



# **Omnibus Repeal Day (Autumn 2015) Act 2016**

**No. 47, 2016**

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

Note: An electronic version of this Act is available on the Federal Register of Legislation  
(<https://www.legislation.gov.au/>)



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**No. 47, 2016**

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

*[Assented to 5 May 2016]*

The Parliament of Australia enacts:

## **1 Short title**

This Act may be cited as the *Omnibus Repeal Day (Autumn 2015)  
Act 2016*.

## 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.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. Sections 1 to 3 and anything in this Act not elsewhere covered by this table	The day this Act receives the Royal Assent.	5 May 2016
2. Schedules 1 and 2	The day after this Act receives the Royal Assent.	6 May 2016
3. Schedule 3	The later of: (a) 1 July 2015; and (b) the 28th day after this Act receives the Royal Assent.	2 June 2016 (paragraph (b) applies)
4. Schedules 3A and 4	The day after this Act receives the Royal Assent.	6 May 2016
5. Schedule 5, items 1 to 16	The day after this Act receives the Royal Assent.	6 May 2016
6. Schedule 5, items 17 to 21	The later of: (a) the start of the day after this Act receives the Royal Assent; and (b) immediately after the commencement of item 127 of Schedule 7 to the <i>Omnibus Repeal Day (Spring 2014) Act 2016</i> . However, the provisions do not commence at all if the event mentioned in paragraph (b) does not occur.	
7. Schedule 5, items 22 to 83	The day after this Act receives the Royal Assent.	6 May 2016
8. Schedule 6	The day after this Act receives the Royal Assent.	6 May 2016
9. Schedule 7,	The day after this Act receives the Royal	6 May 2016



<b>Commencement information</b>		
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provisions</b>	<b>Commencement</b>	<b>Date/Details</b>
items 1 to 4	Assent.	
10. Schedule 7, items 5 to 23	<p>The later of:</p> <p>(a) the start of the day after this Act receives the Royal Assent; and</p> <p>(b) immediately after the commencement of Schedule 4 to the <i>Statute Law Revision Act (No. 1) 2015</i>.</p> <p>However, the provisions do not commence at all if the event mentioned in paragraph (b) does not occur.</p>	<p>6 May 2016</p> <p>(paragraph (a) applies)</p>
11. Schedule 7, items 24 to 36	The day after this Act receives the Royal Assent.	6 May 2016

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 Schedules

Legislation 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—Agriculture**

### **Part 1—Repeals of Acts**

#### ***Dairy Adjustment Act 1974***

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

Repeal the Act.

#### ***Domestic Meat Premises Charge Act 1993***

##### **2 The whole of the Act**

Repeal the Act.

#### ***Meat Export Charge Act 1984***

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

Repeal the Act.

#### ***Meat Export Charge Collection Act 1984***

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

Repeal the Act.

#### ***Meat Inspection Act 1983***

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

Repeal the Act.

#### ***Meat Inspection Arrangements Act 1964***

##### **6 The whole of the Act**

Repeal the Act.

***Primary Industry Councils Act 1991***

**7 The whole of the Act**

Repeal the Act.

## **Part 2—Abolition of the Australian Landcare Council**

### ***Natural Resources Management (Financial Assistance) Act 1992***

#### **8 Title**

Omit “, to establish an Australian Landcare Council”.

#### **9 Subsection 4(1) (definition of *Chairperson*)**

Repeal the definition.

#### **10 Subsection 4(1) (definition of *Council*)**

Repeal the definition.

#### **11 Subsection 4(1) (definition of *Environment Minister*)**

Repeal the definition.

#### **12 Subsection 4(1) (definition of *member*)**

Repeal the definition.

#### **13 Paragraph 11(5)(b)**

Repeal the paragraph.

#### **14 Part 4**

Repeal the Part.

#### **15 Section 27**

Repeal the section.

#### **16 Application provision**

The repeal of paragraph 11(5)(b) of the *Natural Resources Management (Financial Assistance) Act 1992* made by this Part does not apply in relation to expenses incurred before the commencement of this Part.

## Part 3—Other amendments

### *Export Inspection and Meat Charges Collection Act 1985*

#### 17 Title

Omit “, the Export Inspection (Service Charge) Act 1985 and the Domestic Meat Premises Charge Act 1993”, substitute “and the Export Inspection (Service Charge) Act 1985”.

#### 18 Section 1

Omit “*and Meat*”.

Note: This item amends the short title of the Act. If another amendment of the Act is described by reference to the Act’s previous short title, that other amendment has effect after the commencement of this item as an amendment of the Act under its amended short title (see section 10 of the *Acts Interpretation Act 1901*).

#### 19 Subsection 3(1) (paragraph (c) of the definition of *charge*)

Omit “charge; or”, substitute “charge.”.

#### 20 Subsection 3(1) (paragraph (d) of the definition of *charge*)

Repeal the paragraph.

#### 21 Subsection 3(1) (definition of *domestic meat premises charge*)

Repeal the definition.

#### 22 Subsection 3(1) (definition of *killing or processing plant*)

Repeal the definition.

#### 23 Subsection 5(4)

Repeal the subsection.

#### 24 Section 12A

Repeal the section.

#### 25 Subsection 16(1) (definition of *relevant decision*)

Repeal the definition, substitute:

**relevant decision** means a decision of an authorised person under subsection 11(2).

**26 Section 16B**

Repeal the section.

**27 Application provisions**

- (1) Despite the amendments made by this Part, the *Export Inspection and Meat Charges Collection Act 1985*, as in force immediately before the commencement of this item, continues to apply in relation to domestic meat charge imposed before the commencement of this item.
- (2) The amendment made by item 25 applies in relation to decisions made on or after the commencement of this item.

***Export Inspection (Establishment Registration Charges) Act 1985***

**28 Section 3**

Omit “*and Meat*”.

***Export Inspection (Quantity Charge) Act 1985***

**29 Section 3**

Omit “*and Meat*”.

***Export Inspection (Service Charge) Act 1985***

**30 Section 3**

Omit “*and Meat*”.

## **Schedule 2—Environment**

### **Part 1—Abolition of the Natural Heritage Trust Advisory Committee**

#### ***Natural Heritage Trust of Australia Act 1997***

##### **1 Section 3**

Omit:

- |   |
|---|
| <ul style="list-style-type: none"><li>• The Natural Heritage Trust Advisory Committee is established.</li></ul> |
|---|

##### **2 Part 5**

Repeal the Part.

##### **3 Section 54 (definition of *Committee*)**

Repeal the definition.

##### **4 Section 54 (definition of *Committee member*)**

Repeal the definition.

## **Part 2—Abolition of the Biological Diversity Advisory Committee**

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

#### **5 Division 2 of Part 19**

Repeal the Division.

#### **6 Paragraph 506(b)**

Repeal the paragraph.



## **Part 3—Plans**

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

#### **7 Subsection 316(7)**

Repeal the subsection.

#### **8 Subsection 324T(1)**

Omit “(1)”.

#### **9 Subsection 324T(2)**

Repeal the subsection.

#### **10 Subsection 328(7)**

Repeal the subsection.

#### **11 Subsection 341U(1)**

Omit “(1)”.

#### **12 Subsection 341U(2)**

Repeal the subsection.

## **Part 4—Director's functions and powers**

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

#### **13 Subsection 514D(3)**

Repeal the subsection.

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## Schedule 3—Health

### *Health and Other Services (Compensation) Act 1995*

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

Add:

Note: Sections 137.1 and 137.2 of the *Criminal Code* create offences for providing false or misleading information or documents.

#### **2 Subsection 18(2)**

Repeal the subsection.

#### **3 Subsection 23(6)**

Omit “and the compensable person”.

#### **4 Subsection 23A(2) (note)**

Omit “Note”, substitute “Note 1”.

#### **5 At the end of subsection 23A(2)**

Add:

Note 2: Sections 137.1 and 137.2 of the *Criminal Code* create offences for providing false or misleading information or documents.

#### **6 Subsection 23A(4)**

Repeal the subsection.

#### **7 At the end of subsection 23B(3)**

Add:

Note: Sections 137.1 and 137.2 of the *Criminal Code* create offences for providing false or misleading information or documents.

#### **8 Application provisions**

- (1) The repeals made by items 2 and 6 of this Schedule apply in relation to statements given on or after the commencement of this item.
- (2) The amendment made by item 3 of this Schedule applies in relation to notices given on or after the commencement of this item.

## Schedule 3A—Infrastructure and Regional Development

### *Infrastructure Australia Act 2008*

#### **1 Section 39C**

Repeal the section, substitute:

#### **39C Annual report**

The annual report prepared by the Board and given to the Minister under section 46 of the *Public Governance, Performance and Accountability Act 2013* for a period must also include:

- (a) details of any directions given to Infrastructure Australia by the Minister under subsection 6(1) of this Act during the period; and
- (b) details of each method of preparing cost benefit analyses approval of which was in force under subsection 5B(3) of this Act at any time during the period, including the weight required to be assigned to each factor and the method required be taken into account.

## **Schedule 4—Prime Minister**

### **Part 1—Repeals of Acts**

#### *Aboriginal Affairs (Arrangements with the States) Act 1973*

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

Repeal the Act.

#### *Aboriginal and Torres Strait Islanders (Queensland Discriminatory Laws) Act 1975*

##### **2 The whole of the Act**

Repeal the Act.

**Part 2—Consequential amendments on repeals of  
Acts**

***Aboriginal and Torres Strait Islanders (Queensland Reserves  
and Communities Self-management) Act 1978***

**3 Section 16**

Repeal the section.

## **Schedule 5—Social Services**

### **Part 1—Use of protected information**

#### ***A New Tax System (Family Assistance) (Administration) Act 1999***

##### **1 After subsection 162(2)**

Insert:

- (2A) A person may use protected information to produce information in an aggregated form that does not disclose, either directly or indirectly, information about a particular person.

#### ***Paid Parental Leave Act 2010***

##### **2 At the end of section 127**

Add:

- (3) A person may use protected information to produce information in an aggregated form that does not disclose, either directly or indirectly, information about a particular person.

#### ***Social Security (Administration) Act 1999***

##### **3 After subsection 202(2)**

Insert:

- (2AA) A person may use protected information to produce information in an aggregated form that does not disclose, either directly or indirectly, information about a particular person.

#### ***Student Assistance Act 1973***

##### **4 After subsection 351(2)**

Insert:

- (2A) A person may use protected information to produce information in an aggregated form that does not disclose, either directly or indirectly, information about a particular person.

## **5 Application provision**

The amendments made by this Part apply in relation to protected information obtained before, on or after the commencement of this Part.



## **Part 2—Indexation**

### ***A New Tax System (Family Assistance) Act 1999***

#### **6 Paragraphs 84F(a) to (e)**

Repeal the paragraphs.

#### **7 Subclause 3(9) of Schedule 4**

Repeal the subclause.

#### **8 Part 4 of Schedule 4**

Repeal the Part.

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

#### **9 Subsection 20A(5) (note 1)**

Repeal the note.

#### **10 Subsection 20A(5) (note 2)**

Omit “each of those indexed amounts will be further indexed”,  
substitute “the amount in each item of the table will be indexed”.

#### **11 Subsection 500Q(7)**

Repeal the subsection.

#### **12 Point 1066A-C1 (note 1)**

Omit “Note 1”, substitute “Note”.

#### **13 Point 1066A-C1 (note 2)**

Repeal the note.

#### **14 Division 5 of Part 3.7**

Repeal the Division.

#### **15 Paragraph 1189(c)**

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

**16 Paragraph 1189(d)**

Repeal the paragraph.

**17 Section 1190 (table item 29, column 4)**

Omit “[subsection 660YCJ(2)—Table—column 3B—item 1]”.

**18 Section 1190 (table item 30, column 4)**

Omit “[subsection 660YCJ(2)—Table—column 3A—item 2]”.

**19 Section 1190 (table item 31, column 4)**

Omit “[subsection 660YCJ(2)—Table—column 3B—item 2]”.

**20 Section 1190 (table item 32, column 4)**

Omit “[subsection 660YCJ(2)—Table—column 3A—item 3]”.

**21 Section 1190 (table item 33, column 4)**

Omit “[subsection 660YCJ(2)—Table—column 3B—item 3]”.

**22 Section 1190 (table item 33, column 4)**

Omit “[subsection 771HF(2)—Table—column 3—item 3]”, substitute  
“[subsection 771HF(2)—Table—column 3—item 2]”.

**23 Section 1190 (table item 40, column 4)**

Omit “[paragraph 831A(2)(d)]”.

**24 Section 1190 (cell at table item 47, column 2)**

Repeal the cell, substitute:

Rate of pharmaceutical allowance  
for a person who is receiving a  
social security benefit and who  
has a partner

**25 Section 1190 (cell at table item 49D, column 2)**

Repeal the cell, substitute:

Rate of pharmaceutical allowance  
for a person who is receiving a  
social security benefit and has a  
partner who is in gaol

**26 Subsection 1191(1)**

Omit “Subject to subsection (1A), an”, substitute “An”.

**27 Subsection 1191(1A)**

Repeal the subsection.

**28 Subsection 1192(2) (note 1)**

Omit “Note 1”, substitute “Note”.

**29 Subsection 1192(2) (notes 2 and 3)**

Repeal the notes.

**30 Subsections 1192(3) to (4AA), (4A), (6), (8) and (9)**

Repeal the subsections.

**31 Divisions 5 to 8 of Part 3.16**

Repeal the Divisions.

## Part 3—Retirement assistance for farmers

### *Social Security Act 1991*

#### **32 Subsections 12A(2A) and (2B)**

Repeal the subsections.

#### **33 Sections 17A and 17B**

Repeal the sections.

#### **34 Subsection 23(1) (definition of *eligible descendant*)**

Repeal the definition.

#### **35 Subsection 23(1) (definition of *eligible former partner of a qualifying farmer*)**

Repeal the definition.

#### **36 Subsection 23(1) (definition of *eligible former partner of a qualifying sugarcane farmer*)**

Repeal the definition.

#### **37 Subsection 23(1) (definition of *eligible interest*)**

Repeal the definition.

#### **38 Subsection 23(1) (definition of *farm*)**

Repeal the definition.

#### **39 Subsection 23(1) (definition of *farm enterprise*)**

Repeal the definition.

#### **40 Subsection 23(1) (definition of *pension age*)**

Repeal the definition, substitute:

*pension age* has the meaning given by subsections (5A), (5B), (5C) and (5D).

**41 Subsection 23(1) (definition of *proprietary company*)**

Repeal the definition, substitute:

*proprietary company* has the same meaning as in the *Corporations Act 2001*.

**42 Subsection 23(1) (definition of *qualifying farmer*)**

Repeal the definition.

**43 Subsection 23(1) (definition of *qualifying interest*)**

Repeal the definition.

**44 Subsection 23(1) (definition of *qualifying sugarcane farmer*)**

Repeal the definition.

**45 Subsection 23(1) (definition of *RASF closing day*)**

Repeal the definition.

**46 Subsection 23(1) (definition of *RASF commencement day*)**

Repeal the definition.

**47 Subsection 23(1) (definition of *relevant farm asset*)**

Repeal the definition.

**48 Subsection 23(1) (definition of *relevant State land law*)**

Repeal the definition.

**49 Subsection 23(1) (definition of *relevant sugarcane farm asset*)**

Repeal the definition.

**50 Subsection 23(1) (definition of *sugarcane farm*)**

Repeal the definition.

**51 Subsection 23(1) (definition of *sugarcane farm enterprise*)**

Repeal the definition.

**52 Subsection 23(1) (definition of *total net value*)**

Repeal the definition.

**53 Subsection 23(1) (definition of *transfer*)**

Repeal the definition.

**54 Subsection 1074(2) (note)**

Repeal the note.

**55 Subsection 1075(1) (note)**

Repeal the note.

**56 Subsection 1076(1) (note)**

Repeal the note.

**57 Subsection 1077(1) (note)**

Repeal the note.

**58 Subsection 1078(1) (note)**

Repeal the note.

**59 Subsection 1083(1) (note)**

Repeal the note.

**60 Subsection 1123(1) (note 1)**

Repeal the note.

**61 Subsection 1123(1) (note 2)**

Omit “Note 2”, substitute “Note”.

**62 Parts 3.14A and 3.14B**

Repeal the Parts.

**63 Paragraph 1208U(1)(h)**

Omit “(as defined by section 17A)”.

**64 After subsection 1208U(3)**

Insert:

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- (3A) For the purposes of paragraph (1)(h), an *eligible descendant*, in relation to a person, is:
- (a) a child, step-child or adopted child of the person or of a partner of the person; or
  - (b) a descendant in direct line of a child described in paragraph (a); or
  - (c) any other person who, in the opinion of the Secretary, should be treated for the purposes of this definition as a person described in paragraph (a) or (b).

### ***Social Security (Administration) Act 1999***

#### **65 Clauses 14 and 14A of Schedule 2**

Repeal the clauses.

#### **66 Saving provision**

If, immediately before the commencement of this item, subsection 12A(2) of the *Social Security Act 1991* did not apply to a person because of subsection 12A(2A) or (2B) of that Act, then despite the repeal of subsections 12A(2A) and (2B) of that Act made by this Schedule, subsection 12A(2A) or (2B) of that Act, as the case may be, continues to apply in relation to the person on and after that commencement.

## **Part 4—Repeals of spent saving and transitional provisions**

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

#### **67 Subsection 1061S(1) (table item 2)**

Repeal the item.

#### **68 Subsection 1061S(1) (table item 3)**

Omit “partner not holder of a seniors health card and person not getting pension or benefit before 12 March 1992”, substitute “and partner not a holder of a seniors health card”.

#### **69 Subsection 1061S(1) (note)**

Omit “(except the item 2 amount)”.

#### **70 Subsection 1061S(2)**

Omit “neither item 2 nor 3 applies”, substitute “item 3 does not apply”.

#### **71 Subsections 1061S(3) and (4)**

Repeal the subsections.

#### **72 Subsection 1061SA(1) (table item 2)**

Repeal the item.

#### **73 Subsection 1061SA(1) (table item 3)**

Omit “partner not a holder of a seniors health card and person not getting pension or benefit before 12 March 1992”, substitute “and partner not a holder of a seniors health card”.

#### **74 Subsection 1061SA(1) (note)**

Omit “(except the item 2 amount)”.

#### **75 Subsection 1061SA(3)**

Omit “neither item 2 nor 3 applies”, substitute “item 3 does not apply”.



**76 Subsections 1061SA(4) and (6)**

Repeal the subsections.

**77 Clauses 21, 27, 41 to 48, 67, 69B, 96, 99, 100, 101, 102A to 102E, 104, 104A, 108, 108A, 109 and 109A of Schedule 1A**

Repeal the clauses.

**78 Subclause 110(1) of Schedule 1A**

Omit “, subject to clause 114,”.

**79 Subclause 111(1) of Schedule 1A (note)**

Repeal the note.

**80 Clauses 112, 113 and 114 of Schedule 1A**

Repeal the clauses.

**81 Paragraph 115(1)(d) of Schedule 1A**

Repeal the paragraph.

**82 Clauses 116, 117, 120, 120A and 127 of Schedule 1A**

Repeal the clauses.

## **Part 5—Other corrections**

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

#### **83 Subsection 1208V(2)**

Omit “clause 19”, substitute “clause 38N”.

## **Schedule 6—Treasury**

### **Part 1—Repeals of Acts**

#### ***Income Tax (Withholding Tax Recoupment) Act 1971***

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

Repeal the Act.

#### ***International Monetary Agreements Act 1959***

##### **2 The whole of the Act**

Repeal the Act.

#### ***Occupational Superannuation Standards Regulations Application Act 1992***

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

Repeal the Act.

#### ***States Grants (Aboriginal Advancement) Act 1972***

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

Repeal the Act.

#### ***Taxation Laws (Clearing and Settlement Facility Support) Act 2004***

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

Repeal the Act.

## Part 2—Other amendments

### *Financial Corporations (Transfer of Assets and Liabilities) Act 1993*

#### **6 Paragraph 15(1)(a)**

Omit “, 26C”.

#### **7 Paragraph 15(3)(a)**

Omit “, 26BB, 26C”, substitute “or 26BB”.

### *Income Tax Assessment Act 1936*

#### **8 Sections 23E and 23J**

Repeal the sections.

#### **9 Subsection 26BB(1) (paragraph (c) of the definition of *traditional security*)**

Repeal the paragraph.

#### **10 Section 26C**

Repeal the section.

#### **11 Subdivision CB of Division 3 of Part III**

Repeal the Subdivision.

#### **12 Subsection 128A(1AB) (definition of *interest*)**

Omit “, other than an amount referred to in subsection 26C(1)”.

#### **13 Subsection 159GP(1) (paragraph (b) of the definition of *qualifying security*)**

Repeal the paragraph.

#### **14 Subsection 265B(3)**

Omit “, not being a prescribed security within the meaning of  
section 26C,”.

**15 Subsection 57-25(6) of Schedule 2D (table item 2)**

Repeal the item.

***Income Tax Assessment Act 1997***

**16 Section 10-5 (table item headed “investments”)**

Omit:

non-interest bearing Commonwealth securities, gains      **26C**  
on disposal or redemption of .....

**17 Section 11-55 (table item headed “securities”)**

Repeal the item.

**18 Section 12-5 (table item headed “regional headquarters (RHQs)”)**

Repeal the item.

## **Part 3—Application and savings provisions**

### **Division 1—Application provisions**

#### **19 General application provision**

The repeals and amendments made by this Schedule (other than items 2, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16 and 17) apply:

- (a) so far as they affect assessments—to assessments for the 2015-16 income year and all later income years; and
- (b) otherwise—to acts done or omitted to be done, or states of affairs existing, after the commencement of the repeals and amendments.

#### **20 Application of items 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16 and 17**

The repeals and amendments made by items 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16 and 17 of this Schedule apply in respect of securities issued on or after the commencement of this Schedule.

### **Division 2—Savings provisions**

#### **21 Object**

The object of this Division is to ensure that, despite the repeals and amendments made by this Schedule, the full legal and administrative consequences of:

- (a) any act done or omitted to be done; or
- (b) any state of affairs existing; or
- (c) any period ending;

before such a repeal or amendment applies, can continue to arise and be carried out, directly or indirectly through an indefinite number of steps, even if some or all of those steps are taken after the repeal or amendment applies.

## **22 Making and amending assessments, and doing other things, in relation to past matters**

Even though an Act is repealed or amended by this Schedule, the repeal or amendment is disregarded for the purpose of doing any of the following under any Act or legislative instrument:

- (a) making or amending an assessment (including under a provision that is itself repealed or amended);
- (b) exercising any right or power, performing any obligation or duty or doing any other thing (including under a provision that is itself repealed or amended);

in relation to any act done or omitted to be done, any state of affairs existing, or any period ending, before the repeal or amendment applies.

## **23 Saving of provisions about effect of assessments**

If a provision or part of a provision that is repealed or amended by this Schedule deals with the effect of an assessment, the repeal or amendment is disregarded in relation to assessments made, before or after the repeal or amendment applies, in relation to any act done or omitted to be done, any state of affairs existing, or any period ending, before the repeal or amendment applies.

## **24 Repeals disregarded for the purposes of dependent provisions**

If the operation of a provision (the *subject provision*) of any Act or legislative instrument depends to any extent on an Act, or a provision of an Act, that is repealed by this Act, the repeal is disregarded so far as it affects the operation of the subject provision.

## **25 Schedule does not limit operation of section 7 of the *Acts Interpretation Act 1901***

This Schedule does not limit the operation of section 7 of the *Acts Interpretation Act 1901*.

## **Schedule 7—Veterans' Affairs**

### **Part 1—Retirement assistance for farmers**

#### ***Veterans' Entitlements Act 1986***

##### **1 Subsections 5MA(2A) and (2B)**

Repeal the subsections.

##### **2 Sections 5P and 5PAA**

Repeal the sections.

##### **3 Subsection 5Q(1) (definition of *Australia*)**

Omit "section 5PAA,".

##### **4 Subsection 5Q(1) (definition of *Australia*)**

Omit "Division 8A of Part IIIB,".

##### **5 Subsection 5Q(1) (definition of *eligible descendant*)**

Repeal the definition.

##### **6 Subsection 5Q(1) (definition of *eligible former partner of a qualifying farmer*)**

Repeal the definition.

##### **7 Subsection 5Q(1) (definition of *eligible former partner of a qualifying sugarcane farmer*)**

Repeal the definition.

##### **8 Subsection 5Q(1) (definition of *eligible interest*)**

Repeal the definition.

##### **9 Subsection 5Q(1) (definition of *farm*)**

Repeal the definition.

##### **10 Subsection 5Q(1) (definition of *farm enterprise*)**

Repeal the definition.



**11 Subsection 5Q(1) (definition of *proprietary company*)**

Repeal the definition.

**12 Subsection 5Q(1) (definition of *qualifying farmer*)**

Repeal the definition.

**13 Subsection 5Q(1) (definition of *qualifying interest*)**

Repeal the definition.

**14 Subsection 5Q(1) (definition of *qualifying sugarcane farmer*)**

Repeal the definition.

**15 Subsection 5Q(1) (definition of *RASF closing day*)**

Repeal the definition.

**16 Subsection 5Q(1) (definition of *RASF commencement day*)**

Repeal the definition.

**17 Subsection 5Q(1) (definition of *relevant farm asset*)**

Repeal the definition.

**18 Subsection 5Q(1) (definition of *relevant State land law*)**

Repeal the definition.

**19 Subsection 5Q(1) (definition of *relevant sugarcane farm asset*)**

Repeal the definition.

**20 Subsection 5Q(1) (definition of *sugarcane farm*)**

Repeal the definition.

**21 Subsection 5Q(1) (definition of *sugarcane farm enterprise*)**

Repeal the definition.

**22 Subsection 5Q(1) (definition of *total net value*)**

Repeal the definition.

**23 Subsection 5Q(1) (definition of *transfer*)**

Repeal the definition.

**24 Subsection 46B(2) (note)**

Repeal the note.

**25 Subsection 46C(1) (note)**

Repeal the note.

**26 Subsection 46D(1) (note)**

Repeal the note.

**27 Subsection 46E(1) (note)**

Repeal the note.

**28 Subsection 46K(1) (note)**

Repeal the note.

**29 Divisions 8 and 8A of Part IIIB**

Repeal the Divisions.

**30 Section 52E (note 1)**

Repeal the note.

**31 Section 52E (note 2)**

Omit "Note 2", substitute "Note".

**32 Paragraph 52ZZZF(1)(h)**

Omit "(as defined by section 5P)".

**33 After subsection 52ZZZF(3)**

Insert:

(3A) For the purposes of paragraph (1)(h), an *eligible descendant*, in relation to a person, is:

- (a) a child, step-child or adopted child of the person or of a partner of the person; or

- (b) a descendant in direct line of a child described in paragraph (a); or
- (c) any other person who, in the opinion of the Commission, should be treated for the purposes of this definition as a person described in paragraph (a) or (b).

### **34 Saving provision**

If, immediately before the commencement of this item, subsection 5MA(2) of the *Veterans' Entitlements Act 1986* did not apply to a person because of subsection 5MA(2A) or (2B) of that Act, then despite the repeal of subsections 5MA(2A) and (2B) of that Act made by this Schedule, subsection 5MA(2A) or (2B) of that Act, as the case may be, continues to apply in relation to the person on and after that commencement.

## **Part 2—Repeals of spent saving and transitional provisions**

### ***Veterans' Entitlements Act 1986***

#### **35 Clause 3 of Schedule 5**

Repeal the clause.

#### **36 Subclause 5(15) of Schedule 5**

Repeal the subclause.

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*[Minister's second reading speech made in—  
House of Representatives on 18 March 2015  
Senate on 12 October 2015]*

(33/15)

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