



# Modernising the agricultural levies legislation

## Summary of 2024 exposure draft consultation

Department of Agriculture, Fisheries and Forestry

Agricultural Policy Division

## Modernising the agricultural levies legislation

The department is streamlining and modernising the agricultural levies legislation. The current legislation has been in place since 1989 and has grown over time. Currently there are over 50 pieces of legislation governing over 110 levies across over 75 commodities and 18 levy recipient bodies. A number of these legislative instruments are due to sunset on 1 April 2025. New, streamlined legislation has been drafted to replace the existing agricultural levies legislative framework.

In 2023, the department undertook public consultation on 6 draft agricultural levies Bills. These Bills have now passed Parliament and the new Acts received Royal Assent in July 2024.

## Consultation scope and method

Between 27 February 2024 and 23 April 2024 (8 weeks), the department consulted on 4 draft regulations and rules intended to be made under the new Acts.

- Draft Primary Industries (Excise) Levies Regulations
- Draft Primary Industries (Customs) Charges Regulations
- Draft Primary Industries Levies and Charges Collection Rules
- Draft Primary Industries Levies and Charges Disbursement Rules.

The draft regulations and rules were published on our '[Have Your Say](#)' webpage, along with factsheets to support understanding and surveys to guide feedback.

Emails were sent to approximately 9,000 stakeholders, notifying them of the published material and encouraging them to participate in the surveys and subscribe to updates. This included industry representative bodies (IRBs), levy collection agents, and levy recipient bodies including research and development corporations (RDCs), Plant Health Australia and Animal Health Australia. The department also met with various stakeholders during and after the consultation period.

During this consultation period in 2024, there were approximately 2,700 visits to the webpage and 39 submissions were received from stakeholders representing a wide range of industries.

## Feedback received

Feedback generally showed strong support for modernising the levies legislation. Most stakeholders found the draft regulations and rules simpler and easier to understand. They also appreciated the

streamlined structure of the new legislative framework. Some indicated that they found the supporting factsheets clear and helpful.

Many submissions gave in-principle support for the new legislation. This was often with the proviso that it does not change key features of the agricultural levy system, including current levy rates, industry's levy rate-setting role and Commonwealth matching funding.

Some feedback was out of scope for the modernising of the agricultural levies legislation, including calls to introduce or remove levies or change levy rates.

## **Operational details**

The department sought feedback on the operational details for levies and charges in the draft regulations and rules. Stakeholders were also asked to raise any issues or unintended consequences that they could foresee. RDCs were encouraged to consider industry definitions and prescribed goods relevant to the limit on matching funding.

Feedback received generally confirmed that the levy and charge details were drafted in a way that would continue existing arrangements. A few submissions raised questions or suggested changes to the wording of specific clauses, including in relation to commodity or industry definitions and levy imposition points. These comments have been taken into account in finalising the draft regulations and rules.

## **Interaction with biosecurity protection levy**

A few responses asked questions about the relationship between the modernised agricultural levies legislation and the proposed biosecurity protection levy and raised concerns about the confusion caused for levy payers and potential impact on upcoming decisions on levy rates. The department will take these concerns into account in any further work related to biosecurity funding.

## **Communication and education**

Some stakeholders requested more information about specific aspects of the draft regulations or rules, such as differences between industries, the role of services levies and how levy rates are changed. Others highlighted what they considered to be a general need for further support for users to understand and implement the new legislation. The department will take this feedback into account when preparing guidance and communication materials for levy system participants in relation to the new legislation.

## **Next steps**

The department has considered the feedback received and has adjusted the draft regulations and rules as required.

The regulations and rules are intended to be made before 1 January 2025 which is the commencement date of the new legislation.

The department will continue to engage with industry representatives, levy recipient bodies, collection agents and other interested parties throughout the process of transitioning to the new legislation.

### **Acknowledgement of Country**

We acknowledge the Traditional Custodians of Australia and their continuing connection to land and sea, waters, environment and community. We pay our respects to the Traditional Custodians of the lands we live and work on, their culture, and their Elders past and present.

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