



Business Names Registration (Fees) Act 2011

No. 128, 2011

**An Act to impose, as taxes, fees for things done
under the *Business Names Registration Act 2011*,
and for related purposes**

Note: An electronic version of this Act is available in ComLaw (<http://www.comlaw.gov.au/>)

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**An Act to impose, as taxes, fees for things done
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and for related purposes**

[Assented to 3 November 2011]

The Parliament of Australia enacts:

1 Short title

This Act may be cited as the *Business Names Registration (Fees) Act 2011*.

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 this Act receives the Royal Assent.	3 November 2011
2. Sections 3 to 7	At the same time as section 3 of the <i>Business Names Registration Act 2011</i> commences.	20 April 2012

Note: This table relates only to the provisions of this Act as originally enacted.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

- (1) In this Act:

chargeable matter means any of the following under the *Business Names Registration Act 2011* or the *Business Names Registration (Transitional and Consequential Provisions) Act 2011*:

- (a) a registration of a business name to an entity;
- (b) a renewal of the registration of a business name to an entity;
- (c) an application by an entity for an extract of the Business Names Register.

- (2) Other expressions used in this Act that are defined in the *Business Names Registration Act 2011* have the same meanings as they have in that Act.

4 Imposition of fees for chargeable matters

- (1) Subject to section 5, the regulations may prescribe fees for chargeable matters.
- (2) The fees prescribed by the regulations for chargeable matters are imposed, and are so imposed as taxes.
- (3) Two or more fees may be prescribed for the same chargeable matter.

5 Matters relating to amount of fees

- (1) The regulations may prescribe a fee for a chargeable matter:
 - (a) by specifying an amount (not exceeding \$10,000) as the fee;
or
 - (b) by specifying a method for calculating the amount of the fee.

Note: The limitation in paragraph (a) applies separately to each fee imposed if more than one fee is prescribed for the same chargeable matter (see subsection 4(3)).

- (2) The fee for a chargeable matter need not bear any relationship to the cost of providing any service that forms part of, or is related to, that matter.
- (3) The fee, or the sum of the fees, for a chargeable matter must not exceed \$50,000.

6 Different fees for electronic compliance in relation to a chargeable matter

Without limiting sections 4 and 5, the regulations may prescribe, in relation to a chargeable matter, different fees having regard to whether the matter is complied with by electronic means.

Section 7

7 Regulations

The Governor-General may make regulations for the purposes of sections 4, 5 and 6.

*[Minister's second reading speech made in—
House of Representatives on 17 August 2011
Senate on 14 September 2011]*

(151/11)

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