



Business Names Registration (Fees) Regulations 2011

Select Legislative Instrument No. 213, 2011 as amended

made under the

Business Names Registration (Fees) Act 2011

Compilation start date: 1 July 2013

Includes amendments up to: SLI No. 152, 2013

Prepared by the Office of Parliamentary Counsel, Canberra

About this compilation

This compilation

This is a compilation of the *Business Names Registration (Fees) Regulations 2011* as in force on 1 July 2013. It includes any commenced amendment affecting the legislation to that date.

This compilation was prepared on 20 August 2013.

The notes at the end of this compilation (the *endnotes*) include information about amending laws and the amendment history of each amended provision.

Uncommenced amendments

The effect of uncommenced amendments is not reflected in the text of the compiled law but the text of the amendments is included in the endnotes.

Application, saving and transitional provisions for provisions and amendments

If the operation of a provision or amendment is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

Modifications

If a provision of the compiled law is affected by a modification that is in force, details are included in the endnotes.

Provisions ceasing to have effect

If a provision of the compiled law has expired or otherwise ceased to have effect in accordance with a provision of the law, details are included in the endnotes.

Contents

1	Name of Regulations	1
2	Commencement	1
3	Definitions	1
4	Prescribed fees	1
Schedule 1—Fees		4
Endnotes		5
Endnote 1—About the endnotes		5
Endnote 2—Abbreviation key		7
Endnote 3—Legislation history		8
Endnote 4—Amendment history		9
Endnote 5—Uncommenced amendments [none]		10
Endnote 6—Modifications [none]		10
Endnote 7—Misdescribed amendments [none]		10
Endnote 8—Miscellaneous [none]		10

1 Name of Regulations

These Regulations are the *Business Names Registration (Fees) Regulations 2011*.

2 Commencement

These Regulations commence on the commencement of sections 3 to 7 of the *Business Names Registration (Fees) Act 2011*.

3 Definitions

In these Regulations:

Act means the *Business Names Registration (Fees) Act 2011*.

Register means the Business Names Register established and maintained under section 22 of the *Business Names Registration Act 2011*.

Note: Expressions that are defined in the *Business Names Registration Act 2011* have the same meanings in these Regulations (see subsection 3(2) of the Act). For example:

- business name
- entity
- government body.

4 Prescribed fees

- (1) For section 4 of the Act, a fee is prescribed for a chargeable matter mentioned in an item in Schedule 1.
- (2) For paragraph 5(1)(a) of the Act, the fee for a chargeable matter mentioned in an item in Schedule 1 is the amount mentioned in the item until 1 July 2013.
- (3) For paragraph 5(1)(b) of the Act, in a financial year starting on 1 July 2013 or on a subsequent 1 July, if the latest CPI number is

Regulation 4

greater than the earlier CPI number, the fee for a chargeable matter is the amount worked out using the formula:

$$\frac{\text{previous indexable amount} \times \text{latest CPI number}}{\text{earlier CPI number}}$$

where:

previous indexable amount is the amount of the fee for the chargeable matter that was applicable immediately before that 1 July.

- (4) In a financial year starting on 1 July 2013 or on a subsequent 1 July, if the latest CPI number is not greater than the earlier CPI number, the fee for a chargeable matter is the amount of the fee for the chargeable matter that was applicable immediately before that 1 July.
- (5) If, apart from this subregulation, the amount worked out under subregulation (3) would be an amount of dollars and cents, the amount is to be rounded to the nearest whole dollar and, if the amount to be rounded is 50 cents, rounded down.
- (6) For this regulation:
 - (a) if the Australian Statistician publishes a CPI number for a March quarter in substitution for a CPI number previously published by the Australian Statistician for that quarter, the publication of the later CPI number must be disregarded; and
 - (b) if the Australian Statistician changes the reference base for the Consumer Price Index, then, after the change is made, regard must be had only to the CPI numbers published using the new reference base.
- (7) In this regulation:

CPI number means the All Groups Consumer Price Index number (being the weighted average of the 8 Australian capital cities) published by the Australian Statistician.

earlier CPI number is the CPI number for the March quarter 2 financial years before the relevant financial year begins.

latest CPI number is the CPI number for the last March quarter before the relevant financial year begins.

Schedule 1—Fees

(regulation 4)

Item	Chargeable matter	Fee
1	A new application for registration of a business name to an entity for 1 year	\$32
2	An application for registration of a business name to an entity for 1 year, other than an application mentioned in item 1	\$32
3	A new application for registration of a business name to an entity for 3 years	\$74
4	An application for registration of a business name to an entity for 3 years, other than an application mentioned in item 3	\$74
5	An application by an entity, other than a government body, for an extract of the Register containing only current information relating to only 1 business name	\$9
6	An application by an entity, other than a government body, for an extract of the Register containing only current information relating to only one entity	\$18
7	An application by an entity, other than a government body, for an extract of the Register containing current and non-current information relating to only 1 business name	\$17
8	An application by an entity, other than a government body, for an extract of the Register containing current and non-current information relating to only one entity	\$34
9	An application by a government body for an extract of the Register relating to the business names currently or previously registered to an entity	no fee
10	If the inspection of a register or the issue or display of a document occurs at a Business Centre of ASIC, in addition to the fee payable under item 5, 6, 7 or 8	\$3

Endnotes

Endnote 1—About the endnotes

The endnotes provide details of the history of this legislation and its provisions. The following endnotes are included in each compilation:

- Endnote 1—About the endnotes
- Endnote 2—Abbreviation key
- Endnote 3—Legislation history
- Endnote 4—Amendment history
- Endnote 5—Uncommenced amendments
- Endnote 6—Modifications
- Endnote 7—Misdescribed amendments
- Endnote 8—Miscellaneous

If there is no information under a particular endnote, the word “none” will appear in square brackets after the endnote heading.

Abbreviation key—Endnote 2

The abbreviation key in this endnote 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 the compiled law. The information includes commencement information for amending laws and details of 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 level. It also includes information about any provisions that have expired or otherwise ceased to have effect in accordance with a provision of the compiled law.

Uncommenced amendments—Endnote 5

The effect of uncommenced amendments is not reflected in the text of the compiled law, but the text of the amendments is included in endnote 5.

Endnotes

Endnote 1—About the endnotes

Modifications—Endnote 6

If the compiled law is affected by a modification that is in force, details of the modification are included in endnote 6.

Misdescribed amendments—Endnote 7

An amendment is a misdescribed amendment if the effect of the amendment cannot be incorporated into the text of the compilation. Any misdescribed amendment is included in endnote 7.

Miscellaneous—Endnote 8

Endnote 8 includes any additional information that may be helpful for a reader of the compilation.

Endnote 2—Abbreviation key

ad = added or inserted	pres = present
am = amended	prev = previous
c = clause(s)	(prev) = previously
Ch = Chapter(s)	Pt = Part(s)
def = definition(s)	r = regulation(s)/rule(s)
Dict = Dictionary	Reg = Regulation/Regulations
disallowed = disallowed by Parliament	reloc = relocated
Div = Division(s)	renum = renumbered
exp = expired or ceased to have effect	rep = repealed
hdg = heading(s)	rs = repealed and substituted
LI = Legislative Instrument	s = section(s)
LIA = <i>Legislative Instruments Act 2003</i>	Sch = Schedule(s)
mod = modified/modification	Sdiv = Subdivision(s)
No = Number(s)	SLI = Select Legislative Instrument
o = order(s)	SR = Statutory Rules
Ord = Ordinance	Sub-Ch = Sub-Chapter(s)
orig = original	SubPt = Subpart(s)
par = paragraph(s)/subparagraph(s) /sub-subparagraph(s)	

Endnotes

Endnote 3—Legislation history

Endnote 3—Legislation history

Number and year	FRLI registration	Commencement	Application, saving and transitional provisions
2011 No. 213	23 Nov 2011 (<i>see</i> F2011L02408)	20 Apr 2012 (<i>see</i> r. 2)	
2012 No. 89	25 May 2012 (<i>see</i> F2012L01079)	28 May 2012	—
152, 2013	28 June 2013 (<i>see</i> F2013L01264)	Schedule 1 (items 5–8): 1 July 2013	—

Endnote 4—Amendment history

Endnote 4—Amendment history

Provision affected	How affected
r. 3	am. 2012 No. 89
Schedule 1	
Schedule 1	am. 2012 No. 89; No. 152, 2013

Endnotes

Endnote 5—Uncommenced amendments [none]

Endnote 5—Uncommenced amendments [none]

Endnote 6—Modifications [none]

Endnote 7—Misdescribed amendments [none]

Endnote 8—Miscellaneous [none]