



Industrial Chemicals (Notification and Assessment) Amendment (Fees and Charges) Regulation 2015

Select Legislative Instrument No. 101, 2015

I, General the Honourable Sir Peter Cosgrove AK MC (Ret'd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulation.

Dated 25 June 2015

Peter Cosgrove
Governor-General

By His Excellency's Command

Fiona Nash
Assistant Minister for Health

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1 Name

This is the *Industrial Chemicals (Notification and Assessment) Amendment (Fees and Charges) Regulation 2015*.

2 Commencement

- (1) Each provision of this instrument 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 instrument	1 July 2015.	1 July 2015

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under the *Industrial Chemicals (Notification and Assessment) Act 1989*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Industrial Chemicals (Notification and Assessment) Regulations 1990

1 After regulation 14

Insert:

14A Remission of registration charge

- (1) This regulation applies if:
 - (a) a person has paid an amount as or on account of registration charge in relation to a registration year; and
 - (b) the amount paid was greater than the amount of registration charge, if any, the person was liable to pay under section 80S of the Act in relation to the registration year; and
 - (c) the person is not entitled to be repaid the amount paid, under subsection 80P(3) of the Act, in relation to the registration year.
- (2) For paragraph 80U(b) of the Act, the Director may, either on his or her own initiative or on application by a person, remit the amount that is the difference between the amount paid and the amount of registration charge, if any, the person was liable to pay under section 80S of the Act in relation to the registration year.
- (3) An application by a person for the remission of an amount of registration charge must be in writing and be made within 3 years after the end of the registration year to which the charge relates.

2 After regulation 15

Insert:

16 Waiver or remission of fees—application under section 24 of the Act to vary the requirements of section 23 of the Act

For subsection 110(5) of the Act, the Director may, on behalf of the Commonwealth, wholly or partly waive or remit any fee that would otherwise be payable by a person under paragraph 110(1)(f)

of the Act, if the Director considers that it is reasonable to do so in the circumstances.

3 After regulation 16A

Insert:

16B Waiver or remission of late renewal penalty

For subsection 110A(4) of the Act, the Director may, on behalf of the Commonwealth, wholly or partly waive or remit any late renewal penalty that would otherwise be payable under section 110A of the Act, if the Director considers that it is reasonable to do so in the circumstances.

4 Subregulation 17(1)

Repeal the subregulation, substitute:

- (1) Applications may be made to the Administrative Appeals Tribunal for review of decisions of the Director made in the exercise of the Director's powers under any of the following:
- (a) subregulation 14A(2);
 - (b) subregulation 15(1);
 - (c) subregulation 15(4);
 - (d) regulation 16;
 - (e) regulation 16A;
 - (f) regulation 16B.

5 Schedule 2 (table item 23)

Repeal the item, substitute:

23	Registration charge for the purposes of item 3 of the table in subsection 80T(2) of the Act	19 662
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6 Schedule 2 (table item 24)

Repeal the item, substitute:

24	Late renewal penalty under subsection 110A(1) of the Act:	
	(a) for a late renewal application that is accompanied by the amount referred to in subparagraph 80KB(2)(c)(i) of the Act	105
	(b) for a late renewal application that is accompanied by	200

Schedule 1 Amendments

the amount referred to in subparagraph 80KB(2)(c)(ii) of the Act	
(c) for a late renewal application that is accompanied by the amount referred to in subparagraph 80KB(2)(c)(iii) of the Act	1 980
(d) in any other case	105

7 Amendments of listed provisions—Schedule 2

The items of the table in Schedule 2 listed in the following table are amended as set out in the table.

Amendments relating to fees, charges and penalties			
Item	Table item	Omit	Substitute
1	Item 1	800	850
2	Item 2	3 700	3 800
3	Item 3	750	800
4	Item 4	3 700	3 800
5	Item 5	4 200	4 400
6	Item 5	2 200	2 300
7	Item 7	4 200	4 400
8	Item 7	2 200	2 300
9	Item 8	4 200	4 400
10	Item 8	2 200	2 300
11	Item 9	18 000	18 600
12	Item 9	12 800	13 300
13	Item 9	6 000	6 200
14	Item 9	11 200	11 600
15	Item 9	13 200	13 700
16	Item 9	9 600	9 900
17	Item 9	3 700	3 800
18	Item 9	14 400	14 900
19	Item 9	10 300	10 600
20	Item 9	4 900	5 000
21	Item 9	10 900	11 300
22	Item 9	7 800	8 100
23	Item 9	3 600	3 700

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Amendments relating to fees, charges and penalties			
Item	Table item	Omit	Substitute
24	Item 9	4 200	4 400
25	Item 9	2 700	2 800
26	Item 10	4 100	4 200
27	Item 10	10 400	10 800
28	Item 10	11 200	11 600
29	Item 11	2 800	2 900
30	Item 12	9 100	9 400
31	Item 13	2 500	2 600
32	Items 14 and 15	4 400	4 600
33	Item 16	5 500	5 700
34	Item 17	7 700	8 000
35	Item 18	10 300	10 700
36	Item 18	4 600	4 800
37	Item 25	800	850
38	Item 25	1 800	1 900
39	Item 26	1 800	1 900

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