

Industrial Chemicals Charges (Excise) Act 2019

No. 19, 2019

An Act to impose charge on the registration of introducers of industrial chemicals, so far as that charge is a duty of excise

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No. 19, 2019

An Act to impose charge on the registration of introducers of industrial chemicals, so far as that charge is a duty of excise

[*Assented to 3 April 2019*]

The Parliament of Australia enacts:

1 Short title

This Act is the *Industrial Chemicals Charges (Excise) Act 2019*.

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.

| Commencement information | | |
| --- | --- | --- |
| Column 1 | Column 2 | Column 3 |
| Provisions | Commencement | Date/Details |
| 1. Sections 1 and 2 and anything in this Act not elsewhere covered by this table | The day this Act receives the Royal Assent. | 3 April 2019 |
| 2. Sections 3 to 9 | The later of:  (a) the start of the day after this Act receives the Royal Assent; and  (b) immediately after the commencement of section 3 of the *Industrial Chemicals Act 2019*.  However, the provisions do not commence at all if the event mentioned in paragraph (b) does not occur. | 1 July 2020  (paragraph (b) applies) |

Note: This table relates only to the provisions of this Act as originally enacted.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

This Act extends to every external Territory.

4 Act binds the Crown

This Act binds the Crown in each of its capacities. However, it does not bind the Crown in right of the Commonwealth.

5 Definitions

In this Act:

***amount*** includes a nil amount.

***charge*** means charge imposed by this Act.

***industrial chemical*** has the same meaning as in the *Industrial Chemicals Act 2019*.

***introduce*** an industrial chemical has the same meaning as in the *Industrial Chemicals Act 2019*.

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

***registration year*** has the same meaning as in the *Industrial Chemicals Act 2019*.

6 Imposition of charge

(1) Charge is imposed in relation to the registration of a person under section 17 of the *Industrial Chemicals Act 2019* for a registration year.

(2) This section imposes charge only so far as that charge is a duty of excise within the meaning of section 55 of the Constitution.

7 Amount of charge

(1) The amount of charge payable by a person is the amount:

(a) prescribed by the regulations; or

(b) worked out in accordance with a method prescribed by the regulations.

(2) Without limiting subsection (1), the regulations may prescribe different charges or methods depending on the value of industrial chemicals introduced by the person during a registration year or a financial year.

8 Act does not impose tax on property of a State

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

9 Regulations

The Governor‑General may make regulations prescribing matters:

(a) required or permitted by this Act to be prescribed; or

(b) 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 1 June 2017*

*Senate on 18 October 2017*]

(97/17)