Statute Law Revision Act 2007

No. 8, 2007

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 2007

No. 8, 2007

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

[*Assented to 15 March 2007*]

The Parliament of Australia enacts:

1 Short title

This Act may be cited as the *Statute Law Revision Act 2007*.

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**
Provision(s)	**Commencement**	**Date/Details**
1. Sections 1 to 3 and anything in this Act not elsewhere covered by this table	The day on which this Act receives the Royal Assent.	15 March 2007
2. Schedule 1, item 1	Immediately after the commencement of item 5 of Schedule 1 to the *Surveillance Devices Act 2004*.	15 December 2004
3. Schedule 1, item 2	The day on which this Act receives the Royal Assent.	15 March 2007
4. Schedule 1, item 3	Immediately after the commencement of item 5 of Schedule 1 to the *Surveillance Devices Act 2004*.	15 December 2004
5. Schedule 1, item 4	Immediately after the commencement of item 15 of Schedule 1 to the *Defence Legislation Amendment (Application of the Criminal Code) Act 2001*.	15 December 2001
6. Schedule 1, items 5 and 6	Immediately after the commencement of item 1 of Schedule 1 to the *Corporate Law Economic Reform Program Act 1999*.	13 March 2000
7. Schedule 1, item 7	Immediately after the commencement of item 42 of Schedule 1 to the *Export Market Development Grants Legislation Amendment Act 2006*.	21 June 2006
8. Schedule 1, items 8, 9 and 10	The day on which this Act receives the Royal Assent.	15 March 2007
9. Schedule 1, items 11 and 12	Immediately after the commencement of item 106 of Schedule 4 to the *Family Law Amendment (Shared Parental Responsibility) Act 2006*.	1 July 2006
10. Schedule 1, item 13	Immediately after the commencement of item 37 of Schedule 1 to the *Australia New Zealand Food Authority Amendment Act 2001*.	1 July 2002

Commencement information		
Column 1	**Column 2**	**Column 3**
Provision(s)	**Commencement**	**Date/Details**
11. Schedule 1, item 14	Immediately after the commencement of item 1 of Schedule 7 to the *Taxation Laws Amendment Act (No. 4) 2003*.	30 June 2003
12. Schedule 1, item 15	The day on which this Act receives the Royal Assent.	15 March 2007
13. Schedule 1, item 16	Immediately after the commencement of item 3 of Schedule 1 to the *Superannuation Contributions Tax (Consequential Amendments) Act 1997*.	5 June 1997
14. Schedule 1, item 17	Immediately after the commencement of item 29 of Schedule 4 to the *Financial Sector Reform (Amendments and Transitional Provisions) Act (No. 1) 1999*.	1 July 1999
15. Schedule 1, item 18	Immediately after the commencement of section 151 of the *Life Insurance Act 1995*.	1 July 1995
16. Schedule 1, item 19	Immediately after the commencement of item 5 of Schedule 1 to the *Occupational Health and Safety (Commonwealth Employment) Amendment Act 2006*. However, if item 5 of Schedule 1 to the *Occupational Health and Safety (Commonwealth Employment) Amendment Act 2006* does not commence, the provision(s) do not commence at all.	15 March 2007
17. Schedule 1, item 20	Immediately after the commencement of item 23 of Schedule 3 to the *Social Security and Veterans' Affairs Legislation Amendment (Budget and Other Measures) Act 1998*.	20 September 1998
18. Schedule 1, item 21	Immediately after the commencement of item 165 of Schedule 1 to the *Social Security (Administration and International Agreements) (Consequential Amendments) Act 1999*.	20 March 2000

Commencement information		
Column 1	**Column 2**	**Column 3**
Provision(s)	**Commencement**	**Date/Details**
19. Schedule 1, item 22	Immediately after the commencement of item 42 of Schedule 3 to the *A New Tax System (Family Assistance and Related Measures) Act 2000*.	1 July 2000
20. Schedule 1, items 23 and 24	Immediately after the commencement of Schedule 3 to the *Social Security (Administration) Act 1999*.	20 March 2000
21. Schedule 1, item 25	Immediately after the commencement of item 2 of Schedule 1 to the *A New Tax System (Pay As You Go) Act 1999*.	22 December 1999
22. Schedule 1, item 26	Immediately after the commencement of item 64 of Schedule 3 to the *Social Security and Veterans' Affairs Legislation Amendment (Budget and Other Measures) Act 1998*.	20 September 1998
23. Schedule 1, items 27 and 28	Immediately after the commencement of Schedule 5 to the *Workplace Relations Amendment (Work Choices) Act 2005*.	27 March 2006
24. Schedule 1, item 29	The day on which this Act receives the Royal Assent.	15 March 2007
25. Schedule 1, items 30, 31 and 32	Immediately after the commencement of Schedule 5 to the *Workplace Relations Amendment (Work Choices) Act 2005*.	27 March 2006
26. Schedule 1, item 33	The day on which this Act receives the Royal Assent.	15 March 2007
27. Schedule 1, items 34 to 41	Immediately after the commencement of Schedule 5 to the *Workplace Relations Amendment (Work Choices) Act 2005*.	27 March 2006
28. Schedule 2, item 1	Immediately after the time specified in the *Audit (Transitional and Miscellaneous) Amendment Act 1997* for the commencement of item 82 of Schedule 2 to that Act.	1 January 1998
29. Schedule 2, items 2, 3 and 4	Immediately after the commencement of section 2 of the *Australian Communications and Media Authority (Consequential and Transitional Provisions) Act 2005*.	1 April 2005

Commencement information		
Column 1	**Column 2**	**Column 3**
Provision(s)	**Commencement**	**Date/Details**
30. Schedule 2, item 5	Immediately after the time specified in the *Child Support Legislation Amendment (Reform of the Child Support Scheme—Initial Measures) Act 2006* for the commencement of item 3 of Schedule 3 to that Act.	1 July 2006
31. Schedule 2, item 6	Immediately before the commencement of item 135 of Schedule 1 to the *Customs Tariff Amendment Act (No. 5) 2001*.	1 January 2002
32. Schedule 2, item 7	Immediately after the commencement of item 7 of Schedule 19 to the *Employment and Workplace Relations Legislation Amendment (Welfare to Work and Other Measures) Act 2005*.	1 July 2006
33. Schedule 2, item 8	Immediately after the time specified in the *Family Law Amendment (Shared Parental Responsibility) Act 2006* for the commencement of items 38 and 39 of Schedule 8 to that Act.	1 July 2006
34. Schedule 2, item 9	Immediately after the commencement of Schedule 9 to the *Family Law Amendment (Shared Parental Responsibility) Act 2006*.	1 July 2006
35. Schedule 2, item 10	Immediately after the time specified in the *Maritime Transport Security Amendment Act 2005* for the commencement of item 79 of Schedule 1 to that Act.	30 September 2005
36. Schedule 2, item 11	Immediately before the commencement of item 3 of Schedule 2 to the *Occupational Health and Safety (Commonwealth Employment) Amendment Act 2006*.	20 November 2006
37. Schedule 2, item 12	Immediately after the commencement of section 7 of the *Transport Legislation Amendment Act 1988*.	1 May 1989
38. Schedule 2, item 13	Immediately after the commencement of section 5 of the *Transport Legislation Amendment Act 1989*.	16 March 1989

Commencement information		
Column 1	**Column 2**	**Column 3**
Provision(s)	**Commencement**	**Date/Details**
39. Schedule 2, item 14	Immediately after the commencement of section 2 of the *Statute Law Revision Act 2006*.	23 March 2006
40. Schedule 2, item 15	Immediately after the time specified in the *Telecommunications (Interception) Amendment Act 2006* for the commencement of item 2 of Schedule 5 to that Act.	3 November 2006
41. Schedule 2, item 16	Immediately after the time specified in the *Transport Legislation Amendment Act 1995* for the commencement of item 50 of Part H of Schedule 1 to that Act.	9 June 1997
42. Schedule 2, item 17	Immediately before the commencement of Schedule 5 to the *Workplace Relations Amendment (Work Choices) Act 2005*.	27 March 2006
43. Schedule 2, item 18	Immediately after the commencement of Schedule 5 to the *Workplace Relations Amendment (Work Choices) Act 2005*.	27 March 2006
44. Schedules 3 to 5	The day on which this Act receives the Royal Assent.	15 March 2007

Note: This table relates only to the provisions of this Act as originally passed by both Houses of the Parliament and assented to. It will not be expanded to deal with provisions inserted in this Act after assent.

(2) Column 3 of the table contains additional information that is not part of this Act. Information in this column may be added to or 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

Australian Crime Commission Act 2002

1 Schedule 1

Omit "*Customs Act 1901*, section 219F".

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

Broadcasting Services Act 1992

2 Part 9 of Schedule 4 (heading)

Repeal the heading.

Note: This item repeals the heading to a Part that no longer includes any provisions.

Customs Act 1901

3 Subsections 219ZL(4) and (5)

Repeal the subsections.

Note: This item repeals provisions made redundant by a previous amendment of the *Customs Act 1901*.

Defence Act 1903

4 Subsection 80B(1)

Omit "A person if guilty", substitute "A person is guilty".

Export Market Development Grants Act 1997

5 Subsection 16(2) (paragraph (a) of the definition of *relevant offence*)

Omit "subsection 229(3)", substitute "subsection 206B(1)".

Note: This item fixes an incorrect cross-reference.

6 Paragraph 78(1)(a)

Omit "subsection 229(3)", substitute "subsection 206B(1)".

Note: This item fixes an incorrect cross-reference.

7 Paragraph 101(1)(ba)

Omit "paragraph 24(a)", substitute "paragraphs 24(a) and 37(1)(b)".

Note: This item fixes an incorrect cross-reference.

8 Division 7 of Part 8 (heading)

Repeal the heading.

Note: This item repeals the heading to a Division that no longer includes any provisions.

Family Law Act 1975

9 Section 10G

Before "A ***family dispute resolution practitioner*** is", insert "(1)".

10 Subsection 12A(1)

Omit "(1)".

Federal Magistrates Act 1999

11 Subsection 93D(1)

Omit "Family Court", substitute "Federal Magistrates Court".

Note: This item corrects an incorrect reference to a body.

12 Subsection 93D(1)

Before "*Family Law Act 1975*", insert "the".

Food Standards Australia New Zealand Act 1991

13 Subsection 10(4)

Omit "sanitary and phytosanitary measures", substitute "sanitary or phytosanitary measures".

Note: This item corrects a misstatement of a defined expression.

Fringe Benefits Tax Assessment Act 1986

14 Subparagraph 58PB(4)(c)(v)

Omit "*Retirement Savings Account Act 1997*", substitute "*Retirement Savings Accounts Act 1997*".

Higher Education Funding Act 1988

15 Section 106Y

Before "Any money paid", insert "(1)".

Income Tax Assessment Act 1936

16 Subsection 202DJ(2) (definition of *holder, RSA* and *RSA provider*)

Omit "*Retirement Savings Account Act 1997*", substitute "*Retirement Savings Accounts Act 1997*".

Life Insurance Act 1995

17 Subsection 73F(2)

Omit "to meets", substitute "to meet".

18 Subsection 151(5)

Omit "contravenve", substitute "contravene".

Occupational Health and Safety (Commonwealth Employment) Act 1991

19 Subsection 5(1) (paragraph (a) of the definition of *registered organisation*)

Omit "Schedule 1B", substitute "Schedule 1".

Note: This item corrects a reference made incorrect by the renumbering of the *Workplace Relations Act 1996*.

Social Security Act 1991

20 Subsection 9(1) (definition of *retirement savings account*)

Omit "*Retirement Savings Account Act 1997*", substitute "*Retirement Savings Accounts Act 1997*".

21 Paragraph 1061JG(1)(c)

Omit "Act", substitute "Act)".

Social Security (Administration) Act 1999

22 Paragraph 156(1)(d)

Omit "or (5)".

Note: This item fixes an incorrect cross-reference.

23 Paragraph 12(1)(c) of Schedule 3

Omit "clause 7", substitute "clause 10".

Note: This item fixes an incorrect cross-reference.

24 Paragraph 12(1)(d) of Schedule 3

Omit "clause 11", substitute "clause 10".

Note: This item fixes an incorrect cross-reference.

Taxation Administration Act 1953

25 Paragraph 12-80(a) in Schedule 1

Omit "*Retirement Savings Account Act 1997*", substitute "*Retirement Savings Accounts Act 1997*".

Veterans' Entitlements Act 1986

26 Subsection 5J(1) (definition of *retirement savings account*)

Omit "*Retirement Savings Account Act 1997*", substitute "*Retirement Savings Accounts Act 1997*".

Workplace Relations Act 1996

27 Subsection 72(2)

Omit ", (1A) or (1B)".

Note: This item removes a reference to subsections that do not exist.

28 Paragraph 180(2)(b)

Omit "qualifications or employees", substitute "qualifications of employees".

29 Subsection 639(1)

Omit "(1)".

30 Section 843

Omit ", 81, 365 or 366", substitute "or 81".

Note: This item removes a reference to sections, as numbered before the renumbering of the *Workplace Relations Act 1996*, that do not exist.

31 Subsection 25(1) of Schedule 1 (note)

Omit "paragraph 142(a)", substitute "paragraph 142(1)(a)".

Note: This item fixes an incorrect cross-reference.

32 Subsection 164A(1) of Schedule 1

Omit "subsection 4", substitute "subsection (4)".

33 Subsection 361(1) of Schedule 1

Omit "(1)".

Note: The following heading to clause 1 of Schedule 2 is inserted "**Additional definitions**".

34 Paragraph 82(2)(a) of Schedule 6

Omit "award, and", substitute "award; and".

35 Paragraph 82(3)(b) of Schedule 6

Omit "subsection 449(4)", substitute "subsection 114(4)".

Note: This item fixes an incorrect cross-reference.

36 Subclause 83(2) of Schedule 6

Omit "subsection 449(4)", substitute "subsection 114(4)".

Note: This item fixes an incorrect cross-reference.

37 Subclause 88(1) of Schedule 6

Before "subsection 109(1)", insert "repealed".

Note: This item makes clear a reference to a renumbered provision of the *Workplace Relations Act 1996*.

38 Paragraphs 91(a) and (b) of Schedule 6

Omit "subclause 105(1)", substitute "clause 105".

Note: This item fixes an incorrect cross-reference.

39 Paragraph 107A(e) of Schedule 6 (notional section 244A)

Renumber as notional section 783A.

Note: This item makes clear the position of a notional section following the renumbering of the *Workplace Relations Act 1996*.

40 Paragraph 20(b) of Schedule 7

Omit “section 494”, substitute “section 495”.

Note: This item fixes an incorrect cross-reference.

41 Subclause 22(3) of Schedule 8

Omit “subsection 170CN(1)”, substitute “subsection 170NC(1)”.

Note: This item fixes an incorrect cross-reference.

Schedule 2—Amendment of amending Acts

Audit (Transitional and Miscellaneous) Amendment Act 1997

1 Item 82 of Schedule 2

Omit "and examiner's report", substitute "and the examiner's report".

Australian Communications and Media Authority (Consequential and Transitional Provisions) Act 2005

2 Section 2 (table item 5, column 2)

Omit "*Postal Industry Ombudsman Act 2005*", substitute "*Postal Industry Ombudsman Act 2006*".

3 Section 2 (table item 7, column 2)

Omit "*Postal Industry Ombudsman Act 2005*", substitute "*Postal Industry Ombudsman Act 2006*".

4 Section 2 (table item 9, column 2)

Omit "*Postal Industry Ombudsman Act 2005*" (wherever occurring), substitute "*Postal Industry Ombudsman Act 2006*".

Child Support Legislation Amendment (Reform of the Child Support Scheme—Initial Measures) Act 2006

5 Item 3 of Schedule 3

Repeal the item (not including the note).

Note: This item repeals an item that is no longer required because of the amendment made by item 8 of this Schedule.

Customs Tariff Amendment Act (No. 5) 2001

6 Item 135 of Schedule 1

Repeal the item, substitute:

135 Paragraphs (g) and (h) of Note 4 to Chapter 30 of Schedule 3

Repeal the paragraphs, substitute:

(g) First-aid boxes and kits;

(h) Chemical contraceptive preparations based on hormones, on other products of 2937 or on spermicides;

(ij) Gel preparations designed to be used in human or veterinary medicine as a lubricant for parts of the body for surgical operations or physical examinations or as a coupling agent between the body and medical instruments; and

(k) Waste pharmaceuticals, that is, pharmaceutical products which are unfit for their original intended purpose due to, for example, expiry of shelf life.

Note: This item repeals and substitutes an item to ensure that a paragraph that was to be remade by the repealed item is repealed.

Employment and Workplace Relations Legislation Amendment (Welfare to Work and Other Measures) Act 2005

7 Item 7 of Schedule 19

Omit “Module C”, substitute “Module B”.

Note: This item corrects an amending item so that the location of an amendment to the *Social Security Act 1991* becomes clear.

Family Law Amendment (Shared Parental Responsibility) Act 2006

8 Items 38 and 39 of Schedule 8

Repeal the items, substitute:

38 Subsection 117(3)

Omit “sub-subparagraph (2)(b)(i)(A)”, substitute “(2)(b)(i)”.

39 Subsections 117(3A) and (3B)

Omit “sub-subparagraph (2)(b)(i)(C)”, substitute “subparagraph (2)(b)(ib)”.

Note: This item corrects amending items so that the location of amendments to the *Child Support (Assessment) Act 1989* becomes clear. The item also corrects a cross-reference in the text to be substituted.

9 Items 1 and 3 of Schedule 9

Repeal the items.

Note: This item repeals items that were misdescribed. Items 1 and 3 of Schedule 12 to the *Families, Community Services and Indigenous Affairs and Other Legislation (2006 Budget and Other Measures) Act 2006* gave effect to the amendments that were to have been made by the repealed items. The repealed items are no longer required.

Maritime Transport Security Amendment Act 2005

10 Item 79 of Schedule 1

Omit "(second occurring)".

Note: This item corrects an amending item so that the location of an amendment of the *Maritime Transport and Offshore Facilities Security Act 2003* becomes clear.

Occupational Health and Safety (Commonwealth Employment) Amendment Act 2006

11 Item 3 of Schedule 2 (heading)

Repeal the heading, substitute:

3 Items 89 to 97

Note: This item corrects an incorrect cross-reference in a heading.

Protection of the Sea Legislation Amendment Act 1986

12 Subsection 12(3)

Repeal the subsection.

Note: Subsection 12(3) of the *Protection of the Sea Legislation Amendment Act 1986* amended a provision of the *Navigation Act 1912* that was repealed before that section could commence.

13 Section 14

Repeal the section.

Note: Section 14 of the *Protection of the Sea Legislation Amendment Act 1986* amended a provision of the *Navigation Act 1912* that was repealed before that section could commence.

Statute Law Revision Act 2006

14 Section 2 (table item 35, column 1)

Omit “Schedule 1”, substitute “Schedule 2”.

Telecommunications (Interception) Amendment Act 2006

15 Item 2 of Schedule 5 (heading)

Repeal the heading, substitute:

2 Division 1 of Part 2-5

Note: This item ensures that the Part mentioned in the heading is correctly described.

Transport Legislation Amendment Act 1995

16 Paragraph (a) of item 50 of Part H of Schedule 1

Omit “322,”.

Note: This item corrects a misdescription of text in the *Navigation Act 1912*.

Workplace Relations Amendment (Work Choices) Act 2005

17 Item 187 of Schedule 1

Omit “a court”, substitute “court”.

Note: This item corrects a misdescription of text in the *Workplace Relations Act 1996.*

18 Item 24 of Schedule 4

Omit “Schedule 1B”, substitute “Schedule 1”.

Note: This item corrects a cross-reference that was made incorrect by the renumbering of the *Workplace Relations Act 1996.*

Schedule 3—Repeal of obsolete Acts

Part 1—Acts administered by the Minister for Transport and Regional Services

Australian Capital Territory Stamp Duty Act 1969

1 The whole of the Act

Repeal the Act.

Australian Capital Territory Taxation (Administration) Act 1969

2 The whole of the Act

Repeal the Act.

Australian Capital Territory Tax (Cheques) Act 1969

3 The whole of the Act

Repeal the Act.

Australian Capital Territory Tax (Hire-purchase Business) Act 1969

4 The whole of the Act

Repeal the Act.

Australian Capital Territory Tax (Insurance Business) Act 1969

5 The whole of the Act

Repeal the Act.

Australian Capital Territory Tax (Life Insurance Business) Act 1981

6 The whole of the Act

Repeal the Act.

Australian Capital Territory Tax (Purchases of Marketable Securities) Act 1969

7 The whole of the Act

Repeal the Act.

Australian Capital Territory Tax (Sales of Marketable Securities) Act 1969

8 The whole of the Act

Repeal the Act.

Australian Capital Territory Tax (Transfers of Marketable Securities) Act 1986

9 The whole of the Act

Repeal the Act.

Australian Capital Territory Tax (Vehicle Registration) Act 1981

10 The whole of the Act

Repeal the Act.

National Rail Corporation Agreement Act 1992

11 The whole of the Act

Repeal the Act.

Pay-roll Tax (Territories) Act 1971

12 The whole of the Act

Repeal the Act.

Pay-roll Tax (Territories) Assessment Act 1971

13 The whole of the Act

Repeal the Act.

Ships (Capital Grants) Act 1987

14 The whole of the Act

Repeal the Act.

States Grants (Urban Public Transport) Act 1974

15 The whole of the Act

Repeal the Act.

Part 2—Acts administered by the Minister for Industry, Tourism and Resources

Bounty (Ships) Act 1989

16 The whole of the Act

Repeal the Act.

Sydney 2000 Games (Indicia and Images) Protection Act 1996

17 The whole of the Act

Repeal the Act.

Part 3—Amendments consequential on repeal of obsolete Acts

Administrative Decisions (Judicial Review) Act 1977

18 Paragraph (e) of Schedule 1

Omit "*Australian Capital Territory Taxation (Administration) Act 1969*".

19 Paragraph (e) of Schedule 1

Omit "*Pay-roll Tax (Territories) Assessment Act 1971*".

Australian Land Transport Development Act 1988

20 Subsection 32(3)

Repeal the subsection.

Commonwealth Authorities (Australian Capital Territory Pay-roll Tax) Act 1995

21 Subsection 3(1) (subparagraph (b)(i) of the definition of *Commonwealth authority*)

Before "*Pay-roll Tax (Territories) Assessment Act 1971*", insert "former".

Commonwealth Authorities (Northern Territory Pay-roll Tax) Act 1979

22 Subsection 3(1) (paragraph (a) of the definition of *Commonwealth authority subject to pay-roll tax*)

Before "*Pay-roll Tax (Territories) Assessment Act 1971*", insert "former".

Freedom of Information Act 1982

23 Schedule 3

Omit "*Australian Capital Territory Taxation (Administration) Act 1969*, subsection 7(1)".

24 Schedule 3

Omit "*Pay-roll Tax (Territories) Assessment Act 1971*, subsection 8(2)".

Trans-Tasman Mutual Recognition Act 1997

25 Clause 3 of Schedule 1

Omit "*Sydney 2000 Games (Indicia and Images) Protection Act 1996* of the Commonwealth".

Schedule 4—Removing references to official managers and official management

ACIS Administration Act 1999

1 Paragraph 29(2)(c)

Repeal the paragraph.

Bankruptcy Act 1966

2 Subsection 5(1) (paragraph (c) of the definition of *company officer*)

Repeal the paragraph.

3 Subparagraph 5G(c)(ii)

Repeal the subparagraph.

4 Paragraph 5G(c)

Omit "of any person appointed as the official manager or deputy official manager of the company,".

Child Support (Registration and Collection) Act 1988

5 Subsection 4(1) (paragraph (e) of the definition of *trustee*)

Omit "an official manager or liquidator", substitute "a liquidator".

Customs Act 1901

6 Paragraph 67EB(4)(e)

Repeal the paragraph.

7 Paragraph 67H(3)(e)

Repeal the paragraph.

8 Paragraph 77K(3)(f)

Repeal the paragraph.

9 At the end of paragraphs 81(3)(a) to (cb)

Add “or”.

10 Paragraph 81(3)(d)

Repeal the paragraph.

11 Paragraph 86(1B)(c)

Omit “81(3)(c), (d) and (e)”, substitute “81(3)(c) and (e)”.

12 Paragraph 183CC(4A)(d)

Repeal the paragraph.

Excise Act 1901

13 Paragraph 39C(g)

Repeal the paragraph.

Export Market Development Grants Act 1997

14 Subparagraph 87C(1)(a)(iii)

Omit “or official management”.

15 Subsection 87C(3) (paragraph (c) of the definition of *person administering a body corporate*)

Omit “, or the official manager,”.

Fringe Benefits Tax Assessment Act 1986

16 Subsection 136(1) (paragraph (e) of the definition of *trustee*)

Omit “an official manager or liquidator”, substitute “a liquidator”.

Insurance Act 1973

17 Subsection 50(1) (paragraph (h) of the definition of *prescribed person*)

Repeal the paragraph.

Migration Act 1958

18 At the end of subparagraph 312(1)(h)(i)

Add “or”.

19 Subparagraph 312(1)(h)(ii)

Repeal the subparagraph.

Mutual Assistance in Business Regulation Act 1992

20 Paragraph 15(2)(a)

Repeal the paragraph, substitute:

(a) if the person to whom, or by or on behalf of whom, the communication was made is a body corporate that is being wound up—the liquidator of the body; or

National Health Act 1953

21 Subsection 4(1) (subparagraph (a)(i) of the definition of *official appointee*)

Omit “or official manager”.

Petroleum Resource Rent Tax Assessment Act 1987

22 Section 2 (paragraph (e) of the definition of *trustee*)

Omit “an official manager or liquidator”, substitute “a liquidator”.

Retirement Savings Accounts Act 1997

23 Paragraph 118(2)(a)

Repeal the paragraph, substitute:

(a) if the person to whom, or by or on behalf of whom, the communication was made is a body corporate that is under administration or is being wound up—the administrator or liquidator of the body; or

24 Subsection 158(5) (paragraph (c) of the definition of *officer*)

Omit “official manager, deputy official manager or”.

Service and Execution of Process Act 1992

25 Subsection 9(4)

Repeal the subsection.

26 Subsection 9(11) (definition of *official manager*)

Repeal the definition.

Superannuation Guarantee (Administration) Act 1992

27 Subsection 6(1) (paragraph (e) of the definition of *trustee*)

Omit “an official manager or liquidator of a company”, substitute “a liquidator of a company”.

Superannuation Industry (Supervision) Act 1993

28 Paragraph 120(2)(c)

Omit “an official manager, deputy official manager or administrator”, substitute “an administrator”.

29 Paragraph 288(2)(a)

Repeal the paragraph, substitute:

(a) if the person to whom, or by or on behalf of whom, the communication was made is a body corporate that is under administration or is being wound up—the administrator or the liquidator of the body; or

30 Subsection 310(5) (paragraph (c) of the definition of *officer*)

Omit “official manager, deputy official manager or”.

Superannuation (Resolution of Complaints) Act 1993

31 Paragraph 60(2)(a)

Repeal the paragraph, substitute:

(a) if the person to whom, or by or on behalf of whom, the communication was made is a body corporate that is under administration or is being wound up—the administrator or liquidator of the body; or

Taxation Administration Act 1953

32 Paragraph 8Y(4)(c)

Repeal the paragraph.

Schedule 5—Removing gender-specific language from the Customs Act 1901

Customs Act 1901

1 Subsection 4(1) (definition of *Answer questions*)

After “his”, insert “or her”.

2 Subsection 4(1) (definition of *Owner*)

After “himself”, insert “or herself”.

3 Subsection 4(1) (definition of *Produce documents*)

After “his”, insert “or her”.

4 Subsection 13(5)

After “his”, insert “or her”.

5 At the end of paragraph 13(5)(a)

Add “and”.

6 Section 19

After “his” (wherever occurring), insert “or her”.

7 Sub-subparagraph 30A(3)(a)(ii)(B)

After “his”, insert “or her”.

8 Subparagraph 30A(3)(c)(i)

After “him”, insert “or her”.

9 At the end of subparagraph 30A(3)(c)(i)

Add “or”.

10 Sub-subparagraph 30A(4)(b)(ii)(B)

After “his”, insert “or her”.

11 Subsection 30A(5)

After “his”, insert “or her”.

12 At the end of paragraph 30A(5)(a)

Add “and”.

13 Subparagraph 30A(5)(c)(i)

After “him”, insert “or her”.

14 At the end of subparagraph 30A(5)(c)(i)

Add “or”.

15 Paragraph 49A(1)(b)

After “he”, insert “or she”.

16 Subsection 49A(1)

Omit “he may”, substitute “he or she may”.

17 Subsections 49A(2) and (5)

After “he”, insert “or she”.

18 Subsections 58(1) and (2)

After “his”, insert “or her”.

19 Subsection 60(1)

After “his” (wherever occurring), insert “or her”.

20 Subsection 60(4)

After “he”, insert “or she”.

21 Subsection 61(1)

After “his”, insert “or her”.

22 Subsection 62(1)

After “him”, insert “or her”.

23 Subsections 65(1) and (2)

After “him”, insert “or her”.

24 Section 66

After “his”, insert “or her”.

25 Subsection 72(3)

After “him”, insert “or her”.

26 Paragraphs 78(3)(a) and (b)

After “he”, insert “or she”.

27 At the end of paragraphs 80(a), (b), (c) and (d)

Add “and”.

28 Paragraph 80(e)

After “him”, insert “or her”.

29 Subsection 81(1)

After “his”, insert “or her”.

30 At the end of paragraphs 81(1)(a), (b), (c), (d), (da) and (e)

Add “or”.

31 At the end of paragraphs 83(2)(a) and (b)

Add “and”.

32 Paragraph 83(2)(c)

After “him”, insert “or her”.

33 At the end of paragraphs 83(2)(c) and (d)

Add “and”.

34 Paragraph 83(2)(e)

After “him”, insert “or her”.

35 At the end of paragraph 83(2)(e)

Add “and”.

36 Paragraph 83(2)(g)

After “him”, insert “or her”.

37 Subsection 84(3)

Omit “he” (first occurring), substitute “the CEO”.

38 Subsection 84(3)

After “he” (second occurring), insert “or she”.

39 Subsection 86(1)

After “he”, insert “or she”.

40 At the end of paragraphs 86(1)(a), (b), (c), (d), (e), (f) and (fa)

Add “or”.

41 Subsection 86(1)

After “him”, insert “or her”.

42 Paragraph 86(3)(a)

After “he”, insert “or she”.

43 At the end of paragraphs 86(7)(a), (b) and (c)

Add “and”.

44 Paragraph 86(7)(d)

Omit “him”, substitute “the owner”.

45 Paragraph 86(7)(d)

After “his”, insert “or her”.

46 At the end of paragraph 86(7)(d)

Add “and”.

47 Paragraph 86(7)(f)

After “him”, insert “or her”.

48 Paragraphs 87(1)(a) and (b)

After “he”, insert “or she”.

49 Subsection 87(4)

After “he”, insert “or she”.

50 At the end of paragraph 87(4)(a)

Add “and”.

51 Section 89

After “his”, insert “or her”.

52 Subsection 94(1)

After “he”, insert “or she”.

53 Paragraph 96A(2)(a)

After “him”, insert “or her”.

54 Paragraph 96A(2)(a)

After “he”, insert “or she”.

55 At the end of paragraph 96A(7)(a)

Add “or”.

56 Paragraph 96A(7)(b)

After “he”, insert “or she”.

57 Paragraph 96A(7)(c)

After “him”, insert “or her”.

58 Subsection 96A(11)

After “he”, insert “or she”.

59 Subsection 96A(12)

After “him”, insert “or her”.

60 Subsection 96A(14)

After “he”, insert “or she”.

61 Subsection 97(1)

After “him”, insert “or her”.

62 Subsections 100(2), 101(1) and 102(1)

After “he”, insert “or she”.

63 Section 120

After “his”, insert “or her”.

64 Subsections 123(1) and (2)

After “his” (wherever occurring), insert “or her”.

65 Paragraph 124(1)(b)

After “his”, insert “or her”.

66 Section 126

After “him”, insert “or her”.

67 Paragraphs 129(3)(a) and (b)

After “he”, insert “or she”.

68 Subsection 132B(3)

After “he”, insert “or she”.

69 Subsection 132C(1)

After “his”, insert “or her”.

70 Sections 132D and 164B

After “he”, insert “or she”.

71 Subsection 175(7)

After “he”, insert “or she”.

72 Subsections 181(1), (2) and (3)

After “his”, insert “or her”.

73 Paragraph 181(4)(b)

After “he”, insert “or she”.

74 Subsection 183(1)

After “himself”, insert “or herself”.

75 Subsection 183(1)

After “he”, insert “or she”.

76 Subsection 183(2)

After “himself”, insert “or herself”.

77 Subsection 183(2)

After “he”, insert “or she”.

78 Paragraphs 183B(2)(a) and (b)

After “he”, insert “or she”.

79 Paragraph 183CA(1)(e)

After “him”, insert “or her”.

80 Subsection 183CA(2)

After “he” (first occurring), insert “or she”.

81 Subsection 183CA(2)

After “his”, insert “or her”.

82 Subsection 183CA(2)

After “he” (second occurring), insert “or she”.

83 Subsection 183CA(3)

After “he”, insert “or she”.

84 Subsection 183CB(1)

After “he” (wherever occurring), insert “or she”.

85 Subsection 183CC(1)

After “his”, insert “or her”.

86 Subparagraph 183CC(1)(a)(iii)

After “he”, insert “or she”.

87 Paragraph 183CC(2)(a)

Omit “he” (wherever occurring), substitute “the applicant”.

88 Paragraph 183CC(2)(b)

Omit “he”, substitute “the applicant”.

89 Paragraph 183CC(2)(b)

Omit “him”, substitute “the applicant”.

90 Subsection 183CC(3)

After “him”, insert “or her”.

91 Subsection 183CC(3)

After “he”, insert “or she”.

92 Subsection 183CC(5)

Omit “him”, substitute “a person”.

93 Paragraphs 183CD(1)(a), (b) and (c)

After “he”, insert “or she”.

94 Paragraph 183CD(1)(c)

After “his”, insert “or her”.

95 Paragraphs 183CD(1)(d), (e), (g) and (h)

After “he”, insert “or she”.

96 Subsection 183CE(1)

After “he” (first occurring), insert “or she”.

97 Paragraph 183CE(1)(b)

After “he”, insert “or she”.

98 Subsection 183CF(4)

After “he”, insert “or she”.

99 Subsection 183CG(2)

After “his”, insert “or her”.

100 Subsection 183CG(2)

After “he”, insert “or she”.

101 Subsection 183CG(8)

After “his”, insert “or her”.

102 Subsection 183CG(8)

Omit “him” (wherever occurring), substitute “the customs broker”.

103 Subsection 183CJ(4)

After “he”, insert “or she”.

104 Subsection 183CK(1)

After “him”, insert “or her”.

105 Subsection 183CK(1)

After “he”, insert “or she”.

106 At the end of paragraphs 183CN(1)(a), (b) and (c)

Add “or”.

107 Paragraph 183CN(1)(d)

After “his”, insert “or her”.

108 Subsection 183CQ(1)

Omit “he”, substitute “the CEO”.

109 At the end of paragraphs 183CQ(1)(a), (b), (c) and (d)

Add “or”.

110 Paragraph 183CQ(1)(e)

After “his”, insert “or her”.

111 At the end of paragraphs 183CQ(1)(e), (f) and (g)

Add “or”.

112 Subsection 183CQ(1)

Omit “him”, substitute “the CEO”.

113 Subsection 183CQ(5)

Omit “he”, substitute “the CEO or Regional Director”.

114 Subsection 183CQ(6)

Omit “he”, substitute “the CEO”.

115 Subsection 183CQ(6)

After “his”, insert “or her”.

116 Subsection 183CR(1)

Omit “he” (wherever occurring), substitute “the CEO”.

117 Subsection 183CS(1)

After “he”, insert “or she”.

118 At the end of paragraphs 183CS(1)(c), (d) and (e)

Add “or”.

119 Subsection 183CS(2)

After “he” (wherever occurring), insert “or she”.

120 Subsection 183CS(5)

After “he”, insert “or she”.

121 Paragraph 183D(2)(d)

After “him”, insert “or her”.

122 Subsection 183DA(5)

After “him”, insert “or her”.

123 Subsection 183DA(6)

After “his”, insert “or her”.

124 Subsection 183DB(1)

After “he”, insert “or she”.

125 Paragraph 183DC(1)(b)

After “his”, insert “or her”.

126 Subsection 183DC(2)

After “he”, insert “or she”.

127 Subsections 183J(2) and (3)

After “his”, insert “or her”.

128 Subsection 183K(1)

After “his” (first occurring), insert “or her”.

129 Subsection 183K(1)

Omit “his” (second occurring), substitute “the person’s”.

130 Subsection 183K(1)

Omit “he”, substitute “the person”.

131 Subsection 183K(2)

After “himself”, insert “or herself”.

132 Section 183L

Omit “him”, substitute “the person”.

133 Section 183L

After “his” (first occurring), insert “or her”.

134 Paragraphs 183L(a) and (b)

After “his”, insert “or her”.

135 Subsection 183N(2)

Omit “he” (first occurring), substitute “the witness”.

136 Subsection 183N(2)

After “he” (second and third occurring), insert “or she”.

137 Subsection 183N(2)

Omit “asked him”, substitute “asked of him or her”.

138 Paragraph 183P(1)(a)

After “him”, insert “or her”.

139 Paragraph 183P(1)(a)

After “his”, insert “or her”.

140 At the end of paragraph 183P(1)(a)

Add “or”.

141 Paragraph 183P(1)(c)

After “he”, insert “or she”.

142 Section 183Q

Omit “him” (first occurring), substitute “the person”.

143 Section 183Q

After “him” (second occurring), insert “or her”.

144 Section 183Q

Omit “his”, substitute “the person’s”.

145 Section 183Q

After “him” (third occurring), insert “or her”.

146 Paragraph 183Q(b)

After “him”, insert “or her”.

147 Subsection 183R(1)

After “he”, insert “or she”.

148 Subsection 183R(1)

Omit “him”, substitute “the person”.

149 Subsections 183R(1) and 183T(1)

After “his”, insert “or her”.

150 Section 193

After “his”, insert “or her”.

151 Section 194

After “he”, insert “or she”.

152 At the end of paragraph 195(1)(a)

Add “or”.

153 Subsection 195(1)

After “him” (first occurring), insert “or her”.

154 Subsection 195(1)

After “his” (wherever occurring), insert “or her”.

155 Subsection 195(1)

After “him” (second occurring), insert “or her”.

156 At the end of paragraph 195(1)(d)

Add “or”.

157 Subsection 195(2)

After “him”, insert “or her”.

158 Paragraph 196C(1)(a)

After “his”, insert “or her”.

159 At the end of paragraph 196C(1)(a)

Add “and”.

160 Paragraph 196C(1)(b)

After “he”, insert “or she”.

161 At the end of paragraph 196C(1)(b)

Add “and”.

162 Paragraph 196C(1)(c)

After “he”, insert “or she”.

163 Paragraph 196C(1)(d)

After “him” (wherever occurring), insert “or her”.

164 Subsection 196C(2)

After “him” (wherever occurring), insert “or her”.

165 Subsection 196C(3)

After “him” (first and second occurring), insert “or her”.

166 Paragraph 196C(3)(a)

After “his”, insert “or her”.

167 Paragraph 196C(3)(b)

After “him”, insert “or her”.

168 Subsection 209(5)

After “he”, insert “or she”.

169 Subsections 209(10) and (11)

After “his”, insert “or her”.

170 Subsection 209(11)

After “him”, insert “or her”.

171 Subsections 210(1) and (1A)

After “he”, insert “or she”.

172 Section 212

After “he”, insert “or she”.

173 Paragraph 213(1)

After “he”, insert “or she”.

174 Paragraph 213(2)

Omit “him”, substitute “the person”.

175 Paragraph 213(2)

After “his” (wherever occurring), insert “or her”.

176 Subsection 214B(2)

After “he” (wherever occurring), insert “or she”.

177 Subsection 214B(3)

After “his”, insert “or her”.

178 Subsection 214B(4)

After “him” (first occurring), insert “or her”.

179 Subsection 214B(4)

After “he”, insert “or she”.

180 Subsection 214B(4)

After “him” (second and third occurring), insert “or her”.

181 Subsection 214B(6)

Omit “him” (first occurring), substitute “the person”.

182 Subsection 214B(6)

After “him” (second occurring), insert “or her”.

183 Subsection 214B(6)

Omit “his”, substitute “the person’s”.

184 Subsection 214B(6)

After “him” (third and fourth occurring), insert “or her”.

185 Subsection 214B(7)

After “him”, insert “or her”.

186 Subsection 214B(8)

After “he”, insert “or she”.

187 Subsection 214B(8)

Omit “asked him”, insert “asked of him or her”.

188 At the end of paragraph 214B(9)(a)

Add “or”.

189 Section 217

After “he”, insert “or she”.

190 Section 221

After “his” (first occurring), insert “or her”.

191 Section 221

After “him”, insert “or her”.

192 Section 221

After “his” (second occurring), insert “or her”.

193 Section 221

Omit “his attorney or agent”, substitute “, or the plaintiff’s attorney or agent,”.

194 Section 222

After “his”, insert “or her”.

195 Section 224

Omit “his attorney or agent”, substitute “, or to the plaintiff’s attorney or agent,”.

196 Section 224

After “he” (wherever occurring), insert “or she”.

197 Section 224

After “his” (second occurring), insert “or her”.

198 Paragraph 229(1)(q)

After “he”, insert “or she”.

199 Paragraph 229(1)(q)

After “his” (wherever occurring), insert “or her”.

200 Paragraph 229A(2)(a)

After “his” (first and second occurring), insert “or her”.

201 Subparagraph 229A(2)(a)(i)

Omit “his” (first occurring), substitute “the person”.

202 Subparagraph 229A(2)(a)(i)

Omit “his” (second occurring).

203 At the end of subparagraph 229A(2)(a)(i)

Add “or”.

204 Subparagraph 229A(2)(a)(ii)

Omit “his” (first occurring), substitute “the person”.

205 Subparagraph 229A(2)(a)(ii)

Omit “his” (second occurring).

206 At the end of subparagraph 229A(2)(a)(ii)

Add “or”.

207 Subparagraph 229A(2)(a)(iii)

Omit “his” (first occurring), substitute “the person”.

208 Subparagraph 229A(2)(a)(iii)

Omit “his” (second occurring).

209 At the end of subparagraph 229A(2)(a)(iii)

Add “or”.

210 Subparagraph 229A(2)(a)(iv)

Omit “his” (first occurring), substitute “the person”.

211 Subparagraph 229A(2)(a)(iv)

Omit “his” (second occurring).

212 Subparagraph 229A(2)(a)(iv)

After “his” (third occurring), insert “or her”.

213 At the end of subparagraph 229A(2)(a)(iv)

Add “or”.

214 Subparagraphs 229A(2)(a)(v) and (vi)

Omit “his”, substitute “the person”.

215 Paragraphs 229A(2)(b) and (c)

After “him”, insert “or her”.

216 Subsection 229A(3)

After “his” (wherever occurring), insert “or her”.

217 Subsection 229A(3)

After “him”, insert “or her”.

218 Subsection 229A(3)

After “he”, insert “or she”.

219 Subsection 229A(4)

After “him”, insert “or her”.

220 Subsection 229A(4)

After “his” (wherever occurring), insert “or her”.

221 Paragraph 229A(8)(a)

After “he”, insert “or she”.

222 Subparagraph 229A(8)(b)(i)

After “his” (wherever occurring), insert “or her”.

223 Subparagraphs 229A(8)(b)(i) and (ii)

After “him”, insert “or her”.

224 Subparagraph 229A(8)(b)(ii)

After “his” (wherever occurring), insert “or her”.

225 Paragraph 233(1)(d)

After “his”, insert “or her”.

226 Subsection 233(2)

After “his”, insert “or her”.

227 Subsection 233(2)

After “him”, insert “or her”.

228 Subsection 233(3)

After “his”, insert “or her”.

229 Subsection 233A(1)

After “his”, insert “or her”.

230 Subsection 243A(2)

After “his” (wherever occurring), insert “or her”.

231 Subsection 243A(2)

After “him”, insert “or her”.

232 Subsection 243A(2)

After “he”, insert “or she”.

233 Paragraph 243A(3)(a)

After “he”, insert “or she”.

234 At the end of paragraph 243A(3)(a)

Add “or”.

235 Paragraph 243A(3)(b)

After “he”, insert “or she”.

236 At the end of paragraph 243A(3)(b)

Add “or”.

237 Paragraph 243A(3)(c)

After “he”, insert “or she”.

238 At the end of paragraph 243A(3)(c)

Add “or”.

239 Paragraph 243A(3)(d)

After “he”, insert “or she”.

240 Paragraph 243A(3)(d)

After “his”, insert “or her”.

241 At the end of paragraph 243A(3)(d)

Add “or”.

242 Paragraphs 243A(3)(e) and (f)

After “he”, insert “or she”.

243 Subsection 243A(5)

After “he”, insert “or she”.

244 Paragraphs 243B(1)(a) and (b)

After “him”, insert “or her”.

245 Subsections 243B(2) and 243C(2)

After “his”, insert “or her”.

246 Paragraph 243C(2)(e)

After “he”, insert “or she”.

247 Paragraph 243C(2)(e)

Omit “and” (last occurring).

248 Subsection 243C(3)

After “he” (wherever occurring), insert “or she”.

249 Subsection 243C(3)

Omit “by reasons of his”, substitute “by reason of his or her”.

250 Subsection 243C(4)

After “he”, insert “or she”.

251 Subsection 243C(4)

After “his”, insert “or her”.

252 Paragraphs 243C(5)(a) and (b)

After “his”, insert “or her”.

253 Subsection 243C(5)

After “his” (last occurring), insert “or her”.

254 Subsection 243C(6)

After “his”, insert “or her”.

255 Subparagraph 243E(2)(a)(i)

After “he” (wherever occurring), insert “or she”.

256 Paragraph 243H(3)(a)

After “him”, insert “or her”.

257 At the end of paragraphs 243J(2)(a) and (b)

Add “or”.

258 Paragraph 243J(2)(c)

After “he”, insert “or she”.

259 At the end of paragraphs 243J(2)(c) and (d)

Add “or”.

260 Subsection 243R(1)

After “him” (wherever occurring), insert “or her”.

261 At the end of paragraph 243R(1)(a)

Add “and”.

262 Subsection 243R(2)

After “him”, insert “or her”.

263 Section 250A

After “his”, insert “or her”.

264 Section 253

After “he”, insert “or she”.

265 Section 253

Omit “him”, substitute “the officer”.

266 Section 253

After “his”, insert “or her”.

Note: The heading to section 259 is altered by inserting “**or her**” after “**his**”.

267 Subsection 269U(2)

After “his”, insert “or her”.

268 Subsection 269U(7)

After “him”, insert “or her”.

269 Subsections 273(2), 273GAA(4) and (5) and 273GA(6)

After “he”, insert “or she”.

270 Subsection 275A(2)

After “him”, insert “or her”.

271 Subsection 275A(5)

After “he”, insert “or she”.

272 Subsection 275A(6)

After “he” (wherever occurring), insert “or she”.

[*Minister’s second reading speech made in—*
Senate on 6 December 2006
House of Representatives on 1 March 2007]

(193/06)