Australian Crime Commission (National Policing Information Charges) Act 2016

No. 44, 2016

An Act to impose national policing information charges as taxes, and for related purposes

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Australian Crime Commission (National Policing Information Charges) Act 2016

No. 44, 2016

An Act to impose national policing information charges as taxes, and for related purposes

[*Assented to 5 May 2016*]

The Parliament of Australia enacts:

1 Short title

 This Act may be cited as the *Australian Crime Commission (National Policing Information Charges) Act 2016*.

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 |
| Provisions | Commencement | Date/Details |
| 1. The whole of this Act | At the same time as the *Australian Crime Commission Amendment (National Policing Information) Act 2016* commences.However, the provisions do not commence at all if that Act does not commence. | 1 July 2016 |

Note: This table relates only to the provisions of this Act as originally enacted. It will not be amended to deal with any later amendments of this Act.

 (2) Any information in column 3 of the table is not part of this Act. Information may be inserted in this column, or information in it may be edited, in any published version of this Act.

3 External Territories

 This Act extends to every external Territory.

4 Property of a State

 This Act does not impose a tax on property of any kind belonging to a State.

5 Definitions

 In this Act:

***Board*** has the same meaning as in the *Australian Crime Commission Act 2002*.

***national policing information*** has the same meaning as in the *Australian Crime Commission Act 2002.*

***national policing information charge*** means a charge imposed by section 6.

***property of any kind belonging to a State*** has the same meaning as in section 114 of the Constitution.

6 Imposition of national policing information charges

 National policing information charges are imposed on the following:

 (a) applications to the Australian Crime Commission for national policing information services;

 (b) provision by the Australian Crime Commission of national policing information services.

7 Charge amounts

 (1) The amount of a national policing information charge for an application for, or the provision of, a kind of national policing information service is the amount determined by the Minister by legislative instrument.

 (2) The Minister may determine different amounts (including a nil amount) of national policing information charge for different classes of persons in relation to the same kind of service.

 (3) In determining a national policing information charge, the Minister must have regard to any recommendations of the Board made under subsection 7C(7) of the *Australian Crime Commission Act 2002*.

8 Exemption from charge

 National policing information charge is not payable by a person in relation to a service if the provision of the service to the person is subject to a fee charged under section 15 of the *Australian Crime Commission Act 2002*.

[*Minister’s second reading speech made in—*

*House of Representatives on 3 December 2015*

*Senate on 4 May 2016*]

(221/15)