

Australian Capital Territory

Dangerous Substances (Fees) Determination 2004 (No 2)

Disallowable Instrument DI 2004-141

made under the

Dangerous Substances Act 2004, Section 221 – Determination of fees

Explanatory Statement

The *Dangerous Substances Act 2004* (the Act) regulates dangerous goods and hazardous substances in the ACT.

Section 221 of the Act provides the Minister for Industrial Relations with the power to determine fees for the purposes of the Act.

Section 58(1) of the *Legislation Act 2001* provides that where an Act authorises fees to be determined for the Act and the Act authorises the making of regulations by the Executive, then the Minister for Industrial Relations also has the power to determine fees for the purposes of the Regulations. Section 223 of the Act provides that the Executive may make regulations for the Act.

This instrument revokes the previous determination of fees instruments DI2004-45 that set fees following the implementation of the legislation in 2004 and determines the new fees for the 2004-05 financial year. Given the recent implementation of the fees, they have not been adjusted by the Consumer Price Index (CPI). The only change is the removal of GST where applicable, following their listing under division 81 of the *A New Tax System (Goods and Services Tax) Act 1999* as GST exempt fees.

The fees take effect on 1 July 2004.

The determination under section 221 is a disallowable instrument.