



# **Statute Law Revision Act 2012**

**No. 136, 2012**

**An Act to make various amendments of the statute law of the Commonwealth, to repeal certain obsolete Acts, and for related purposes**

Note: An electronic version of this Act is available in ComLaw (<http://www.comlaw.gov.au/>)



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# Statute Law Revision Act 2012

No. 136, 2012

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## **An Act to make various amendments of the statute law of the Commonwealth, to repeal certain obsolete Acts, and for related purposes**

[Assented to 22 September 2012]

The Parliament of Australia enacts:

### **1 Short title**

This Act may be cited as the *Statute Law Revision Act 2012*.

### **2 Commencement**

- (1) Each provision of this Act specified in column 1 of the table commences, or is taken to have commenced, in accordance with

column 2 of the table. Any other statement in column 2 has effect according to its terms.

<b>Commencement information</b>		
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provision(s)</b>	<b>Commencement</b>	<b>Date/Details</b>
1. Sections 1 to 3 and anything in this Act not elsewhere covered by this table	The day this Act receives the Royal Assent.	22 September 2012
2. Schedule 1, Part 1	The day this Act receives the Royal Assent.	22 September 2012
3. Schedule 1, Part 2	1 August 2011.	1 August 2011
4. Schedule 1, item 124	Immediately after the commencement of item 61 of Schedule 1 to the <i>Fair Work Amendment (Textile, Clothing and Footwear Industry) Act 2012</i> .	1 July 2012
5. Schedule 1, item 125	Immediately after the commencement of item 36 of Schedule 1 to the <i>Judges and Governors-General Legislation Amendment (Family Law) Act 2012</i> .	15 March 2013
6. Schedule 2, item 1	The day this Act receives the Royal Assent.	22 September 2012
7. Schedule 2, item 2	Immediately after the time specified in the <i>Business Names Registration (Transitional and Consequential Provisions) Act 2011</i> for the commencement of Part 1 of Schedule 2 to that Act.	20 April 2012
8. Schedule 2, item 3	Immediately after the time specified in the <i>Clean Energy (Consequential Amendments) Act 2011</i> for the commencement of Part 1 of Schedule 1 to that Act.	2 April 2012
9. Schedule 2, items 4 and 5	Immediately after the time specified in the <i>Crimes Legislation Amendment Act (No. 2) 2011</i> for the commencement of item 213 of Schedule 2 to that Act.	1 January 2012
10. Schedule 2, items 6 to 10	Immediately after the time specified in the <i>Crimes Legislation Amendment (Powers and</i>	5 April 2012

<b>Commencement information</b>		
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provision(s)</b>	<b>Commencement</b>	<b>Date/Details</b>
	<i>Offences) Act 2012</i> for the commencement of Part 1 of Schedule 2 to that Act.	
11. Schedule 2, item 11	Immediately after the time specified in the <i>Crimes Legislation Amendment (Powers and Offences) Act 2012</i> for the commencement of Schedule 3 to that Act.	5 April 2012
12. Schedule 2, item 12	Immediately after the <i>Crimes Legislation Amendment (Powers and Offences) Act 2012</i> received the Royal Assent.	4 April 2012
13. Schedule 2, item 13	The day this Act receives the Royal Assent.	22 September 2012
14. Schedule 2, item 14	Immediately after the time specified in the <i>Fair Work (State Referral and Consequential and Other Amendments) Act 2009</i> for the commencement of item 2 of Schedule 12 to that Act.	1 July 2009
15. Schedule 2, item 15	Immediately after the time specified in the <i>Financial Sector Legislation Amendment (Prudential Refinements and Other Measures) Act 2010</i> for the commencement of item 1 of Schedule 6 to that Act.	27 July 2010
16. Schedule 2, item 16	Immediately after the time specified in the <i>Freedom of Information Amendment (Reform) Act 2010</i> for the commencement of item 23 of Schedule 3 to that Act.	1 November 2010
17. Schedule 2, items 17 and 18	Immediately after the time specified in the <i>Freedom of Information Amendment (Reform) Act 2010</i> for the commencement of Schedule 4 to that Act.	1 November 2010
18. Schedule 2, items 19 and 20	Immediately after the time specified in the <i>Health Legislation Amendment (Midwives and Nurse Practitioners) Act 2010</i> for the commencement of item 78 of Schedule 1 to that Act.	13 April 2010
19. Schedule 2, item 21	Immediately after the time specified in the <i>Human Services Legislation Amendment Act 2011</i> for the commencement of Schedule 2	1 July 2011

<b>Commencement information</b>		
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provision(s)</b>	<b>Commencement</b>	<b>Date/Details</b>
	to that Act.	
20. Schedule 2, items 22 to 24	Immediately after the time specified in the <i>Human Services Legislation Amendment Act 2011</i> for the commencement of Part 1 of Schedule 4 to that Act.	1 July 2011
21. Schedule 2, items 25 to 29	Immediately after the time specified in the <i>Human Services Legislation Amendment Act 2011</i> for the commencement of Part 3 of Schedule 4 to that Act.	1 July 2011
22. Schedule 2, item 30	The day this Act receives the Royal Assent.	22 September 2012
23. Schedule 2, item 31	Immediately after the time specified in the <i>Offshore Petroleum (Royalty) Amendment Act 2011</i> for the commencement of section 2 of that Act.	14 October 2011
24. Schedule 2, item 32	Immediately after the time specified in the <i>Renewable Energy (Electricity) Amendment Act 2010</i> for the commencement of item 39 of Schedule 1 to that Act.	1 January 2011
25. Schedule 2, item 33	The day this Act receives the Royal Assent.	22 September 2012
26. Schedule 2, item 34	Immediately after the time specified in the <i>Statute Law Revision Act 2011</i> for the commencement of item 65 of Schedule 5 to that Act.	19 April 2011
27. Schedule 2, items 35 and 36	Immediately after the time specified in the <i>Statute Stocktake (Regulatory and Other Laws) Act 2009</i> for the commencement of that Act.	17 November 2009
28. Schedule 2, item 37	Immediately after the time specified in the <i>Superannuation Legislation (Consequential Amendments and Transitional Provisions) Act 2011</i> for the commencement of Schedule 1 to that Act.	1 July 2011
29. Schedule 2, item 38	The day this Act receives the Royal Assent.	22 September 2012
30. Schedule 2,	Immediately after the time specified in the	12 April 2012

<b>Commencement information</b>		
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provision(s)</b>	<b>Commencement</b>	<b>Date/Details</b>
items 39 and 40	<i>Telecommunications Legislation Amendment (National Broadband Network Measures—Access Arrangements) Act 2011</i> for the commencement of Part 3 of Schedule 1 to that Act.	
31. Schedule 2, item 41	The day this Act receives the Royal Assent.	22 September 2012
32. Schedule 2, item 42	Immediately after the time specified in the <i>Territories Law Reform Act 2010</i> for the commencement of item 210 of Schedule 1 to that Act.	1 January 2011
33. Schedule 2, item 43	Immediately after the commencement of Schedule 3 to the <i>Competition and Consumer Legislation Amendment Act 2011</i> .	1 January 2011
34. Schedule 2, item 44	The day the <i>Law and Justice Legislation Amendment (Identity Crimes and Other Measures) Act 2011</i> received the Royal Assent.	2 March 2011
35. Schedules 3 and 4	The day this Act receives the Royal Assent.	22 September 2012
36. Schedule 5	The 28th day after this Act receives the Royal Assent.	20 October 2012
37. Schedules 6 and 7	The day this Act receives the Royal Assent.	22 September 2012

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

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

### **3 Schedule(s)**

Each Act that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

## Schedule 1—Amendment of principal Acts

### Part 1—Amendments commencing on Royal Assent

#### *Aged Care Act 1997*

##### **1 Paragraph 8-6(3)(b)**

Omit “8-3A(a)”, substitute “8-3A(1)(a)”.

Note: This item fixes an incorrect cross-reference.

##### **2 Subsection 38-3(3)**

Omit “and (c)”, substitute “, (c) and (ca)”.

Note: This item inserts a cross-reference that was overlooked in a prior amendment of the *Aged Care Act 1997*.

##### **3 Section 39-1 (heading)**

Repeal the heading, substitute:

##### **39-1 Certification ceasing to have effect**

##### **4 Subparagraph 95A-1(2)(d)(ii)**

Omit “a support contact”, substitute “an assessment contact”.

Note: This item removes a reference to a concept that no longer exists and substitutes a reference to the concept that replaced it.

##### **5 Subparagraph 95A-1(2)(e)(ii)**

Omit “support contacts”, substitute “assessment contacts”.

Note: This item removes a reference to a concept that no longer exists and substitutes a reference to the concept that replaced it.

##### **6 Subparagraph 95A-12(2)(b)(iii)**

Omit “a support contact”, substitute “an assessment contact”.

Note: This item removes a reference to a concept that no longer exists and substitutes a reference to the concept that replaced it.

##### **7 Section 96-11**

Repeal the section.

Note: This item repeals a redundant section.

### ***Aged Care (Bond Security) Act 2006***

#### **8 Paragraph 11(1)(a)**

Omit “former approved provide”, substitute “former approved provider”.

Note: This item fixes a typographical error.

### ***Air Passenger Ticket Levy (Collection) Act 2001***

#### **9 Section 5 (paragraph (c) of the definition of *entity*)**

Omit “partnership;”, substitute “partnership.”.

Note: This item fixes incorrect punctuation.

### ***Airports Act 1996***

#### **10 Subsection 84A(1A) (heading)**

Repeal the heading.

Note: This item removes an out-of-date subsection heading.

### ***Air Services Act 1995***

#### **11 Subsection 8(1A) (at the end of paragraphs (a) to (d) of the definition of *services*)**

Add “and”.

Note: This item adds conjunctions at the end of the paragraphs, for consistency with current drafting practice.

### ***Australian Broadcasting Corporation Act 1983***

#### **12 Subsection 79A(5) (paragraph (a) of the definition of *election period*)**

Omit “Legislative Assembly of the Australian Capital Territory”, substitute “Legislative Assembly for the Australian Capital Territory”.

Note: This item fixes a misstatement of the name of the Legislative Assembly for the Australian Capital Territory.

### *Australian Crime Commission Act 2002*

#### **13 Subparagraph 4(3)(a)(i)**

Omit “Legislative Assembly of”, substitute “Legislative Assembly for”.

Note: This item fixes a misstatement of the name of the Legislative Assembly for the Australian Capital Territory.

#### **14 Subsection 55A(11)**

Repeal the subsection.

Note: This item repeals a redundant subsection.

### *Australian Human Rights Commission Act 1986*

#### **15 Section 46PW (heading)**

Repeal the heading, substitute:

#### **46PW Referral of discriminatory industrial instruments to Fair Work Australia**

Note: This item omits redundant text.

#### **16 Subsections 46PW(3) and (5)**

Omit “the Fair Work Australia”, substitute “Fair Work Australia”.

Note: This item omits redundant text.

### *Australian Law Reform Commission Act 1996*

#### **17 Subsection 8(4)**

Repeal the subsection.

Note: This item repeals a redundant subsection.

### *Australian National Preventive Health Agency Act 2010*

#### **18 Paragraph 2A(2)(d)**

Omit “and”.

Note: This item omits a conjunction at the end of the paragraph, for consistency with current drafting practice.



**19 At the end of subparagraphs 11(1)(f)(i), (ii) and (iii)**

Add “and”.

Note: This item adds conjunctions at the end of the subparagraphs, for consistency with current drafting practice.

**20 Section 11A**

Omit “web site”, substitute “website”.

***Broadcasting Services Act 1992***

**21 Subsection 38C(11) (heading)**

Repeal the heading, substitute:

*Price-based system for allocating licences where 2 or more applications have been received*

Note: This item fixes a punctuation error.

**22 Subparagraph 205ZD(b)(ii) (second occurring)**

Re-number as subparagraph (iii).

**23 Clause 1 of Schedule 2 (paragraph (a) of the definition of *election period*)**

Omit “Legislative Assembly of the Australian Capital Territory”, substitute “Legislative Assembly for the Australian Capital Territory”.

Note: This item fixes a misstatement of the name of the Legislative Assembly for the Australian Capital Territory.

**24 Paragraph 41G(3)(b) of Schedule 4**

Omit “licence area”, substitute “licence area.”.

***Carbon Credits (Carbon Farming Initiative) Act 2011***

**25 Section 5 (paragraph (b), second occurring, of the definition of *native forest*)**

Reletter as paragraph (ca).

**26 Subsection 214(2) (note)**

Omit “75AA”, substitute “75”.

Note: This item fixes an incorrect cross-reference.

**27 Section 240 (table item 8)**

Omit “to make a determination under section 57 or 58”, substitute “, under regulations made for the purposes of section 57, to make a determination”.

Note: This item fixes an incorrect cross-reference and removes a redundant cross-reference.

**28 Subparagraph 273(d)(ii) (second occurring)**

Reletter as subparagraph (iii).

***Civil Aviation (Carriers’ Liability) Act 1959***

**29 Schedule 5 (operative provisions of the Warsaw Convention as modified by Chapter I of the Hague Protocol and Chapter I of the Montreal Protocol No. 4, paragraph 2 of Article 4)**

Omit “himself”, substitute “himself”.

**30 Schedule 5 (operative provisions of the Warsaw Convention as modified by Chapter I of the Hague Protocol and Chapter I of the Montreal Protocol No. 4, paragraph 1 of Article 12)**

Omit “originally”, substitute “originally”.

***Competition and Consumer Act 2010***

**31 Paragraph 139C(1)(a)**

Omit “authority or the employee”, substitute “authority of the employee”.

Note: This item fixes a typographical error.

**32 Subsection 152AGA(2)**

After “subsection 141A(1)”, insert “of the *Telecommunications Act 1997*”.

Note: This item fixes an incorrect cross-reference.

**33 Subsection 152AGA(2)**

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After “section 141”, insert “of that Act”.

Note: This item fixes an incorrect cross-reference.

**34 Subsection 152AGA(2) (note)**

After “Section 141”, insert “of the *Telecommunications Act 1997*”.

Note: This item fixes an incorrect cross-reference.

**35 Subsection 152BC(4A) (the subsection (4A) inserted by item 103 of Schedule 1 to the *Telecommunications Legislation Amendment (National Broadband Network Measures—Access Arrangements) Act 2011*)**

Re-number as subsection (4AA).

**36 Paragraph 163A(1)(aaa)**

Omit “Australian Consumer law”, substitute “Australian Consumer Law”.

Note: This item fixes a typographical error.

***Copyright Act 1968***

**37 Subsection 144A(3)**

Repeal the subsection, substitute:

- (3) In this section, a reference to a proceeding includes a reference to a proceeding by way of an application or reference to the Tribunal under this Act.

Note: This item makes amendments for consistency with current drafting practices and to remove references to a repealed section and a type of inquiry that no longer occurs.

***Crimes Act 1914***

**38 Subsection 23YUK(4) (paragraph (b) of the definition of *independent review*)**

Omit “a a”, substitute “a”.

***Criminal Code Act 1995***

**39 Subsection 71.16(1) of the *Criminal Code***

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Omit “(1)”.

Note: This item is consequential on item 40.

**40 Subsection 71.16(2) of the *Criminal Code***

Repeal the subsection.

Note: This item repeals a redundant subsection.

***Customs Act 1901***

**41 Subsection 67EE(3)**

Omit “, except in the circumstances referred to in subsection 64AB(3C),”.

Note: This item removes a reference to a subsection that has been repealed.

**42 Subsection 132AA(4) (table item 2)**

Repeal the item.

Note: This item repeals an item of a table relating to provisions that have been repealed.

**43 Subsection 240(1)**

Omit “to enable a Collector to enable a Collector”, substitute “to enable a Collector”.

**44 Subsection 269ZDB(1A) (the subsection (1A) inserted by item 15 of Schedule 1 to the *Customs Amendment (Anti-dumping Measures) Act 2011*)**

Renumber as subsection (1AA).

**45 Subsection 273GAA(4)**

Omit “subsection 119(2)”, substitute “section 118”.

Note: This item fixes an incorrect cross-reference.

**46 Paragraph 273GA(1)(c)**

Omit “119”, substitute “118”.

Note: This item fixes an incorrect cross-reference.

**47 Section 273J**

Repeal the section.

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Note: This item repeals a redundant section.

**48 Section 273JA**

Repeal the section.

Note: This item repeals a redundant section.

**49 Subsection 273K(1)**

Omit “or subsection 273J(1) or 273JA(1)”.

Note: This item is consequential on items 47 and 48.

***Environment Protection and Biodiversity Conservation Act  
1999***

**50 Section 528 (paragraph (c) of the definition of cetacean)**

Omit “from a such a”, substitute “from such a”.

***Fair Work (Registered Organisations) Act 2009***

**51 Subsection 96(3)**

Omit “Schedule”, substitute “Act”.

Note: This item fixes an incorrect cross-reference.

**52 Section 317**

Omit:

Part 4A provides protection for officers, employees and members of organisations who disclose information about contraventions of this Act or this Act.

substitute:

Part 4A provides protection for officers, employees and members of organisations who disclose information about contraventions of this Act or the Fair Work Act.

Note: This item fixes an incorrect cross-reference.

### ***Family Law Act 1975***

#### **53 Subsection 69C(1)**

Omit “and subsection 68T(4)”.

Note: This item removes a redundant cross-reference.

#### **54 Paragraph 65DAA(2)(b)**

Omit “and”.

Note: This item omits a conjunction at the end of a paragraph.

### ***Federal Court of Australia Act 1976***

#### **55 Section 23DE (note 1)**

Omit “23EA)”, substitute “23EA”.

Note: This item fixes a typographical error.

### ***First Home Saver Accounts Act 2008***

#### **56 Division 3 of Part 5 (heading)**

Repeal the heading.

Note: This item removes a redundant Division heading.

### ***Freedom of Information Act 1982***

#### **57 Subsection 53C(1) (table item 1)**

After “relations”, insert “etc.”.

Note: This item updates a cross-reference to a section heading.

#### **58 Subsection 54Y(2) (note)**

After “relations” (first occurring), insert “etc.”.

Note: This item updates a cross-reference to a section heading.

#### **59 Subsection 55G(1) (note)**

After “relations” (first occurring), insert “etc.”.

Note: This item updates a cross-reference to a section heading.

### ***Great Barrier Reef Marine Park Act 1975***

#### **60 Subsection 39QA(2)**

Repeal the subsection (not including the note), substitute:

- (2) The *Financial Management and Accountability Act 1997* does not apply in relation to interest, or other amounts, derived by holders of chargeable permissions from the custody or banking of collected amounts.

Note: This item substitutes a subsection to remove a redundant paragraph.

#### **61 Paragraph 59F(7)(d)**

Omit “42(2)”, substitute “48A(2)”.

Note: This item fixes an incorrect cross-reference.

### ***Health Insurance Act 1973***

#### **62 Section 129AAG (heading)**

Repeal the heading, substitute:

**129AAG Chief Executive Medicare or Departmental employee may deal with documents etc. produced**

Note: This item fixes an out-of-date section heading.

#### **63 Paragraph 130(9)(c)**

Omit “(6)(e) (ea)”, substitute “(6)(e), (ea)”.

### ***Higher Education Support Act 2003***

#### **64 Subsection 238-10(1) (table item 1, column headed “Chapter/Part/section”)**

Omit “Section” (wherever occurring), substitute “section”.

Note: This item fixes a typographical error.

#### **65 Paragraph 6(1)(b) of Schedule 1A**

Omit “subsection (2)”, substitute “subclause (2)”.

Note: This item fixes an incorrect cross-reference.

**66 Subclause 12A(2) of Schedule 1A**

Omit “subsection (1)”, substitute “subclause (1)”.

Note: This item fixes an incorrect cross-reference.

***Human Rights (Parliamentary Scrutiny) Act 2011***

**67 Paragraph 5(2)(e)**

Omit “Chair of Committees”, substitute “Deputy Speaker”.

Note: This item fixes a misstatement of a title.

***Human Services (Medicare) Act 1973***

**68 Section 42 (heading)**

Repeal the heading, substitute:

**42 Annual report**

Note: This item fixes an out-of-date section heading.

***Industrial Chemicals (Notification and Assessment) Act 1989***

**69 Subsection 5(1) (definition of *Environment Department*)**

Repeal the definition.

Note: This item repeals a redundant definition.

**70 Subsection 21E(1) (heading)**

Repeal the heading, substitute:

*Maximum quantity—4,000 kilograms*

Note: This item removes square brackets from around the subsection heading, for consistency with current drafting practice.

**71 Subsection 21E(2) (heading)**

Repeal the heading, substitute:

*Maximum period—2 years*

Note: This item removes square brackets from around the subsection heading, for consistency with current drafting practice.



**72 Subsection 21E(3) (heading)**

Repeal the heading, substitute:

*Application invalid if another permit held for the same chemical*

Note: This item removes square brackets from around the subsection heading, for consistency with current drafting practice.

**73 Subsection 21H(2) (heading)**

Repeal the heading, substitute:

*Excess period*

Note: This item removes square brackets from around the subsection heading, for consistency with current drafting practice.

**74 Subsection 21H(3) (heading)**

Repeal the heading, substitute:

*Contravention of Act etc.*

Note: This item removes square brackets from around the subsection heading, for consistency with current drafting practice.

**75 Subsection 21H(4) (heading)**

Repeal the heading, substitute:

*Notification of refusal of application*

Note: This item removes square brackets from around the subsection heading, for consistency with current drafting practice.

**76 Subsection 21L(1) (heading)**

Repeal the heading, substitute:

*Conditions of permit*

Note: This item removes square brackets from around the subsection heading, for consistency with current drafting practice.

**77 Subsection 21L(2) (heading)**

Repeal the heading, substitute:

*Variation etc. of conditions*

Note: This item removes square brackets from around the subsection heading, for consistency with current drafting practice.

**78 Subsection 21L(3) (heading)**

Repeal the heading, substitute:

*Conditions may require giving of information*

Note: This item removes square brackets from around the subsection heading, for consistency with current drafting practice.

**79 Subsection 21L(5) (heading)**

Repeal the heading, substitute:

*Holder includes a person who agrees to be bound by the conditions of a permit*

Note: This item removes square brackets from around the subsection heading, for consistency with current drafting practice.

***Inspector-General of Intelligence and Security Act 1986***

**80 Subsection 22(3) (note)**

Omit “section”, substitute “Section”.

Note: This item fixes a typographical error.

***Insurance Act 1973***

**81 Subsection 62ZV(1)**

Omit “(1)”.

Note: This item removes a redundant subsection number.

***Law Enforcement Integrity Commissioner Act 2006***

**82 Paragraph 213(3)(d)**

Omit “Chair of Committees” (second occurring), substitute “Deputy Speaker”.

Note: This item fixes a misstatement of a title.

**83 Subsection 217(1)**

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Omit “a corruption issue”, substitute “an ACLEI corruption issue”.

Note: This item fixes an incorrect cross-reference to a corruption issue.

#### **84 Section 218 (heading)**

Repeal the heading, substitute:

#### **218 Ombudsman to brief Committee about controlled operations**

Note: This item fixes a grammatical error.

### ***Long Service Leave (Commonwealth Employees) Act 1976***

#### **85 Subparagraph 4(6)(c)(ii)**

Omit “paragraph 51(20) of the Constitution”, substitute “paragraph 51(xx) of the Constitution”.

Note: This item fixes an incorrect citation.

### ***Mutual Assistance in Criminal Matters Act 1987***

#### **86 Subsection 3(1) (at the end of paragraph (a) of the definition of *premises*)**

Add “and”.

#### **87 Subsection 34B(2)**

Omit “*Proceeds of Crime Act 2002*”, substitute “Proceeds of Crime Act”.

Note: This item fixes an incorrect citation.

#### **88 Subsection 40(1)**

Omit “(1)”.

Note: This item removes a redundant subsection number.

### ***National Broadband Network Companies Act 2011***

#### **89 Subsection 49(3)**

Omit “11(1)(c)”, substitute “11(1)(b)”.

Note: This item fixes an incorrect cross-reference.

### *National Health Act 1953*

#### **90 Subsection 4(1) (definition of *Director*)**

Repeal the definition.

Note: This item repeals a redundant definition.

#### **91 Section 99ACEB (heading)**

Repeal the heading, substitute:

#### **99ACEB New brands of pharmaceutical items having drug with outstanding staged reductions—new brands not bioequivalent or biosimilar to existing listed brand**

Note: This item fixes a typographical error.

#### **92 Paragraph 135A(9)(c)**

Omit “(k) (l)”, substitute “(k), (l)”.

### *Offshore Petroleum and Greenhouse Gas Storage Act 2006*

#### **93 Subsection 695P(7)**

Omit “relates”, substitute “relates.”.

### *Parliamentary Superannuation Act 2004*

#### **94 Subsection 5(2)**

After “if”, insert “a person”.

Note: This item and item 95 together fix a grammatical error.

#### **95 Paragraph 5(2)(a)**

Omit “a person ceased”, substitute “ceased”.

Note: This item and item 94 together fix a grammatical error.

#### **96 Subsection 5(3)**

After “if”, insert “a person”.

Note: This item and item 97 together fix a grammatical error.

#### **97 Paragraph 5(3)(a)**

---

Omit “a person resigned”, substitute “resigned”.

Note: This item and item 96 together fix a grammatical error.

### **98 Paragraph 16(1)(a)**

After “self managed”, insert “superannuation”.

Note: This item fixes an incorrect reference to a defined term.

### **99 Subsection 17(1)**

After “self managed”, insert “superannuation”.

Note: This item fixes an incorrect reference to a defined term.

## ***Private Health Insurance Act 2007***

### **100 Subsection 99-1(1)**

Omit “\*complying private health insurance policy”, substitute “\*complying health insurance policy”.

Note: This item fixes an incorrect reference to a defined term.

### **101 Subsection 279-15(1)**

Omit “\*complying private health insurance policies”, substitute “\*complying health insurance policies”.

Note: This item fixes an incorrect reference to a defined term.

### **102 Paragraph 279-50(2)(b)**

Omit “\*complying private health insurance policies”, substitute “\*complying health insurance policies”.

Note: This item fixes an incorrect reference to a defined term.

### **103 Subparagraph 282-1(1)(f)(i)**

Omit “complying private health insurance policies”, substitute “complying health insurance policies”.

Note: This item fixes an incorrect reference to a defined term.

## ***Proceeds of Crime Act 2002***

### **104 Paragraph 202(5)(f)**

Omit “(d)”, substitute “(d),”.

**105 Section 338 (definition of *restraining order*)**

Omit “19”, substitute “19,”.

***Product Grants and Benefits Administration Act 2000***

**106 Section 5 (definition of *Deputy Commissioner*)**

Repeal the definition.

Note: This item repeals a redundant definition.

***Product Stewardship Act 2011***

**107 Subclause 6(2) of Schedule 1**

Omit “this subsection”, substitute “this subclause”.

***Protection of Movable Cultural Heritage Act 1986***

**108 Subsection 27(2)**

Omit “203A”, substitute “203T”.

Note: This item fixes an incorrect cross-reference.

***Protection of the Sea (Oil Pollution Compensation Funds)  
Act 1993***

**109 Schedule 1 (paragraph 1 of Article 41 of the International  
Convention on the Establishment of an International  
Fund for Compensation for Oil Pollution Damage 1971)**

Omit “the the”, substitute “the”.

***Public Works Committee Act 1969***

**110 Paragraph 7(5)(d)**

Before “of the House of Representatives”, insert “the Deputy Speaker”.

Note: This item fixes a misstatement of a title.

***Radiocommunications Act 1992***

**111 Subparagraph 27(1)(ba)(ii)**

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Repeal the subparagraph, substitute:

- (ii) the Corruption and Crime Commission established by the *Corruption and Crime Commission Act 2003* of Western Australia; or

Note: This item removes a reference to a body that no longer exists and substitutes a reference to a successor body.

### ***Remuneration Tribunal Act 1973***

#### **112 Subsection 7(8A)**

Omit “Legislative Assembly of the Australian Capital Territory”, substitute “Legislative Assembly for the Australian Capital Territory”.

Note: This item fixes a misstatement of the name of the Legislative Assembly for the Australian Capital Territory.

### ***Social Security Act 1991***

#### **113 Subsection 5(1) (definition of *dependent child*)**

Omit “(9)”, substitute “(8A)”.

Note: This item fixes an incorrect cross-reference.

#### **114 Subsection 5(1) (definition of *independent*)**

Omit “2.11B”, substitute “2.11B,”.

Note: This item fixes incorrect punctuation.

#### **115 Subparagraph 1061PI(7)(j)(ii)**

Omit “Eduction”, substitute “Education”.

#### **116 Subsection 1123(1) (note 2)**

Omit “Part 2.24”, substitute “Part 3.18A”.

Note: This item fixes an incorrect cross-reference.

#### **117 Paragraph 1228(1)(c)**

Omit “under”.

Note: This item omits a redundant word.

#### **118 Subsection 1228(1) (note)**

Omit “for”, substitute “For”.

***Special Broadcasting Service Act 1991***

**119 Subsection 70A(5) (paragraph (a) of the definition of *election period*)**

Omit “Legislative Assembly of the Australian Capital Territory”, substitute “Legislative Assembly for the Australian Capital Territory”.

Note: This item fixes a misstatement of the name of the Legislative Assembly for the Australian Capital Territory.

***Superannuation Act 1990***

**120 Section 33AA**

Re-number as section 33J.

***Telecommunications Act 1997***

**121 Subparagraph 123(1)(a)(ii)**

Omit “or, e-marketing activities”, substitute “, e-marketing activities”.



## **Part 2—Amendments commencing on 1 August 2011**

### ***Fair Work Act 2009***

#### **122 Paragraph 27(1A)(b)**

Omit “1995”, substitute “2010”.

Note: This item amends a provision to refer to the new short title of a Victorian Act.

#### **123 Paragraph 351(3)(b)**

Omit “1995”, substitute “2010”.

Note: This item amends a provision to refer to the new short title of a Victorian Act.

## **Part 3—Other amendments**

### ***Fair Work Act 2009***

#### **124 Subsection 789CC(4)**

Omit “indirectly responsible entity”, substitute “entity”.

Note: This item fixes a reference to an incorrect concept.

### ***Judges’ Pensions Act 1968***

#### **125 Section 8**

Omit “If”, substitute “Subject to section 17AH, if”.

## **Schedule 2—Amendment of amending Acts**

### ***Australian Transaction Reports and Analysis Centre Supervisory Cost Recovery Levy (Consequential Amendments) Act 2011***

#### **1 At the end of paragraph 4(4)(a)**

Add “and”.

Note: This item adds a conjunction at the end of a paragraph, for consistency with current drafting practice.

### ***Business Names Registration (Transitional and Consequential Provisions) Act 2011***

#### **2 Item 8 of Schedule 2**

Omit “or a”, substitute “of a”.

Note: This item fixes a misdescribed amendment.

### ***Clean Energy (Consequential Amendments) Act 2011***

#### **3 Item 62 of Schedule 1**

Omit “her”, substitute “he”.

Note: This item fixes a misdescribed amendment.

### ***Crimes Legislation Amendment Act (No. 2) 2011***

#### **4 Item 213 of Schedule 2**

Repeal the item, substitute:

##### **213 Subsection 45(1A)**

Omit “The Director of Public Prosecutions”, substitute “The proceeds of crime authority”.

##### **213A Paragraph 45(1A)(a)**

Omit “Director of Public Prosecutions”, substitute “authority”.

**213B Subsection 45(1B)**

Omit “Director of Public Prosecutions”, substitute “proceeds of crime authority”.

Note: This item fixes a misdescribed amendment and fixes some incomplete amendments.

**5 Item 216 of Schedule 2**

Omit “DPP”, substitute “Director of Public Prosecutions”.

Note: This item fixes a misdescribed amendment.

***Crimes Legislation Amendment (Powers and Offences) Act  
2012***

**6 Item 3 of Schedule 2**

Omit “the Chair”, substitute “The Chair”.

Note: This item fixes a misdescribed amendment.

**7 Item 13 of Schedule 2**

Omit “the Chair”, substitute “The Chair”.

Note: This item fixes a misdescribed amendment.

**8 Item 14 of Schedule 2**

Omit “the Board”, substitute “The Board”.

Note: This item fixes a misdescribed amendment.

**9 Item 15 of Schedule 2**

Omit “the Board shall”, substitute “The Board shall”.

Note: This item fixes a misdescribed amendment.

**10 Item 15 of Schedule 2**

Omit “the Board and”, substitute “The Board and”.

Note: This item fixes a grammatical error.

**11 Item 4 of Schedule 3**

Omit “*Crime*”, substitute “*Crimes*”.

Note: This item fixes a misdescribed amendment.

**12 Item 37 of Schedule 4**

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Repeal the item, substitute:

**37 After subparagraph 110(4)(b)(iv)**

Insert:

(v) in any case—any eligible seizable item;

Note: This item relocates a subparagraph to its correct location within a paragraph.

***Electoral and Referendum Amendment (Enrolment Integrity and Other Measures) Act 2004***

**13 Subsection 2(1) (table items 6, 9, 12, 16, 20 and 22)**

Repeal the items.

Note: This item repeals commencement table items made redundant by parliamentary amendments.

***Fair Work (State Referral and Consequential and Other Amendments) Act 2009***

**14 Item 2 of Schedule 12 (heading)**

Omit “713(d)”, substitute “713(2)(d)”.

Note: This item fixes a misdescribed amendment.

***Financial Sector Legislation Amendment (Prudential Refinements and Other Measures) Act 2010***

**15 Item 1 of Schedule 6**

Omit “Maximum Penalty”, substitute “Maximum penalty”.

Note: This item fixes a misdescribed amendment.

***Freedom of Information Amendment (Reform) Act 2010***

**16 Item 23 of Schedule 3**

Omit “documents,”, substitute “documents”.

Note: This item fixes a misdescribed amendment.

**17 Paragraph 65(1)(a) of Schedule 4**

After “*Information*”, insert “*Act*”.

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Note: This item fixes a misstatement of the short title of an Act.

**18 Paragraph 41(a) of Schedule 6**

After “*Information*”, insert “*Act*”.

Note: This item fixes a misstatement of the short title of an Act.

***Health Legislation Amendment (Midwives and Nurse Practitioners) Act 2010***

**19 Item 78 of Schedule 1**

Omit “section 105AC”, substitute “Section 105AC”.

Note: This item fixes a misdescribed amendment.

**20 Item 78 of Schedule 1**

Omit “sections 105AC”, substitute “Sections 105AC”.

Note: This item fixes a misdescribed amendment.

***Human Services Legislation Amendment Act 2011***

**21 Item 42 of Schedule 2**

Before “,”, insert “(wherever occurring)”.

Note: This item fixes a misdescribed amendment.

**22 Item 114 of Schedule 4**

Repeal the item.

Note: This item repeals an item that amends a provision that does not exist.

**23 Item 174 of Schedule 4 (heading)**

After “(4),” insert “(6), (6A),”.

Note: This item fixes some incomplete amendments.

**24 Item 395 of Schedule 4**

Before “,”, insert “(wherever occurring)”.

Note: This item fixes a misdescribed amendment.

**25 Item 636 of Schedule 4**

Omit “An employee”, substitute “an employee”.

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Note: This item fixes a misdescribed amendment.

**26 Item 636 of Schedule 4**

Omit “A Departmental”, substitute “a Departmental”.

Note: This item fixes a misdescribed amendment.

**27 Item 637 of Schedule 4**

Omit “an employee”, substitute “An employee”.

Note: This item fixes a misdescribed amendment.

**28 Item 637 of Schedule 4**

Omit “a Departmental”, substitute “A Departmental”.

Note: This item fixes a misdescribed amendment.

**29 Items 642 and 643 of Schedule 4**

Repeal the items.

Note: This item repeals redundant items.

***Marriage Amendment Act 2002***

**30 Subitem 27(1) of Schedule 1 (paragraph (a) of the definition of *existing marriage celebrant*)**

Omit “commencehment”, substitute “commencement”.

***Offshore Petroleum (Royalty) Amendment Act 2011***

**31 Subsection 2(1) (table item 2, column 2)**

Omit “*Offshore Petroleum Greenhouse Gas Storage Amendment (National Regulator) Act 2011*”, substitute “*Offshore Petroleum and Greenhouse Gas Storage Amendment (National Regulator) Act 2011*”.

Note: This item fixes a misstatement of the short title of an Act.

***Renewable Energy (Electricity) Amendment Act 2010***

**32 Item 39 of Schedule 1**

Omit:

This Part deals with the creation, trading and extinguishing of renewable energy certificates.

substitute:

This Part provides for the creation, trading and extinguishing of renewable energy certificates.

Note: This item fixes a misdescribed amendment.

### ***Statute Law Revision Act 2010***

#### **33 Item 137 of Schedule 5 (heading relating to the *Veterans' Entitlements Act 1986*)**

Repeal the heading.

Note: This item repeals a redundant heading.

### ***Statute Law Revision Act 2011***

#### **34 Item 65 of Schedule 5 (heading)**

Repeal the heading, substitute:

#### **65 Section 3**

Note: This item fixes a misdescribed amendment.

### ***Statute Stocktake (Regulatory and Other Laws) Act 2009***

#### **35 Part 2 of Schedule 1 (heading relating to the *Product Grants and Benefits Administration Act 2000*)**

Repeal the heading.

Note: This item repeals a redundant heading.

#### **36 Item 25 of Schedule 1**

Repeal the item.

Note: This item repeals a redundant item.



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***Superannuation Legislation (Consequential Amendments  
and Transitional Provisions) Act 2011***

**37 Item 215 of Schedule 1**

Omit “of the”, substitute “of”.

Note: This item fixes a misdescribed amendment.

***Telecommunications Legislation Amendment (Competition  
and Consumer Safeguards) Act 2010***

**38 Subsection 2(1) (table items 1A and 1)**

Repeal the items, substitute:

1. Sections 1 to 3 and anything in this Act not elsewhere covered by this table	The day this Act receives the Royal Assent.	15 December 2010
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1A. Schedule 1, Part 1A	The day after this Act receives the Royal Assent.	16 December 2010
----------------------------	---	---------------------

Note: This item fixes the order of table items 1 and 1A in the commencement table in subsection 2(1) of the *Telecommunications Legislation Amendment (Competition and Consumer Safeguards) Act 2010*, to reflect the order of the provisions in that Act.

***Telecommunications Legislation Amendment (National  
Broadband Network Measures—Access  
Arrangements) Act 2011***

**39 Item 104 of Schedule 1 (heading)**

Repeal the heading, substitute:

**104 Before subsection 152BCB(5)**

Note: This item fixes a misdescribed amendment.

**40 Item 106 of Schedule 1 (heading)**

Repeal the heading, substitute:

**106 Before subsection 152BDA(5)**

Note: This item fixes a misdescribed amendment.

***Telstra (Transition to Full Private Ownership) Act 2005***

**41 Part 2 of Schedule 1 (heading relating to the *Long Service Leave (Commonwealth Employees) Regulations 1957*)**

Repeal the heading.

Note: This item repeals a redundant heading.

***Territories Law Reform Act 2010***

**42 Item 210 of Schedule 1**

Before “,”, insert “(wherever occurring)”.

Note: This item fixes a misdescribed amendment.

***Trade Practices Amendment (Australian Consumer Law) Act (No. 2) 2010***

**43 Item 96 of Schedule 5**

Omit “VC,,”, substitute “VC,”.

***Trans-Tasman Proceedings (Transitional and Consequential Provisions) Act 2010***

**44 Subsection 2(1) (table items 4 and 6, column 2)**

Omit “2010” (wherever occurring), substitute “2011”.

Note: This item fixes misstatements of the short title of an Act.

## **Schedule 3—Amendments relating to specific references to regulations**

### ***Crimes (Hostages) Act 1989***

#### **1 Subsection 3(1) (paragraph (a) of the definition of *Australian aircraft*)**

Omit “in accordance with the Civil Aviation Regulations as an Australian aircraft”, substitute “under regulations made under the *Civil Aviation Act 1988*”.

### ***Crimes (Internationally Protected Persons) Act 1976***

#### **2 Subsection 3(1) (paragraph (a) of the definition of *Australian aircraft*)**

Omit “in accordance with the Civil Aviation Regulations as an Australian aircraft”, substitute “under regulations made under the *Civil Aviation Act 1988*”.

### ***Crimes (Traffic in Narcotic Drugs and Psychotropic Substances) Act 1990***

#### **3 Section 3 (paragraph (a) of the definition of *Australian aircraft*)**

Omit “in accordance with the Civil Aviation Regulations as an Australian aircraft”, substitute “under regulations made under the *Civil Aviation Act 1988*”.

### ***Criminal Code Act 1995***

#### **4 Dictionary in the *Criminal Code* (paragraph (a) of the definition of *Australian aircraft*)**

Omit “the Civil Aviation Regulations as an Australian aircraft”, substitute “regulations made under the *Civil Aviation Act 1988*”.

### ***Radiocommunications Act 1992***

#### **5 Section 5 (definition of *Australian aircraft*)**

Omit “registered in accordance with the Civil Aviation Regulations as an Australian aircraft”, substitute “registered, or required to be registered, under regulations made under the *Civil Aviation Act 1988*”.

### ***Registration of Deaths Abroad Act 1984***

#### **6 Subsection 3(1) (paragraph (a) of the definition of *Australian aircraft*)**

Omit “in Australia in accordance with the Civil Aviation Regulations”, substitute “under regulations made under the *Civil Aviation Act 1988*”.

### ***South Pacific Nuclear Free Zone Treaty Act 1986***

#### **7 Subsection 4(1) (paragraph (a) of the definition of *Australian aircraft*)**

Omit “in accordance with the Civil Aviation Regulations as an Australian aircraft”, substitute “under regulations made under the *Civil Aviation Act 1988*”.

### ***Sydney Airport Demand Management Act 1997***

#### **8 Section 32 (paragraph (a) of the definition of *state aircraft*)**

Omit “in Australia in accordance with the Civil Aviation Regulations”, substitute “under regulations made under the *Civil Aviation Act 1988*”.

### ***Transport Safety Investigation Act 2003***

#### **9 Subsection 3(1) (definition of *Australian defence aircraft*)**

Omit “the Civil Aviation Regulations”, substitute “regulations made under the *Civil Aviation Act 1988*”.

## **Schedule 4—Amendments relating to the Acts Interpretation Act 1901**

### **Part 1—Acting appointments**

#### *Age Discrimination Act 2004*

##### **1 Subsection 53H(1)**

Omit “(1)”.

##### **2 At the end of subsection 53H(1)**

Add:

Note: For rules that apply to acting appointments, see sections 33AB and 33A of the *Acts Interpretation Act 1901*.

##### **3 Subsection 53H(2)**

Repeal the subsection.

#### *Australian National Preventive Health Agency Act 2010*

##### **4 Subsection 23(1)**

Omit “(1)”.

##### **5 At the end of subsection 23(1)**

Add:

Note: For rules that apply to acting appointments, see sections 33AB and 33A of the *Acts Interpretation Act 1901*.

##### **6 Subsection 23(2)**

Repeal the subsection.

##### **7 At the end of subsections 40(1) and (2)**

Add:

Note: For rules that apply to acting appointments, see sections 33AB and 33A of the *Acts Interpretation Act 1901*.

##### **8 Subsection 40(5)**

Repeal the subsection.

### ***Carbon Credits (Carbon Farming Initiative) Act 2011***

#### **9 Subsection 259(3) (note)**

Omit “Note”, substitute “Note 1”.

#### **10 At the end of subsection 259(3)**

Add:

Note 2: For rules that apply to acting appointments, see sections 33AB and 33A of the *Acts Interpretation Act 1901*.

#### **11 Subsection 259(4)**

Repeal the subsection.

### ***ComSuper Act 2011***

#### **12 Subsection 11(1)**

Omit “(1)”.

#### **13 At the end of subsection 11(1)**

Add:

Note: For rules that apply to acting appointments, see sections 33AB and 33A of the *Acts Interpretation Act 1901*.

#### **14 Subsection 11(2)**

Repeal the subsection.

### ***Governance of Australian Government Superannuation Schemes Act 2011***

#### **15 At the end of subsection 18(1)**

Add:

Note: For rules that apply to acting appointments, see sections 33AB and 33A of the *Acts Interpretation Act 1901*.

#### **16 Subsection 18(7)**

Repeal the subsection.

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### ***Human Services (Centrelink) Act 1997***

#### **17 At the end of subsection 7A(1)**

Add:

Note: For rules that apply to acting appointments, see sections 33AB and 33A of the *Acts Interpretation Act 1901*.

#### **18 Subsection 7A(3)**

Repeal the subsection.

### ***Human Services (Medicare) Act 1973***

#### **19 At the end of subsection 4A(1)**

Add:

Note: For rules that apply to acting appointments, see sections 33AB and 33A of the *Acts Interpretation Act 1901*.

#### **20 Subsection 4A(3)**

Repeal the subsection.

### ***National Health Reform Act 2011***

#### **21 Subsection 22(4) (note)**

Omit “Note”, substitute “Note 1”.

#### **22 At the end of subsection 22(4)**

Add:

Note 2: For rules that apply to acting appointments, see sections 33AB and 33A of the *Acts Interpretation Act 1901*.

#### **23 Subsection 22(5)**

Repeal the subsection.

#### **24 At the end of subsection 39(2)**

Add:

Note: For rules that apply to acting appointments, see sections 33AB and 33A of the *Acts Interpretation Act 1901*.

**25 Subsection 39(3)**

Repeal the subsection.

**26 At the end of subsection 74(4)**

Add:

Note: For rules that apply to acting appointments, see sections 33AB and 33A of the *Acts Interpretation Act 1901*.

**27 Subsection 74(5)**

Repeal the subsection.

**28 At the end of subsection 94(2)**

Add:

Note: For rules that apply to acting appointments, see sections 33AB and 33A of the *Acts Interpretation Act 1901*.

**29 Subsection 94(3)**

Repeal the subsection.

**30 At the end of subsection 146(4)**

Add:

Note: For rules that apply to acting appointments, see sections 33AB and 33A of the *Acts Interpretation Act 1901*.

**31 Subsection 146(7)**

Repeal the subsection.

**32 At the end of subsection 165(2)**

Add:

Note: For rules that apply to acting appointments, see sections 33AB and 33A of the *Acts Interpretation Act 1901*.

**33 Subsection 165(3)**

Repeal the subsection.

**34 At the end of subsection 181(3)**

Add:

Note: For rules that apply to acting appointments, see sections 33AB and 33A of the *Acts Interpretation Act 1901*.

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**35 Subsection 181(4)**

Repeal the subsection.

***National Vocational Education and Training Regulator Act 2011***

**36 Subsection 171(1)**

Omit “(1)”.

**37 At the end of subsection 171(1)**

Add:

Note: For rules that apply to persons acting as the Chief Commissioner, see section 33A of the *Acts Interpretation Act 1901*.

**38 Subsection 171(2)**

Repeal the subsection.

**39 At the end of subsections 172(1) and (2)**

Add:

Note: For rules that apply to acting appointments, see sections 33AB and 33A of the *Acts Interpretation Act 1901*.

**40 Subsection 172(3)**

Repeal the subsection.

***Offshore Petroleum and Greenhouse Gas Storage Act 2006***

**41 At the end of subsection 695C(1)**

Add:

Note: For rules that apply to acting appointments, see sections 33AB and 33A of the *Acts Interpretation Act 1901*.

**42 Subsection 695C(3)**

Repeal the subsection.

***Product Stewardship Act 2011***

**43 At the end of subclause 3(3) of Schedule 1**

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**Schedule 4** Amendments relating to the Acts Interpretation Act 1901

**Part 1** Acting appointments

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Add:

Note: For rules that apply to acting appointments, see sections 33AB and 33A of the *Acts Interpretation Act 1901*.

**44 Subclause 3(4) of Schedule 1**

Repeal the subclause.

***Tertiary Education Quality and Standards Agency Act 2011***

**45 At the end of subsection 147(3)**

Add:

Note: For rules that apply to acting appointments, see sections 33AB and 33A of the *Acts Interpretation Act 1901*.

**46 Subsection 147(4)**

Repeal the subsection.

**47 Subsection 179(2) (note)**

Omit “Note”, substitute “Note 1”.

**48 At the end of subsection 179(2)**

Add:

Note 2: For rules that apply to acting appointments, see sections 33AB and 33A of the *Acts Interpretation Act 1901*.

**49 Subsection 179(3)**

Repeal the subsection.

**50 Saving—appointments**

The amendments made by this Part do not affect the validity of an appointment that was made under an Act before the commencement of this item and that was in force immediately before that commencement.

## **Part 2—Prescribing matters by reference to other instruments**

### ***International War Crimes Tribunals Act 1995***

#### **51 Subsection 42(3)**

Omit “section 49A of the *Acts Interpretation Act 1901*”, substitute “section 14 of the *Legislative Instruments Act 2003*”.

## Schedule 5—References to specific Ministers and Departments

### Part 1—Amendments

#### *Food Standards Australia New Zealand Act 1991*

##### **1 Subsection 4(1)**

Insert:

*Finance Minister* means the Minister administering the *Financial Management and Accountability Act 1997*.

##### **2 Paragraph 13(1)(j)**

Omit “Department administering”, substitute “Department administered by the Minister administering”.

##### **3 Subsection 138(2)**

Omit “Minister for Finance”, substitute “Finance Minister”.

#### *Loans Securities Act 1919*

##### **4 Section 2**

Insert:

*Finance Minister* means the Minister administering the *Financial Management and Accountability Act 1997*.

##### **5 Subsections 6(1) and (3)**

Omit “Minister for Finance”, substitute “Finance Minister”.

#### *National Health Act 1953*

##### **6 Subsection 4(1) (definition of *Health Department*)**

Repeal the definition.

##### **7 Subsection 4(1) (definition of *Health Minister*)**

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Repeal the definition.

**8 Paragraph 99YBC(2)(b)**

Omit “Health Department classifications”, substitute “the Department’s classifications”.

**9 Section 139C**

Omit “Secretary of the Health Department”, substitute “Secretary”.

## Part 2—Transitional, saving and application provisions

### 10 Transitional—amendments do not affect things done

#### *Things done under amended provisions*

- (1) Subitem (2) applies to a thing done under a provision of an Act if:
  - (a) the provision is amended by an item of this Schedule; and
  - (b) the thing was in force immediately before the commencement of that item.
- (2) The thing has effect, after the commencement of that item, as if it had been done under that provision as amended by that item. However, this is not taken to change the time at which the thing was actually done.

#### *Amendments do not affect requirements for things done*

- (3) Subitem (4) applies to a thing done under an Act if:
  - (a) the thing was in force, and complied with a requirement of that Act, immediately before the commencement of an item of this Schedule; and
  - (b) immediately after the commencement of that item, the thing fails to comply with that requirement solely because of the amendments of that Act made by that item.
- (4) Disregard those amendments when considering, on and after the commencement of that item, whether the thing complies with that requirement.

#### *Meaning of things done*

- (5) In this item, *doing a thing* includes:
  - (a) making an instrument; and
  - (b) making a decision.

### 11 Regulations may deal with transitional etc. matters

The Governor-General may make regulations dealing with matters of a transitional, saving or application nature relating to the amendments or repeals made by this Schedule.

## **Schedule 6—Repeal of obsolete provisions**

### *Airports (Transitional) Act 1996*

#### **1 Part 14**

Repeal the Part.

#### **2 Schedule 4**

Repeal the Schedule.

### *AUSSAT Repeal Act 1991*

#### **3 Sections 10 and 11**

Repeal the sections.

#### **4 Part 4**

Repeal the Part.

#### **5 Schedules 1 and 2**

Repeal the Schedules.

### *Australian Airlines (Conversion to Public Company) Act 1988*

#### **6 Parts X, XI and XII**

Repeal the Parts.

#### **7 Schedules 1 and 2**

Repeal the Schedules.

### *Australian Antarctic Territory Act 1954*

#### **8 Section 3**

Repeal the section.

***Australian Capital Territory (Planning and Land Management) Act 1988***

**9 Part IX**

Repeal the Part.

**10 Schedule**

Repeal the Schedule.

***Australian Institute of Aboriginal and Torres Strait Islander Studies Act 1989***

**11 Part 11 (heading)**

Repeal the heading, substitute:

**Part 11—Transitional provisions**

**12 Divisions 2 and 4 of Part 11**

Repeal the Divisions.

***Australian Maritime Safety Authority Act 1990***

**13 Part 8**

Repeal the Part.

**14 Schedule**

Repeal the Schedule.

***Bank Integration Act 1991***

**15 Part 6**

Repeal the Part.

**16 Schedule 3**

Repeal the Schedule.

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***CFM Sale Act 1996***

**17 Section 4**

Repeal the section.

**18 Schedules 1 and 2**

Repeal the Schedules.

***Circuit Layouts Act 1989***

**19 Section 49**

Repeal the section.

**20 Schedule**

Repeal the Schedule.

***Commonwealth Bank Sale Act 1995***

**21 Part 2**

Repeal the Part.

**22 Schedule**

Repeal the Schedule.

***Commonwealth Banks Restructuring Act 1990***

**23 Parts 2 and 3**

Repeal the Parts.

**24 Schedule**

Repeal the Schedule.

***Commonwealth Funds Management Limited Act 1990***

**25 Parts 9 and 10**

Repeal the Parts.

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***Crimes (Aviation) Act 1991***

**26 Section 3 (definition of *repealed Acts*)**

Repeal the definition.

**27 Subsection 52(1)**

Omit “(1)”.

**28 Paragraph 52(1)(f)**

Omit “regulations; and”, substitute “regulations.”.

**29 Paragraph 52(1)(g)**

Repeal the paragraph.

**30 Subsection 52(2)**

Repeal the subsection.

**31 Section 53**

Repeal the section.

**32 Schedule 5**

Repeal the Schedule.

***Crimes (Currency) Act 1981***

**33 Sections 31 to 42**

Repeal the sections.

***CSL Sale Act 1993***

**34 Parts 2 to 5**

Repeal the Parts.

**35 Section 53**

Repeal the section.

**36 Schedules 1 and 2**

Repeal the Schedules.

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***Damage by Aircraft Act 1999***

**37 Section 13**

Repeal the section.

**38 Schedule 1**

Repeal the Schedule.

***Foreign Judgments Act 1991***

**39 Part 5**

Repeal the Part.

***Insurance Acquisitions and Takeovers Act 1991***

**40 Part 10**

Repeal the Part.

**41 Schedule**

Repeal the Schedule.

***Limitation of Liability for Maritime Claims Act 1989***

**42 Sections 12 and 13**

Repeal the sections.

**43 Schedules 2 and 3**

Repeal the Schedules.

***Long Service Leave (Commonwealth Employees) Act 1976***

**44 Section 3**

Repeal the section.

**45 Saving**

Despite the repeal of section 3 of the *Long Service Leave (Commonwealth Employees) Act 1976* made by this Schedule, that section, as in force immediately before the commencement of this item, continues to apply on and after that commencement as if that repeal had not happened.

**46 Section 25**

Repeal the section.

***Marine Navigation Levy Collection Act 1989***

**47 Section 13**

Repeal the section.

**48 Schedule**

Repeal the Schedule.

***Native Title Act 1993***

**49 Part 14**

Repeal the Part.

***Northern Territory Acceptance Act 1919***

**50 Section 4**

Repeal the section.

***Parliamentary Service Act 1999***

**51 Part 10**

Repeal the Part.

**52 Schedule 1**

Repeal the Schedule.

***Qantas Sale Act 1992***

**53 Subsection 3(1) (definition of *Long Service Leave Act*)**

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Omit “the commencement of Part 5 of this Act”, substitute “30 July 1995”.

**54 Parts 5 and 6**

Repeal the Parts.

**55 Subsections 26(1) and (2)**

Omit “the commencement of Part 5”, substitute “30 July 1995”.

**56 Subsection 26(3)**

Omit “the commencement of Part 5 of this Act” (wherever occurring), substitute “30 July 1995”.

**57 Paragraph 26(8)(a)**

Omit “the commencement of Part 5”, substitute “30 July 1995”.

**58 Section 32**

Omit “before the commencement of Part 5”, substitute “before 30 July 1995”.

**59 Paragraph 32(b)**

Omit “after the commencement of Part 5”, substitute “after the beginning of 30 July 1995”.

**60 Sections 36, 38 and 51**

Repeal the sections.

**61 Schedule**

Repeal the Schedule.

***Remuneration and Allowances Act 1990***

**62 Part 3**

Repeal the Part.

***Safety, Rehabilitation and Compensation Act 1988***

**63 Part X (heading)**

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Repeal the heading, substitute:

## **Part X—Transitional provisions**

### **64 Divisions 4 and 5 of Part X**

Repeal the Divisions.

### **65 Schedule**

Repeal the Schedule.

### ***Snowy Mountains Engineering Corporation Limited Sale Act 1993***

### **66 Subsection 3(1) (definition of *Long Service Leave Act*)**

Omit “the commencement of Part 2 of this Act”, substitute  
“9 November 1993”.

### **67 Parts 2 and 3**

Repeal the Parts.

### **68 Section 44**

Repeal the section.

### **69 Schedule**

Repeal the Schedule.

### ***Special Broadcasting Service Act 1991***

### **70 Parts 9 and 10**

Repeal the Parts.

### **71 Schedule**

Repeal the Schedule.

### **72 Saving**

Despite the repeal of Part 10 of the *Special Broadcasting Service Act 1991* made by this Schedule, that Part, as in force immediately before the commencement of this item, continues to apply on and after that commencement as if that repeal had not happened.

### ***Superannuation Act 1922***

#### **73 Part VI**

Repeal the Part.

#### **74 Subsection 119ZE(3)**

Omit “sections 99 and”, substitute “section”.

### ***Surplus Revenue Act 1910***

#### **75 Section 2**

Repeal the section.

### ***Surveillance Devices Act 2004***

#### **76 Schedule 1 (heading relating to the *Criminal Code Act 1995*)**

Repeal the heading.

#### **77 Item 4 of Schedule 1**

Repeal the item.

#### **78 Schedule 1 (heading relating to the *Mutual Assistance in Criminal Matters Act 1987*)**

Repeal the heading.

#### **79 Item 7 of Schedule 1**

Repeal the item.

### ***Sydney Airport Demand Management Act 1997***

#### **80 Section 5**

Repeal the section.

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**81 Schedule 2**

Repeal the Schedule.

***Taxation Administration Act 1953***

**82 Before the Schedule titled “First Schedule—Amendments of Acts”**

Omit:

**The Schedules**

Section 2(1)

**83 Schedule titled “First Schedule—Amendments of Acts”**

Repeal the Schedule.

**84 Schedule titled “Second Schedule—Citation of Acts amended”**

Repeal the Schedule.

***Therapeutic Goods Act 1989***

**85 Section 62**

Repeal the section.

**86 Sections 64 and 65**

Repeal the sections.

**87 Section 69**

Omit “former Act” (wherever occurring), substitute “*Therapeutic Goods Act 1966*”.

**88 Schedule**

Repeal the Schedule.

***Tobacco Advertising Prohibition Act 1992***

**89 Part 5**

Repeal the Part.

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***Witness Protection Act 1994***

**90 Section 31**

Repeal the section.

**91 Schedule**

Repeal the Schedule.

## **Schedule 7—Repeal of obsolete Acts**

### **Part 1—Repeal of Acts**

#### ***Administrative Arrangements Act 1987***

##### **1 The whole of the Act**

Repeal the Act.

Note: This item repeals spent legislation.

##### **2 Saving**

Despite the repeal of section 19 of the *Administrative Arrangements Act 1987* made by this Schedule, that section, as in force immediately before the commencement of this item, continues to apply on and after that commencement as if that repeal had not happened.

#### ***Film Licensed Investment Company Act 2005***

##### **3 The whole of the Act**

Repeal the Act.

Note: This item repeals spent legislation.

#### ***Film Licensed Investment Company (Consequential Provisions) Act 2005***

##### **4 The whole of the Act**

Repeal the Act.

Note: This item repeals spent legislation.

#### ***Territory Authorities (Financial Provisions) Act 1978***

##### **5 The whole of the Act**

Repeal the Act.

Note: This item repeals spent legislation.

***Treaty of Peace (Germany) Act 1919***

**6 The whole of the Act**

Repeal the Act.

Note: This item repeals spent legislation.

## **Part 2—Amendments consequential on repeal of Acts**

### ***Income Tax Assessment Act 1997***

#### **7 Paragraph 376-55(4)(e)**

Repeal the paragraph.

Note: This item is consequential on item 3.

#### **8 Subsection 703-20(2) (table item 6)**

Repeal the item.

Note: This item is consequential on item 3.

#### **9 Subsection 995-1(1) (definition of *film licensed investment company*)**

Repeal the definition.

Note: This item is consequential on item 3.

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*[Minister's second reading speech made in—  
House of Representatives on 15 August 2012  
Senate on 23 August 2012]*