) of the PIRD Act, the Corporation must keep separate accounting records of the funding of R & D activities relating to the honeybee industry.
- (2) For paragraph 40 (1) (b) of the PIRD Act, the following amounts must be credited in the accounting records kept under subregulation (1):
 - (a) amounts of levy mentioned in subregulation 14 (2) that are received by the Commonwealth under the Collection Act and paid to the Corporation under paragraph 30 (1) (a) of the PIRD Act;
 - (b) amounts paid to the Corporation by the Commonwealth under paragraph 30 (1) (b) of the PIRD Act;
 - (c) amounts received by the Corporation as contributions to the cost of R & D activities relating to the honeybee industry;
 - (d) amounts received by the Corporation:

Regulation 15

- (i) from the sale of property paid for by money spent by the Corporation under section 33 of the PIRD Act on R & D activities relating to the honeybee industry; or
 - (ii) from the sale of property produced in the course of carrying out R & D activities relating to that industry; or
 - (iii) from dealings in patents or other intellectual property arising out of the carrying out of R & D activities relating to that industry; or
 - (iv) for work paid for by money spent by the Corporation under section 33 of the PIRD Act on R & D activities relating to that industry;
 - (e) amounts paid to the Corporation as interest on investment of an amount mentioned in any of paragraphs (a) to (d).
- (3) For paragraph 40 (1) (b) of the PIRD Act, all amounts spent under section 33 of the PIRD Act in relation to the honeybee industry are to be debited in the accounting records kept under subregulation (1).
- (4) For subsection 40 (2) of the PIRD Act, the only R & D activities on which amounts credited under subregulation (2) can be spent are R & D activities in relation to the honeybee industry.

Division 4—Macropod levy

16 Definition

In this Division:

macropod industry means the part of the primary industry specified in paragraph 6 (1) (c) that is concerned with the processing of macropod meat, and the distribution and sale of macropod meat and macropod meat products.

17 Attachment of macropod levy

- (1) For paragraph 5 (1) (a) of the PIRD Act, levy imposed by clause 1.2 of Part 1 of Schedule 27 to the *Primary Industries (Excise) Levies Regulations 1999* is attached to the Corporation.
- (2) For paragraph 5 (3) (a) of the PIRD Act, the whole of the levy is the research component of the levy.
- (3) For paragraph 5 (3) (b) of the PIRD Act, the macropod industry is the primary industry to which the levy relates.

18 Accounting for macropod levy

- (1) For paragraph 40 (1) (a) of the PIRD Act, the Corporation must keep separate accounting records of the funding of R & D activities relating to the macropod industry.
- (2) For paragraph 40 (1) (b) of the PIRD Act, the following amounts must be credited in the accounting records kept under subregulation (1):
 - (a) amounts of levy mentioned in subregulation 17 (2) that are received by the Commonwealth under the Collection Act and paid to the Corporation under paragraph 30 (1) (a) of the PIRD Act;
 - (b) amounts paid to the Corporation by the Commonwealth under paragraph 30 (1) (b) of the PIRD Act;
 - (c) amounts received by the Corporation as contributions to the cost of R & D activities relating to the macropod industry;
 - (d) amounts received by the Corporation:
 - (i) from the sale of property paid for by money spent by the Corporation under section 33 of the PIRD Act on R & D activities relating to the macropod industry; or
 - (ii) from the sale of property produced in the course of carrying out R & D activities relating to that industry; or
 - (iii) from dealings in patents or other intellectual property arising out of the carrying out of R & D activities relating to that industry; or
 - (iv) for work paid for by money spent by the Corporation under section 33 of the PIRD Act on R & D activities relating to that industry;

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Part 2 Attachment of levies

Division 4 Macropod levy

Regulation 18

- (e) amounts paid to the Corporation as interest on investment of an amount mentioned in any of paragraphs (a) to (d).
- (3) For paragraph 40 (1) (b) of the PIRD Act, all amounts spent under section 33 of the PIRD Act in relation to the macropod industry are to be debited in the accounting records kept under subregulation (1).
- (4) For subsection 40 (2) of the PIRD Act, the only R & D activities on which amounts credited under subregulation (2) can be spent are R & D activities relating to the macropod industry.

Division 6—Meat chicken levy

22 Definitions

In this Division:

meat chicken has the same meaning as in Schedule 19 to the Excise Levies Act.

meat chicken industry means the part of the primary industry specified in paragraph 6 (1) (c) that is concerned with the raising of meat chickens, the production and processing of chicken meat, and the distribution and sale of chicken meat and chicken meat products.

23 Attachment of meat chicken levy

- (1) For paragraph 5 (1) (a) of the PIRD Act, levy imposed by clause 2 of Schedule 19 to the Excise Levies Act is attached to the Corporation.
- (2) For paragraph 5 (3) (a) of the PIRD Act, so much of the levy as is payable because of the operation of paragraph 3 (a) of Schedule 19 to the Excise Levies Act is the research component.
- (3) For paragraph 5 (3) (b) of the PIRD Act, the meat chicken industry is the primary industry to which the levy relates.

24 Accounting records for meat chicken levy

- (1) For paragraph 40 (1) (a) of the PIRD Act, the Corporation must keep separate accounting records of the funding of R & D activities relating to the meat chicken industry.
- (2) For paragraph 40 (1) (b) of the PIRD Act, the following amounts must be credited in the accounting records kept under subregulation (1):
 - (a) amounts of levy mentioned in subregulation 23 (2) that are received by the Commonwealth under the Collection Act and paid to the Corporation under paragraph 30 (1) (a) of the PIRD Act;
 - (b) amounts paid to the Corporation by the Commonwealth under paragraph 30 (1) (b) of the PIRD Act;
 - (c) amounts received by the Corporation as contributions to the cost of R & D activities relating to the meat chicken industry;
 - (d) amounts received by the Corporation:
 - (i) from the sale of property paid for by money spent by the Corporation under section 33 of the PIRD Act on R & D activities relating to the meat chicken industry; or
 - (ii) from the sale of property produced in the course of carrying out R & D activities relating to that industry; or

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Part 2 Attachment of levies

Division 6 Meat chicken levy

Regulation 24

- (iii) from dealing in patents or other intellectual property arising out of the carrying out of R & D activities relating to that industry; or
 - (iv) for work paid for by money spent by the Corporation under section 33 of the PIRD Act on R & D activities relating that industry;
 - (e) amounts paid to the Corporation as interest on investment of an amount mentioned in any of paragraphs (a) to (d).
- (3) For paragraph 40 (1) (b) of the PIRD Act, all amounts spent under section 33 of the PIRD Act in relation to the meat chicken industry are to be debited in the accounting records kept under subregulation (1).
- (4) For subsection 40 (2) of the PIRD Act, the only R & D activities on which amounts credited under subregulation (2) can be spent are R & D activities in relation to the meat chicken industry.

Division 7—Pasture seed levy

25 Definition

In this Division:

pasture seed levy means levy imposed by clause 2 of Schedule 21 to the Excise Levies Act.

26 Attachment of pasture seed levy

- (1) For paragraph 5 (1) (a) of the PIRD Act, pasture seed levy is attached to the Corporation.
- (2) For paragraph 5 (3) (a) of the PIRD Act, the whole of the levy is the research component of the levy.
- (3) For paragraph 5 (3) (b) of the PIRD Act, the growing of pasture seeds is the primary industry to which the levy relates.

27 Accounting records for pasture seed levy

- (1) For paragraph 40 (1) (a) of the PIRD Act, the Corporation must keep separate accounting records of the funding of R & D activities in relation to the growing of pasture seeds.
- (2) For paragraph 40 (1) (b) of the PIRD Act, the following amounts must be credited in the accounting records kept under subregulation (1):
 - (a) amounts of pasture seed levy received by the Commonwealth under the Collection Act and paid to the Corporation under paragraph 30 (1) (a) of the PIRD Act;
 - (b) amounts paid to the Corporation by the Commonwealth under paragraph 30 (1) (b) of the PIRD Act;
 - (c) amounts received by the Corporation as contributions to the cost of R & D activities in relation to the growing of pasture seeds;
 - (d) amounts received by the Corporation:
 - (i) from the sale of property paid for in connection with research and development relating to the growing of pasture seeds; or
 - (ii) from the sale of property produced in connection with research and development relating to the growing of pasture seeds; or
 - (iii) from dealing with patents in respect of inventions made in connection with, or intellectual property arising out of, research and development relating to the growing of pasture seeds; or
 - (iv) in respect of work paid for in connection with research and development relating to the growing of pasture seeds;
 - (e) amounts paid to the Corporation as interest on investment of an amount mentioned in any of paragraphs (a) to (d).

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Part 2 Attachment of levies

Division 7 Pasture seed levy

Regulation 27

- (3) For paragraph 40 (1) (b) of the PIRD Act, all amounts specified in section 33 of the PIRD Act that are required to be paid by the Corporation in relation to the growing of pasture seeds are to be debited in the accounting records kept under subregulation (1).
- (4) For subsection 40 (2) of the PIRD Act, the only R & D activities on which amounts credited under subregulation (2) can be spent are R & D activities in relation to the growing of pasture seeds.

Division 8—Rice levy

28 Definition

In this Division:

rice levy means levy imposed by clause 2 of Schedule 23 to the Excise Levies Act.

29 Attachment of rice levy

- (1) For paragraph 5 (1) (a) of the PIRD Act, rice levy is attached to the Corporation.
- (2) For paragraph 5 (3) (a) of the PIRD Act, the whole of the levy is the research component of the levy.
- (3) For paragraph 5 (3) (b) of the PIRD Act, the levy relates to the rice-growing industry.

30 Accounting records for rice levy

- (1) For paragraph 40 (1) (a) of the PIRD Act, the Corporation must keep separate accounting records of funding of R & D activities relating to the growing of rice.
- (2) For paragraph 40 (1) (b) of the PIRD Act, the following amounts must be credited in the accounting records:
 - (a) amounts of rice levy received by the Commonwealth under the Collection Act and paid to the Corporation under paragraph 30 (1) (a) of the PIRD Act;
 - (b) amounts paid to the Corporation by the Commonwealth under paragraph 30 (1) (b) of the PIRD Act;
 - (c) amounts received by the Corporation as contributions to the cost of R & D activities in relation to the growing of rice;
 - (d) amounts received by the Corporation:
 - (i) from the sale of property paid for in connection with research and development relating to the growing of rice; or
 - (ii) from the sale of property produced in connection with research and development relating to the growing of rice; or
 - (iii) from dealing with patents in respect of inventions made in connection with, or intellectual property arising out of, research and development relating to the growing of rice; or
 - (iv) in respect of work paid for in connection with research and development relating to the growing of rice;
 - (e) amounts paid to the Corporation as interest on investment of an amount mentioned in any of paragraphs (a) to (d).

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Part 2 Attachment of levies

Division 8 Rice levy

Regulation 30

- (3) For paragraph 40 (1) (b) of the PIRD Act, all amounts spent under section 33 of the PIRD Act in relation to the growing of rice are to be debited in the accounting records.
- (4) For subsection 40 (2) of the PIRD Act, amounts credited in the accounting records may be spent only on R & D activities related to the growing of rice.

Division 9—Deer levy

31 Definitions

In this Division:

deer industry means the industry in Australia that is concerned with:

- (a) the raising, breeding and slaughter of deer; and
- (b) the export of live deer; and
- (c) the production, processing and export of deer velvet.

deer levies means:

- (a) levy imposed by clause 2 of Schedule 7 to the *Primary Industries (Excise) Levies Act 1999*; and
- (b) levy imposed by clause 2 of Schedule 8 to the *Primary Industries (Excise) Levies Act 1999*; and
- (c) levy imposed by clause 3 of Schedule 8 to the *Primary Industries (Excise) Levies Act 1999*; and
- (d) charge imposed by clause 2 of Schedule 5 to the *Primary Industries (Customs) Charges Act 1999*; and
- (e) charge imposed by clause 2 of Schedule 6 to the *Primary Industries (Customs) Charges Act 1999*.

32 Attachment of deer levies

- (1) For paragraph 5 (1) (a) of the Act, the deer levies are attached to the Corporation.
- (2) For paragraph 5 (3) (a) of the Act, the whole of each of the deer levies is the research component of the levy.
- (3) For paragraph 5 (3) (b) of the Act, the deer industry is the primary industry to which the deer levies relate.

33 Accounting records for deer levies

- (1) For paragraph 40 (1) (a) of the Act, the Corporation must keep separate accounting records of the funding of R & D activities in relation to the deer industry.
- (2) For paragraph 40 (1) (b) of the Act, the following amounts must be credited in the accounting records kept under subregulation (1):
 - (a) amounts of deer levies received by the Commonwealth under the *Primary Industries Levies and Charges Collection Act 1991* and paid to the Corporation under paragraph 30 (1) (a) of the Act; and
 - (b) amounts paid to the Corporation by the Commonwealth under paragraph 30 (1) (b) of the Act; and

Regulation 33

- (c) amounts received by the Corporation as contributions to the cost of R & D activities in relation to the deer industry; and
 - (d) amounts received by the Corporation:
 - (i) from the sale of property paid for in connection with research and development relating to the deer industry; or
 - (ii) from the sale of property produced, or from dealing with patents in respect of inventions made in connection with research and development relating to the deer industry; or
 - (iii) in respect of work paid for in connection with research and development relating to the deer industry; and
 - (e) amounts paid to the Corporation as interest on investment of an amount mentioned in any of paragraphs (a) to (d).
- (3) For paragraph 40 (1) (b) of the Act, all amounts specified in section 33 of the Act that are required to be paid by the Corporation in relation to the deer industry must be debited in the accounting records kept under subregulation (1).
- (4) For subsection 40 (2) of the Act, the only R & D activities on which amounts credited under subregulation (2) can be spent are R & D activities in relation to the deer industry.

Note: Regulation numbers 34 to 60 intentionally not used.

Division 10—Bee levy

34 Definition

In this Division:

queen bee breeding industry means the primary industry specified in subparagraph 6 (1) (f) (iii).

35 Attachment of bee levies

- (1) For paragraph 5 (1) (a) of the PIRD Act, the following levies are attached to the Corporation:
 - (a) levy imposed by clause 5.2 of Schedule 27 to the *Primary Industries (Excise) Levies Regulations 1999*;
 - (b) charge imposed by clause 3.2 of Schedule 14 to the *Primary Industries (Customs) Charges Regulations 2000*.
- (2) For paragraph 5 (3) (a) of the PIRD Act, the whole of each levy referred to in subregulation (1) is the research component of the levy.
- (3) For paragraph 5 (3) (b) of the PIRD Act, the queen bee breeding industry is the primary industry to which the levy relates.

36 Accounting records for bee levies

- (1) For paragraph 40 (1) (a) of the PIRD Act, the Corporation must keep separate accounting records of the funding of R & D activities relating to the queen bee breeding industry.
- (2) For paragraph 40 (1) (b) of the PIRD Act, the following amounts must be credited in the accounting records kept under subregulation (1):
 - (a) amounts of levy mentioned in subregulation 35 (1) that are received by the Commonwealth under the Collection Act and paid to the Corporation under paragraph 30 (1) (a) of the PIRD Act;
 - (b) amounts paid to the Corporation by the Commonwealth under paragraph 30 (1) (b) of the PIRD Act;
 - (c) amounts received by the Corporation as contributions to the cost of R & D activities relating to the queen bee breeding industry;
 - (d) amounts received by the Corporation:
 - (i) from the sale of property paid for by money spent by the Corporation under section 33 of the PIRD Act on R & D activities relating to the queen bee breeding industry; or
 - (ii) from the sale of property produced in the course of carrying out R & D activities relating to that industry; or
 - (iii) from dealings in patents or other intellectual property arising out of the carrying out of R & D activities relating to that industry; or

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Part 2 Attachment of levies

Division 10 Bee levy

Regulation 36

- (iv) for work paid for by money spent by the Corporation under section 33 of the PIRD Act on R & D activities relating to that industry;
 - (e) amounts paid to the Corporation as interest on investment of an amount mentioned in any of paragraphs (a) to (d).
- (3) For paragraph 40 (1) (b) of the PIRD Act, all amounts spent under section 33 of the PIRD Act in relation to the queen bee breeding industry are to be debited in the accounting records kept under subregulation (1).
- (4) For subsection 40 (2) of the PIRD Act, the only R & D activities on which amounts credited under subregulation (2) can be spent are R & D activities in relation to the queen bee breeding industry.

Division 11—Ratite (ostrich) levy

37 Definition

In this Division:

ostrich industry means the part of the primary industry specified in paragraph 6 (1) (c) that is concerned with the raising of ostriches, the production and processing of ostrich meat, and the distribution and sale of ostrich meat and ostrich meat products.

38 Attachment of ostrich levy

- (1) For paragraph 5 (1) (a) of the PIRD Act, levy imposed by clause 7.1 of Schedule 27 to the *Primary Industries (Excise) Levies Regulations 1999* is attached to the Corporation.
- (2) For paragraph 5 (3) (a) of the PIRD Act, the whole of the levy is the research component of the levy.
- (3) For paragraph 5 (3) (b) of the PIRD Act, the ostrich industry is the primary industry to which the levy relates.

39 Accounting records for ostrich levy

- (1) For paragraph 40 (1) (a) of the PIRD Act, the Corporation must keep separate accounting records of the funding of R & D activities relating to the ostrich industry.
- (2) For paragraph 40 (1) (b) of the PIRD Act, the following amounts must be credited in the accounting records kept under subregulation (1):
 - (a) amounts of levy mentioned in subregulation 38 (2) that are received by the Commonwealth under the Collection Act and paid to the Corporation under paragraph 30 (1) (a) of the PIRD Act;
 - (b) amounts paid to the Corporation by the Commonwealth under paragraph 30 (1) (b) of the PIRD Act;
 - (c) amounts received by the Corporation as contributions to the cost of R & D activities relating to the ostrich industry;
 - (d) amounts received by the Corporation:
 - (i) from the sale of property paid for by money spent by the Corporation under section 33 of the PIRD Act on R & D activities relating to the ostrich industry; or
 - (ii) from the sale of property produced in the course of carrying out R & D activities relating to that industry; or
 - (iii) from dealings in patents or other intellectual property arising out of the carrying out of R & D activities relating to that industry; or

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Part 2 Attachment of levies

Division 11 Ratite (ostrich) levy

Regulation 39

- (iv) for work paid for by money spent by the Corporation under section 33 of the PIRD Act on R & D activities relating to that industry;
 - (e) amounts paid to the Corporation as interest on investment of an amount mentioned in any of paragraphs (a) to (d).
- (3) For paragraph 40 (1) (b) of the PIRD Act, all amounts spent under section 33 of the PIRD Act in relation to the ostrich industry are to be debited in the accounting records kept under subregulation (1).
- (4) For subsection 40 (2) of the PIRD Act, the only R & D activities on which amounts credited under subregulation (2) can be spent are R & D activities relating to the ostrich industry.

Division 12—Ginger levy

40 Definition

In this Division:

ginger industry means one of the primary industries mentioned in paragraph 6 (1) (a).

41 Attachment of ginger levy

- (1) For paragraph 5 (1) (a) of the PIRD Act, the levy imposed by clause 9.2 of Part 9 of Schedule 27 to the *Primary Industries (Excise) Levies Regulations 1999* is attached to the Corporation.
- (2) For paragraph 5 (3) (a) of the PIRD Act, the entire levy is the research component of the levy.
- (3) For paragraph 5 (3) (b) of the PIRD Act, the levy is for the ginger industry.

42 Accounting records for ginger levy

- (1) For paragraph 40 (1) (a) of the PIRD Act, the Corporation must keep separate accounting records of the funding of R & D activities for the ginger industry.
- (2) For paragraph 40 (1) (b) of the PIRD Act, the following amounts must be credited in the accounting records:
 - (a) amounts of ginger levy received by the Commonwealth under the Collection Act and paid to the Corporation under paragraph 30 (1) (a) of the PIRD Act;
 - (b) amounts paid to the Corporation by the Commonwealth under paragraph 30 (1) (b) of the PIRD Act;
 - (c) amounts received by the Corporation as contributions to the cost of R & D activities for the ginger industry;
 - (d) amounts received by the Corporation:
 - (i) from the sale of property paid for in relation to research and development for the ginger industry; or
 - (ii) from the sale of property produced in relation to research and development for the ginger industry; or
 - (iii) from dealing with patents for inventions made in relation to, or intellectual property resulting from, research and development for the ginger industry; or
 - (iv) for work paid for in relation to research and development for the ginger industry;
 - (e) amounts paid to the Corporation as interest on investment of an amount mentioned in any of paragraphs (a) to (d).

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Part 2 Attachment of levies

Division 12 Ginger levy

Regulation 42

- (3) For paragraph 40 (1) (b) of the PIRD Act, all amounts spent under section 33 of the PIRD Act for the ginger industry must be debited in the accounting records.
- (4) For subsection 40 (2) of the PIRD Act, amounts credited in the accounting records under subregulation (2) may be spent only on R & D activities for the ginger industry.

Division 13—Fodder levy

43 Definitions

In this Division:

fodder has the same meaning as in Part 5 of Schedule 14 to the *Primary Industries (Customs) Charges Regulations 2000*.

fodder industry means the part of the primary industry referred to in paragraph 6(1)(k) that is concerned with the production of fodder for export.

44 Attachment of fodder levy

- (1) For paragraph 5(1)(a) of the PIRD Act, the charge imposed by clause 5.2 of Schedule 14 to the *Primary Industries (Customs) Charges Regulations 2000* is a levy attached to the Corporation.
- (2) For paragraph 5(3)(a) of the PIRD Act, the whole of the levy is the research component of the levy.
- (3) For paragraph 5(3)(b) of the PIRD Act, the fodder industry is the primary industry to which the levy relates.

45 Accounting records for fodder levy

- (1) For paragraph 40(1)(a) of the PIRD Act, the Corporation must keep separate accounting records of the funding of R&D activities relating to the fodder industry.
- (2) For paragraph 40(1)(b) of the PIRD Act, the following amounts must be credited in the accounting records kept under subregulation (1):
 - (a) amounts of levy mentioned in subregulation 44(1) that are received by the Commonwealth under the Collection Act and paid to the Corporation under paragraph 30(1)(a) of the PIRD Act;
 - (b) amounts paid to the Corporation by the Commonwealth under paragraph 30(1)(b) of the PIRD Act;
 - (c) amounts received by the Corporation as contributions to the cost of R&D activities relating to the fodder industry;
 - (d) amounts received by the Corporation:
 - (i) from the sale of property paid for in connection with research and development relating to the fodder industry; or
 - (ii) from the sale of property produced in connection with research and development relating to the fodder industry; or
 - (iii) from dealing with patents in respect of inventions made in connection with, or intellectual property arising out of, research and development relating to the fodder industry; or

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Part 2 Attachment of levies

Division 13 Fodder levy

Regulation 45

- (iv) in respect of work paid for in connection with research and development relating to the fodder industry;
 - (e) amounts paid to the Corporation as interest on investment of an amount mentioned in any of paragraphs (a) to (d).
- (3) For paragraph 40(1)(b) of the PIRD Act, all amounts specified in section 33 of the PIRD Act that are required to be paid by the Corporation in relation to the fodder industry are to be debited in the accounting records kept under subregulation (1).
- (4) For subsection 40(2) of the PIRD Act, the only R&D activities on which amounts credited under subregulation (2) can be spent are R&D activities relating to the fodder industry.

Division 14—Tea tree oil levy

46 Definitions

In this Division:

tea tree oil has the same meaning as in clause 13.2 of Part 13 of Schedule 37 to the *Primary Industries Levies and Charges Collection Regulations 1991*.

tea tree oil industry means the part of the primary industry specified in paragraph 6(1)(j) that is concerned with the production of tea tree oil.

47 Attachment of levies

- (1) For the purposes of paragraph 5(1)(a) of the PIRD Act, the following levies are declared to be attached to the Corporation:
 - (a) levy imposed by clause 11.2 of Schedule 27 to the *Primary Industries (Excise) Levies Regulations 1999*;
 - (b) charge imposed by subclause 7.2(1) of Schedule 14 to the *Primary Industries (Customs) Charges Regulations 2000*.
- (2) For the purposes of paragraph 5(3)(a) of the PIRD Act, the whole of each levy referred to in subregulation (1) is declared to be the research component of the levy.
- (3) For the purposes of paragraph 5(3)(b) of the PIRD Act, the tea tree oil industry is declared to be the primary industry to which the levy relates.

48 Accounting records for tea tree oil levy

- (1) For the purposes of paragraph 40(1)(a) of the PIRD Act, the Corporation must keep separate accounting records of the funding of R&D activities relating to the tea tree oil industry.
- (2) For the purposes of paragraph 40(1)(b) of the PIRD Act, the following amounts must be credited in the accounting records kept under subregulation (1):
 - (a) amounts of levy mentioned in subregulation 47(1) that are received by the Commonwealth under the Collection Act and paid to the Corporation under paragraph 30(1)(a) of the PIRD Act;
 - (b) amounts paid to the Corporation by the Commonwealth under paragraph 30(1)(b) of the PIRD Act;
 - (c) amounts received by the Corporation as contributions to the cost of R&D activities relating to the tea tree oil industry;
 - (d) amounts received by the Corporation as follows:
 - (i) from the sale of property paid for in connection with research and development relating to the tea tree oil industry;

Regulation 48

- (ii) from the sale of property produced in connection with research and development relating to the tea tree oil industry;
 - (iii) from dealing with patents in respect of inventions made in connection with, or intellectual property arising out of, research and development relating to the tea tree oil industry;
 - (iv) in respect of work paid for in connection with research and development relating to the tea tree oil industry;
 - (e) amounts paid to the Corporation as interest on investment of an amount mentioned in any of paragraphs (a) to (d).
- (3) For the purposes of paragraph 40(1)(b) of the PIRD Act, all amounts spent under section 33 of the PIRD Act in relation to the tea tree oil industry are to be debited in the accounting records kept under subregulation (1).
- (4) For the purposes of subsection 40(2) of the PIRD Act, the only R&D activities on which amounts credited under subregulation (2) can be spent are R&D activities relating to the tea tree oil industry.

Division 15—Thoroughbred horses levy

49 Definitions

In this Division:

thoroughbred horse has the same meaning as in clause 14.2 of Schedule 37 to the *Primary Industries Levies and Charges Collection Regulations 1991*.

thoroughbred horse industry means the part of the primary industry specified in paragraph 6(1)(b) that is concerned with the breeding of thoroughbred horses.

50 Attachment of levy

- (1) For the purposes of paragraph 5(1)(a) of the PIRD Act, levy imposed by clause 12.1 of Schedule 27 to the *Primary Industries (Excise) Levies Regulations 1999* is declared to be attached to the Corporation.
- (2) For the purposes of paragraph 5(3)(a) of the PIRD Act, the whole of the levy is declared to be the research component of the levy.
- (3) For the purposes of paragraph 5(3)(b) of the PIRD Act, the thoroughbred horse industry is declared to be the primary industry to which the levy relates.

51 Accounting records for thoroughbred horses levy

- (1) For the purposes of paragraph 40(1)(a) of the PIRD Act, the Corporation must keep separate accounting records in relation to the funding of R&D activities relating to the thoroughbred horse industry.
- (2) For the purposes of paragraph 40(1)(b) of the PIRD Act, the following amounts must be credited in the accounting records kept under subregulation (1):
 - (a) amounts of levy mentioned in subregulation 50(1) that are received by the Commonwealth under the Collection Act and paid to the Corporation under paragraph 30(1)(a) of the PIRD Act;
 - (b) amounts paid to the Corporation by the Commonwealth under paragraph 30(1)(b) of the PIRD Act;
 - (c) amounts received by the Corporation as contributions to the cost of R&D activities relating to the thoroughbred horse industry;
 - (d) amounts received by the Corporation as follows:
 - (i) from the sale of property paid for in connection with research and development relating to the thoroughbred horse industry;
 - (ii) from the sale of property produced in connection with research and development relating to the thoroughbred horse industry;
 - (iii) from dealing with patents in respect of inventions made in connection with, or intellectual property arising out of, research and development relating to the thoroughbred horse industry;

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Part 2 Attachment of levies

Division 15 Thoroughbred horses levy

Regulation 51

- (iv) in respect of work paid for in connection with research and development relating to the thoroughbred horse industry;
 - (e) amounts paid to the Corporation as interest on investment of an amount mentioned in any of paragraphs (a) to (d).
- (3) For the purposes of paragraph 40(1)(b) of the PIRD Act, all amounts spent under section 33 of the PIRD Act in relation to the thoroughbred horse industry are to be debited in the accounting records kept under subregulation (1).
- (4) For the purposes of subsection 40(2) of the PIRD Act, the only R&D activities on which amounts credited under subregulation (2) can be spent are R&D activities relating to the thoroughbred horse industry.

Part 3—Gross value of production

61 Method of calculation of gross value of production

- (1) For subsection 32 (2) of the PIRD Act, the Minister must determine the amount of the gross value of production, for a financial year (the *relevant financial year*), of the produce of a primary industry in respect of which a levy has been attached to the Corporation by using:

$$\frac{A + B + C}{3}$$

where:

A is the estimated value of the leviable goods to be produced in the relevant financial year.

B is the value of the leviable goods produced in the financial year immediately before the relevant financial year (the *previous financial year*).

C is the value of the leviable goods produced in the financial year immediately before the previous financial year.

- (2) In subregulation (1), a reference to the value of leviable goods produced or to be produced in a financial year is a reference to the production figure supplied by the Australian Bureau of Agricultural and Resource Economics that shows:
- the gross value of leviable goods produced by the primary industry in that financial year; or
 - the estimated gross value of leviable goods to be produced by the primary industry in that financial year.

Endnotes

Endnote 1—About the endnotes

Endnotes

Endnote 1—About the endnotes

The endnotes provide information about this compilation and the compiled law.

The following endnotes are included in every compilation:

Endnote 1—About the endnotes

Endnote 2—Abbreviation key

Endnote 3—Legislation history

Endnote 4—Amendment history

Abbreviation key—Endnote 2

The abbreviation key sets out abbreviations that may be used in the endnotes.

Legislation history and amendment history—Endnotes 3 and 4

Amending laws are annotated in the legislation history and amendment history.

The legislation history in endnote 3 provides information about each law that has amended (or will amend) the compiled law. The information includes commencement details for amending laws and details of any application, saving or transitional provisions that are not included in this compilation.

The amendment history in endnote 4 provides information about amendments at the provision (generally section or equivalent) level. It also includes information about any provision of the compiled law that has been repealed in accordance with a provision of the law.

Editorial changes

The *Legislation Act 2003* authorises First Parliamentary Counsel to make editorial and presentational changes to a compiled law in preparing a compilation of the law for registration. The changes must not change the effect of the law. Editorial changes take effect from the compilation registration date.

If the compilation includes editorial changes, the endnotes include a brief outline of the changes in general terms. Full details of any changes can be obtained from the Office of Parliamentary Counsel.

Misdescribed amendments

A misdescribed amendment is an amendment that does not accurately describe the amendment to be made. If, despite the misdescription, the amendment can be given effect as intended, the amendment is incorporated into the compiled law and the abbreviation “(md)” added to the details of the amendment included in the amendment history.

If a misdescribed amendment cannot be given effect as intended, the abbreviation “(md not incorp)” is added to the details of the amendment included in the amendment history.

Endnote 2—Abbreviation key

ad = added or inserted	o = order(s)
am = amended	Ord = Ordinance
amdt = amendment	orig = original
c = clause(s)	par = paragraph(s)/subparagraph(s) /sub-subparagraph(s)
C[x] = Compilation No. x	pres = present
Ch = Chapter(s)	prev = previous
def = definition(s)	(prev...) = previously
Dict = Dictionary	Pt = Part(s)
disallowed = disallowed by Parliament	r = regulation(s)/rule(s)
Div = Division(s)	reloc = relocated
ed = editorial change	renum = renumbered
exp = expires/expired or ceases/ceased to have effect	rep = repealed
F = Federal Register of Legislation	rs = repealed and substituted
gaz = gazette	s = section(s)/subsection(s)
LA = <i>Legislation Act 2003</i>	Sch = Schedule(s)
LIA = <i>Legislative Instruments Act 2003</i>	Sdiv = Subdivision(s)
(md) = misdescribed amendment can be given effect	SLI = Select Legislative Instrument
(md not incorp) = misdescribed amendment cannot be given effect	SR = Statutory Rules
mod = modified/modification	Sub-Ch = Sub-Chapter(s)
No. = Number(s)	SubPt = Subpart(s)
	<u>underlining</u> = whole or part not commenced or to be commenced

Endnotes

Endnote 3—Legislation history

Endnote 3—Legislation history

Number and year	FRLI registration or gazettal	Commencement	Application, saving and transitional provisions
324, 2000	8 Dec 2000	1 Jan 2001 (r 2)	
133, 2001	20 June 2001	1 July 2001 (r 2)	—
309, 2002	19 Dec 2002	1 Feb 2003 (r 2)	—
144, 2003	26 June 2003	1 July 2003 (r 2)	—
219, 2003	28 Aug 2003	1 Sept 2003 (r 2)	—
290, 2003	27 Nov 2003	1 Jan 2004 (r 2)	—
43, 2011	8 Apr 2011 (F2011L00591)	9 Apr 2011 (r 2)	—

Name	Registration	Commencement	Application, saving and transitional provisions
Primary Industries Levies and Charges Legislation Amendment (Fodder) Regulation 2016	10 May 2016 (F2016L00764)	Sch 1 (items 2–5): 11 May 2016 (s 2(1) items 2–4)	—
Rural Industries Research and Development Corporation Amendment (Tea Tree Oil) Regulations 2017	22 May 2017 (F2017L00572)	1 July 2017 (s 2(1) item 1)	—
Rural Industries Research and Development Corporation Amendment (Thoroughbred Horses) Regulations 2017	11 Aug 2017 (F2017L01015)	1 Sept 2017 (s 2(1) item 1)	—

Endnote 4—Amendment history

Provision affected	How affected
Part 1	
r 2	rep LA s 48D
r 3	rep LA s 48C
r 5	am F2016L00764
r 6	am No 309, 2002; F2016L00764
Part 2	
Division 1	
r 8	am F2016L00764
r 9	am No 133, 2001; F2016L00764
Division 2	
r 11	am F2016L00764
r 12	am No 133, 2001; F2016L00764
Division 3	
r 13	rs No 144, 2003
r 14	am F2016L00764
r 15	am No 133, 2001; F2016L00764
Division 4	
Division 4	rs No 290, 2003
r 16	rs No 290, 2003
r 17	rs No 290, 2003
	am F2016L00764
r 18	am No 133, 2001
	rs No 290, 2003
	am F2016L00764
Division 5	rep No 309, 2002
r 19	rep No 309, 2002
r 20	rep No 309, 2002
r 21	am No 133, 2001
	rep No 309, 2002
Division 6	
r 23	am F2016L00764
r 24	am No 133, 2001; F2016L00764
Division 7	
r 26	am F2016L00764
r 27	am No 133, 2001; F2016L00764
Division 8	

Endnotes

Endnote 4—Amendment history

Provision affected	How affected
r 29	am F2016L00764
r 30	am No 133, 2001; F2016L00764
Division 9	
Division 9	ad No 133, 2001
r 31	rs No 133, 2001
r 32	ad No 133, 2001
r 33	ad No 133, 2001
Division 10	
Division 10	ad No 144, 2003
r 34	ad No 144, 2003
r 35	ad No 144, 2003
	am F2016L00764
r 36	ad No 144, 2003
	am F2016L00764
Division 11	
Division 11	ad No 219, 2003
r 37	ad No 219, 2003
r 38	ad No 219, 2003
	am F2016L00764
r 39	ad No 219, 2003
	am F2016L00764
Division 12	
Division 12	ad No 43, 2011
r 40	ad No 43, 2011
r 41	ad No 43, 2011
	am F2016L00764
r 42	ad No 43, 2011
	am F2016L00764
Division 13	
Division 13	ad F2016L00764
r 43	ad F2016L00764
r 44	ad F2016L00764
r 45	ad F2016L00764
Division 14	
Division 14	ad F2017L00572
r 46	ad F2017L00572
r 47	ad F2017L00572
r 48	ad F2017L00572

Endnote 4—Amendment history

Provision affected	How affected
Division 15	
Division 15	ad F2017L01015
r 49	ad F2017L01015
r 50	ad F2017L01015
r 51	ad F2017L01015
Part 3	
Part 3	rs No 133, 2001
r 61	ad No 133, 2001
	am F2016L00764