Business Names Registration (Fees) Bill 2011

No.  , 2011

(Innovation, Industry, Science and Research)

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

The Parliament of Australia enacts:

1 **Short title**

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

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
Section 3

column 2 of the table. Any other statement in column 2 has effect according to its terms.

<table>
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<th>Provision(s)</th>
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<td>1. Sections 1 and 2 and anything in this Act not elsewhere covered by this table</td>
<td>The day this Act receives the Royal Assent.</td>
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<tr>
<td>2. Sections 3 to 7</td>
<td>At the same time as section 3 of the Business Names Registration Act 2011 commences.</td>
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</table>

Note: This table relates only to the provisions of this Act as originally enacted.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

7 Regulations

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