



Narcotic Drugs (Licence Charges) Act 2016

No. 75, 2016

Compilation No. 1

Compilation date: 1 December 2022

Includes amendments up to: Act No. 70, 2022

Registered: 6 December 2022

Prepared by the Office of Parliamentary Counsel, Canberra

About this compilation

This compilation

This is a compilation of the *Narcotic Drugs (Licence Charges) Act 2016* that shows the text of the law as amended and in force on 1 December 2022 (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If a provision of the compiled law has been repealed in accordance with a provision of the law, details are included in the endnotes.

Contents

1	Short title.....	1
2	Commencement.....	1
3	Definitions.....	2
4	Crown to be bound	2
5	Extension to external Territories	2
6	Imposition of charges	2
7	By whom charges payable.....	3
8	Amounts of charges.....	3
9	Regulations.....	3

Endnotes	4
Endnote 1—About the endnotes	4
Endnote 2—Abbreviation key	6
Endnote 3—Legislation history	7
Endnote 4—Amendment history	8

An Act to impose charges relating to licences granted under the *Narcotic Drugs Act 1967*, and for related purposes

1 Short title

This Act is the *Narcotic Drugs (Licence 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. Sections 1 and 2 and anything in this Act not elsewhere covered by this table	The day this Act receives the Royal Assent.	23 November 2016
2. Sections 3 to 9	The later of: (a) immediately after the commencement of Schedule 1 to the <i>Narcotic Drugs Amendment Act 2016</i> ; and (b) the start of the day this Act receives the Royal Assent.	23 November 2016 (paragraph (b) applies)

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 Definitions

In this Act:

charge means charge imposed by this Act.

licence means a licence granted under the *Narcotic Drugs Act 1967*.

4 Crown to be bound

This Act binds the Crown in each of its capacities. However, it does not bind the Crown in right of the Commonwealth.

5 Extension to external Territories

This Act extends to every external Territory.

6 Imposition of charges

Charge on a licence

- (1) Charge is imposed on a licence that is in force at whichever of the following times is applicable:
 - (a) any time during a financial year;
 - (b) any time during such other period as is prescribed by the regulations.
- (2) Without limiting subsection (1), the regulations may prescribe different periods in relation to the following:
 - (a) different classes of licence;
 - (b) licences of the same class that authorise different activities.

Charge on matters that relate to a licence

- (3) Charge is imposed on each matter prescribed by the regulations, being a matter that relates to a licence that is in force.

- (4) Without limiting subsection (3), the regulations may prescribe different matters in relation to the following:
 - (a) different classes of licence;
 - (b) licences of the same class that authorise different activities.
- (5) Subsection (3) imposes a charge only so far as that charge is neither a duty of customs nor a duty of excise within the meaning of section 55 of the Constitution.

7 By whom charges payable

Charge is payable by the holder of the licence.

8 Amounts of charges

- (1) The amount of a charge is the amount prescribed by, or worked out in accordance with a method prescribed by, the regulations.
- (2) Without limiting subsection (1), the regulations may prescribe different amounts of, or prescribe different methods of working out amounts of, charge in relation to the following:
 - (a) different classes of licence;
 - (b) licences of the same class that authorise different activities.
- (3) In this section:

amount includes a nil amount.

9 Regulations

The Governor-General may make regulations prescribing matters:

- (a) required or permitted by this Act to be prescribed; or
- (b) necessary or convenient to be prescribed for carrying out or giving effect to this Act.

Endnotes

Endnote 1—About the endnotes

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 how an amendment is to be made. If, despite the misdescription, the amendment

Endnote 1—About the endnotes

can be given effect as intended, then the misdescribed amendment can be incorporated through an editorial change made under section 15V of the *Legislation Act 2003*.

If a misdescribed amendment cannot be given effect as intended, the amendment is not incorporated and “(md not incorp)” is added to the amendment history.

Endnotes

Endnote 2—Abbreviation key

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

Endnote 3—Legislation history

Endnote 3—Legislation history

Act	Number and year	Assent	Commencement	Application, saving and transitional provisions
Narcotic Drugs (Licence Charges) Act 2016	75, 2016	23 Nov 2016	23 Nov 2016 (s 2(1) items 1, 2)	
Narcotic Drugs (Licence Charges) Amendment Act 2022	70, 2022	30 Nov 2022	1 Dec 2022 (s 2(1) item 1)	Sch 1 (item 10)

Narcotic Drugs (Licence Charges) Act 2016

7

Compilation No. 1

Compilation date: 01/12/2022

Registered: 06/12/2022

Endnotes

Endnote 4—Amendment history

Endnote 4—Amendment history

Provision affected	How affected
Title	am No 70, 2022
s 6	am No 70, 2022
s 7	am No 70, 2022
s 8	am No 70, 2022
