

Export Charges (Imposition—Customs) Amendment Act 2020

No. 14, 2020

An Act to amend the *Export Charges (Imposition—Customs) Act 2015*, and for related purposes

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No. 14, 2020

An Act to amend the *Export Charges (Imposition—Customs) Act 2015*, and for related purposes

[*Assented to 6 March 2020*]

The Parliament of Australia enacts:

1 Short title

This Act is the *Export Charges (Imposition—Customs) Amendment Act 2020*.

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. The whole of this Act | At the same time as section 3 of the *Export Control Act 2020* commences. | 3 am (A.C.T.) 28 March 2021 |

Note: This table relates only to the provisions of this Act as originally enacted.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

Legislation that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

Schedule 1—Amendments

Export Charges (Imposition—Customs) Act 2015

1 Section 4

Repeal the section, substitute:

4 Extension of this Act to external Territories and other areas

(1) Subject to subsection (2), this Act does not extend to the external Territories.

(2) If rules made for the purposes of paragraph 8(2)(a) of the *Export Control Act 2020* extend that Act, or any provisions of that Act, to an external Territory, then this Act extends to that external Territory.

(3) If rules made for the purposes of paragraph 8(2)(b) of the *Export Control Act 2020* extend that Act, or any provisions of that Act, to an area adjacent to an external Territory, then this Act extends to that area.

(4) If rules made for the purposes of paragraph 8(2)(c) of the *Export Control Act 2020* extend that Act, or any provisions of that Act, to an area outside the Australian fishing zone in relation to which the *Fisheries Management Act 1991* applies, under regulations made for the purposes of section 8 of the *Fisheries Management Act 1991*, then this Act extends to that area.

2 Section 5

Repeal the section.

3 Part 2 (heading)

Omit “**regulated goods**”, substitute “**certain goods**”.

4 Subsection 7(1)

Omit “regulated goods”, substitute “a kind of goods covered by the *Export Control Act 2020*”.

5 Subsection 7(3)

Omit “regulated goods, and a single charge may be prescribed in relation to 2 or more kinds of regulated goods”, substitute “kind of goods, and a single charge may be prescribed in relation to 2 or more kinds of goods”.

6 Subsection 8(2)

Repeal the subsection, substitute:

(2) Before the Governor‑General makes regulations for the purposes of subsection 7(1) prescribing a charge in relation to the export of a kind of goods, the Minister must be satisfied that the amount of the charge is set at a level that is designed to recover no more than the Commonwealth’s likely costs in connection with the export of the goods.

7 Section 9

Repeal the section.

8 Part 3 (heading)

Repeal the heading, substitute:

Part 3—Charges in relation to certain matters relating to the export of certain goods

9 Subsection 11(1)

Repeal the subsection, substitute:

(1) The regulations may prescribe a charge in relation to a matter relating to the export of a kind of goods if:

(a) the export of goods of that kind is covered by the *Export Control Act 2020*; or

(b) provision in relation to the matter is made under the *Export Control Act 2020*.

10 Subsection 11(3)

Omit “regulated matter, and a single charge may be prescribed in relation to 2 or more regulated matters”, substitute “matter, and a single charge may be prescribed in relation to 2 or more matters”.

11 Subsection 12(2)

Repeal the subsection, substitute:

(2) Before the Governor‑General makes regulations for the purposes of subsection 11(1) prescribing a charge in relation to a matter, the Minister must be satisfied that the amount of the charge is set at a level that is designed to recover no more than the Commonwealth’s likely costs in connection with the matter.

12 Section 13

Repeal the section.

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

*House of Representatives on 4 December 2019*

*Senate on 13 February 2020*]

(255/19)