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The Parliament of the
Commonwealth of Australia

HOUSE OF REPRESENTATIVES

Presented and read a first time

Offshore Electricity Infrastructure (Regulatory Levies) Bill 2021

No. , 2021

(Industry, Science, Energy and Resources)

**A Bill for an Act to impose offshore electricity
infrastructure levy, and for related purposes**

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1 **A Bill for an Act to impose offshore electricity**
2 **infrastructure levy, and for related purposes**

3 The Parliament of Australia enacts:

4 **Part 1—Preliminary**
5

6 **1 Short title**

7 This Act is the *Offshore Electricity Infrastructure (Regulatory*
8 *Levies) Act 2021*.

Section 2

1 **2 Commencement**

2 (1) Each provision of this Act specified in column 1 of the table
3 commences, or is taken to have commenced, in accordance with
4 column 2 of the table. Any other statement in column 2 has effect
5 according to its terms.

6

Commencement information

Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this Act	At the same time as the <i>Offshore Electricity Infrastructure Act 2021</i> commences.	

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

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

13 **3 Act to bind Crown**

14 This Act binds the Crown in right of each of the States, of the
15 Australian Capital Territory and of the Northern Territory.
16 However, it does not bind the Crown in right of the
17 Commonwealth.

18 **4 Act does not impose levy on property of a State**

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

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

23 **5 Extension to external Territories**

24 This Act extends to the following external Territories:

25 (a) Norfolk Island;

- 1 (b) the Territory of Christmas Island;
2 (c) the Territory of Cocos (Keeling) Islands;
3 (d) the Territory of Ashmore and Cartier Islands;
4 (e) the Territory of Heard Island and McDonald Islands;
5 (f) the Coral Sea Islands Territory.

6 **Extra-territorial application**

7 This Act extends to acts, omissions, matters and things outside
8 Australia.

9 **7 Definitions**

10 In this Act:

11 *offshore electricity infrastructure levy* means levy imposed by
12 section 8.

13 *offshore electricity infrastructure licence holder* means a person
14 who is the holder of a licence (within the meaning of the *Offshore*
15 *Electricity Infrastructure Act 2021*).

16 *offshore infrastructure activity* has the same meaning as in the
17 *Offshore Electricity Infrastructure Act 2021*.

18 *Registrar* has the same meaning as in the *Offshore Electricity*
19 *Infrastructure Act 2021*.

20 *Regulator* has the same meaning as in the *Offshore Electricity*
21 *Infrastructure Act 2021*.

1 **Part 2—Imposition and amount of levy**
2

3 **8 Imposition of levy**

- 4 (1) Offshore electricity infrastructure levy is imposed on a person:
5 (a) who is an offshore electricity infrastructure licence holder; or
6 (b) who engages in an offshore infrastructure activity of a kind
7 prescribed by the regulations.
- 8 (2) The regulations may prescribe different kinds of offshore
9 electricity infrastructure levy that are imposed on a person who is
10 an offshore electricity infrastructure licence holder.
- 11 (3) Without limiting subsection (2), an offshore electricity
12 infrastructure levy imposed on a person who is an offshore
13 electricity infrastructure licence holder may relate to:
14 (a) a period during which the person holds the licence; or
15 (b) a regulatory or compliance activity undertaken by the
16 Commonwealth, the Regulator or Registrar that relates to the
17 licence.

18 **9 Amount of levy**

- 19 The amount of offshore electricity infrastructure levy is the
20 amount:
21 (a) prescribed by the regulations; or
22 (b) worked out in accordance with a method prescribed by the
23 regulations.

1 **Part 3—Regulations**
2

3 **10 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.