



# Industry, Science and Technology Legislation Amendment Act 1994

No. 108 of 1994

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# Industry, Science and Technology Legislation Amendment Act 1994

No. 108 of 1994

An Act to amend various Acts relating to matters dealt with  
by the Department of Industry, Science and Technology,  
and for related purposes

[Assented to 12 July 1994]

The Parliament of Australia enacts:

## PART 1—PRELIMINARY

### Short title

1. This Act may be cited as the *Industry, Science and Technology Legislation Amendment Act 1994*.

### Commencement

2.

- (1) Subject to this section, this Act commences on the day on which it receives the Royal Assent.
- (2) Division 2 of Part 2 commences on the 28th day after the day on which this Act receives the Royal Assent.
- (3) Division 5 of Part 2 commences on the day after the day on which this Act receives the Royal Assent.

## PART 2—AMENDMENT OF THE NATIONAL MEASUREMENT ACT 1960

### *Division 1—Principal Act*

### Principal Act

3. In this Part, “**Principal Act**” means the *National Measurement Act 1960*<sup>1</sup>.

### *Division 2—Membership of Commission*

### Object of Division

4. The object of this Division is to increase the number of members of the National Standards Commission from 8 to 10.

### Membership of Commission

5. Section 17 of the Principal Act is amended by omitting from subsection (1) “6 other” and substituting “8 other”.

## Meetings

6. Section 18AE of the Principal Act is amended by omitting from subsection (3) “5” and substituting “6”.

### *Division 3–Contracts*

#### Object of Division

7. The object of this Division is to increase the limit on contracts which the National Standards Commission may make without Ministerial approval from \$100,000 to \$250,000.

#### Contracts

8. Section 18F of the Principal Act is amended by omitting “\$100,000” and substituting “\$250,000”.

### *Division 4–Investments*

#### Object of Division

9. The object of this Division is to give the National Standards Commission the power to invest its money.

#### Application of money

10. Section 18D of the Principal Act is amended by adding at the end the following word and paragraph:

“; and (c) in making investments under section 18DA.”.

#### Insertion of new section

11. After section 18D of the Principal Act the following section is inserted:

#### Investment of money

“18DA.

(1) Money of the Commission not immediately required for the purposes of the Commission may be invested:

- (a) on deposit with an approved bank; or
- (b) in Commonwealth securities; or
- (c) in any other manner approved by the Treasurer.

“(2) In subsection (1):

‘approved bank’ means:

- (a) a bank as defined in subsection 5(1) of the *Banking Act 1959*; or
- (b) another bank approved by the Treasurer, or by a person authorised by the Treasurer to give approvals under section 63E of the *Audit Act 1901*.”.

#### Contracts

12. Section 18F of the Principal Act is amended by adding at the end the following subsection:

“(2) Subsection (1) does not apply to investments under section 18DA.”.

### *Division 5—Grants, loans, scholarships etc.*

#### **Object of Division**

**13.** The object of this Division is to give the National Standards Commission the power:

- (a) to make grants of financial assistance; and
- (b) to make and guarantee loans; and
- (c) to establish and award fellowships and scholarships.

#### **Functions of the Commission**

**14.** Section 18 of the Principal Act is amended:

- (a) by omitting from paragraph (1)(g) “and” (last occurring);
- (b) by adding at the end of subsection (1) the following paragraphs:
  - “; (i) to make grants of financial assistance for purposes relating to metrology;
  - (j) to make loans for purposes relating to metrology;
  - (k) to guarantee loans made for purposes relating to metrology; and
  - (l) to establish and award fellowships and scholarships for:
    - (i) training in the knowledge and skills relevant to metrology; or
    - (ii) metrology research.”.

#### **Application of money**

**15.** Section 18D of the Principal Act is amended by adding at the end the following word and paragraph:

- “; and (d) in making any other payments which the Commission is authorised or required to make under this Act or any other law.”.

## **PART 3—AMENDMENT OF THE PATENTS ACT 1990**

#### **Object of Part**

**16.** The object of this Part is to make minor technical amendments to the *Patents Act 1990*. The amendments define the Australian continental shelf by reference to the *Seas and Submerged Lands Act 1973*.

#### **Principal Act**

**17.** In this Part, “**Principal Act**” means the *Patents Act 1990*<sup>2</sup>.

#### **Definitions**

**18.** Section 3 of the Principal Act is amended by omitting “Continental Shelf Convention”.

#### **Schedule 1**

**19.** Schedule 1 to the Principal Act is amended:



- (a) by omitting “Continental Shelf Convention” from the definition of “Australian continental shelf” and substituting “*Seas and Submerged Lands Act 1973*”;
- (b) by omitting the definition of “Continental Shelf Convention”.

## **PART 4—AMENDMENT OF THE POOLED DEVELOPMENT FUNDS ACT 1992**

### **Object of Part**

20. The object of this Part is to make a minor technical change to the rules relating to the investment in companies by pooled development funds in cases where the investee company’s audited accounts relate to a period that ended less than 18 months before the investment is made.

### **Principal Act**

21. In this Part, “**Principal Act**” means the *Pooled Development Funds Act 1992*<sup>3</sup>.

### **Limit on size of investee company**

22. Section 24 of the Principal Act is amended by omitting from paragraph (5)(b) “12” and substituting “18”.

## **NOTES**

### *National Measurement Act 1960*

1. No. 64, 1960, as amended. For previous amendments, see No. 6, 1964; No. 93, 1966; No. 216, 1973 (as amended by No. 20, 1974); No. 158, 1978; No. 77, 1984; No. 65, 1985; No. 76, 1986; No. 141, 1987; No. 91, 1989; Nos. 66 and 199, 1991; and No. 168, 1992.

### *Patents Act 1990*

2. No. 83, 1990, as amended. For previous amendments, see No. 66, 1991.

### *Pooled Development Funds Act 1992*

3. No. 100, 1992, as amended. For previous amendments, see No. 102, 1994.

[*Minister’s second reading speech made in—  
Senate on 24 March 1994  
House of Representatives on 9 June 1994*]