

Import Processing Charges Act 2001

No. 90, 2001

**Compilation No. 7**

**Compilation date:** 1 July 2016

**Includes amendments up to:** Act No. 33, 2016

**Registered:** 14 July 2016

**About this compilation**

**This compilation**

This is a compilation of the *Import Processing Charges Act 2001* that shows the text of the law as amended and in force on 1 July 2016 (the ***compilation date***).

The notes at the end of this compilation (the ***endnotes***) include information about amending laws and the amendment history of provisions of the compiled law.

**Uncommenced amendments**

The effect of uncommenced amendments is not shown in the text of the compiled law. Any uncommenced amendments affecting the law are accessible on the Legislation Register (www.legislation.gov.au). The details of amendments made up to, but not commenced at, the compilation date are underlined in the endnotes. For more information on any uncommenced amendments, see the series page on the Legislation Register for the compiled law.

**Application, saving and transitional provisions for provisions and amendments**

If the operation of a provision or amendment of the compiled law is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

**Editorial changes**

For more information about any editorial changes made in this compilation, see the endnotes.

**Modifications**

If the compiled law is modified by another law, the compiled law operates as modified but the modification does not amend the text of the law. Accordingly, this compilation does not show the text of the compiled law as modified. For more information on any modifications, see the series page on the Legislation Register for the compiled law.

**Self‑repealing provisions**

If a provision of the compiled law has been repealed in accordance with a provision of the law, details are included in the endnotes.

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An Act to impose import processing charges in respect of certain goods imported into Australia, and for related purposes

1 Short title

 This Act may be cited as the *Import Processing Charges Act 2001*.

2 Commencement

 (1) Section 1 and this section commence on the day on which this Act receives the Royal Assent.

 (2) The remaining sections commence on the day fixed by Proclamation under subsection 2(3) of the *Customs Legislation Amendment and Repeal (International Trade Modernisation) Act 2001*.

3 Definitions

 (1) In this Act:

***Customs Act*** means the *Customs Act 1901*.

***import processing charge*** means any of the following:

 (c) import declaration processing charge;

 (f) warehouse declaration processing charge.

***prescribed*** means prescribed by the regulations.

 (2) Expressions used in this Act have the same meanings as in the Customs Act.

3A Act does not extend to Norfolk Island

 This Act does not extend to Norfolk Island.

4 Imposition of import processing charges

 (3) Import declaration processing charge payable as set out in section 71B of the Customs Act is imposed.

 (6) Warehouse declaration processing charge payable as set out in section 71DI of the Customs Act is imposed.

5 Amounts of import processing charges

Import declaration processing charge

 (1) The amount of an import declaration processing charge is:

 (a) for an electronic import declaration in respect of goods:

 (i) if the value of the goods is at least $10,000—$152.00 or such other amount (not exceeding $228.00) as is prescribed; or

 (ii) otherwise—$50.00 or such other amount (not exceeding $75.00) as is prescribed; or

 (b) for a documentary import declaration in respect of goods:

 (i) if the value of the goods is at least $10,000—$192.00 or such other amount (not exceeding $288.00) as is prescribed; or

 (ii) otherwise—$90.00 or such other amount (not exceeding $135.00) as is prescribed.

Warehouse declaration processing charge

 (2) The amount of a warehouse declaration processing charge is:

 (a) for an electronic warehouse declaration in respect of goods:

 (i) if the value of the goods is at least $10,000—$152.00 or such other amount (not exceeding $228.00) as is prescribed; or

 (ii) otherwise—$50.00 or such other amount (not exceeding $75.00) as is prescribed; or

 (b) for a documentary warehouse declaration in respect of goods:

 (i) if the value of the goods is at least $10,000—$192.00 or such other amount (not exceeding $288.00) as is prescribed; or

 (ii) otherwise—$90.00 or such other amount (not exceeding $135.00) as is prescribed.

6 Regulations

 The Governor‑General may make regulations for the purposes of section 5.

Endnotes

Endnote 1—About the endnotes

The endnotes provide information about this compilation and the compiled law.

The following endnotes are included in every compilation:

Endnote 1—About the endnotes

Endnote 2—Abbreviation key

Endnote 3—Legislation history

Endnote 4—Amendment history

**Abbreviation key—Endnote 2**

The abbreviation key sets out abbreviations that may be used in the endnotes.

**Legislation history and amendment history—Endnotes 3 and 4**

Amending laws are annotated in the legislation history and amendment history.

The legislation history in endnote 3 provides information about each law that has amended (or will amend) the compiled law. The information includes commencement details for amending laws and details of any application, saving or transitional provisions that are not included in this compilation.

The amendment history in endnote 4 provides information about amendments at the provision (generally section or equivalent) level. It also includes information about any provision of the compiled law that has been repealed in accordance with a provision of the law.

**Editorial changes**

The *Legislation Act 2003* authorises First Parliamentary Counsel to make editorial and presentational changes to a compiled law in preparing a compilation of the law for registration. The changes must not change the effect of the law. Editorial changes take effect from the compilation registration date.

If the compilation includes editorial changes, the endnotes include a brief outline of the changes in general terms. Full details of any changes can be obtained from the Office of Parliamentary Counsel.

**Misdescribed amendments**

A misdescribed amendment is an amendment that does not accurately describe the amendment to be made. If, despite the misdescription, the amendment can be given effect as intended, the amendment is incorporated into the compiled law and the abbreviation “(md)” added to the details of the amendment included in the amendment history.

If a misdescribed amendment cannot be given effect as intended, the abbreviation “(md not incorp)” is added to the details of the amendment included in the amendment history.

Endnote 2—Abbreviation key

|  |  |
| --- | --- |
| ad = added or inserted | o = order(s) |
| am = amended | Ord = Ordinance |
| amdt = amendment | orig = original |
| c = clause(s) | par = paragraph(s)/subparagraph(s) |
| C[x] = Compilation No. x |  /sub‑subparagraph(s) |
| Ch = Chapter(s) | pres = present |
| def = definition(s) | prev = previous |
| Dict = Dictionary | (prev…) = previously |
| disallowed = disallowed by Parliament | Pt = Part(s) |
| Div = Division(s) | r = regulation(s)/rule(s) |
| ed = editorial change | reloc = relocated |
| exp = expires/expired or ceases/ceased to have | renum = renumbered |
|  effect | rep = repealed |
| F = Federal Register of Legislation | rs = repealed and substituted |
| gaz = gazette | s = section(s)/subsection(s) |
| LA = *Legislation Act 2003* | Sch = Schedule(s) |
| LIA = *Legislative Instruments Act 2003* | Sdiv = Subdivision(s) |
| (md) = misdescribed amendment can be given | SLI = Select Legislative Instrument |
|  effect | SR = Statutory Rules |
| (md not incorp) = misdescribed amendment | Sub‑Ch = Sub‑Chapter(s) |
|  cannot be given effect | SubPt = Subpart(s) |
| mod = modified/modification | underlining = whole or part not |
| No. = Number(s) |  commenced or to be commenced |

Endnote 3—Legislation history

| Act | Number and year | Assent | Commencement | Application, saving and transitional provisions |
| --- | --- | --- | --- | --- |
| Import Processing Charges Act 2001 | 90, 2001 | 18 July 2001 | s 1 and 2: 18 July 2001 (s 2(1) item 1)Remainder: 19 July 2005 (s 2(1) item 2) and F2005L01812) |  |
| Import Processing Charges (Amendment and Repeal) Act 2002 | 79, 2002 | 8 Oct 2002 | Sch 1: 19 July 2005 (s 2(1) item 6) | s 2(1) |
| as amended by |  |  |  |  |
| Customs Legislation Amendment (Application of International Trade Modernisation and Other Measures) Act 2004 | 25, 2004 | 25 Mar 2004 | Sch 2 (item 32): 8 Oct 2002 (s 2(1) item 20) | — |
| Import Processing Charges Amendment Act 2005 | 90, 2005 | 6 July 2005 | Sch 1: 19 July 2005 (s 2(1) item 2)Remainder: 6 July 2005 (s 2(1) item 1) | — |
| Customs Legislation Amendment (Import Processing Charges) Act 2005 | 91, 2005 | 6 July 2005 | Sch 1 (items 9–13): 19 July 2005 (s 2(1) items 7, 8) | — |
| Customs Amendment (Miscellaneous Measures) Act 2013 | 33, 2013 | 30 Mar 2013 | Sch 1 (items 82–84): 31 Mar 2013 (s 2(3)) | — |
| Import Processing Charges Amendment Act 2013 | 143, 2013 | 13 Dec 2013 | 1 Jan 2014 (s 2) | Sch 1 (item 3) |
| Import Processing Charges Amendment Act 2015 | 148, 2015 | 12 Nov 2015 | Sch 1: 1 Jan 2016 (s 2(1) item 2) | Sch 1 (item 2) |
| Territories Legislation Amendment Act 2016 | 33, 2016 | 23 Mar 2016 | Sch 5 (item 67): 1 July 2016 (s 2(1) item 7) | — |

Endnote 4—Amendment history

| Provision affected | How affected |
| --- | --- |
| s. 3  | am. No. 91, 2005; No. 33, 2013 |
| s 3A  | ad No 33, 2016 |
| s. 4  | am. No. 91, 2005; No. 33, 2013 |
| s. 5  | am. No. 79, 2002; Nos. 90 and 91, 2005; No 33 and 143, 2013 |
|  | rs No 148, 2015 |