

South Australia

Primary Industry Funding Schemes (Sheep Industry Fund) (Miscellaneous) Variation Regulations 2019

under the *Primary Industry Funding Schemes Act 1998*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Primary Industry Funding Schemes (Sheep Industry Fund) (Miscellaneous) Variation Regulations 2019*.

2—Commencement

These regulations come into operation on 7 November 2019.

3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

Part 2—Variation of *Primary Industry Funding Schemes (Sheep Industry Fund) Regulations 2014*

4—Variation of regulation 3—Interpretation

- (1) Regulation 3(1), definition of *consultative committee*—delete the definition and substitute:

contribution means a dog fence rebuild contribution or a general contribution;

dog fence has the same meaning as in the *Dog Fence Act 1946*;

- (2) Regulation 3(1)—after the definition of *Dog Fence Board* insert:

dog fence rebuild contribution—see regulation 6(1)(a);

- (3) Regulation 3(1), definitions of *Johne's disease order* and *Johne's disease property eradication plan*—delete the definitions and substitute:

general contribution—see regulation 6(1)(b);

- (4) Regulation 3(1), definition of *prescribed amount*—delete the definition

- (5) Regulation 3(2)—before "contributions" wherever occurring insert:

general

5—Revocation of regulation 5

Regulation 5—delete the regulation

6—Variation of regulation 6—Contributions

- (1) Regulation 6(1)—delete subregulation (1) and substitute:

- (1) The following contributions must be paid to the Minister for payment into the Fund in respect of each contract of sale under which 5 or more sheep are sold for an average price of \$5 or more per sheep:

- (a) a dog fence rebuild contribution of—

- (i) 12 cents per sheep; or

- (ii) if some other amount per sheep (which may be 0) is determined by the Minister by notice in the Gazette—that other amount;

- (b) a general contribution of 55 cents per sheep.

- (2) Regulation 6(3)—delete "contribution" and substitute:

contributions

- (3) Regulation 6(4)—delete "contribution" and substitute:

contributions

- (4) Regulation 6(7)—delete subregulation (7) and substitute:
- (7) A person who was the vendor of sheep at the time contributions became payable under this regulation in respect of a contract of sale may claim a refund from the Fund for—
- (a) dog fence rebuild contributions; or
- (b) general contributions,
- (or both) made in the financial year immediately preceding the financial year in which the person makes the claim in respect of contracts of sale of the person's sheep.
- (5) Regulation 6(8), definition of *C_r*—delete "total amount of contributions" and substitute:
- total amount of dog fence rebuild contributions or general contributions

7—Substitution of regulation 7

Regulation 7—delete the regulation and substitute:

7—Application of Fund

The Fund may be applied by the Minister for any of the following purposes:

- (a) payment of dog fence rebuild contributions for rebuilding any portion of the dog fence to prevent the entry of wild dogs into pastoral areas where sheep are kept;
- (b) payment of contributions to the Dog Fence Board towards the maintenance or improvement of the dog fence to prevent the entry of wild dogs into pastoral areas where sheep are kept;
- (c) on the advice of a body that, in the opinion of the Minister represents sheep producers, payments to that body for 1 or more of the following purposes:
- (i) the reasonable operating and management expenses of the body;
- (ii) undertaking programs relating to sheep, sheep products or any other aspect of the sheep industry;
- (iii) promoting the sheep industry;
- (iv) participation of the body in regional, State or national sheep industry forums;
- (v) undertaking or facilitating research and development, or the collection and dissemination to sheep producers of information, relevant to the sheep industry and, in particular, to the improvement of practices in the industry;

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Part 2—Variation of *Primary Industry Funding Schemes (Sheep Industry Fund) Regulations 2014*

- (vi) fees for affiliation of the body with regional, State or national bodies representing or promoting the interests of the sheep producers;
- (vii) other purposes of the body;
- (d) payments for other purposes for the benefit of sheep producers;
- (e) repayment of contributions to the Fund under regulation 6;
- (f) payment of the expenses of administering the Fund.

8—Variation of regulation 8—Certain persons not entitled to directly benefit from Fund

Regulation 8—before "contributions" wherever occurring insert:

general

9—Variation of regulation 9—Exchange of information

- (1) Regulation 9—delete "7(e)" and substitute:

7

- (2) Regulation 9—before its present contents as amended (now to be designated as subregulation (2)) insert:

- (1) The Minister may require a body to which payments are made out of the Fund under regulation 7 to provide the Minister with—
 - (a) a copy of the financial statements of the body; and
 - (b) a copy of the annual report of the body; and
 - (c) a copy of any business plan of the body; and
 - (d) any other information reasonably required for the purposes of these regulations.

10—Revocation of Part 3

Part 3—delete the Part

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council

on 7 November 2019

No 237 of 2019