Export Inspection (Service Charge) Amendment Regulations 2007 (No. 1)

Select Legislative Instrument 2007 No. 281

I, PHILIP MICHAEL JEFFERY, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the Export Inspection (Service Charge) Act 1985.

Dated 26 September 2007

P. M. JEFFERY
Governor-General

By His Excellency’s Command

PETER McGAURAN
Minister for Agriculture, Fisheries and Forestry
1 Name of Regulations

These Regulations are the Export Inspection (Service Charge) Amendment Regulations 2007 (No. 1).

2 Commencement

These Regulations commence on 1 October 2007.

3 Amendment of Export Inspection (Service Charge) Regulations 1985

Schedule 1 amends the Export Inspection (Service Charge) Regulations 1985.

Schedule 1 Amendments
(regulation 3)

[1] Regulation 3, heading

substitute

3 Definitions

[2] Regulation 3

omit

In these regulations, unless the contrary intention appears:

insert

In these Regulations:

Export Inspection (Service Charge) Amendment Regulations 2007 (No. 1) 2007, 281
[3] Regulation 4

*omit*

the purposes of subsections 6 (1) and 6 (3)

*insert*

subsections 6 (1) and (3)

[4] Paragraph 4 (a)

*omit*

[5] Regulations 5 and 6

*substitute*

5 Rates of charge — exemption from Export Control Orders

(1) For subsection 7 (1) of the Act, the rate of charge for the provision of an export inspection service at an establishment is the rate mentioned in subregulation (3).

(2) For subsection 7 (2) of the Act, the rate of charge for the provision of an external export inspection service is the rate mentioned in subregulation (3).

(3) For subregulations (1) and (2), the rate is:

(a) for the first export inspection service in a year — $75 for each 30 minutes or part of 30 minutes taken in providing the service, with a minimum charge of $150; and

(b) for a second export inspection service in a year — $83.30 for each 30 minutes or part of 30 minutes taken in providing the service, with a minimum charge of $250; and

(c) for a third or subsequent export inspection service in a year — $83.30 for each 30 minutes or part of 30 minutes taken in providing the service, with a minimum charge of $500.
(4) In this regulation:

*export inspection service* means:

(a) the granting of an exemption by the Secretary under section 3.01 of the *Export Control (Prescribed Goods — General) Order 2005*; or

(b) the giving of an exemption by the Secretary:

(i) under Division VI of Part 2 of the *Export Control (Eggs and Egg Products) Orders 2005*; or

(ii) under Division VI of Part 2 of the *Export Control (Fish and Fish Products) Orders 2005*.

*year*, for a prescribed commodity specified in regulation 4, means 12 months commencing at the beginning of the day of the making of the application for the first service for the prescribed commodity.

(5) In counting the number of export inspection services in a year, an exemption granted or given by the Secretary before 1 October 2007 is taken to be an export inspection service.

Note