

Companies (Acquisition of Shares—Fees) Act 1980

No. 65 of 1980

An Act relating to fees payable for the purposes of the *Companies (Acquisition of Shares) Act 1980*

[Assented to 28 May 1980]

BE IT ENACTED by the Queen, and the Senate and the House of Representatives of the Commonwealth of Australia, as follows:

Short title

1. This Act may be cited as the *Companies (Acquisition of Shares—Fees) Act 1980*.

Commencement

2. This Act shall come into operation on the day on which the *Companies (Acquisition of Shares) Act 1980* comes into operation.

Interpretation

3. Expressions used in this Act have the same respective meanings as in the *Companies (Acquisition of Shares) Act 1980*.

Fees payable

4. (1) There shall be paid to the Commonwealth for or in respect of—
- (a) the lodgment of documents with the Commission under the *Companies (Acquisition of Shares) Act 1980*;
 - (b) the registration of documents under that Act or the inspection or search of registers kept by, or documents in the custody of, the Commission under that Act;
 - (c) the production by the Commission, pursuant to a subpoena, of any register kept by, or documents in the custody of, the Commission under that Act;
 - (d) the issuing of documents or copies of documents, the granting of consents or approvals or the doing of other acts or things by the Commission under that Act; and

(e) the making of inquiries of, or applications to, the Commission in relation to matters arising under that Act, such fees (if any) as are prescribed.

(2) Where a fee is payable to the Commonwealth under sub-section (1) for or in respect of the lodgment of a document with the Commission and the document is submitted for lodgment without payment of the fee, the document shall be deemed not to have been lodged until the fee has been paid.

(3) Where a fee is payable to the Commonwealth under sub-section (1) for or in respect of any matter involving the doing of any act or thing by the Commission, the Commission shall not do that act or thing until the fee has been paid.

(4) This section has effect notwithstanding anything contained in the *Companies (Acquisition of Shares) Act 1980*.

(5) Nothing in this section prevents the Commonwealth from—

- (a) waiving or reducing, in a particular case or classes of cases, fees that would otherwise be payable pursuant to this section; or
- (b) refunding, in whole or in part, in a particular case or classes of cases, fees paid pursuant to this section.

Regulations

5. (1) The Governor-General may make regulations, not inconsistent with this Act, prescribing fees, not in any case exceeding \$1,000, for the purposes of sub-section 4 (1).

(2) The power of the Governor-General to make regulations shall be exercised only in accordance with advice that is consistent with resolutions of the Ministerial Council.