

BUSINESS FRANCHISE (TOBACCO).

No. 4 of 1983.

AN ACT to amend the Business Franchise (Tobacco) Act 1975-1982.

[Assented to 11 August 1983.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the *Business Franchise (Tobacco) Amendment Act 1983*. Short title and citation.

(2) In this Act the Business Franchise (Tobacco) Act 1975-1982 is referred to as the principal Act. Act No. 84 of 1975 as amended by Acts Nos. 32 of 1980, 22 and 82 of 1981 and 10 of 1982.

(3) The principal Act as amended by this Act may be cited as the Business Franchise (Tobacco) Act 1975-1983.

Section 4
amended.

2. Section 4 of the principal Act is amended in subsection (2) by deleting “Two hundred dollars.” and substituting the following—

“ \$5 000. ”.

Section 6
amended.

3. Section 6 of the principal Act is amended—

(a) in subsection (1a), by deleting “One thousand dollars.” and substituting the following—

“ \$20 000. ”;

(b) in subsection (3),—

(i) by inserting after “purchase tobacco” the following—

“ in the course of intrastate trade ”; and

(ii) by deleting “One thousand dollars.” and substituting the following—

“ \$20 000. ”; and

(c) in subsection (4), by deleting “solely” and substituting the following—

“ in the course of intrastate trade ”.

Section 8
amended.

4. Section 8 of the principal Act is amended—

(a) in subsection (1a), by deleting “One thousand dollars.” and substituting the following—

“ \$20 000. ”; and

- (b) in subsection (3), by deleting “Two hundred and fifty dollars.” and substituting the following—

“ \$1 000. ”.

5. Section 10 of the principal Act is amended in subsection (1)— Section 10
amended.

- (a) in paragraph (c), by inserting after “1982” the following—

“ and ending on or before the thirty-first day of August, 1983 ”;

- (b) in paragraph (d), by inserting after “1982” the following—

“ and ending on or before the thirty-first day of August, 1983, ”;

- (c) by deleting “and” at the end of paragraph (d);

- (d) in paragraph (e), by inserting after “1982” the following—

“ and ending on or before the thirty-first day of August, 1983, ”; and

- (e) by deleting the full stop at the end of paragraph (e), substituting a semi-colon and inserting the following paragraphs—

“ (f) for a wholesale tobacco merchant’s licence which is in force for the period of September and October, 1983, a fee of twenty dollars for each wholesaler together with an amount of twelve and one half per centum of the value of tobacco sold by the applicant in the course of intrastate trading during June, 1983 and an amount of thirty-five per centum of the value of tobacco sold by the applicant in the

course of intrastate trading during July, 1983 (other than, in the case of each of the said months, tobacco sold to the holder of a wholesale tobacco merchant's licence or a group tobacco licence);

- (g) for a group tobacco licence which is in force for the period of September and October, 1983, a fee of twenty dollars for each member of the group together with an amount of twelve and one half per centum of the value of tobacco sold by all members of the group in the course of intrastate trading during June, 1983 and an amount of thirty-five per centum of the value of tobacco sold by all members of the group in the course of intrastate trading during July, 1983 (other than, in the case of each of the said months, tobacco sold to the holder of a wholesale tobacco merchant's licence or a group tobacco licence);
- (h) for a retail tobacconist's licence which is in force for the period of September and October 1983, a fee of an amount equal to twelve and one half per centum of the value of tobacco sold by the applicant in the course of tobacco retailing during June, 1983 and an amount of thirty-five per centum of the value of tobacco sold by the applicant in the course of tobacco retailing during July, 1983 (other than, in the case of each of the said months, tobacco purchased in the course of intrastate trade from the holder of a wholesale tobacco merchant's licence, a group tobacco licence or another tobacco retailer for the purposes of resale);

- (i) for a wholesale tobacco merchant's licence which is in force for any period after the thirty-first day of October, 1983, a fee of twenty dollars for each wholesaler together with an amount of thirty-five per centum of the value of tobacco sold by the applicant in the course of intrastate trading during the relevant period (other than tobacco sold to the holder of a wholesale tobacco merchant's licence or a group tobacco licence);
- (j) for a group tobacco licence which is in force for any period after the thirty-first day of October, 1983, a fee of twenty dollars for each member of the group together with an amount of thirty-five per centum of the value of tobacco sold by all members of the group in the course of intrastate trading during the relevant period (other than tobacco sold to the holder of a wholesale tobacco merchant's licence or a group tobacco licence); and
- (k) for a retail tobacconist's licence which is in force for any period after the thirty-first day of October, 1983, a fee of an amount equal to thirty-five per centum of the value of tobacco sold by the applicant in the course of tobacco retailing during the relevant period (other than tobacco purchased in the course of intrastate trade from the holder of a wholesale tobacco merchant's licence, a group tobacco licence or another tobacco retailer for the purposes of resale). ”.

Section 12C
amended.

6. Section 12C of the principal Act is amended in subsection (1) by deleting "Five hundred dollars." and substituting the following—

" \$2 000. ".

Section 14
amended.

7. Section 14 of the principal Act is amended in subsection (1) by deleting "One thousand dollars." and substituting the following—

" \$20 000. ".

Section 15
amended.

8. Section 15 of the principal Act is amended in subsection (4) by deleting "Five hundred dollars." and substituting the following—

" \$10 000. ".

Section 18
amended.

9. Section 18 of the principal Act is amended by deleting "Five hundred dollars." where it appears in subsection (1) and subsection (2) and substituting in each case the following—

" \$10 000. ".
