



# Close Corporations (Fees) Act 1989

No. 121 of 1989

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## An Act relating to fees payable for the purposes of the *Close Corporations Act 1989*

[Assented to 14 July 1989]

BE IT ENACTED by the Queen, and the Senate and the House of Representatives of the Commonwealth of Australia, as follows:

### Short title

1. This Act may be cited as the *Close Corporations (Fees) Act 1989*.

### Commencement

2. This Act shall come into operation on a day to be fixed by Proclamation.

### Interpretation

3. An expression has the same meaning in this Act as in the *Close Corporations Act 1989*.

### Fees payable

4. (1) There shall be paid to the Commonwealth for or in respect of:
  - (a) the lodgment of documents under the *Close Corporations Act 1989*;

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- (b) the registration of documents under that Act or the inspection or search of registers kept by, or documents in the custody of, the Commission under that Act;
- (c) the production by the Commission, pursuant to a subpoena, of any register kept by, or documents in the custody of, the Commission under that Act;
- (d) the issuing of documents or copies of documents, the granting of licences, consents or approvals or the doing of other acts or things by the Minister or the Commission under that Act;
- (e) the issuing by the Commission of documents that contain extracts from documents lodged under that Act;
- (f) the making of inquiries of, or applications to, the Minister or the Commission in relation to matters arising under that Act; and
- (g) the submission to the Commission of documents for examination by the Commission;

such fees (if any) as are prescribed.

(2) Where a fee is payable to the Commonwealth under subsection (1) for or in respect of the lodgment of a document and the document is submitted for lodgment without payment of the fee:

- (a) the document shall not be taken not to have been lodged because of non-payment of the fee; but
- (b) the fee is a debt due to the Commonwealth and may be recovered by the Commission in a court of competent jurisdiction.

(3) Where a fee is payable to the Commonwealth under subsection (1) for or in respect of any matter involving the doing of any act or thing by the Minister or the Commission, the Minister or the Commission shall not do that act or thing until the fee has been paid.

(4) This section has effect despite anything contained in the *Close Corporations Act 1989*.

(5) Nothing in this section prevents the Commonwealth from:

- (a) waiving or reducing, in a particular case or classes of cases, fees that would otherwise be payable under this section; or
- (b) refunding, in whole or in part, in a particular case or classes of cases, fees paid under this section.

### **Regulations**

5. The Governor-General may make regulations, not inconsistent with this Act, prescribing fees, not in any case exceeding \$2,500, for the purposes of subsection 4 (1).

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[*Minister's second reading speech made in—  
House of Representatives on 25 May 1988  
Senate on 14 October 1988*]