1993

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

Presented and read a first time

(*Primary Industries and Energy*)

A BILL

FOR

An Act to provide for the payment of fees for retention licences issued under the *Offshore Minerals Act 1993*

The Parliament of Australia enacts:

Short title

1. This Act may be cited as the *Offshore Minerals (Retention Licence Fees) Act 1993*.

5 **Commencement**

2. This Act commences immediately after the *Offshore Minerals Act 1993* commences.

Interpretation

3.(1) In this Act:

10 **"year"**, in relation to the term of a retention licence, means:

(a) the period of 12 months commencing (and including) on the day on which the provisional grant of the licence is properly accepted; or

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(b) a period of 12 months commencing on (and including) an anniversary of that day; or

(c) a period of less than 12 months that:

(i) commences on (and includes):

(A) the day on which the provisional grant of the licence is properly accepted; or

(B) an anniversary of that day; and

(ii) ends at the end of the term of the licence.

(2) Expressions used in the *Offshore Minerals Act 1993* have the same meaning in this Act unless the contrary intention appears.

Retention licence fees

4.(1) A retention licence holder must pay a fee to the Designated Authority for each year of the licence's term.

(2) Subject to subsection (3), the amount of the fee is to be calculated in accordance with the regulations.

(3) The amount of the fee for a licence for a year is not to exceed the amount obtained by multiplying $1,000 by the number of blocks covered by the licence at the beginning of the year.

Holder liable to pay fee

5.(1) The licence holder is liable to pay the fee.

(2) If the licence has 2 or more holders, the holders are jointly and severally liable to pay the fee.

Time for payment

6. The fee for a year becomes payable one month after the day on which the year begins.

Penalty if fee overdue

7.(1) If the fee for a retention licence is not paid when it becomes payable, the licence holder must pay a penalty to the Designated Authority.

(2) If the licence has 2 or more holders, the holders are jointly and severally liable to pay the penalty.

(3) The penalty is to be calculated:

(a) on the amount of the fee that remains unpaid; and

(b) at the rate of 0.33% for each day during which the fee is unpaid.

Fees and penalties are debts due to Commonwealth

8.(1) The Commonwealth may recover the following amounts in a court of competent jurisdiction as debts due to the Commonwealth:

(a) a fee under section 4;

(b) an amount of unpaid section 6 penalty.

(2) The Designated Authority receives retention licence fees under section 4 and any section 6 penalty on behalf of the Commonwealth.

5 **Regulations**

9. The Governor-General may make regulations prescribing matters:

(a) required or permitted by this Act to be prescribed; or

(b) necessary or convenient to be prescribed for carrying out or giving effect to this Act.

Printed by Authority by the Commonwealth Government Printer (82/93)

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