



Statute Update (Regulations References) Act 2020

No. 18, 2020

**An Act to update references to regulations in 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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**An Act to update references to regulations in the
statute law of the Commonwealth, and for related
purposes**

[Assented to 6 March 2020]

The Parliament of Australia enacts:

1 Short title

This Act is the *Statute Update (Regulations References) Act 2020*.

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. The whole of this Act	A single day to be fixed by Proclamation. However, if the provisions do not commence within the period of 6 months beginning on the day this Act receives the Royal Assent, they commence on the day after the end of that period.	

Note: This table relates only to the provisions of this Act as originally enacted.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Legislation that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.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—Amendments

Age Discrimination Act 2004

1 Subsection 39(1) (heading)

Omit “*mentioned in*”, substitute “*covered by*”.

2 Paragraph 39(1)(b)

Omit “*mentioned in*”, substitute “*covered by*”.

3 Subsection 39(1A) (heading)

Omit “*mentioned in*”, substitute “*covered by*”.

4 Subsection 39(1A)

Omit “*mentioned in*”, substitute “*covered by*”.

5 Schedule 1 (table item 8)

Repeal the item, substitute:

- 8 Prescribed regulations made under the *Airports Act 1996*

6 Schedule 1 (table item 11)

Repeal the item, substitute:

- 11 Regulations made under the *Australian Hearing Services Act 1991*

7 Schedule 1 (table item 24)

Repeal the item.

8 Schedule 1 (table item 37)

Repeal the item, substitute:

- 37 Regulations made under the *Papua New Guinea (Members of the Forces Benefits) Act 1957*

9 Schedule 2 (after table item 3)

Insert:

- | | | |
|-----|--|--------------------------|
| 3AA | Regulations made under the <i>Defence Act 1903</i> | prescribed
provisions |
|-----|--|--------------------------|

10 Schedule 2 (table item 11)

Repeal the item.

Airports Act 1996

11 Subsection 251B(1)

Omit “subregulation 1.03(1) of the *Airports Regulations 1997* declares a place specified in a paragraph of that subregulation”, substitute “a prescribed provision (the ***declaration provision***) of regulations made under this Act declares a place”.

12 Subsection 251B(2) (heading)

Repeal the heading, substitute:

Part of place

13 Subsection 251B(2)

Omit “that subregulation by inserting a paragraph”, substitute “the declaration provision by inserting a provision”.

14 Subsection 251B(4) (heading)

Repeal the heading.

15 Subsection 251B(4)

Omit “If a paragraph of subregulation 1.03(1) of the *Airports Regulations 1997*”, substitute “If the declaration provision”.

16 Subsection 251B(4)

Omit “particular Part of Schedule 1 to those regulations, a regulation may amend that Part”, substitute “prescribed provision (the ***land description provision***) of regulations made under this Act, a regulation may amend the land description provision”.

17 Subsection 251B(6)

Repeal the subsection.

A New Tax System (Goods and Services Tax) Act 1999

18 Paragraph 38-7(2)(a)

Omit “prescribed circumstances within the meaning of regulation 14 of the Health Insurance Regulations made under the *Health Insurance Act 1973* (other than the prescribed circumstances set out in regulations 14(2)(ea), (f) and (g))”, substitute “circumstances covered by a prescribed provision of regulations made under the *Health Insurance Act 1973*”.

Australian Citizenship Act 2007

19 Subsection 19C(4) (definition of *Bilateral Arrangements regulations*)

Omit “the *Family Law (Bilateral Arrangements—Intercountry Adoption) Regulations 1998*”, substitute “prescribed regulations made under the *Family Law Act 1975*”.

20 Subsection 19C(4) (definition of *Intercountry Adoption regulations*)

Omit “the *Family Law (Hague Convention on Intercountry Adoption) Regulations 1998*”, substitute “prescribed regulations made under the *Family Law Act 1975*”.

Carbon Credits (Carbon Farming Initiative) Act 2011

21 Subsection 20J(1)

Omit “(1)”.

22 Subsection 20J(2)

Repeal the subsection.

Customs Act 1901

23 Subsection 105D(4) (definition of *GST regulations*)

Omit “the *A New Tax System (Goods and Services Tax) Regulations 1999*”, substitute “regulations made under the *A New Tax System (Goods and Services Tax) Act 1999*”.

Income Tax Assessment Act 1997

24 Section 51-5 (table item 1.7)

Omit “section 14 or 14B of the *Ombudsman Regulations 2017*”, substitute “a prescribed provision of regulations made under the *Ombudsman Act 1976*”.

25 Section 51-5 (note)

Omit “under section 14 or 14B of the *Ombudsman Regulations 2017*”, substitute “referred to in item 1.7”.

26 Subparagraph 307-5(7)(a)(ii)

Omit “the *Family Law (Superannuation) Regulations 2001*”, substitute “prescribed regulations made under the *Family Law Act 1975*”.

International Monetary Agreements Act 1947

27 Section 3

Insert:

Investment Disputes Convention means the Convention on the Settlement of Investment Disputes between States and Nationals of Other States signed by Australia on 24 March 1975, the English text of which is set out in Schedule 3 to the *International Arbitration Act 1974*.

28 Section 3 (paragraph (e) of the definition of *World Bank organisation*)

Omit “(referred to in the *International Centre for Settlement of Investment Disputes (Privileges and Immunities) Regulations 1991*)”, substitute “established by the Investment Disputes Convention”.

Judicial Misbehaviour and Incapacity (Parliamentary Commissions) Act 2012

29 Paragraph 44(3)(c)

Repeal the paragraph, substitute:

(c) the record is made available for public access under the *Archives Act 1983*;

30 At the end of subsection 44(3)

Add:

Note: Whether and how the *Archives Act 1983* applies to the record depends on regulations made for the purposes of section 20 of that Act.

31 Subsection 82(2)

Repeal the subsection, substitute:

- (2) The *Archives Act 1983*, and regulations made under that Act, apply to a record or report given to a House of the Parliament under subsection (1) or (1A) of this section as if the record or report had been laid before that House and were in the possession of that House.

Military Rehabilitation and Compensation Act 2004**32 Subsection 10(2)**Omit “(within the meaning of the *Cadet Forces Regulations 1977*)”.**33 Paragraph 87(1)(d)**Omit “(within the meaning of the *Cadet Forces Regulations 1977*)”.

[Minister’s second reading speech made in—
House of Representatives on 12 February 2020
Senate on 26 February 2020]

(6/20)
