

Attorney General (Fees) Amendment Determination 2010 (No 1)

Disallowable instrument DI2010-141

made under the

Agents Act 2003, s 176 (Determination of fees)
Associations Incorporation Act 1991, s 125 (Determination of fees)
Births, Deaths and Marriages Registration Act 1997, s 67 (Determination of fees)
Business Names Act 1963, s 32 (Determination of fees)
Civil Law (Wrongs) Act 2002, s 222A (Determination of fees)
Civil Partnerships Act 2008, s 18 (Determination of fees)
Classification (Publications, Films and Computer Games) (Enforcement) Act 1995, s 67 (Determination of fees)
Cooperatives Act 2002, s 465 (Determination of fees)
Court Procedures Act 2004, s 13 (Determination of fees)
Dangerous Substances Act 2004, s 221 (Determination of fees)
Emergencies Act 2004, s 201 (Determination of fees)
Firearms Act 1996, s 270 (Determination of fees)
Freedom of Information Act 1989, s 80 (Determination of fees)
Guardianship and Management of Property Act 1991, s 75 (Determination of fees)
Hawkers Act 2003, s 45 (Determination of fees)
Instruments Act 1933, s 37 (Determination of fees)
Land Titles Act 1925, s 139 (Determination of fees, charges and other amounts)
Liquor Act 1975, s 179 (Determination of fees)
Machinery Act 1949, s 5 (Determination of fees)
Partnership Act 1963, s 99 (Determination of fees)
Pawnbrokers Act 1902, s 27 (Determination of fees and charges)
Prostitution Act 1992, s 29 (Determination of fees)
Public Trustee Act 1985, s 75 (Determination of fees and charges)
Registration of Deeds Act 1957, s 8 (Determination of fees)
Sale of Motor Vehicles Act 1977, s 91 (Determination of fees and charges)
Scaffolding and Lifts Act 1912, s 21 (Determination of fees)
Second-hand Dealers Act 1906, s 17 (Determination of fees and charges)
Security Industry Act 2003, s 50 (Determination of fees)
Trade Measurement (Administration) Act 1991, s 12 (Determination of fees)
Workers Compensation Act 1951, s 221 (Determination of fees)
Work Safety Act 2008, s 228 (Determination of fees)

1 Name of instrument

This instrument is the Attorney General (Fees) Amendment Determination 2010 (No 1).

2 Commencement

This instrument takes effect on 1 July 2010.

3 Amendments

This instrument amends the Attorney General (Fees) Determination 2010 (DI2010-107) by:

- (a) Amend clause 3 (Revocation) to include the following subclause:
“(2) Instrument No. 264 of 1998 made under the *Firearms Act 1996* is revoked.”
- (b) Amend schedule 1 to insert at the bottom of the table:

| Act | Item(s) in Schedule 2 |
|-----------------------------------|-------------------------|
| Firearms Act 1996 | 402-418 |

- (c) Delete item 284 in schedule 2 and replace it with:

Legislative Authority: Emergencies Act 2004

| | | |
|-----|--|-------------|
| 284 | AFANP Maintenance Fee per quarter | \$10,370.00 |
| | <i>Explanatory Note: Last Financial Year the first year annual fee was \$28,369.00. This has been replaced with the quarterly fee. Last year per quarter fee was \$7,094.00.</i> | |

- (d) Replace the phrase ‘Minister of agency’ in item 400(5)(g) of schedule 2 with ‘Minister or agency’;
- (e) Amend schedule 2 to insert at the bottom of the table:

Legislative Authority: Firearms Act 1996

| | | |
|-----|--|-----------|
| 402 | For the purpose of section 54 of the <i>Firearms Act 1996</i> in the case of an adult firearms licence for an application for a Category A, B, C, D or H licence <i>Explanatory Note: From 1998 to the last financial year the fee was \$75.00</i> | \$113.00 |
| 403 | For the purpose of section 54 of the <i>Firearms Act 1996</i> in the case of an adult firearms licence for an application for a collectors licence <i>Explanatory Note: From 1998 to the last financial year the fee was \$75.00</i> | \$113.00 |
| 404 | For the purpose of section 54 of the <i>Firearms Act 1996</i> in the case of an adult firearms licence for an application for an heirlooms licence <i>Explanatory Note: From 1998 to the last financial year the fee was \$25.00</i> | \$38.00 |
| 405 | For the purpose of section 54 of the <i>Firearms Act 1996</i> in the case of an adult firearms licence for an application for a firearms dealer licence <i>Explanatory Note: From 1998 to the last financial year the fee was \$750.00</i> | \$1132.00 |
| 406 | For the purpose of section 54 of the <i>Firearms Act 1996</i> in the case of an adult firearms licence for an application for a firearms dealer club armourer licence under the Firearms Regulation 2008, section 26 <i>Explanatory Note: From 1998 to the last financial year the fee was \$100.00</i> | \$151.00 |
| 407 | For the purpose of section 54 of the <i>Firearms Act 1996</i> in the case of an adult firearms licence for an application for a paintball marker licence <i>Explanatory Note: From 2008 with the passage of the Firearms Amendment Act 2008 to the last financial year the fee was \$75.00</i> | \$113.00 |

| | | |
|-----|--|----------|
| 408 | For the purpose of section 72 of the <i>Firearms Act 1996</i> in the case of the issue of a replacement adult firearms licence <i>Explanatory Note: From 1998 to the last financial year the fee was \$25.00</i> | \$38.00 |
| 409 | For the purpose of section 85 of the <i>Firearms Act 1996</i> in the case of a minors firearms licence for an application for a Category A, B or H licence <i>Explanatory Note: From 1998 to the last financial year the fee was \$25.00</i> | \$38.00 |
| 410 | For the purpose of section 93 of the <i>Firearms Act 1996</i> in the case of the issue of a replacement minors firearms licence <i>Explanatory Note: From 1998 to the last financial year the fee was \$25.00</i> | \$38.00 |
| 411 | For the purpose of section 101 of the <i>Firearms Act 1996</i> in the case of a composite entity firearms licence for an application for a Category A, B, C, D or H licence <i>Explanatory Note: From 1998 to the last financial year the fee was \$150.00</i> | \$226.00 |
| 412 | For the purpose of section 115 of the <i>Firearms Act 1996</i> in the case of the issue of a replacement composite entity firearms licence <i>Explanatory Note: From 1998 to the last financial year the fee was \$25.00</i> | \$38.00 |
| 413 | For the purpose of section 123 of the <i>Firearms Act 1996</i> in the case of a Temporary International Firearms Licence <i>Explanatory Note: From 1998 to the last financial year the fee was \$25.00</i> | \$38.00 |
| 414 | For the purpose of section 143 of the <i>Firearms Act 1996</i> in the case of a permit to acquire <i>Explanatory Note: From 1998 to the last financial year the fee was \$10.00</i> | \$15.00 |
| 415 | For the purpose of section 149 of the <i>Firearms Act 1996</i> in the case of the issue of a replacement permit to acquire <i>Explanatory Note: From 1998 to the last financial year the fee was \$10.00</i> | \$15.00 |
| 416 | For the purpose of section 164 of the <i>Firearms Act 1996</i> in the case of the registration of a firearm for each firearm <i>Explanatory Note: From 1998 to the last financial year the fee was \$10.00</i> | \$15.00 |
| 417 | For the purpose of section 168 of the <i>Firearms Act 1996</i> in the case of the registration as a user of a registered firearm for each user <i>Explanatory Note: From 1998 to the last financial year the fee was \$10.00</i> | \$15.00 |
| 418 | For the purpose of section 188 of the <i>Firearms Act 1996</i> in the case of a statement about a person who is to be an employee or act as an agent for a firearms dealer <i>Explanatory Note: The requirement in section 188 was inserted into the Firearms Act 1996 by the Firearms Amendment Act 2008</i> | \$75.00 |

(f) Amend Schedule 2 - General Explanatory Notes: A. Overview of Increases in Fees and Charges:

after ‘appropriate value.’, add

‘The Public Trustee for the ACT has undertaken a structural review of fees and charges resulting in an increase in fees above WPI for items 64, 68-70, 75, 77-86, 88-89 and item 254 to address rising costs and parity with other jurisdictions.

The AFANP maintenance fee per quarter in item 284 has increased to a level similar to the New South Wales Fire Brigade fee for a similar service.

The fees under the Firearms Act 1996 as stated in items 402 to 418 have been increased by approximately 51% to reflect indexation increases since 1998-99, when the fees were last set, to 2010-11.

4 **Republication**

The Parliamentary Counsel is authorised to reprint DI2010-107 together with this amendment.

Simon Corbell MLA
Attorney General

29 June 2010