



Australian Passports (Application Fees) Act 2005

No. 6, 2005

**An Act to impose, as taxes, fees in relation to
Australian passports and other travel documents,
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>)

Contents

1	Short title	1
2	Commencement	2
3	Definitions	2
4	Imposition of application fees	3
5	Matters relating to amount of application fees.....	3
6	Indexation of maximum application fee	3
7	Person liable for application fee	4
8	Minister's determinations	5
9	Regulations	5



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**An Act to impose, as taxes, fees in relation to
Australian passports and other travel documents,
and for related purposes**

[Assented to 18 February 2005]

The Parliament of Australia enacts:

1 Short title

This Act may be cited as the *Australian Passports (Application Fees) Act 2005*.

Section 2

2 Commencement

- (1) Each provision of this Act 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
Provision(s)	Commencement	Date/Details
1. Sections 1 and 2 and anything in this Act not elsewhere covered by this table	The day on which this Act receives the Royal Assent.	18 February 2005
2. Sections 3 to 9	At the same time as sections 3 to 58 of the <i>Australian Passports Act 2005</i> commence.	1 July 2005

Note: This table relates only to the provisions of this Act as originally passed by the Parliament and assented to. It will not be expanded to deal with provisions inserted in this Act after assent.

- (2) Column 3 of the table contains additional information that is not part of this Act. Information in this column may be added to or edited in any published version of this Act.

3 Definitions

- (1) In this Act:

application fee means a fee imposed by section 4.

Minister's determination means an instrument made by the Minister for the purposes of this Act under section 8.

- (2) Other expressions used in this Act that are defined in the *Australian Passports Act 2005* have the same meaning as they have in that Act.

4 Imposition of application fees

- (1) A Minister's determination may specify fees in respect of applications for Australian passports.
- (2) A Minister's determination may specify fees in respect of applications for travel-related documents.
- (3) A Minister's determination may specify fees in respect of applications for endorsements on Australian travel documents.
- (4) A Minister's determination may specify fees in respect of applications for the making of observations on Australian travel documents.
- (5) The fees specified in determinations made for the purposes of this section are imposed, and are so imposed as taxes.

5 Matters relating to amount of application fees

- (1) A determination made for the purposes of section 4 may specify different application fees for different circumstances.
- (2) The maximum amount of an application fee for an application made in a financial year is:
 - (a) for the financial year in which sections 3 to 9 of this Act commence—\$1,000; or
 - (b) for a later financial year—the amount worked out in accordance with section 6.
- (3) An application fee need not bear any relationship to the cost of issuing an Australian travel document or endorsing or making an observation on an Australian travel document.

6 Indexation of maximum application fee

- (1) The amount for the purposes of paragraph 5(2)(b) is worked out by multiplying the indexation factor for the financial year by the maximum amount of an application fee for an application made in the previous financial year.

Section 7

- (2) If the indexation factor for the financial year is 1 or less, the maximum amount of an application fee for an application made in the financial year is the maximum amount for an application made in the previous financial year.

- (3) In this section:

indexation factor for the financial year is the amount worked out, to 3 decimal places (rounding up if the fourth decimal place is 5 or more), by using the formula:

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

where:

index number is the All Groups Consumer Price Index number (being the weighted average of the 8 capital cities) first published by the Australian Statistician for the quarter.

7 Person liable for application fee

- (1) A person who applies for an Australian travel document is liable to pay the application fee in respect of that application, at the time the application is made.
- (2) A person who applies for an endorsement on the person's Australian travel document is liable to pay the application fee in respect of that application, at the time the application is made.
- (3) A person who applies for an observation to be made on the person's Australian travel document is liable to pay the application fee in respect of that application, at the time the application is made.

8 Minister's determinations

The Minister may, by legislative instrument, specify any of the matters that this Act provides may be specified in a Minister's determination.

9 Regulations

The Governor-General may make regulations prescribing matters necessary or convenient to be prescribed for carrying out or giving effect to this Act.

*[Minister's second reading speech made in—
House of Representatives on 2 December 2004
Senate on 9 December 2004]*