



Therapeutic Goods (Charges) Amendment Act 2002

No. 25, 2002

**An Act to amend the *Therapeutic Goods (Charges)
Act 1989*, and for related purposes**

Note: An electronic version of this Act is available in SCALEplus
(<http://scaleplus.law.gov.au/html/comact/browse/TOCN.htm>)

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**An Act to amend the *Therapeutic Goods (Charges)
Act 1989*, and for related purposes**

[Assented to 4 April 2002]

The Parliament of Australia enacts:

1 Short title

This Act may be cited as the *Therapeutic Goods (Charges)
Amendment Act 2002*.

2 Commencement

- (1) Each provision of this Act specified in column 1 of the table commences, or is taken to have commenced, on the day or at the time specified in column 2 of the table.

Commencement information		
Column 1	Column 2	Column 3
Provision(s)	Commencement	Date/Details
1. Sections 1 to 3 and anything in this Act not elsewhere covered by this table	The day on which this Act receives the Royal Assent	4 April 2002
2. Schedule 1	At the same time as Schedule 1 to the <i>Therapeutic Goods Amendment (Medical Devices) Act 2002</i> commences	4 October 2002

Note: This table relates only to the provisions of this Act as originally passed by the Parliament and assented to. It will not be expanded to deal with provisions inserted in this Act after assent.

- (2) Column 3 of the table is for additional information that is not part of this Act. This information may be included in any published version of this Act.

3 Schedule(s)

Each Act that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

Schedule 1—Amendment of the Therapeutic Goods (Charges) Act 1989

1 Title

Omit “**registration and listing**”, substitute “**registration, listing and inclusion in the Register**”.

2 At the end of section 3

Add:

- (2) However, for the purposes of this Act, if a suspension of a kind of medical device, or any medical devices of a particular kind, has effect under Chapter 4 of the *Therapeutic Goods Act 1989*, that kind of medical device is taken to be included in the Register under that Chapter.

3 After subsection 4(1A)

Insert:

- (1B) Annual charges of such amounts as are prescribed are payable in respect of the inclusion of kinds of medical devices in the Register under Chapter 4 of the Therapeutic Goods Act that has effect at any time during a financial year.

4 Subsections 4(3) and (4)

Omit “Part 3”, substitute “Part 3-2”.

5 After subsection 4(4)

Insert:

(4A) If:

- (a) medical devices are included in the Register under subsection 6A(3) of the Therapeutic Goods Act; and
- (b) the devices are so included for the purposes of a provision of a corresponding State law that provides for the inclusion of devices in the Register;

this section has effect as if the devices had been included in the Register under Chapter 4 of the Therapeutic Goods Act.

6 Subsection 4(5)

Omit “Part 4” (wherever occurring), substitute “Part 3-3”.

7 Paragraph 5(2)(a)

After “of goods”, insert “(including medical devices)”.

8 Subsection 5(3)

After “therapeutic goods”, insert “, or the inclusion of kinds of medical devices in the Register under Chapter 4 of the *Therapeutic Goods Act 1989*,”.

9 Subsection 5(3)

After “those goods”, insert “or devices”.

*[Minister’s second reading speech made in—
House of Representatives on 14 February 2002
Senate on 20 March 2002]*

(6/02)
