



# **Ozone Protection (Licence Fees— Manufacture) Amendment Act 2003**

**No. 125, 2003**

**An Act to amend the *Ozone Protection (Licence Fees—Manufacture) Act 1995*, and for related purposes**

Note: An electronic version of this Act is available in SCALEplus  
(<http://scaleplus.law.gov.au/html/comact/browse/TOCN.htm>)



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**No. 125, 2003**

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**An Act to amend the *Ozone Protection (Licence Fees—Manufacture) Act 1995*, and for related purposes**

[Assented to 5 December 2003]

The Parliament of Australia enacts:

## **1 Short title**

This Act may be cited as the *Ozone Protection (Licence Fees—Manufacture) Amendment Act 2003*.

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## **2 Commencement**

This Act commences on the day on which it receives the Royal Assent.

## **3 Schedule(s)**

Each Act that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

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## Schedule 1—Amendments

### *Ozone Protection (Licence Fees—Manufacture) Act 1995*

#### **1 Title**

Repeal the title, substitute:

**An Act to impose a levy on the manufacture of HCFCs, methyl bromide and SGGs under licences granted under the *Ozone Protection and Synthetic Greenhouse Gas Management Act 1989***

#### **2 Section 1**

Omit “(*Licence Fees—Manufacture*)”, substitute “*and Synthetic Greenhouse Gas (Manufacture Levy)*”.

#### **3 Section 3**

After “*Ozone Protection*”, insert “*and Synthetic Greenhouse Gas Management*”.

#### **4 Section 4**

Repeal the section, substitute:

#### **4 Manufacture levy**

(1) If:

- (a) a controlled substances licence allows the licensee to manufacture a substance or substances; and
- (b) the licensee manufactures any such substance during a quarter during which the licence is in force;

then levy is imposed on the licensee in respect of that manufacture at the rate prescribed by the regulations.

- (2) Subsection (1) does not apply to the manufacture of an SGG in circumstances that are prescribed for the purposes of subsection 13(1A) of the *Ozone Protection and Synthetic Greenhouse Gas Management Act 1989*.

- (3) For the purposes of subsection (1), if a licence is in force for only part of a particular quarter, that part is taken to be a quarter.
- (4) The rate of levy prescribed by the regulations cannot exceed:
  - (a) for HCFCs—\$3,000 per ODP tonne; and
  - (b) for SGGs—\$165 per tonne; and
  - (c) for methyl bromide—\$135 per tonne.

Note: For the purposes of paragraph (a), the method of calculating ODP tonnes is set out in section 10 of the *Ozone Protection and Synthetic Greenhouse Gas Management Act 1989*.

## 5 Section 5

Omit “fixing a rate for the purposes of subsection 4(1)”, substitute “for the purposes of section 4”.

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*[Minister’s second reading speech made in—  
House of Representatives on 5 June 2003  
Senate on 24 November 2003]*

(84/03)

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