



# **Clean Energy (Charges—Customs) Amendment Act 2012**

**No. 198, 2012**

**An Act to amend the *Clean Energy (Charges—  
Customs) Act 2011*, and for related purposes**

Note: An electronic version of this Act is available in ComLaw (<http://www.comlaw.gov.au/>)



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**No. 198, 2012**

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**An Act to amend the *Clean Energy (Charges—  
Customs) Act 2011*, and for related purposes**

[Assented to 12 December 2012]

The Parliament of Australia enacts:

## **1 Short title**

This Act may be cited as the *Clean Energy (Charges—Customs)  
Amendment Act 2012*.

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## 2 Commencement

- (1) Each provision of this Act specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

<b>Commencement information</b>		
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provision(s)</b>	<b>Commencement</b>	<b>Date/Details</b>
1. Sections 1 to 3 and anything in this Act not elsewhere covered by this table	The day this Act receives the Royal Assent.	12 December 2012
2. Schedule 1	At the same time as Part 1 of Schedule 1 to the <i>Clean Energy Amendment (International Emissions Trading and Other Measures) Act 2012</i> commences.	14 December 2012

Note: This table relates only to the provisions of this Act as originally enacted. It will not be amended to deal with any later amendments of this Act.

- (2) Any information in column 3 of the table is not part of this Act. Information may be inserted in this column, or information in it may be edited, 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Each Act that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

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## Schedule 1—Amendments

### *Clean Energy (Charges—Customs) Act 2011*

#### **1 Section 3 (definition of *eligible international emissions unit*)**

Repeal the definition.

#### **2 Subsection 8(3)**

Omit all the words from and including “so long as” to and including “that reserve charge amount”, substitute “so long as, in a case where there is a reserve charge amount in relation to the auction (see subsection (4A)), the amount the person indicated or declared, in the course of the auction, that the person would be willing to pay by way of charge for the issue of the unit is not less than that reserve charge amount”.

#### **3 After subsection 8(4)**

Insert:

- (4A) The Minister may, by legislative instrument, determine that, for the purposes of subsection (3), the *reserve charge amount* in relation to a specified auction is the amount ascertained in accordance with the determination.

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*[Minister’s second reading speech made in—  
House of Representatives on 19 September 2012  
Senate on 11 October 2012]*

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(169/12)

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