Migration Agents Registration (Renewal) Levy Amendment Act 1995

No. 112 of 1995

**An Act to amend the** Migration Agents Registration (Renewal) Levy Act 1992**, and for related purposes**

[*Assented to 29 September 1995*]

The Parliament of Australia enacts:

**Short title etc.**

**1.(1)** This Act may be cited as the *Migration Agents Registration (Renewal) Levy Amendment Act 1995.*

**(2)** In this Act, **“Principal Act”** means the *Migration Agents Registration (Renewal) Levy Act 1992*1

**Commencement**

**2. (1)** Subject to subsection (2), this Act commences on a day to be fixed by Proclamation.

**(2)** If this Act does not commence within the period of 6 months beginning on the day on which it receives the Royal Assent, it commences on the first day after the end of that period.

**Repeal and substitution of section 6**

**3. (1)** Section 6 of the Principal Act is repealed and the following section is substituted:

**Amount of levy**

“6.(1) The amount of levy payable in respect of a registration renewed in a financial year starting on or after 1 July 1995 is, subject to subsection (3), the amount worked out under the formula:

where:

**‘new CGFCE number’** means the number worked out as follows:

(a) take the first set of Commonwealth Government Final Consumption Expenditure Implicit Price Deflators to be issued by the Department of Finance after 1 January in the previous financial year;

(b) find the number that relates to the period ending on 31 December in the previous financial year;

(c) that number is the new CGFCE number;

**‘base CGFCE number’** means the number worked out as follows:

(a) take the first set of Commonwealth Government Final Consumption Expenditure Implicit Price Deflators to be issued by the Department of Finance after 1 January in the previous financial year;

(b) find the number that relates to the period ending on 31 December 1993;

(c) that number is the base CGFCE number;

**‘relevant base rate’** means the base rate applicable under subsection (2) to the renewal of the registration.

“(2) The base rate applicable to a renewal of a registration is as follows:

(a) if, at the time of the renewal, the individual whose registration is renewed proposes to give immigration assistance in the capacity of an employee of a registered agent, an employee of a partnership at least one of whose members is a registered agent, or an employee of a corporation at least one of whose executive officers is a registered agent, then:

(i) if he or she also proposes at that time to give during the period for which the registration is continued, and during that period gives, paid immigration assistance in no more than 5 cases— $50; or

(ii) if subparagraph (i) does not apply—$525;

(b) if the individual whose registration is renewed is not proposing, at the time of that renewal, to give immigration assistance in any of the capacities mentioned in paragraph (a), then:

(i) if he or she proposes at that time to give during the period for which the registration is continued, and during that period gives, paid immigration assistance in no more than 5 cases— $105; or

(ii) if subparagraph (i) does not apply—$1, 050.

“(3) If an amount worked out under the formula in subsection (1) is not a multiple of $5, the amount is to be rounded as follows:

(a) if the amount exceeds the nearest lower multiple of $5 by $2.50 or more—round the amount up to the nearest higher multiple of $5;

(b) in any other case—round the amount down to the nearest lower multiple of $5.”.

**(2)** The amendment made by subsection (1) applies to registrations renewed on or after the day on which this section commences.

**NOTE**

Migration Agents Registration (Renewal) Levy Act 1992

1. No. 87, 1992.

[Minister's second reading speech made in**—**

House of Representatives on 9 February 1995 Senate on 27 February 1995]