



Therapeutic Goods (Charges) Amendment Act 1991

No. 85 of 1991

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

[Assented to 26 June 1991]

The Parliament of Australia enacts:

Short title etc.

1. (1) This Act may be cited as the *Therapeutic Goods (Charges) Amendment Act 1991*.

(2) In this Act, “**Principal Act**” means the *Therapeutic Goods (Charges) Act 1989*¹.

Commencement

2. This Act commences, or is taken to have commenced, as the case requires, on the commencement of Part 5 of the *Community Services and Health Legislation Amendment Act 1991*.

Charges

3. Section 4 of the Principal Act is amended:

- (a) by inserting in subsection (1) “, other than grouped therapeutic goods,” after “goods”;
- (b) by inserting after subsection (1) the following subsection:

“(1A) If the registration or listing of one or more grouped therapeutic goods, being goods covered by a single registration or listing number, is in force at any time during a financial year, an annual charge of such amount as is prescribed is payable in respect of all of the registrations or listings concerned.”.

Application of amendments

4. The amendments made by this Act apply as follows:

- (a) in the case of the financial year in which the date of commencement of this section occurred—to registrations or listings that commenced on or after that date;
- (b) in the case of a later financial year—to all registrations or listings.

Transitional

5. (1) In this section:

“**amended Act**” means the Principal Act as amended by this Act.

(2) For the purposes of the application of the Principal Act to charges:

- (a) for the financial year in which the date of commencement of this section occurred or an earlier financial year; and
- (b) in respect of registrations or listings:
 - (i) in force at a particular time before that date; and
 - (ii) that commenced before that date;

if therapeutic goods were treated, at that time, as single therapeutic goods for the purposes of Part 3 of the *Therapeutic Goods Act 1989*, then those goods are taken to have been treated as single therapeutic goods.

(3) For the purposes of the amended Act, regulations made, or purporting to be made, for the purposes of subsection 4(1) of the Principal Act, to the extent that the regulations covered goods that were treated as single therapeutic goods for the purposes of Part 3 of the *Therapeutic Goods Act 1989*, have effect as if the regulations were made for the purposes of subsection 4(1A) of the amended Act and had covered the corresponding grouped therapeutic goods.

(4) If a charge is payable under subsection 4(1) of the Principal Act in relation to the financial year in which the date of commencement of this section occurred in respect of the registration or listing of

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therapeutic goods covered by a single registration or listing number, no charge is payable under subsection 4(1A) of the amended Act in relation to that financial year in respect of the registration or listing of therapeutic goods covered by the same registration or listing number.

NOTE

1. No. 22, 1990.

[*Minister's second reading speech made in—
House of Representatives on 31 May 1991 a.m.
Senate on 6 June 1991*]