

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 impose a user charge on exploration 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 (Exploration Licence User Charge) Act 1993*.

5 Commencement

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

Interpretation

3.(1) In this Act:

“**user charge**” means charge under section 4;

“**year**”, in relation to the term of an exploration licence, means:

- (a) the period of 12 months commencing on (and including) the day on which the provisional grant of the licence is properly accepted; or 5
- (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): 10
 - (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. 15

Exploration licence user charge

4.(1) A charge is imposed on an exploration licence for each year of the term of the licence.

(2) Subject to subsection (3), the amount of the charge is to be calculated in accordance with the regulations. 20

(3) The amount of the charge on a licence for a year is not to exceed \$50,000.

Holder liable to pay user charge

5.(1) The licence holder is liable to pay the user charge. 25

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

Time for payment

6. The user charge for a year becomes payable one month after the day on which the year begins. 30

Penalty if user charge overdue

7.(1) If the user charge for an exploration licence is not paid when it becomes payable, the licence holder must pay a penalty to the Commonwealth.

(2) If the licence has 2 or more holders, the holders are jointly and severally liable to pay the penalty. 35

- (3) The penalty is to be calculated:
 - (a) on the amount of the charge that remains unpaid; and
 - (b) at the rate of 0.33% for each day during which the charge is unpaid.

User charge and penalties are debts due to the Commonwealth

- 5 **8.** The Commonwealth may recover the following amounts in a court of competent jurisdiction as debts due to the Commonwealth:
 - (a) charge under section 4; and
 - (b) an amount of unpaid section 7 penalty.

Regulations

- 10 **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.



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