



Queensland

Sugar Industry Act 1999

Sugar Industry Regulation 1999

Reprinted as in force on 14 December 2007

Reprint No. 2A

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the Office of the Queensland Parliamentary Counsel
Warning—This reprint is not an authorised copy

Information about this reprint

This regulation is reprinted as at 14 December 2007. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes. Also see list of legislation for any uncommenced amendments.

This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of reprints is included in the endnotes.

Also see endnotes for information about—

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

Dates shown on reprints

Reprints dated at last amendment All reprints produced on or after 1 July 2002, hard copy and electronic, are dated as at the last date of amendment. Previously reprints were dated as at the date of publication. If a hard copy reprint is dated earlier than an electronic version published before 1 July 2002, it means the legislation was not further amended and the reprint date is the commencement of the last amendment.

If the date of a hard copy reprint is the same as the date shown for an electronic version previously published, it merely means that the electronic version was published before the hard copy version. Also, any revised edition of the previously published electronic version will have the same date as that version.

Replacement reprint date If the date of a hard copy reprint is the same as the date shown on another hard copy reprint it means that one is the replacement of the other.



Queensland

Sugar Industry Regulation 1999

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Sugar Industry Regulation 1999

[as amended by all amendments that commenced on or before 14 December 2007]

1 Short title

This regulation may be cited as the *Sugar Industry Regulation 1999*.

2 Commencement

This regulation commences on 1 January 2000.

3 Collective contracts—Act, s 237

(1) For the Act, section 237, definition *region*, each part of the State consisting of the local government areas mentioned in schedule 1 is prescribed.¹

(2) In this section—

local government area means a local government area under the *Local Government Act 1993*.

4 Fees

The fees payable under the Act are in schedule 2.

¹ The local government areas of Burdekin, Bowen and Cardwell are in more than 1 region.

Schedule 1 Regions for collective contracts

section 3

Part 1 Central region

Bowen
Broadsound
Burdekin
Mackay
Mirani
Nebo
Sarina
Whitsunday

Part 2 Herbert River and Burdekin region

Bowen
Burdekin
Cardwell
Hinchinbrook
Thuringowa
Townsville

Schedule 1 (continued)

Part 3**North region**

Atherton
Cairns
Cardwell
Cook
Douglas
Eacham
Herberton
Johnstone
Mareeba

Part 4**South region**

Banana
Beaudesert
Biggenden
Boonah
Bundaberg
Burnett
Caboolture
Caloundra
Cooloola
Gold Coast
Hervey Bay
Isis

Schedule 1 (continued)

Kilkivan

Kolan

Logan

Maroochy

Maryborough

Miriam Vale

Noosa

Pine Rivers

Tiaro

Woocoo

Schedule 2 Fees

section 4

| | | \$ |
|---|--|-------|
| 1 | Inspection of access rights register and certificate of information recorded in register (if certificate issued at same time as inspection)—Act, s 69(9) | 10.00 |
| 2 | Certificate of information recorded in access rights register (if certificate issued other than at same time as inspection of register)—Act, s 70(2) | 10.00 |

Endnotes

1 Index to endnotes

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 14 December 2007. Future amendments of the Sugar Industry Regulation 1999 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

| Key | Explanation | Key | Explanation |
|--------|--------------------------------|---------|---|
| AIA | = Acts Interpretation Act 1954 | (prev) | = previously |
| amd | = amended | proc | = proclamation |
| amdt | = amendment | prov | = provision |
| ch | = chapter | pt | = part |
| def | = definition | pubd | = published |
| div | = division | R[X] | = Reprint No. [X] |
| exp | = expires/expired | RA | = Reprints Act 1992 |
| gaz | = gazette | reloc | = relocated |
| hdg | = heading | renum | = renumbered |
| ins | = inserted | rep | = repealed |
| lap | = lapsed | (retro) | = retrospectively |
| notfd | = notified | rv | = revised edition |
| num | = numbered | s | = section |
| o in c | = order in council | sch | = schedule |
| om | = omitted | sdiv | = subdivision |
| orig | = original | SIA | = Statutory Instruments Act 1992 |
| p | = page | SIR | = Statutory Instruments Regulation 2002 |
| para | = paragraph | SL | = subordinate legislation |
| prec | = preceding | sub | = substituted |
| pres | = present | unnum | = unnumbered |
| prev | = previous | | |

4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

| Reprint No. | Amendments to | Effective | Reprint date |
|-------------|-----------------|----------------|-----------------|
| 1 | none | 1 January 2000 | 20 January 2000 |
| 1A | 2000 SL No. 202 | 28 July 2000 | 11 August 2000 |
| 1B | 2002 SL No. 23 | 1 April 2002 | 2 April 2002 |

| Reprint No. | Amendments included | Effective | Notes |
|-------------|---------------------|------------------|-----------------------|
| 1C | 2004 SL No. 46 | 1 July 2004 | |
| 1D | 2004 SL No. 307 | 1 January 2005 | R1D withdrawn, see R2 |
| 2 | — | 1 January 2005 | |
| 2A | 2007 SL No. 339 | 14 December 2007 | |

5 List of legislation

Sugar Industry Regulation 1999 SL No. 339

made by the Governor in Council on 16 December 1999

notfd gaz 17 December 1999 pp 1586–9

ss 1–2 commenced on date of notification

remaining provisions commenced 1 January 2000 (see s 2)

exp 1 September 2010 (see SIA s 54)

Note—The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.

amending legislation—

Sugar Industry Amendment Regulation (No. 1) 2000 SL No. 202

notfd gaz 28 July 2000 pp 1115–16

commenced on date of notification

Sugar Industry Amendment Regulation (No. 1) 2002 SL No. 23

notfd gaz 15 February 2002 pp 618–19

ss 1–2 commenced on date of notification

remaining provisions commenced 1 April 2002 (see s 2)

Sugar Industry Amendment Regulation (No. 1) 2004 SL No. 46

notfd gaz 7 May 2004 pp 47–8

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2004 (see s 2)

Sugar Industry Amendment Regulation (No. 2) 2004 SL No. 307

notfd gaz 17 December 2004 pp 1277–85

ss 1–2 commenced on date of notification

remaining provisions commenced 1 January 2005 (see s 2)

Sugar Industry Amendment Regulation (No. 1) 2007 SL No. 339

notfd gaz 14 December 2007 pp 2131–5

ss 1–2 commenced on date of notification

s 10 commences 15 March 2008 (see s 2)

remaining provisions commenced on date of notification

6 List of annotations**Collective contracts—Act, s 237**

prov hdg amd 2002 SL No. 23 s 3 sch
s 3 prev s 3 amd 2002 SL No. 23 s 3 sch
 sub 2004 SL No. 307 s 4
 om 2007 SL No. 339 s 4
 pres s 3 (prev s 13) ins 2002 SL No. 23 s 5
 sub 2004 SL No. 307 s 6
 renum 2007 SL No. 339 s 7

Fees

prov hdg amd 2002 SL No. 23 s 3 sch
s 4 prev s 4 amd 2002 SL No. 23 s 3 sch
 om 2004 SL No. 307 s 4
 pres s 4 (prev s 17 (orig s 13)) renum 2002 SL No. 23 s 4
 amd 2007 SL No. 339 s 8(1)
 renum 2007 SL No. 339 s 8(2)

Process for moving supply from current mill—horizontal expansion process

s 5 amd 2002 SL No. 23 s 3 sch
 om 2004 SL No. 307 s 4

Calculation of declared sustainable increase—Act, s 27

prov hdg amd 2002 SL No. 23 s 3 sch
s 6 amd 2002 SL No. 23 s 3 sch
 om 2004 SL No. 307 s 4

Process of moving supply from current mill—productivity increase process

s 7 amd 2002 SL No. 23 s 3 sch
 om 2004 SL No. 307 s 4

Giving effect to cane production board's decisions—Act, s 33

prov hdg amd 2002 SL No. 23 s 3 sch
s 8 amd 2002 SL No. 23 s 3 sch
 om 2004 SL No. 307 s 4

Schemes for payment—Act, s 102

prov hdg amd 2002 SL No. 23 s 3 sch
s 9 amd 2002 SL No. 23 s 3 sch
 om 2004 SL No. 307 s 4

Production of brands of raw sugar—Act, s 103

prov hdg amd 2002 SL No. 23 s 3 sch
s 10 amd 2002 SL No. 23 s 3 sch
om 2007 SL No. 339 s 5

Dispute resolution process—Act, ss 24, 27, 38, 54, 92, 97 and 219

prov hdg amd 2002 SL No. 23 s 3 sch
s 11 amd 2002 SL No. 23 s 3 sch
om 2004 SL No. 307 s 5

Dispute resolution process—Act, s 103

prov hdg amd 2002 SL No. 23 s 3 sch
s 12 amd 2002 SL No. 23 s 3 sch
om 2007 SL No. 339 s 6

Establishment of productivity area and cane protection and productivity board

s 14 ins 2002 SL No. 23 s 5
om 2004 SL No. 307 s 6

Assets and liabilities of dissolved boards

s 15 ins 2002 SL No. 23 s 5
om 2004 SL No. 307 s 6

Issue of shares in STL—Act, s 272

prov hdg amd 2002 SL No. 23 s 3 sch
s 16 (prev s 12A) ins 2000 SL No. 202 s 3
renum 2002 SL No. 23 s 4
amd 2002 SL No. 23 s 3 sch
om 2004 SL No. 307 s 6

SCHEDULE 1—REGIONS FOR COLLECTIVE CONTRACTS

sch hdg amd 2007 SL No. 339 s 9
sch 1 sub 2004 SL No. 307 s 7

Making an application

s 1 amd 2002 SL No. 23 s 3 sch
om 2004 SL No. 307 s 7

Dealing with applications

s 2 om 2004 SL No. 307 s 7

Move consent notices

s 3 om 2004 SL No. 307 s 7

Withdrawing an application

s 4 om 2004 SL No. 307 s 7

Granting unallocated hectares

s 5 om 2004 SL No. 307 s 7

End of regulation process

s 6 om 2004 SL No. 307 s 7

Time for making an application

s 7 amd 2002 SL No. 23 s 3 sch
om 2004 SL No. 307 s 7

SCHEDULE 2—FEES

- sch hdg** sub 2007 SL No. 339 s 12
sch 2 prev sch 2 amd 2002 SL No. 23 s 3 sch
 om 2004 SL No. 307 s 3
 pres sch 2 (prev sch 5) amd 2002 SL No. 23 s 3 sch

SCHEDULE 3—DISPUTE RESOLUTION PROCESS FOR SECTIONS 24, 27, 38, 54, 92, 97 AND 219 OF THE ACT

- sch hdg** amd 2002 SL No. 23 s 3 sch
sch 3 om 2004 SL No. 307 s 7

PART 1—PRELIMINARY

- pt hdg** om 2004 SL No. 307 s 7

Definitions

- s 1** def “**final offer arbitration**” ins 2004 SL No. 46 s 4(1)
 om 2004 SL No. 307 s 7

PART 2—NEGOTIATION

- pt hdg** om 2004 SL No. 307 s 7

Application of pt 2

- s 2** amd 2002 SL No. 23 s 3 sch
 om 2004 SL No. 307 s 7

Negotiation

- s 3** om 2004 SL No. 307 s 7

Negotiated agreement

- s 4** om 2004 SL No. 307 s 7

Mediation and arbitration

- s 5** om 2004 SL No. 307 s 7

PART 3—MEDIATION

- pt hdg** om 2004 SL No. 307 s 7

Division 1—Application of part

- div hdg** om 2004 SL No. 307 s 7

Application of pt 3

- s 6** amd 2002 SL No. 23 s 3 sch
 om 2004 SL No. 307 s 7

Division 2—Conducting mediation

- div hdg** om 2004 SL No. 307 s 7

When to proceed to mediation

- s 7** om 2004 SL No. 307 s 7

Appointment of mediator

- s 8** om 2004 SL No. 307 s 7

List of issues to be resolved

- s 9** om 2004 SL No. 307 s 7

Mediation—when, where and how

s 10 om 2004 SL No. 307 s 7

When mediation ends

s 11 om 2004 SL No. 307 s 7

List of unresolved issues

s 12 amd 2002 SL No. 23 s 3 sch
om 2004 SL No. 307 s 7

Division 3—Final offers

div hdg om 2004 SL No. 307 s 7

Application of div 3

s 13 amd 2002 SL No. 23 s 3 sch
om 2004 SL No. 307 s 7

Final offers at end of mediation

s 14 amd 2002 SL No. 23 s 3 sch
om 2004 SL No. 307 s 7

Considering final offers before meeting

s 15 om 2004 SL No. 307 s 7

Meeting about final offers

s 16 om 2004 SL No. 307 s 7

Accepting final offers

s 17 om 2004 SL No. 307 s 7

PART 4—ARBITRATION

pt hdg om 2004 SL No. 307 s 7

Division 1—Conducting arbitration

div hdg om 2004 SL No. 307 s 7

When to proceed to arbitration

s 18 amd 2002 SL No. 23 s 3 sch
om 2004 SL No. 307 s 7

Appointment of arbitrator

s 19 om 2004 SL No. 307 s 7

When arbitration starts

s 20 amd 2002 SL No. 23 s 3 sch; 2004 SL No. 46 s 4(2)–(4)
om 2004 SL No. 307 s 7

When final offer arbitration permitted

s 20A ins 2004 SL No. 46 s 4(5)
om 2004 SL No. 307 s 7

Preliminary meeting

s 21 amd 2002 SL No. 23 s 3 sch; 2004 SL No. 46 s 4(6)
om 2004 SL No. 307 s 7

Conducting arbitration

s 22 om 2004 SL No. 307 s 7

Submissions

s 23 om 2004 SL No. 307 s 7

Arbitrator may call for documents, material or information

s 24 om 2004 SL No. 307 s 7

Commercial confidentiality

s 25 om 2004 SL No. 307 s 7

Arbitrator may seek independent advice

s 26 om 2004 SL No. 307 s 7

No separate meetings without agreement

s 27 om 2004 SL No. 307 s 7

When arbitration ends

s 28 om 2004 SL No. 307 s 7

Division 2—Arbitrator's decision

div hdg om 2004 SL No. 307 s 7

No final offer arbitration

prov hdg amd 2002 SL No. 23 s 3 sch

s 29 amd 2002 SL No. 23 s 3 sch
sub 2004 SL No. 46 s 4(7)
om 2004 SL No. 307 s 7**Final offer arbitration**prov hdg amd 2002 SL No. 23 s 3 sch
sub 2004 SL No. 46 s 4(8)s 30 amd 2002 SL No. 23 s 3 sch; 2004 SL No. 46 s 4(9)–(11)
om 2004 SL No. 307 s 7**Decision binding**

s 31 om 2004 SL No. 307 s 7

PART 5—MISCELLANEOUS

pt 5 (ss 32–38) om 2004 SL No. 307 s 7

**SCHEDULE 4—DISPUTE RESOLUTION PROCESS FOR SECTION 103 OF THE
ACT**

sch hdg amd 2002 SL No. 23 s 3 sch

sch 4 om 2007 SL No. 339 s 11