



# **Foreign Acquisitions and Takeovers Fees Imposition Amendment (Fee Doubling) Regulations 2022**

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I, General the Honourable David Hurley AC DSC (Retd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 21 July 2022

David Hurley  
Governor-General

By His Excellency's Command

Dr Jim Chalmers  
Treasurer

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## 1 Name

This instrument is the *Foreign Acquisitions and Takeovers Fees Imposition Amendment (Fee Doubling) Regulations 2022*.

## 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	29 July 2022.	29 July 2022

Note: This table relates only to the provisions of this instrument as originally made.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 *Foreign Acquisitions and Takeovers Fees Imposition Act 2015*.

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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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

### Part 1—Main amendments

#### *Foreign Acquisitions and Takeovers Fees Imposition Regulations 2020*

**1 Section 10 (table item 1, column 2)**

Omit “\$6,350”, substitute “\$13,200”.

**2 Section 10 (table item 2, column 2, subparagraph (a)(i))**

Omit “\$12,700”, substitute “\$26,400”.

**3 Section 10 (table item 2, column 2, paragraph (b))**

Omit “\$500,000”, substitute “\$1,045,000”.

**4 Section 10 (table item 3, column 2, subparagraph (a)(i))**

Omit “\$12,700”, substitute “\$26,400”.

**5 Section 10 (table item 3, column 2, paragraph (b))**

Omit “\$500,000”, substitute “\$1,045,000”.

**6 Section 12**

Omit “\$2,000”, substitute “\$4,000”.

**7 Section 16**

Omit “\$12,700”, substitute “\$26,400”.

**8 Section 27 (table item 1, column headed “the amount of the fee is:”)**

Omit “\$2,000”, substitute “\$4,000”.

**9 Section 27 (table item 2, column headed “the amount of the fee is:”)**

Omit “\$12,700”, substitute “\$26,400”.

**10 Section 28 (table item 1, column headed “the amount of the fee is:”)**

Omit “\$2,000”, substitute “\$4,000”.

**11 Section 28 (table item 2, column headed “the amount of the fee is:”)**

Omit “\$12,700”, substitute “\$26,400”.

**12 Subsections 30(1) and 31(1)**

Omit “\$27,100”, substitute “\$56,600”.

**13 Subsection 40(1) (table item 1, column headed “the amount of the fee is:”)**

Omit “\$2,000”, substitute “\$4,000”.

**14 Subsection 40(1) (table item 2, column headed “the amount of the fee is:”)**

Omit “\$12,700”, substitute “\$26,400”.

**15 Paragraph 41(1)(a)**

Omit “\$12,700”, substitute “\$26,400”.

**16 Paragraphs 53(1)(a) and (2)(a)**

Omit “\$2,000”, substitute “\$4,000”.

**17 Subsection 54(1)**

Omit “\$2,000”, substitute “\$4,000”.

**18 Paragraph 54(3)(a)**

Omit “\$2,000”, substitute “\$4,000”.

**19 Subsection 55(1)**

Omit “\$2,000”, substitute “\$4,000”.

**20 Paragraph 55(3)(a)**

Omit “\$2,000”, substitute “\$4,000”.

**21 Subsection 59(2)**

Omit “1 July 2021”, substitute “1 July 2023”.

**22 Paragraph 59(4)(a)**

Omit “1 July 2021”, substitute “1 July 2023”.

**23 Subsection 60(1) (formula)**

Repeal the formula, substitute:

$$\frac{\text{Sum of the index numbers for the 4 quarters in the year ending on 31 March just before the start of the relevant financial year}}{\text{Sum of the index numbers for the 4 quarters in the year ending on 31 March 2022}}$$

**24 After Part 5**

Insert:

## **Part 5A—Fee cap**

### **61A Fee cap**

- (1) This section applies in relation to a fee imposed by section 5 of the Act if, apart from this section, the amount of the fee worked out under this instrument would exceed the amount (the *fee cap*) referred to in subsection 6(3) of the Act (as indexed under section 7 of the Act).

**Schedule 1** Amendments  
**Part 1** Main amendments

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- (2) Despite anything else in this instrument, the amount of the fee is equal to the fee cap.



## **Part 2—Application of amendments**

### ***Foreign Acquisitions and Takeovers Fees Imposition Regulations 2020***

#### **25 In the appropriate position in Part 6**

Insert:

### **Division 3—Transitional matters relating to the Foreign Acquisitions and Takeovers Fees Imposition Amendment (Fee Doubling) Regulations 2022**

#### **66 Application of amendments**

- (1) The amendments of this instrument made by Part 1 of Schedule 1 to the amending regulations apply in relation to fees that become payable on or after 29 July 2022.
- (2) In this section:

*amending regulations* means the *Foreign Acquisitions and Takeovers Fees Imposition Amendment (Fee Doubling) Regulations 2022*.