

1993-94

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA
HOUSE OF REPRESENTATIVES

Presented and read a first time

(Primary Industries and Energy)

A BILL

FOR

An Act to amend the *Dairy Produce Act 1986* to enable Australia to accept the Agreement Establishing the World Trade Organization

The Parliament of Australia enacts:

Short title etc.

1.(1) This Act may be cited as the *Dairy Produce (World Trade Organization Amendments) Act 1994*.

5 (2) In this Act, “**Principal Act**” means the *Dairy Produce Act 1986*¹.

Commencement

2.(1) In this section, “**World Trade Organization Agreement**” means the Agreement Establishing the World Trade Organization done at Marrakesh on 15 April 1994.

(2) This Act commences as follows:

(a) if the World Trade Organization Agreement enters into force for Australia on or before 1 July 1995—this Act commences on 1 July 1995;

(b) if the World Trade Organization Agreement does not enter into force for Australia on or before 1 July 1995—this Act commences on the day on which the World Trade Organization Agreement enters into force for Australia. 5

(3) For the purposes of subsection (2), the day on which the World Trade Organization Agreement enters into force for Australia is to be taken to be the day declared by the Governor-General, by Proclamation under paragraph 2(5)(b) of the *Copyright (World Trade Organization Amendments) Act 1994*, to be the day on which the Agreement enters into force for Australia. 10

Interpretation 15

3. Section 3 of the Principal Act is amended by adding at the end of subsection (1):

“‘**WTO Agreement**’ means the Agreement Establishing the World Trade Organization done at Marrakesh on 15 April 1994;

‘**WTO Agreement day**’ means: 20

(a) if the World Trade Organization Agreement enters into force for Australia on or before 1 July 1995—1 July 1995; or

(b) if the World Trade Organization Agreement does not enter into force for Australia on or before 1 July 1995—the day declared by the Governor-General, by Proclamation under paragraph 2(5)(b) of the *Copyright (World Trade Organization Amendments) Act 1994*, to be the day on which the WTO Agreement enters into force for Australia; 25

‘**WTO Agreement year**’ means:

(a) if the WTO Agreement day is the first day of a financial year—that financial year; or 30

(b) in any other case—the next financial year after the financial year in which the WTO Agreement day occurs.”.

Market support payments

4. Section 94 of the Principal Act is amended by omitting from paragraph (1)(b) “1 July 2000” and substituting “the start of the WTO Agreement year”. 35

Import offset payments

5. Section 94A of the Principal Act is amended by omitting from subsection (1) the definition of “relevant year” and substituting:

“**relevant year**” means the financial year that began on 1 July 1991 or any later financial year ending before the WTO Agreement year starts.”.

Rate of market support payments in relation to prescribed dairy produce

5 **6.** Section 95 of the Principal Act is amended by inserting after subsection (4A):

10 “(4B) The inclusion in the Table in subsection (4A) of a financial year that is the WTO Agreement year or a later financial year does not displace the rule in section 94 that for market support to be payable the export must occur before the start of the WTO Agreement year.”.

Winding-up of Market Support Fund

7. Section 102 of the Principal Act is amended by omitting from subsection (1) “30 June 2000” and substituting “the start of the WTO Agreement year”.

NOTE

1. No. 54, 1986, as amended. For previous amendments, see No. 168, 1986; Nos. 141 and 162, 1987; Nos. 51, 111 and 114, 1988; Nos. 129 and 130, 1989; Nos. 15 and 17, 1990; Nos. 26 and 39, 1991; No. 67, 1992; and Nos. 16 and 94, 1993.



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