Industrial Chemicals (Fees and Charges) Rules 2020

made under the

Industrial Chemicals Act 2019

Compilation No. 4

Compilation date: 11 July 2026

Includes amendments: F2026L00955

Prepared by the Office of Parliamentary Counsel, Canberra

About this compilation

This compilation

This is a compilation of the *Industrial Chemicals (Fees and Charges) Rules 2020* that shows the text of the law as amended and in force on 11 July 2026 (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. The details of amendments made up to, but not commenced at, the compilation date are underlined in the endnotes. Any uncommenced amendments affecting the law are accessible on the Register (www.legislation.gov.au).

Application, saving and transitional provisions

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.

Presentational changes

The *Legislation Act 2003* provides for First Parliamentary Counsel to make presentational changes to a compilation. Presentational changes are applied to give a more consistent look and feel to legislation published on the Register, and enable the user to more easily navigate those documents.

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. Any modifications affecting the law are accessible on the Register.

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If a provision of the compiled law has been repealed in accordance with a provision of the law, details are included in the endnotes.

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Part 1—Preliminary

1 Name

This instrument is the *Industrial Chemicals (Fees and Charges) Rules 2020*.

3 Authority

This instrument is made under the *Industrial Chemicals Act 2019*.

4 Definitions

In this instrument:

Act means the *Industrial Chemicals Act 2019*.

application fee means the fee imposed under section 5 in relation to an application.

category A country, in relation to an industrial chemical mentioned in section 73 of the General Rules, means a country that:

(a) is a party to the Rotterdam Convention; and

(b) has provided an import response to the Secretariat that:

(i) gives consent to the import of the industrial chemical; or

(ii) gives consent to the import of the industrial chemical, subject to specified conditions.

category B country, in relation to an industrial chemical mentioned in section 73 of the General Rules, means a country that:

(a) is a party to the Rotterdam Convention; and

(b) either:

(i) has provided an import response to the Secretariat that gives no consent to the import of the industrial chemical; or

(ii) has not provided an import response to the Secretariat in relation to the industrial chemical.

category C country means a country that is not a party to the Rotterdam Convention.

comparable hazard assessment of an industrial chemical means a written assessment or evaluation of the environment hazard characteristics, the human health hazard characteristics, or both, of the industrial chemical by one of the following:

(a) the Executive Director;

(b) the area of the Department known as the Therapeutic Goods Administration;

(c) the Australian Pesticides and Veterinary Medicines Authority;

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(d) Environment and Climate Change Canada;
(e) the European Commission Scientific Committee on Consumer Products;
(f) the European Scientific Committee on Consumer Safety;
(g) the European Commission Scientific Committee on Cosmetic Products and Non-Food Products intended for Consumers;
(h) Food Standards Australia New Zealand;
(i) Health Canada;
(j) the United States Environmental Protection Agency.

environment hazard characteristic has the same meaning as in the General Rules.

General Rules means the *Industrial Chemicals (General) Rules 2019*.

human health hazard characteristic has the same meaning as in the General Rules.

import response, in relation to an industrial chemical mentioned in section 73 of the General Rules, means any of the following:

(a) a consent to the import of the industrial chemical;
(b) a consent to the import of the industrial chemical, subject to specified conditions;
(c) a consent to the import of the industrial chemical during an interim period;
(d) a consent to the import of the industrial chemical during an interim period, subject to specified conditions;
(e) no consent to the import of the industrial chemical;
(f) no consent to the import of the industrial chemical during an interim period.

Note: In 2020, a database of import responses made by countries that are parties to the Rotterdam Convention was available at the Rotterdam Convention website (http://www.pic.int).

indicative environment risk has the same meaning as in the General Rules.

indicative human health risk has the same meaning as in the General Rules.

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Part 2—Application fees

5 Application fees

General

(1) For the purposes of paragraph 167(1)(f) of the Act, the following table sets out the amount of the fee that is to accompany an application of a kind mentioned in an item in the table.

Application fees

Item	Kind of application	Amount ($)
1	An application under section 16 of the Act for registration	85
2	An application under section 31 of the Act for an assessment certificate for the introduction of an industrial chemical	the amount worked out under subsection (2), (3) or (4) (whichever is applicable)
3	An application under subsection 40(1) of the Act for a person to be covered by a certificate	1,540
4	An application under subsection 40(4) of the Act to be removed as a person covered by a certificate	830
5	An application under subsection 41(1) of the Act to be added as a holder of a certificate	1,540
6	An application under subsection 41(4) of the Act to be removed as a holder of a certificate	830
7	An application under section 43 of the Act to vary a term of an assessment certificate	4,885
8	An application under section 53 of the Act for a commercial evaluation authorisation	6,695
9	An application under subsection 60(1) of the Act to be added as a holder of a commercial evaluation authorisation	1,540
10	An application under subsection 60(4) of the Act to be removed as a holder of a commercial evaluation authorisation	830
11	An application under section 62 of the Act to vary a term of a commercial evaluation authorisation	2,605
12	An application under subsection 83(1) of the Act for an industrial chemical to be listed on the Inventory	1,540
13	An application under subparagraph 87(1)(c)(ii) of the Act to vary a term of the Inventory listing for an industrial chemical	1,540
14	An application under section 88 of the Act to vary a term of the Inventory listing for an industrial chemical	4,885
15	An application under subsection 105(1) of the Act for the proper name for an industrial chemical to be treated as	1,785

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Section 5

Application fees		
Item	**Kind of application**	**Amount ($)**
	confidential business information	
16	An application under subsection 105(2) of the Act for an end use for an industrial chemical to be treated as confidential business information	625
17	An application under section 111 of the Act for the proper name or end use for an industrial chemical to continue to be treated as confidential business information	4,710
18	An application under section 113 of the Act for information to be treated as confidential business information	1,190
19	An application under section 74 of the General Rules for approval to introduce an industrial chemical	4,930
20	An application under section 74 of the General Rules for approval to export an industrial chemical	(a) if the export is to a category A country for the industrial chemical—2,470; or (b) if the export is to a category B country for the industrial chemical—4,930; or (c) if the export is to a category C country—2,470
21	An application under subitem 36(2) of Schedule 2 to the *Industrial Chemicals (Consequential Amendments and Transitional Provisions) Act 2019* to be taken to be a confidence holder for a confidential Inventory listing for an industrial chemical	4,230

Applications under section 31 of the Act

(2) For the purposes of item 2 of the table in subsection (1) and subject to subsection (6), the amount of the fee that is to accompany an application under section 31 of the Act for an assessment certificate for the introduction of an industrial chemical is as follows:

(a) subject to subsections (3) and (4), the amount worked out using the table at the end of this subsection;

(b) if the application includes a comparable hazard assessment of the industrial chemical and the application is not covered by subsection (3) or (4)—$18,060.

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Applications under section 31 of the Act—general			
Item	**If the indicative human health risk for the introduction of the industrial chemical …**	**and the indicative environment risk for the introduction of the industrial chemical …**	**then the amount ($) of the fee is …**
1	(a) is very low; or (b) is low	(a) is very low; or (b) is low	7,670
2	(a) is very low; or (b) is low	(a) is medium to high risk; or (b) has not been determined at the time the application is made	24,100
3	(a) is medium to high risk; or (b) has not been determined at the time the application is made	(a) is very low; or (b) is low	24,100
4	(a) is medium to high risk; or (b) has not been determined at the time the application is made	(a) is medium to high risk; or (b) has not been determined at the time the application is made	36,050

Note: For how to determine the indicative human health risk and the indicative environment risk, see Chapter 2 of the General Rules.

(3) If:

(a) an application (the ***first application***) is made by a person under section 31 of the Act for an assessment certificate for the introduction of an industrial chemical; and

(b) at the same time as the first application is made, the person makes one or more other applications (a ***related application***) under that section for an assessment certificate for the introduction of another industrial chemical; and

(c) the industrial chemicals to which the first application and each related application relate are similar and have the same end use;

then:

(d) the amount of the fee that is to accompany the first application is an amount worked out using the table in subsection (2); and

(e) the amount of the fee that is to accompany each related application is $7,235.

(4) If:

(a) an application (the ***first application***) is made by a person under section 31 of the Act for an assessment certificate for the introduction of an industrial chemical; and

(b) at the same time as the first application is made, the person makes one or more other applications (a ***related application***) under that section for an

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assessment certificate for the introduction of another industrial chemical; and

(c) the industrial chemicals to which the first application and each related application relate are intended to be part of the same multi-component introductions;

then:

(d) the amount of the fee that is to accompany the first application is an amount worked out using the table in subsection (2); and

(e) the amount of the fee that is to accompany each related application is $2,735.

Multi-component introductions

(5) For the purposes of paragraph (4)(c), 2 or more industrial chemicals (***component chemicals***) may be part of multi-component introductions if:

(a) each component chemical can be uniquely identified; and

(b) the component chemicals are manufactured (whether in Australia or otherwise) together; and

(c) the component chemicals are to be introduced into, and used in, Australia together (and not separated during introduction or use); and

(d) there is no single CAS name that covers all the component chemicals and only the component chemicals.

Lower fee applies if more than one fee is specified for an application

(6) If paragraphs (2)(a) and (b) both apply in relation to an application, the amount of the fee that is to accompany the application is the lower of the applicable amounts.

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Part 3—Miscellaneous

6 Refund of overpayments of registration charge

For the purposes of paragraph 22(b) of the Act, the Executive Director may, on behalf of the Commonwealth, refund an overpayment of registration charge by a person in relation to a registration year:

(a) on the Executive Director's own initiative, at any time within 3 years after the end of the registration year; or

(b) if, within 3 years after the end of the registration year, the person applies to the Executive Director, in writing, for the refund.

7 Waiving application fees

(1) This section applies for the purposes of subsection 170(1) of the Act.

(2) If:

(a) a person makes an application under the Act; and

(b) the person has paid an application fee in relation to the application; and

(c) the person withdraws the application before a decision has been made on the application;

the Executive Director may, on behalf of the Commonwealth, if the Executive Director considers it appropriate to do so, waive the whole or part of the application fee.

(3) When considering whether to waive the whole or part of an application fee under subsection (2), the Executive Director must have regard to the costs that have been incurred, if any, in considering the application.

(4) If the Executive Director waives the whole or part of an application fee, the Executive Director must, on behalf of the Commonwealth, refund the amount waived.

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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 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.

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Endnote 2—Abbreviation key

ad = added or inserted

am = amended

amdt = amendment

C[x] = Compilation No. x

ch = Chapter(s)

cl = clause(s)

cont. = continued

def = definition(s)

Dict = Dictionary

disallowed = disallowed by Parliament

div = Division(s)

ed = editorial change

exp = expires/expired or ceases/ceased to have effect

gaz = gazette

LA = *Legislation Act 2003*

LIA = *Legislative Instruments Act 2003*

(md) = misdescribed amendment can be given effect

(md not incorp) = misdescribed amendment cannot be given effect

mod = modified/modification

No. = Number(s)

Ord = Ordinance

orig = original

p = page(s)

para = paragraph(s)/subparagraph(s) /sub-subparagraph(s)

pres = present

prev = previous

(prev…) = previously

pt = Part(s)

r = regulation(s)/Court rule(s)

reloc = relocated

renum = renumbered

rep = repealed

rs = repealed and substituted

s = section(s)/subsection(s) /rule(s)/subrule(s)/order(s)/suborder(s)

sch = Schedule(s)

SLI = Select Legislative Instrument

SR = Statutory Rules

sub ch = Sub-Chapter(s)

sub div = Subdivision(s)

sub pt = Subpart(s)

underlining = whole or part not commenced or to be commenced

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Endnote 3—Legislation history

Name	Registration	Commencement	Application, saving and transitional provisions
Industrial Chemicals (Fees and Charges) Rules 2020	12 June 2020 (F2020L00704)	1 July 2020 (s 2(1) item 1)	
Industrial Chemicals (Fees and Charges) Legislation Amendment (2021 Measures No. 1) Rules 2021	30 June 2021 (F2021L00928)	1 July 2021 (s 2(1) item 1)	—
Industrial Chemicals (Fees and Charges - Amendment and Repeal) Rules 2024	19 July 2024 (F2024L00915)	sch 1: 20 July 2024 (s 2(1) item 1) sch 2: 1 Sept 2024 (s 2(1) item 2)	—
Industrial Chemicals (Fees and Charges) Amendment (Application Fees) Rules 2026	10 July 2026 (F2026L00955)	sch 2: 1 Sept 2026 (s 2(1)) Remainder: 11 July 2026 (s 2(1))	—

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Endnote 4—Amendment history

Provision affected	How affected
Part 1	
s 2.....	rep LA s 48D
s 4.....	am F2021L00928
Part 2	
s 5.....	rs F2021L00928
	am F2024L00915; F2026L00955 (sch 2)
Part 3	
s 6.....	rs F2021L00928

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