

EXPOSURE DRAFT

2016-2017

The Parliament of the
Commonwealth of Australia

HOUSE OF REPRESENTATIVES

EXPOSURE DRAFT

Released by the Department of Infrastructure and Regional Development for
consultation purposes only.

Road Vehicle Standards Charges (Imposition—General) Bill 2017

No. , 2017

(Infrastructure and Regional Development)

A Bill for an Act to impose, as taxes, charges in relation to matters connected with the administration of the *Road Vehicle Standards Act 2017* or the *Road Vehicle Standards (Consequential and Transitional Provisions) Act 2017*, so far as those charges are neither duties of customs nor duties of excise, and for related purposes

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1
2 **A Bill for an Act to impose, as taxes, charges in**
3 **relation to matters connected with the**
4 **administration of the *Road Vehicle Standards Act***
5 ***2017 or the Road Vehicle Standards (Consequential***
6 ***and Transitional Provisions) Act 2017, so far as***
7 **those charges are neither duties of customs nor**
8 **duties of excise, and for related purposes**

9 The Parliament of Australia enacts:

10 **Part 1—Preliminary**

11

12 **1 Short title**

13 This Act is the *Road Vehicle Standards Charges (Imposition—*
14 *General) Act 2017.*

15 **2 Commencement**

- 16 (1) Each provision of this Act specified in column 1 of the table
17 commences, or is taken to have commenced, in accordance with
18 column 2 of the table. Any other statement in column 2 has effect
19 according to its terms.
20

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. Sections 1 and 2 and anything in this Act not elsewhere covered by this table	The day after this Act receives the Royal Assent.	
2. Sections 3 to 9	The later of:	

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Part 1 Preliminary

Section 3

Commencement information

Column 1**Column 2****Column 3**

Provisions**Commencement****Date/Details**

(a) the start of the day after this Act receives the Royal Assent; and

(b) immediately after the commencement of section 3 of the *Road Vehicle Standards Act 2017*.

However, the provisions do not commence at all if the event mentioned in paragraph (b) does not occur.

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

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

3 Act binds the Crown

8 This Act binds the Crown in each of its capacities.

4 Extraterritorial application

10 This Act extends to acts, omissions, matters and things outside
11 Australia (within the meaning of the *Road Vehicle Standards Act*
12 *2017*).

5 Act does not impose tax on property of a State

14 (1) This Act does not impose a tax on property of any kind belonging
15 to a State.

16 (2) In this section, *property of any kind belonging to a State* has the
17 same meaning as in section 114 of the Constitution.

1 **Part 2—Charges**
2

3 **6 Imposition of charges**

4 (1) A regulation may prescribe a charge in relation to a prescribed
5 matter connected with the administration of the *Road Vehicle*
6 *Standards Act 2017* or the *Road Vehicle Standards (Consequential*
7 *and Transitional Provisions) Act 2017*.

8 (2) The charges prescribed under subsection (1) are imposed as taxes.

9 (3) Two or more charges may be prescribed in relation to the same
10 matter, and a single charge may be prescribed in relation to 2 or
11 more matters.

12 (4) This section imposes a charge only so far as that charge is neither a
13 duty of customs nor a duty of excise within the meaning of
14 section 55 of the Constitution.

15 **7 Matters relating to amount of charges**

16 A regulation may prescribe a charge under subsection 6(1):

17 (a) by specifying an amount as the charge; or

18 (b) by specifying a method for calculating the amount of the
19 charge.

20 **8 Exemptions from charges**

21 A regulation may provide for exemptions from a charge prescribed
22 under subsection 6(1).

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Part 3 Miscellaneous

Section 9

1 **Part 3—Miscellaneous**
2

3 **9 Regulations**

4 The Governor-General may make regulations prescribing matters:
5 (a) required or permitted by this Act to be prescribed; or
6 (b) necessary or convenient to be prescribed for carrying out or
7 giving effect to this Act.