

Civil Aviation Amendment (Unmanned Aircraft Levy Collection and Payment) Act 2020

No. 143, 2020

An Act to amend the *Civil Aviation Act 1988*, and for related purposes

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Civil Aviation Amendment (Unmanned Aircraft Levy Collection and Payment) Act 2020

No. 143, 2020

An Act to amend the *Civil Aviation Act 1988*, and for related purposes

[*Assented to 17 December 2020*]

The Parliament of Australia enacts:

1 Short title

 This Act is the *Civil Aviation Amendment (Unmanned Aircraft Levy Collection and Payment) 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 the *Civil Aviation (Unmanned Aircraft Levy) Act 2020* commences*.*However, the provisions do not commence at all if that Act does not commence. | 18 December 2020 |

Note: This table relates only to the provisions of this Act as originally enacted.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 Legislation that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.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

Civil Aviation Act 1988

1 Section 3

Insert:

***unmanned aircraft levy*** means the levy imposed by the *Civil Aviation (Unmanned Aircraft Levy) Act 2020*.

2 After section 46

Insert:

46A Payment of amounts of levy to CASA

 (1) The Commonwealth must pay to CASA amounts equal to amounts of unmanned aircraft levy received by CASA on behalf of the Commonwealth.

 (2) If an amount of the levy is refunded, CASA must pay to the Commonwealth an amount equal to the refund.

 (3) The Minister may, on behalf of the Commonwealth, set off an amount payable by CASA under subsection (2) against an amount that is payable to CASA under subsection (1).

 (4) Amounts payable under subsection (1) are to be paid out of the Consolidated Revenue Fund, which is appropriated accordingly.

3 After section 95A

Insert:

95B Delegation by Minister

 (1) The Minister may, in writing, delegate the Minister’s power under subsection 46A(3) to:

 (a) the Secretary of the Department; or

 (b) an SES employee, or acting SES employee, in the Department.

Note: Sections 34AA to 34A of the *Acts Interpretation Act 1901* contain provisions relating to delegations.

 (2) In exercising a power under the delegation, the delegate must comply with any written directions of the Minister.

4 At the end of subsection 98(3)

Add:

 ; (w) the circumstances in which unmanned aircraft levy is payable and the collection of unmanned aircraft levy.

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

*House of Representatives on 27 August 2020*

*Senate on 8 December 2020*]

(89/20)