Water Efficiency Labelling and Standards (Registration Fees) Act 2013

No. 63, 2013

An Act to impose, as taxes, fees for applying for registration of WELS products for the purposes of the WELS scheme, and for related purposes

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An Act to impose, as taxes, fees for applying for registration of WELS products for the purposes of the WELS scheme, and for related purposes

[*Assented to 26 June 2013*]

The Parliament of Australia enacts:

Part 1—Preliminary

1 Short title

 This Act may be cited as the *Water Efficiency Labelling and Standards (Registration Fees) Act 2013*.

2 Commencement

 This Act commences on the day after this Act receives the Royal Assent.

3 Act binds the Crown

 This Act binds the Crown in each of its capacities.

4 Application of this Act

 This Act applies to a registration application made:

 (a) in or outside Australia; and

 (b) on or after 15 September 2013.

5 Act does not impose tax on property of a State

 (1) This Act does not impose a tax on property of any kind belonging to a State.

 (2) In this section, ***property of any kind belonging to a State*** has the same meaning as in section 114 of the Constitution.

6 Definitions

 (1) In this Act:

***registration application*** means an application, made under the *Water Efficiency Labelling and Standards Act 2005* or a corresponding State‑Territory law, for registration of a WELS product (including renewal of registration).

***registration fees***: see subsection 7(1).

 (2) Other expressions used in this Act that are defined in the *Water Efficiency Labelling and Standards Act 2005* have the same meanings as they have in that Act.

Part 2—Registration fees

7 Imposition of registration fees

 (1) The Minister may, by legislative instrument, specify fees (***registration fees***) for registration applications.

 (2) Registration fees are imposed, and are so imposed as taxes.

 (3) Two or more registration fees may be specified for a single registration application.

 (4) Before making an instrument under subsection (1), the Minister must give a draft of the instrument to each participating State or Territory.

Note: See also subsection 26(8) of the *Water Efficiency Labelling and Standards Act 2005*.

8 Matters relating to amount of fees

 (1) A legislative instrument made under subsection 7(1) may specify a registration fee:

 (a) by specifying an amount as the fee; or

 (b) by specifying a method for calculating the amount of the fee.

 (2) Before making the instrument, the Minister must be satisfied that it sets fees at a level that is designed to recover no more than the likely cost of administering the WELS scheme (including the corresponding State‑Territory laws) and this Act.

Part 3—Miscellaneous

9 Regulations

 The Governor‑General may make regulations prescribing matters necessary or convenient to be prescribed for carrying out or giving effect to this Act.

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

*House of Representatives on 13 March 2013*

*Senate on 20 March 2013*]

(44/13)