

WESTERN AUSTRALIA

**BUSINESS FRANCHISE
(TOBACCO) AMENDMENT
ACT (NO. 3) 1993**

No. 19 of 1993

AN ACT to amend the *Business Franchise (Tobacco) Act 1975*.

[Assented to 1 December 1993]

The Parliament of Western Australia enacts as follows:

PART 1 — PRELIMINARY

Short title

1. This Act may be cited as the *Business Franchise (Tobacco) Amendment Act (No. 3) 1993*.

Commencement

2. This Act comes into operation, or is deemed to have come into operation, on the day on which the *Business Franchise (Tobacco) Amendment Act (No. 2) 1993* comes into operation.

Principal Act

3. In this Act the *Business Franchise (Tobacco) Act 1975** is referred to as the principal Act.

[* *Reprinted as at 20 August 1987.*

For subsequent amendments see 1992 Index to Legislation of Western Australia, Table 1, p. 23 and Act No. 12 of 1993.]

PART 2 — AMENDMENTS

Section 7A inserted

4. After section 7 of the principal Act the following section is inserted —

“
Applications made on or after the 7th day of the month

7A. (1) If an application under section 7 (1) is made on or after the 7th day of the month preceding the month for or during which the licence is to be in force, it shall be accompanied by an additional fee equal to the fee payable for the licence under section 10.

(2) If —

- (a) a person is required to pay the additional fee under subsection (1); and
- (b) the Commissioner is satisfied that the fact that the application under section 7 (1) was made on or after the 7th day of the month was due to circumstances beyond the control of that person,

the Commissioner may remit the whole or part of that additional fee.

”.

Section 12A amended

5. (1) Section 12A of the principal Act is amended by deleting “twice the fee” and substituting the following —

“ 4 times the fee under section 10 ”.

PART 3 — TRANSITIONAL PROVISIONS

If commencement is 7-31 December 1993

6. If this Act commences in the period beginning on 7 December 1993 and ending on 31 December 1993, then section 7A of the principal Act does not apply in the case of an application for the issue of a licence for January 1994.

If commencement is 7-31 January 1994

7. If this Act commences in the period beginning on 7 January 1994 and ending on 31 January 1994, then section 7A of the principal Act does not apply in the case of an application for the issue of a licence for February 1994.