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The Parliament of the
Commonwealth of Australia

HOUSE OF REPRESENTATIVES

Presented and read a first time

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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1 **A Bill for an Act to impose, as taxes, fees for things**
2 **done under the *Business Names Registration Act***
3 **2011, and for related purposes**

4 The Parliament of Australia enacts:

5 **1 Short title**

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

8 **2 Commencement**

9 (1) Each provision of this Act specified in column 1 of the table
10 commences, or is taken to have commenced, in accordance with

Section 3

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

3

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.	
2. Sections 3 to 7	At the same time as section 3 of the <i>Business Names Registration Act 2011</i> commences.	

4 Note: This table relates only to the provisions of this Act as originally
5 enacted. It will not be amended to deal with any later amendments of
6 this Act.

7 (2) Any information in column 3 of the table is not part of this Act.
8 Information may be inserted in this column, or information in it
9 may be edited, in any published version of this Act.

3 Definitions

11 (1) In this Act:

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

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

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

1 **4 Imposition of fees for chargeable matters**

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

8 **5 Matters relating to amount of fees**

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

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

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

21 **6 Different fees for electronic compliance in relation to a chargeable
22 matter**

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

26 **7 Regulations**

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