

Civil Aviation (Unmanned Aircraft Levy) Act 2020

No. 142, 2020

An Act to impose unmanned aircraft levy, and for related purposes

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Civil Aviation (Unmanned Aircraft Levy) Act 2020

No. 142, 2020

An Act to impose unmanned aircraft levy, and for related purposes

[*Assented to 17 December 2020*]

The Parliament of Australia enacts:

Part 1—Preliminary

1 Short title

This Act is the *Civil Aviation (Unmanned Aircraft Levy) 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 | The later of:  (a) the start of the day after this Act receives the Royal Assent; and  (b) the commencement of Schedules 1 and 2 to the *Civil Aviation Safety Amendment (Remotely Piloted Aircraft and Model Aircraft—Registration and Accreditation) Regulations 2019*. | 18 December 2020  (paragraph (a) 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Note: This table relates only to the provisions of this Act as originally enacted.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 Crown to be bound

This Act binds the Crown in each of its capacities.

4 Definitions

In this Act:

***model aircraft*** has the same meaning as in the *Civil Aviation Safety Regulations 1998*.

***RPA*** has the same meaning as in the *Civil Aviation Safety Regulations 1998*.

***unmanned aircraft levy*** means unmanned aircraft levy payable:

(a) on applying under the *Civil Aviation Safety Regulations 1998* for registration of an aircraft (within the meaning of the *Civil Aviation Act 1988*) as an RPA or as a model aircraft; or

(b) on applying under the Part 101 Manual of Standards (within the meaning of the *Civil Aviation Safety Regulations 1998*) for permission to operate, or to conduct operations using, an RPA or model aircraft registered under a law of a foreign country.

Part 2—Unmanned aircraft levy

5 Imposition of levy

Unmanned aircraft levy is imposed.

6 Amount of levy

(1) The amount of the levy is the amount prescribed by the regulations.

(2) The amount prescribed:

(a) must not be more than $300; and

(b) may be a nil amount.

Part 3—Other matters

7 Act does not impose levy 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.

(3) For the purposes of this section, assume that a reference in section 114 of the Constitution to a State includes a reference to the Australian Capital Territory and the Northern Territory.

8 Regulations

The Governor‑General may make regulations prescribing matters:

(a) required or permitted by this Act to be prescribed by the regulations; 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 27 August 2020*

*Senate on 8 December 2020*]

(90/20)