



# **Australian Crime Commission (National Policing Information Charges) Act 2016**

**No. 44, 2016**

**An Act to impose national policing information charges as taxes, and for related purposes**

Note: An electronic version of this Act is available on the Federal Register of Legislation (<https://www.legislation.gov.au/>)



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# **Australian Crime Commission (National Policing Information Charges) Act 2016**

**No. 44, 2016**

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## **An Act to impose national policing information charges as taxes, and for related purposes**

[Assented to 5 May 2016]

The Parliament of Australia enacts:

### **1 Short title**

This Act may be cited as the *Australian Crime Commission (National Policing Information Charges) Act 2016*.

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No. 44, 2016

*Australian Crime Commission (National Policing Information Charges) Act 2016*

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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.

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Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this Act	At the same time as the <i>Australian Crime Commission Amendment (National Policing Information) Act 2016</i> commences.  However, the provisions do not commence at all if that Act does not commence.	1 July 2016

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Note: This table relates only to the provisions of this Act as originally enacted.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 External Territories

This Act extends to every external Territory.

## 4 Property of a State

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

## 5 Definitions

In this Act:

**Board** has the same meaning as in the *Australian Crime Commission Act 2002*.

***national policing information*** has the same meaning as in the *Australian Crime Commission Act 2002*.

***national policing information charge*** means a charge imposed by section 6.

***property of any kind belonging to a State*** has the same meaning as in section 114 of the Constitution.

## **6 Imposition of national policing information charges**

National policing information charges are imposed on the following:

- (a) applications to the Australian Crime Commission for national policing information services;
- (b) provision by the Australian Crime Commission of national policing information services.

## **7 Charge amounts**

- (1) The amount of a national policing information charge for an application for, or the provision of, a kind of national policing information service is the amount determined by the Minister by legislative instrument.
- (2) The Minister may determine different amounts (including a nil amount) of national policing information charge for different classes of persons in relation to the same kind of service.
- (3) In determining a national policing information charge, the Minister must have regard to any recommendations of the Board made under subsection 7C(7) of the *Australian Crime Commission Act 2002*.

## **8 Exemption from charge**

National policing information charge is not payable by a person in relation to a service if the provision of the service to the person is subject to a fee charged under section 15 of the *Australian Crime Commission Act 2002*.

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*[Minister's second reading speech made in—  
House of Representatives on 3 December 2015  
Senate on 4 May 2016]*

(221/15)

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Charges) Act 2016*

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