





# **Statute Law Revision Act 2013**

**No. 103, 2013**

**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 2013

No. 103, 2013

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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 29 June 2013]

The Parliament of Australia enacts:

## **1 Short title**

This Act may be cited as the *Statute Law Revision Act 2013*.

## **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
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**Schedule 1** Amendment of principal Acts  
**Part 1** Amendments commencing on Royal Assent

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.	29 June 2013
2. Schedule 1, Part 1	The day this Act receives the Royal Assent.	29 June 2013
3. Schedule 1, Part 2	Immediately after the commencement of item 4 of Schedule 1 to the <i>Commonwealth Government Securities Legislation Amendment (Retail Trading) Act 2012</i> .	18 November 2012
4. Schedule 1, Part 3	The later of: (a) the start of the day this Act receives the Royal Assent; and (b) immediately after the commencement of Part 1 of Schedule 1 to the <i>Crimes Legislation Amendment (Serious Drugs, Identity Crime and Other Measures) Act 2012</i> .	29 June 2013 (paragraph (a) applies)
5. Schedule 2, item 1	Immediately after the time specified in the <i>Aviation Transport Security Amendment (Air Cargo) Act 2011</i> for the commencement of Part 1 of Schedule 1 to that Act.	5 June 2012
6. Schedule 2, items 2 to 5	Immediately after the time specified in the <i>Clean Energy Legislation Amendment Act 2012</i> for the commencement of item 47 of Schedule 2 to that Act.	1 July 2012
7. Schedule 2, item 6	Immediately after the time specified in the <i>Corporations Amendment (Further Future of Financial Advice Measures) Act 2012</i> for the commencement of item 25 of Schedule 1 to that Act.	1 July 2012
8. Schedule 2, item 7	Immediately after the time specified in the <i>Corporations Legislation Amendment</i>	3 January 2013

Amendment of principal Acts **Schedule 1**  
Amendments commencing on Royal Assent **Part 1**

<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>(Derivative Transactions) Act 2012</i> for the commencement of item 42 of Schedule 1 to that Act.	
9. Schedule 2, item 8	Immediately after the time specified in the <i>Families, Housing, Community Services and Indigenous Affairs and Other Legislation Amendment (Election Commitments and Other Measures) Act 2011</i> for the commencement of Schedule 5 to that Act.	28 June 2011
10. Schedule 2, item 9	Immediately after the time specified in the <i>Financial Framework Legislation Amendment Act 2005</i> for the commencement of item 242 of Schedule 1 to that Act.	22 February 2005
11. Schedule 2, items 10 and 11	The day this Act receives the Royal Assent.	29 June 2013
12. Schedule 2, item 12	Immediately after the time specified in the <i>Primary Industries Levies and Charges (Consequential Amendments) Act 1999</i> for the commencement of item 2 of Schedule 10 to that Act.	1 July 1999
13. Schedule 2, item 13	Immediately after the time specified in the <i>Social Security and Other Legislation Amendment (Disability Support Pension Participation Reforms) Act 2012</i> for the commencement of item 25 of Schedule 4 to that Act.	26 May 2012
14. Schedule 2, items 14 and 15	Immediately after the time specified in the <i>Stronger Futures in the Northern Territory (Consequential and Transitional Provisions) Act 2012</i> for the commencement of Schedule 2 to that Act.	16 July 2012
15. Schedule 2, item 16	Immediately after the time specified in the <i>Transport Legislation Amendment Act (No. 2) 1995</i> for the commencement of item 27 of the Schedule to that Act.	16 November 1995
16. Schedules 3 to 5	The day this Act receives the Royal Assent.	29 June 2013

**Schedule 1** Amendment of principal Acts  
**Part 1** Amendments commencing on Royal Assent

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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**

#### *Aboriginal Land Rights (Northern Territory) Act 1976*

##### **1 Subsection 22(1) (note 1)**

Omit “Note 1”, substitute “Note”.

Note: This item is consequential on item 2.

##### **2 Subsection 22(1) (note 2)**

Repeal the note.

Note: This item repeals a redundant note.

##### **3 Subsection 35(4A) (note 1)**

Omit “Note 1”, substitute “Note”.

Note: This item is consequential on item 4.

##### **4 Subsection 35(4A) (note 2)**

Repeal the note.

Note: This item repeals a redundant note.

##### **5 Subsection 35(6) (note 1)**

Omit “Note 1”, substitute “Note”.

Note: This item is consequential on item 6.

##### **6 Subsection 35(6) (note 2)**

Repeal the note.

Note: This item repeals a redundant note.

##### **7 Subsection 35(11) (note 1)**

Omit “Note 1”, substitute “Note”.

Note: This item is consequential on item 8.

##### **8 Subsection 35(11) (note 2)**

Repeal the note.

Note: This item repeals a redundant note.

## **9 Section 38**

Repeal the section.

Note: This item repeals a redundant section.

## **10 Subsection 64(4) (note)**

Repeal the note.

Note: This item repeals a redundant note.

## **11 Subsection 67B(7) (note 1)**

Omit “Note 1”, substitute “Note”.

Note: This item is consequential on item 12.

## **12 Subsection 67B(7) (note 2)**

Repeal the note.

Note: This item repeals a redundant note.

## **13 Subsection 77C(1)**

Omit “Part, 2”, substitute “Part 2”.

Note: This item fixes incorrect punctuation.

## ***Airports Act 1996***

### **14 Subsection 71A(3) (paragraph (b) of the definition of *community care facility*)**

Repeal the paragraph.

Note: This item repeals a redundant paragraph.

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

### **15 Subsection 3(1) (subparagraph (c)(ia) of the definition of *income tax refund*)**

Repeal the subparagraph.

Note: This item repeals a redundant subparagraph.

**16 Subsection 118(2)**

Omit “(other than a decision to which subsection (2A) applies)”.

Note: This item omits a redundant reference.

***Anti-Personnel Mines Convention Act 1998***

**17 Paragraph 8(1)(a)**

Omit “, or”, substitute “; or”.

Note: This item fixes incorrect punctuation.

***Australian Institute of Marine Science Act 1972***

**18 Section 46 (heading)**

Omit “**Air Accidents (Commonwealth Liability) Act**”, substitute “**the Air Accidents (Commonwealth Government Liability) Act 1963**”.

Note: This item updates a reference.

**19 Section 46**

Omit “*Air Accidents (Commonwealth Liability) Act 1963*”, substitute “*Air Accidents (Commonwealth Government Liability) Act 1963*”.

Note: This item updates a reference.

***Australian Meat and Live-stock Industry Act 1997***

**20 Subsection 11(4) (note)**

Omit “same offence”, substitute “same offence.”.

Note: This item fixes incorrect punctuation.

**21 Paragraph 63(1A)(f)**

Omit “paragraph”, substitute “paragraphs”.

Note: This item fixes a grammatical error.

**22 Subsection 70(3)**

Repeal the subsection.

Note: This item repeals a redundant subsection.

## ***Australian Security Intelligence Organisation Act 1979***

### **23 Section 34ZU**

Omit “warrant issued this Division”, substitute “warrant issued under this Division”.

Note: This item fixes a grammatical error.

## ***Broadcasting Services Act 1992***

### **24 Subsection 18A(4)**

Omit “paragraph 21(b)”, substitute “paragraph 21(1)(b)”.

Note: This item fixes an incorrect cross-reference.

### **25 Subparagraph 130ZVA(3)(a)(iii)**

Omit “*Category A subscription television entertainment services*”, substitute “*Category A subscription television movie services*”.

Note: This item replaces a reference to an incorrect concept with a reference to the concept that the section concerns.

### **26 Subparagraph 130ZVA(3)(a)(iv)**

Omit “*Category B subscription television entertainment services*”, substitute “*Category B subscription television movie service*”.

Note: This item replaces a reference to an incorrect concept with a reference to the concept that the section concerns and corrects a grammatical error.

### **27 Subparagraph 130ZW(3)(a)(iii)**

Omit “*Category A subscription television entertainment services*”, substitute “*Category A subscription television general entertainment services*”.

Note: This item replaces a reference to an incorrect concept with a reference to the concept that the section concerns.

### **28 Subparagraph 130ZW(3)(a)(iv)**

Omit “*Category B subscription television entertainment services*”, substitute “*Category B subscription television general entertainment services*”.

Note: This item replaces a reference to an incorrect concept with a reference to the concept that the section concerns.

***Broadcasting Services (Transitional Provisions and  
Consequential Amendments) Act 1992***

**29 Division 5 of Part 2 (heading)**

Repeal the heading.

Note: This item repeals a redundant heading.

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

**30 Division 3 of Part 12 (heading)**

Repeal the heading.

Note: This item removes a redundant Division heading.

***Clean Energy Act 2011***

**31 Subsections 64(1) and (3)**

Omit “natural gas” (first occurring), substitute “natural gas.”.

Note: This item fixes grammatical errors.

***Competition and Consumer Act 2010***

**32 Subparagraph 6(2)(b)(i)**

Omit “sections, 45”, substitute “sections 45”.

Note: This item fixes incorrect punctuation.

***Customs Tariff Act 1995***

**33 Subsections 19A(4) and (5)**

Omit “subsection (1), or (2)”, substitute “subsection (1) or (2)”.

Note: This item fixes incorrect punctuation.

***Defence Forces Retirement Benefits Act 1948***

**34 Paragraph 84E(3)(a)**

Omit “classified”, substitute “classified”.

Note: This item corrects a spelling error.

### ***Excise Act 1901***

#### **35 Paragraph 61C(3)(d)**

Omit “enter”, substitute “deliver for home consumption”.

Note: This item replaces a reference to a non-existent concept with a reference to the concept that the section concerns.

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

#### **36 Section 8 (heading)**

Omit “Authorized”, substitute “Authorised”.

Note: This item changes spelling, for consistency with current drafting practice.

#### **37 Subsections 8(1) and (2) and 11(2) and (3)**

Omit “authorized” (wherever occurring), substitute “authorised”.

Note: This item changes spelling, for consistency with current drafting practice.

#### **38 Section 14 (heading)**

Omit “authorized”, substitute “authorised”.

Note: This item changes spelling, for consistency with current drafting practice.

#### **39 Section 14**

Omit “authorized” (wherever occurring), substitute “authorised”.

Note: This item changes spelling, for consistency with current drafting practice.

#### **40 Subsection 15(1)**

Omit “authorized” (wherever occurring), substitute “authorised”.

Note: This item changes spelling, for consistency with current drafting practice.

#### **41 Subsection 15(2)**

Omit “authorized” (first and second occurring), substitute “authorised”.

Note: This item changes spelling, for consistency with current drafting practice.

#### **42 Subsection 15(2)**

Omit “authorizing”, substitute “authorising”.

Note: This item changes spelling, for consistency with current drafting practice.

**43 Subsection 15(2)**

Omit “authorized” (third and fourth occurring), substitute “authorised”.

Note: This item changes spelling, for consistency with current drafting practice.

**44 Subsection 15(3)**

Omit “authorizing”, substitute “authorising”.

Note: This item changes spelling, for consistency with current drafting practice.

**45 Subsections 15(3), (7), (8), (8B) and (9)**

Omit “authorized” (wherever occurring), substitute “authorised”.

Note: This item changes spelling, for consistency with current drafting practice.

**46 Application**

The amendments made by items 36 to 45 of this Schedule do not apply in relation to authorizations in force before the commencement of this item (whether or not they cease to be in force before the commencement of this item).

***Fair Work Act 2009***

**47 Paragraph 713(2)(c)**

Omit “document;”, substitute “document.”.

Note: This item fixes incorrect punctuation.

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

**48 Section 148 (note)**

Omit “Part 4 of Chapter 8”, substitute “Chapter 9”.

Note: This item fixes an incorrect cross-reference.

***Farm Household Support Act 1992***

**49 Subsection 3(1) (definition of *social security benefit*)**

Relocate the definition to its appropriate alphabetical position, determined on a letter-by-letter basis.

### ***Fisheries Management Act 1991***

#### **50 Subsection 4(1) (definition of *fish receiver permit*)**

Relocate the definition to its appropriate alphabetical position, determined on a letter-by-letter basis.

#### **51 Paragraph 48(1A)(a)**

Repeal the paragraph.

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

### ***Native Title Act 1993***

#### **52 Paragraph 203AE(7)(b)**

Repeal the paragraph.

Note: This item repeals a redundant paragraph.

#### **53 Paragraph 203AH(4)(b)**

Repeal the paragraph.

Note: This item repeals a redundant paragraph.

#### **54 Subsection 203DF(1) (note)**

Repeal the note.

Note: This item repeals a redundant note.

### ***Personal Property Securities Act 2009***

#### **55 Subsection 178(1) (note)**

Omit “Division 3”, substitute “Division 2”.

Note: This item fixes an incorrect cross-reference.

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

#### **56 Subsection 8(1) (note 1 at the end of the definition of *ordinary income*)**

Omit “subsection 10(1)”, substitute “section 10”.

Note: This item fixes an incorrect cross-reference.

**57 Subsection 23(10) (note 2)**

Repeal the note, substitute:

Note: For *ordinary waiting period* see subsection (1).

Note: This item fixes an incorrect cross-reference and a grammatical error in a note and renumbers the note.

**58 Paragraph 93WC(2)(aa)**

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

Note: This item omits a redundant conjunction.

**59 Subsection 552A(1)**

Omit “paragraph 552(b)”, substitute “paragraph 552(2)(b)”.

Note: This item fixes an incorrect cross-reference.

**60 Subsection 598(1) (note 4)**

Omit “subsection 23(10)”, substitute “subsection 23(10A)”.

Note: This item fixes an incorrect cross-reference.

**61 Subsection 680(3) (note 3)**

Omit “subsection 680(1)”, substitute “subsection 681(1)”.

Note: This item fixes an incorrect cross-reference.

**62 Subsection 680(3) (note 3)**

Omit “subsection 680(2)”, substitute “subsection 681(2)”.

Note: This item fixes an incorrect cross-reference.

***Superannuation Industry (Supervision) Act 1993***

**63 Subsection 29A(2)**

Omit:

Note 1: A failure to register the fund or trust may also lead to a breach of an RSE licence condition and possible loss of the RSE licence.
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substitute:

**Schedule 1** Amendment of principal Acts  
**Part 1** Amendments commencing on Royal Assent

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Note:	A failure to register the fund or trust may also lead to a breach of an RSE licence condition and possible loss of the RSE licence.
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Note: This item omits an unnecessary note number.

**64 Subsection 29VA(9) (the subsection (9) inserted by item 33 of Schedule 1 to the *Superannuation Legislation Amendment (Further MySuper and Transparency Measures) Act 2012*)**

Renumber as subsection (9A).

***Telecommunications (Interception and Access) Act 1979***

**65 Subsection 5(1) (subparagraph (ia)(ii) of the definition of *certifying officer*)**

Omit “section 8”, substitute “section 9”.

Note: This item fixes an incorrect cross-reference.

**66 Subsection 5(1) (definition of *member of the staff of the Independent Commissioner Against Corruption*)**

Omit “subsection 10(1)”, substitute “subsection 12(1)”.

Note: This item fixes an incorrect cross-reference.

**67 Subsection 5(1) (subparagraph (m)(ii) of the definition of *officer*)**

Omit “section 8”, substitute “section 9”.

Note: This item fixes an incorrect cross-reference.

**68 Subparagraph 39(2)(j)(ii)**

Omit “section 8”, substitute “section 9”.

Note: This item fixes an incorrect cross-reference.

***Veterans’ Entitlements Act 1986***

**69 Paragraph 45UUC(2)(aa)**

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

Note: This item omits a redundant conjunction.

**70 Paragraph 45UUC(2)(ab)**

Omit “pay;”, substitute “pay; and”.

Note: This item inserts a conjunction.

**71 Subsection 198GA(1) (note)**

Omit “subpoint SCH6-C8”, substitute “subpoint SCH6-C8(1)”.

Note: This item fixes an incorrect cross-reference.

**72 Subparagraph 199(c)(iii)**

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

Note: This item omits a redundant conjunction.

## **Part 2—Amendments commencing on 18 November 2012**

### ***Personal Property Securities Act 2009***

#### **73 Paragraph 8(1)(jc)**

Repeal the paragraph, substitute:

(jc) a charge created by section 5 of the *Loans Redemption and Conversion Act 1921*;

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

## **Part 3—Other amendments**

### *Customs Act 1901*

#### **74 Subsection 51A(1)**

Omit “under section Subdivision C”, substitute “under Subdivision C”.

Note: This item removes a redundant word.

#### **75 Subsection 112A(1)**

Omit “section section”, substitute “section”.

Note: This item removes a redundant word.

#### **76 Subsection 112A(3)**

Omit “section section”, substitute “section”.

Note: This item removes a redundant word.

## Schedule 2—Amendment of amending Acts

### *Aviation Transport Security Amendment (Air Cargo) Act 2011*

#### **1 Item 29 of Schedule 1**

After “accredited”, insert “air”.

Note: This item fixes a misdescribed amendment.

### *Clean Energy Legislation Amendment Act 2012*

#### **2 Item 47 of Schedule 2**

Repeal the item, substitute:

#### **47 Subsection 59(5)**

After “(3)”, insert “, (3A), (3B)”.

Note: This item fixes a misdescribed amendment and makes grammatical improvements.

#### **3 Item 49 of Schedule 2**

Repeal the item, substitute:

#### **49 Subsection 59(6)**

After “(3)”, insert “, (3A), (3B)”.

Note: This item fixes a misdescribed amendment and makes grammatical improvements.

#### **4 Item 63 of Schedule 2**

Repeal the item, substitute:

#### **63 Subsection 60(5)**

After “(3)”, insert “, (3A), (3B)”.

Note: This item fixes a misdescribed amendment and makes grammatical improvements.

#### **5 Item 65 of Schedule 2**

Repeal the item, substitute:

**65 Subsection 60(6)**

After “(3)”, insert “, (3A), (3B)”.

Note: This item fixes a misdescribed amendment and makes grammatical improvements.

***Corporations Amendment (Further Future of Financial  
Advice Measures) Act 2012***

**6 Item 25 of Schedule 1 (heading)**

Repeal the heading, substitute:

**25 Paragraph 965(1)(a)**

Note: This item fixes a misdescribed amendment.

***Corporations Legislation Amendment (Derivative  
Transactions) Act 2012***

**7 Item 42 of Schedule 1 (heading)**

Repeal the heading, substitute:

**42 Section 1324B**

Note: This item fixes a misdescribed amendment.

***Families, Housing, Community Services and Indigenous  
Affairs and Other Legislation Amendment  
(Election Commitments and Other Measures) Act  
2011***

**8 Item 17 of Schedule 5**

Repeal the item, substitute:

**17 Subparagraph 123YE(2)(c)(ii)**

Omit “or” (second occurring).

Note: This item fixes a misdescribed amendment.

***Financial Framework Legislation Amendment Act 2005***

**9 Item 242 of Schedule 1**

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

Note: This item fixes a misdescribed amendment.

***Personal Property Securities (Corporations and Other Amendments) Act 2010***

**10 Item 141 of Schedule 1**

Repeal the item.

Note: This item repeals a redundant item.

**11 Items 9, 10, 12 and 13 of Schedule 3**

Repeal the items.

Note: This item repeals items that amend sections that have been repealed.

***Primary Industries Levies and Charges (Consequential Amendments) Act 1999***

**12 Item 2 of Schedule 10 (heading)**

Repeal the heading, substitute:

**2 Paragraphs 63(1)(a), (b), (c), (d), (e), (f), (g) and (h)**

Note: This item fixes a misdescribed amendment.

***Social Security and Other Legislation Amendment (Disability Support Pension Participation Reforms) Act 2012***

**13 Item 25 of Schedule 4**

Repeal the item.

Note: This item repeals a redundant item.

***Stronger Futures in the Northern Territory (Consequential  
and Transitional Provisions) Act 2012***

**14 Item 14 of Schedule 2**

Omit “(15),”, substitute “(15)”.

Note: This item fixes a misdescribed amendment.

**15 Item 15 of Schedule 2**

Omit “(15),”, substitute “(15)”.

Note: This item fixes a misdescribed amendment.

***Transport Legislation Amendment Act (No. 2) 1995***

**16 Item 27 of the Schedule (heading)**

Omit “**5(1)(a) and (b)**”, substitute “**5(a) and (b)**”.

Note: This item fixes a misdescribed amendment.

## Schedule 3—Amendments relating to Acts of general Application

### Part 1—Acting appointments

#### *Australian Broadcasting Corporation Act 1983*

##### **1 Section 19 (note)**

Repeal the note, substitute:

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

##### **2 Subsection 20(1) (note)**

Repeal the note, substitute:

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

##### **3 Subsection 21(1) (note)**

Repeal the note, substitute:

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

##### **4 At the end of subsection 24G(1)**

Add:

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

##### **5 At the end of subsection 24G(2)**

Add:

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

##### **6 Subsection 24G(3)**

Repeal the subsection (including the note).

### ***Child Support (Registration and Collection) Act 1988***

#### **7 At the end of subsection 10A(1)**

Add:

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

#### **8 Subsection 10A(3)**

Repeal the subsection.

### ***Inspector-General of Taxation Act 2003***

#### **9 Section 29 (note)**

Repeal the note, substitute:

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

#### **10 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**

### ***Fisheries Levy Act 1984***

#### **11 Subsection 8(2)**

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

### ***Fisheries Management Act 1991***

#### **12 Subsection 168(3)**

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

## **Part 3—Disallowable instruments**

### *Aboriginal and Torres Strait Islander Act 2005*

#### **13 Subsections 4A(1) and (2)**

Omit “make a written determination”, substitute “, by legislative instrument, make a determination”.

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

Repeal the subsection.

#### **15 Subsection 142R(1C)**

Omit “disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instrument”.

#### **16 Subsection 143G(8)**

Repeal the subsection, substitute:

*Rules are a legislative instrument*

(8) Rules made under this section are a legislative instrument.

#### **17 Paragraphs 194(1)(b) and (c)**

Omit “, in writing, by the Minister”, substitute “by the Minister by legislative instrument”.

#### **18 Subsection 194(2)**

Repeal the subsection.

### *Aboriginal Land Grant (Jervis Bay Territory) Act 1986*

#### **19 Subsection 9A(1)**

Omit “declare in writing”, substitute “, by legislative instrument, declare”.

#### **20 Subsection 9A(4)**

Repeal the subsection.

***Administrative Appeals Tribunal Act 1975***

**21 Subsection 27B(1)**

Omit “determine, in writing,”, substitute “, by legislative instrument, determine”.

**22 Subsection 27B(3)**

Repeal the subsection.

***Anti-Personnel Mines Convention Act 1998***

**23 Subsection 8(3)**

Omit “writing”, substitute “legislative instrument”.

**24 Subsection 8(6)**

Repeal the subsection.

***Australian Broadcasting Corporation Act 1983***

**25 Subsection 83(2)**

After “Board may”, insert “, by legislative instrument,”.

**26 Subsection 83(4)**

Repeal the subsection.

***Australian Hearing Services Act 1991***

**27 Subsection 8(9)**

Omit “disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instrument”.

***Australian Meat and Live-stock Industry Act 1997***

**28 Paragraph 17(1)(a)**

Omit “make written orders”, substitute “by legislative instrument, make orders”.

**29 Subsections 18(1) and (2)**

After “Secretary may”, insert “, by legislative instrument”.

**30 Section 19**

Repeal the section.

**31 Subsection 57A(1)**

Omit “determine, in writing”, substitute “, by legislative instrument, determine”.

**32 Subsection 57A(5)**

Repeal the subsection.

***Australian Postal Corporation Act 1989***

**33 Subsection 30(2)**

Omit “section 48 of the *Acts Interpretation Act 1901*”, substitute “Part 5 of the *Legislative Instruments Act 2003*”.

***Broadcasting Services Act 1992***

**34 Subsection 8B(1)**

Omit “(1)”.

**35 Subsection 8B(1)**

Omit “in writing”, substitute “by legislative instrument”.

**36 Subsection 8B(2)**

Repeal the subsection.

**37 Subclause 8(2) of Schedule 5**

Omit “written”, substitute “legislative”.

**38 Subclause 8(3) of Schedule 5**

Repeal the subclause.

**39 Subclause 9(5) of Schedule 5**

Omit “written determination made by the Minister”, substitute  
“determination made by the Minister by legislative instrument”.

**40 Subclause 9(6) of Schedule 5**

Repeal the subclause.

**41 Subclause 40(5) of Schedule 5**

Omit “written”, substitute “legislative”.

**42 Subclause 40(7) of Schedule 5**

Repeal the subclause.

**43 Subclause 51(1) of Schedule 5**

Omit “written”, substitute “legislative”.

**44 Subclause 51(4) of Schedule 5**

Repeal the subclause.

**45 Subclause 58(1) of Schedule 5**

Omit “(1)”.

**46 Subclause 58(1) of Schedule 5**

Omit “written”, substitute “legislative”.

**47 Subclause 58(2) of Schedule 5**

Repeal the subclause.

**48 Subclause 68(2) of Schedule 5**

Omit “written”, substitute “legislative”.

**49 Subclause 68(4) of Schedule 5**

Repeal the subclause.

**50 Subclause 69(2) of Schedule 5**

Omit “written”, substitute “legislative”.

**51 Subclause 69(3) of Schedule 5**

Repeal the subclause.

**52 Subclause 70(3) of Schedule 5**

Omit “written”, substitute “legislative”.

**53 Subclause 70(5) of Schedule 5**

Repeal the subclause.

**54 Subclause 71(3) of Schedule 5**

Omit “written”, substitute “legislative”.

**55 Subclause 71(5) of Schedule 5**

Repeal the subclause.

**56 Subclause 74(1) of Schedule 5**

Omit “(1)”.

**57 Subclause 74(1) of Schedule 5**

Omit “written”, substitute “legislative”.

**58 Subclause 74(2) of Schedule 5**

Repeal the subclause.

**59 Subclause 75(1) of Schedule 5**

Omit “written”, substitute “legislative”.

**60 Subclause 75(3) of Schedule 5**

Repeal the subclause.

**61 Subclause 80(1) of Schedule 5**

Omit “make a written”, substitute “, by legislative instrument, make a”.

**62 Subclause 80(8) of Schedule 5**

Repeal the subclause.

**63 Subclauses 81(1) and (2) of Schedule 5**

Omit “written”, substitute “legislative”.

**64 Subclause 81(5) of Schedule 5**

Repeal the subclause.

**65 Subclauses 91(2), (4) and (5) of Schedule 5**

Omit “written”, substitute “legislative”.

**66 Subclause 91(7) of Schedule 5**

Repeal the subclause.

***Coal Research Assistance Act 1977***

**67 Subsection 8B(1)**

Omit “determine, in writing,”, substitute “, by legislative instrument, determine”.

**68 Subsection 8B(3)**

Repeal the subsection.

***Competition and Consumer Act 2010***

**69 Paragraph 87Y(2)(a)**

Omit “paragraph 48(1)(c) of the *Acts Interpretation Act 1901*”, substitute “subsection 38(1) of the *Legislative Instruments Act 2003*”.

**70 Paragraph 87Y(2)(b)**

Omit “paragraph”, substitute “subsection”.

**71 Subsections 151BUD(1) and (3)**

Omit “make a written”, substitute “, by legislative instrument, make a”.

**72 Subsection 151BUD(6)**

Repeal the subsection.

**73 Subsection 152CH(1)**

Omit “make a written”, substitute “, by legislative instrument, make a”.

**74 Subsection 152CH(2)**

Repeal the subsection.

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### ***Consular Privileges and Immunities Act 1972***

#### **75 Subsection 10A(4)**

Omit “disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instrument”.

### ***Crimes Act 1914***

#### **76 Paragraph 23YUF(1)(b)**

Omit “determines, in writing,”, substitute “, by legislative instrument, determines”.

#### **77 Subsection 23YUF(3)**

Repeal the subsection.

### ***Customs Act 1901***

#### **78 Subsection 64ACA(2) (notes 1 and 2)**

Repeal the notes, substitute:

Note 1: An approval, and a variation or revocation of an approval, is a legislative instrument: see subsection (10).

Note 2: An approval can be varied or revoked under subsection 33(3) of the *Acts Interpretation Act 1901*.

#### **79 Subsection 64ACA(10)**

Repeal the subsection, substitute:

##### *Legislative instruments*

(10) An approval of an electronic system for the purposes of subsection (2), or a variation or revocation of such an approval, is a legislative instrument.

#### **80 Subparagraphs 106G(1)(a)(i) and (ii)**

Omit “in writing”, substitute “by legislative instrument”.

#### **81 Subsection 106G(5)**

Repeal the subsection.

**82 Subsection 112(2AA)**

Omit “disallowable instrument within the meaning of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instrument”.

**83 Subsection 183UA(1) (note at the end of the definition of *Customs place*)**

Omit “for parliamentary disallowance of an instrument approving a place under paragraph (f) of the definition”, substitute “that an instrument approving a place under paragraph (f) of the definition is a legislative instrument”.

**84 Subsection 183UA(2)**

Omit “disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instrument”.

**85 Subsection 183UC(1)**

Omit “(1)”.

**86 Subsection 183UC(1)**

Omit “give directions in writing”, substitute “, by legislative instrument, give directions”.

**87 Subsection 183UC(2)**

Repeal the subsection.

**88 Subsection 219ZJE(1)**

Omit “(1)”.

**89 Subsection 219ZJE(1)**

Omit “give directions in writing”, substitute “, by legislative instrument, give directions”.

**90 Subsection 219ZJE(2)**

Repeal the subsection.

**91 Subsection 243XA(1)**

Omit “(1) The CEO must develop written”, substitute “The CEO must, by legislative instrument, develop”.

**92 Subsection 243XA(2)**

Repeal the subsection.

**93 Subparagraph 273B(1)(b)(ii)**

Omit “by-law; and”, substitute “by-law.”.

**94 Paragraph 273B(1)(c)**

Repeal the paragraph.

***Dairy Produce Act 1986***

**95 Clause 36 of Schedule 2 (heading)**

Repeal the heading, substitute:

**36 Scheme to be a legislative instrument**

**96 Clause 36 of Schedule 2**

Omit “disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instrument”.

**97 Clause 37Z of Schedule 2 (heading)**

Repeal the heading, substitute:

**37Z Scheme to be a legislative instrument**

**98 Clause 37Z of Schedule 2**

Omit “disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instrument”.

***Datacasting Charge (Imposition) Act 1998***

**99 Subsection 7(2)**

Omit “disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instrument”.

***Defence Service Homes Act 1918***

**100 Subsection 20(4)**

After “may”, insert “, by legislative instrument,”.

**101 Subsection 20(5)**

Repeal the subsection.

**102 Subsection 21(3)**

After “may”, insert “, by legislative instrument,”.

**103 Subsection 21(4)**

Repeal the subsection.

**104 Subsection 23(6)**

After “may”, insert “, by legislative instrument,”.

**105 Subsection 23(7)**

Repeal the subsection.

**106 Subsections 23A(3) and (6)**

Omit “make written”, substitute “, by legislative instrument, make”.

**107 Subsection 23A(7)**

Repeal the subsection.

***Diplomatic Privileges and Immunities Act 1967***

**108 Subsection 10B(4)**

Omit “disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instrument”.

***Environment Protection (Sea Dumping) Act 1981***

**109 Subsection 9(1)**

Omit “notice published in the *Gazette*”, substitute “legislative instrument”.

**110 Subsection 9(3)**

Repeal the subsection.

***Farm Household Support Act 1992***

**111 Subsections 52A(6), 52B(4) and 52C(4)**

Omit “disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instrument”.

**112 Subsection 53A(4)**

After “the Secretary may”, insert “, by legislative instrument,”.

**113 Subsection 53A(7)**

Repeal the subsection.

***Foreign Passports (Law Enforcement and Security) Act 2005***

**114 Subsection 24(2)**

Omit “disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instrument”.

***International Organisations (Privileges and Immunities) Act 1963***

**115 Subsection 11C(5)**

Omit “disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instrument”.

***Lands Acquisition Act 1989***

**116 Subsection 21(3)**

Omit “paragraph 48(1)(b) of the *Acts Interpretation Act 1901*”, substitute “subsection 12(1) of the *Legislative Instruments Act 2003*”.

**117 Paragraph 21(4)(a)**

Omit “subsection 48(4) of the *Acts Interpretation Act 1901*”, substitute “subsection 42(1) of the *Legislative Instruments Act 2003*”.

**118 Subsection 117(2)**

Omit “paragraph 48(1)(b) of the *Acts Interpretation Act 1901*”, substitute “subsection 12(1) of the *Legislative Instruments Act 2003*”.

**119 Paragraph 117(3)(a)**

Omit “subsection 48(4) of the *Acts Interpretation Act 1901*”, substitute “subsection 42(1) of the *Legislative Instruments Act 2003*”.

***Meat Inspection Act 1983***

**120 Subsection 37(3)**

Repeal the subsection, substitute:

(3) An order is a legislative instrument.

**121 Subsections 37(5) and (6)**

Repeal the subsections.

***National Environment Protection Council Act 1994***

**122 Section 21 (heading)**

Repeal the heading, substitute:

**21 National environment protection measures to be legislative instruments**

**123 Subsection 21(1)**

Omit “disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instrument”.

**124 Subsection 21(2)**

Omit “section 46A of the *Acts Interpretation Act 1901*”, substitute “the *Legislative Instruments Act 2003*”.

***Overseas Missions (Privileges and Immunities) Act 1995***

**125 Subsection 12A(5)**

Omit “disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instrument”.

***Parliamentary Service Act 1999***

**126 Subsection 83(1)**

After “may”, insert “, by legislative instrument,”.

**127 Subsection 83(8)**

Repeal the subsection.

***Pooled Development Funds Act 1992***

**128 Subsection 11(5)**

Omit “writing”, substitute “legislative instrument”.

**129 Subsection 11(6)**

Repeal the subsection.

**130 Subsection 41(3)**

Omit “writing”, substitute “legislative instrument”.

**131 Subsection 41(4)**

Repeal the subsection.

***Primary Industries and Energy Research and Development Act 1989***

**132 Subsection 150(3)**

Omit “disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instrument”.

***Primary Industries (Customs) Charges Act 1999***

**133 Subclause 3(4) of Schedule 8**

Omit “disallowable instruments for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instruments”.

**134 Subclause 12(4) of Schedule 14**

Omit “disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instrument”.

***Primary Industries (Excise) Levies Act 1999***

**135 Subclause 13(4) of Schedule 27**

Omit “disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instrument”.

***Radiocommunications Act 1992***

**136 Section 5 (definition of *Australian space object*)**

Omit “determines in writing”, substitute “, by legislative instrument, determines”.

**137 Section 5 (definition of *Australian space object*)**

Omit “A determination is a disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*.”.

**138 Subsection 7(5)**

Omit “disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instrument”.

**139 Subsection 10(3)**

Omit “disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instrument”.

**140 Subsection 10A(1)**

Omit “(1)”.

**141 Subsection 10A(1)**

Omit “make a written”, substitute “, by legislative instrument, make a”.

**142 Subsection 10A(2)**

Repeal the subsection.

**143 Paragraph 16(1)(ca)**

Omit “written”.

**144 Subsection 16(4)**

Omit “paragraph 16(1)(ca) is a disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “paragraph (1)(ca) is a legislative instrument”.

**145 Subsection 27(3)**

Omit “disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instrument”.

**146 Section 35 (heading)**

Repeal the heading, substitute:

**35 Plans are legislative instruments**

**147 Section 35**

Omit “disallowable instruments for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instruments”.

**148 Subsection 68(3)**

Omit “written”, substitute “legislative”.

**149 Subsection 68(4)**

Repeal the subsection.

**150 Subsection 88(1)**

Omit “determine, by written instrument,”, substitute “, by legislative instrument, determine”.

**151 Subsection 88(3)**

Repeal the subsection.

**152 Subsection 98(1)**

Omit “determine, by written instrument,” substitute “, by legislative instrument, determine”.

**153 Subsection 98(3)**

Repeal the subsection.

**154 Subsection 103(4B)**

Omit “disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instrument”.

**155 Subsection 106(16)**

Omit “disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instrument”.

**156 Paragraph 107(1)(f)**

Omit “determine, by written instrument,” substitute “, by legislative instrument, determine”.

**157 Subsection 107(4)**

Repeal the subsection.

**158 Paragraph 108A(1)(e)**

Omit “determines, by written instrument,” substitute “, by legislative instrument, determines”.

**159 Subsection 108A(3)**

Repeal the subsection.

**160 Subsection 112(1)**

Omit “written”, substitute “legislative”.

**161 Subsections 112(3) and (4)**

Repeal the subsections.

**162 Subsection 115(1)**

Omit “(1)”.

**163 Subsection 115(1)**

Omit “written”, substitute “legislative”.

**164 Subsection 115(2)**

Repeal the subsection.

**165 Subsection 131AC(1)**

Omit “(1)”.

**166 Subsection 131AC(1)**

Omit “determine, by written instrument”, substitute “, by legislative instrument, determine”.

**167 Subsection 131AC(2)**

Repeal the subsection.

**168 Section 139 (heading)**

Repeal the heading, substitute:

**139 Class licences are legislative instruments**

**169 Section 139**

Omit “disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instrument”.

**170 Subsection 153C(3)**

Omit “disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instrument”.

**171 Subsection 162(1)**

Omit “written”, substitute “legislative”.

**172 Section 165**

Repeal the section.

**173 Subsection 169(5)**

Omit “disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instrument”.

**174 Subsection 188A(12)**

Omit “disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instrument”.

**175 Section 229 (heading)**

Repeal the heading, substitute:

**229 Restrictive orders are legislative instruments**

**176 Section 229**

Omit “disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instrument”.

**177 Subsection 230(2)**

Omit “disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instrument”.

**178 Subsection 266(1)**

Omit “written”, substitute “legislative”.

**179 Subsections 266(3) and (4)**

Repeal the subsections.

**180 Subsection 266A(1)**

Omit “(1)”.

**181 Subsection 266A(1)**

Omit “determine, by instrument in writing,”, substitute “, by legislative instrument, determine”.

**182 Subsection 266A(2)**

Repeal the subsection.

**183 Subsection 300(5)**

Omit “disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instrument”.

***Radiocommunications (Receiver Licence Tax) Act 1983***

**184 Subsection 7(4)**

Omit “disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instrument”.

***Radiocommunications (Spectrum Licence Tax) Act 1997***

**185 Subsections 4(4) and 7(3)**

Omit “disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instrument”.

***Radiocommunications Taxes Collection Act 1983***

**186 Subsection 7A(2)**

Omit “disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instrument”.

***Radiocommunications (Transmitter Licence Tax) Act 1983***

**187 Subsection 7(4)**

Omit “disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instrument”.

***Space Activities Act 1998***

**188 Subsection 8B(1)**

Omit “develop written”, substitute “, by legislative instrument, develop”.

**189 Subsection 8B(3)**

Repeal the subsection.

### *Student Assistance Act 1973*

#### **190 Subsection 3(2A)**

Omit “disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instrument”.

#### **191 Subsection 5D(3)**

Omit “disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instrument”.

#### **192 Subsection 12C(3)**

Omit “determine in writing”, substitute “, by legislative instrument, determine”.

#### **193 Subsection 12C(4)**

Repeal the subsection.

#### **194 Subsection 43E(7) (heading)**

Repeal the heading, substitute:

*Notice is a legislative instrument*

#### **195 Subsection 43E(7)**

Omit “disallowable instrument for the purpose of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instrument”.

### *Sydney Harbour Federation Trust Act 2001*

#### **196 Subsection 64A(1)**

Omit “determine, in writing,”, substitute “, by legislative instrument, determine”.

#### **197 Subsection 64A(2)**

Repeal the subsection.

***Telecommunications Act 1997***

**198 Subsection 15(2)**

Omit “make a written”, substitute “, by legislative instrument, make a”.

**199 Subsection 15(3)**

Repeal the subsection.

**200 Subsections 23(2), (5) and (6)**

Omit “make a written”, substitute “, by legislative instrument, make a”.

**201 Subsection 23(8)**

Repeal the subsection.

**202 Subsection 29(1)**

Omit “written”, substitute “legislative”.

**203 Subsection 29(3)**

Repeal the subsection.

**204 Subsections 31(2) and (3)**

Omit “make a written”, substitute “, by legislative instrument, make a”.

**205 Subsection 31(4)**

Repeal the subsection.

**206 Subsection 31(5)**

Omit “make a written”, substitute “, by legislative instrument, make a”.

**207 Subsection 31(6)**

Repeal the subsection.

**208 Subsection 40(1)**

Omit “(1)”.

**209 Subsection 40(1)**

Omit “writing”, substitute “legislative instrument”.

**210 Subsection 40(2)**

Repeal the subsection.

**211 Subsection 44(7)**

Omit “disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instrument”.

**212 Subsection 51(1)**

Omit “written”, substitute “legislative”.

**213 Subsection 51(4)**

Repeal the subsection.

**214 Subsection 73(10) (heading)**

Repeal the heading, substitute:

*Legislative instrument*

**215 Subsection 73(10)**

Omit “disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instrument”.

**216 Subsection 87(4)**

Omit “written”, substitute “legislative”.

**217 Subsection 87(8)**

Omit “make a written”, substitute “, by legislative instrument, make a”.

**218 Subsection 87(9)**

Repeal the subsection.

**219 Subsection 88(6)**

Omit “disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instrument”.

**220 Subsection 95(1)**

Omit “written”, substitute “legislative”.

**221 Subsection 95(4)**

Repeal the subsection.

**222 Subsection 96(1)**

Omit “written”, substitute “legislative”.

**223 Subsection 96(4)**

Repeal the subsection.

**224 Subsection 99(1)**

Omit “make a written”, substitute “, by legislative instrument, make a”.

**225 Subsection 99(6)**

Repeal the subsection.

**226 Subsections 100(1) and (2)**

Omit “written”, substitute “legislative”.

**227 Subsection 100(5)**

Repeal the subsection.

**228 Subsection 123(2)**

Omit “written”, substitute “legislative”.

**229 Subsection 123(4)**

Repeal the subsection.

**230 Subsection 124(2)**

Omit “written”, substitute “legislative”.

**231 Subsection 124(3)**

Repeal the subsection.

**232 Subsection 125(3)**

Omit “written”, substitute “legislative”.

**233 Subsection 125(5)**

Repeal the subsection.

**234 Subsection 130(1)**

Omit “(1)”.

**235 Subsection 130(1)**

Omit “written”, substitute “legislative”.

**236 Subsection 130(2)**

Repeal the subsection.

**237 Subsection 131(1)**

Omit “written”, substitute “legislative”.

**238 Subsection 131(3)**

Repeal the subsection.

**239 Subsection 349(8)**

Omit “disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instrument”.

**240 Subsection 355(3)**

Omit “make a written”, substitute “, by legislative instrument, make a”.

**241 Subsection 355(4)**

Repeal the subsection.

**242 Subsection 367(4)**

Omit “disallowable instruments for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instruments”.

**243 Subsection 367(5)**

Omit “disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instrument”.

**244 Subsection 398(2)**

Omit “written”, substitute “legislative”.

**245 Subsection 398(6)**

Repeal the subsection.

**246 Subsection 404(1)**

Omit “written”, substitute “legislative”.

**247 Subsection 404(4)**

Repeal the subsection.

**248 Subsections 407(2) and 417(12)**

Omit “disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instrument”.

**249 Subsection 421(1)**

Omit “written”, substitute “legislative”.

**250 Subsection 421(6)**

Repeal the subsection.

**251 Subsection 432(5)**

Omit “disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instrument”.

**252 Subsection 439(1)**

Omit “written”, substitute “legislative”.

**253 Subsection 439(5)**

Repeal the subsection.

**254 Subsection 455(1)**

Omit “written”, substitute “legislative”.

**255 Subsection 455(11)**

Repeal the subsection.

**256 Subsection 462(7)**

Omit “disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instrument”.

**257 Subsection 468(11) (heading)**

Repeal the heading, substitute:

*Legislative instrument*

**258 Subsection 468(11)**

Omit “disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instrument”.

**259 Subsection 472(1)**

Omit “written”, substitute “legislative”.

**260 Subsection 472(6)**

Repeal the subsection.

**261 Subsections 475(8) and 476(8)**

Omit “disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instrument”.

**262 Subsection 480A(2)**

Omit “make a written”, substitute “, by legislative instrument, make a”.

**263 Subsection 480A(9)**

Repeal the subsection.

**264 Subclause 19(1) of Schedule 1**

Omit “make a written”, substitute “, by legislative instrument, make a”.

**265 Subclause 19(2) of Schedule 1**

Repeal the subclause.

**266 Subclause 27A(1) of Schedule 1**

Omit “written”, substitute “legislative”.

**267 Subclause 27A(6) of Schedule 1**

Repeal the subclause.

**268 Subclause 28(1) of Schedule 1**

Omit “make a written”, substitute “, by legislative instrument, make a”.

**269 Subclause 28(2) of Schedule 1**

Repeal the subclause.

**270 Subclause 29A(1) of Schedule 1**

Omit “written”, substitute “legislative”.

**271 Subclause 29A(8) of Schedule 1**

Repeal the subclause.

**272 Subclause 37(1) of Schedule 1**

Omit “written”, substitute “legislative”.

**273 Subclause 37(6) of Schedule 1**

Repeal the subclause.

**274 Subclause 13(10) of Schedule 2**

Omit “disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instrument”.

**275 Subclause 6(3) of Schedule 3**

Omit “written”, substitute “legislative”.

**276 Subclause 6(10) of Schedule 3**

Repeal the subclause.

**277 Subclause 15(1) of Schedule 3**

Omit “written”, substitute “legislative”.

**278 Subclause 15(7) of Schedule 3**

Repeal the subclause.

**279 Subclauses 44(4) and (5) of Schedule 3**

Omit “written”, substitute “legislative”.

**280 Subclause 44(7) of Schedule 3**

Repeal the subclause (not including the note).

**281 Subclause 46(1) of Schedule 3**

Omit “written”, substitute “legislative”.

**282 Subclause 46(8) of Schedule 3**

Repeal the subclause.

***Telecommunications (Consumer Protection and Service Standards) Act 1999***

**283 Subsection 8D(5)**

Omit “disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instrument”.

**284 Subsection 9B(2)**

Omit “determine in writing”, substitute “, by legislative instrument, determine”.

**285 Subsection 9B(4)**

Repeal the subsection.

**286 Subsection 11B(6)**

Omit “make a written”, substitute “, by legislative instrument, make a”.

**287 Subsection 11B(7)**

Repeal the subsection.

**288 Subsection 11C(1)**

Omit “determine in writing”, substitute “, by legislative instrument, determine”.

**289 Subsection 11C(3)**

Repeal the subsection.

**290 Subsection 12G(1)**

Omit “determine in writing”, substitute “, by legislative instrument, determine”.

**291 Subsection 12G(3)**

Repeal the subsection.

**292 Subsection 12Q(1)**

Omit “determine in writing”, substitute “, by legislative instrument, determine”.

**293 Subsection 12Q(3)**

Repeal the subsection.

**294 Subsection 13G(1)**

Omit “determine in writing”, substitute “, by legislative instrument, determine”.

**295 Subsection 13G(3)**

Repeal the subsection.

**296 Subsection 13N(1)**

Omit “determine in writing”, substitute “, by legislative instrument, determine”.

**297 Subsection 13N(3)**

Repeal the subsection.

**298 Subsection 14(1)**

Omit “determine in writing”, substitute “, by legislative instrument, determine”.

**299 Subsection 14(4)**

Repeal the subsection.

**300 Subsection 20A(3)**

Omit “disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instrument”.

**301 Subsection 20B(4)**

Omit “, other than a determination taken to have been made because of subsection (3), is a disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “is a legislative instrument”.

**302 Subsection 20C(3)**

Omit “disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instrument”.

**303 Subsection 20F(4)**

Omit “disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instrument”.

**304 Subsection 20P(1)**

Omit “determine in writing”, substitute “, by legislative instrument, determine”.

**305 Subsection 20P(4)**

Repeal the subsection.

**306 Subsection 20R(3)**

Omit “written determination”, substitute “legislative instrument”.

**307 Subsection 20R(4)**

Repeal the subsection.

**308 Subsection 20ZH(3)**

Omit “disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instrument”.

**309 Subsection 21C(4)**

Omit “determines in writing”, substitute “, by legislative instrument, determines”.

**310 Subsection 21C(5)**

Repeal the subsection.

**311 Subsection 21D(2)**

Omit “determine in writing”, substitute “, by legislative instrument, determine”.

**312 Subsection 21D(3)**

Repeal the subsection.

**313 Subsection 22C(4)**

Omit “disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instrument”.

**314 Subsection 22D(1)**

Omit “determine in writing”, substitute “, by legislative instrument, determine”.

**315 Subsection 22D(2)**

Repeal the subsection.

**316 Subsection 23D(8)**

Omit “disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instrument”.

**317 Subsection 94A(3)**

Omit “disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instrument”.

**318 Subsection 100(2A)**

Omit “written determination”, substitute “legislative instrument”.

**319 Subsection 100(2B)**

Repeal the subsection.

**320 Subsections 101A(8) and 101B(3)**

Omit “disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instrument”.

**321 Subsection 117(1)**

Omit “written”, substitute “legislative”.

**322 Subsection 117(6)**

Repeal the subsection.

**323 Subsection 118(6)**

Omit “disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instrument”.

**324 Subsection 124(4)**

Omit “disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instrument”.

**325 Subsection 125(6)**

Omit “disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instrument”.

**326 Subsection 137(1)**

Omit “make a written”, substitute “, by legislative instrument, make a”.

**327 Subsection 137(6)**

Repeal the subsection.

**328 Subsections 139(2), 140(2), 141(2), 142(2) and 147(7)**

Omit “disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instrument”.

**329 Subsection 150(1)**

Omit “(1) The Minister may make a written”, substitute “The Minister may, by legislative instrument, make a”.

**330 Subsection 150(2)**

Repeal the subsection.

**331 Subsection 154(2)**

Omit “disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instrument”.

**332 Subsection 155(1)**

Omit “determine in writing”, substitute “, by legislative instrument, determine”.

**333 Subsection 155(2)**

Repeal the subsection.

**334 Subsections 157(2) and 158H(2)**

Omit “disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instrument”.

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***Telecommunications (Numbering Charges) Act 1997***

**335 Subsections 13(2), 15(3), 20(2) and 22(3)**

Omit “disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instrument”.

***Venture Capital Act 2002***

**336 Subsections 11-5(2) and 15-5(2)**

Omit “disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*”, substitute “legislative instrument”.

**337 Subsection 25-5(4)**

After “may”, insert “, by legislative instrument,”.

**338 Subsection 25-5(7)**

Repeal the subsection.

**339 Subsection 25-10(4)**

After “may”, insert “, by legislative instrument,”.

**340 Subsection 25-10(7)**

Repeal the subsection.

**341 Subsection 25-15(4)**

After “may”, insert “, by legislative instrument,”.

**342 Subsection 25-15(7)**

Repeal the subsection.

**343 Saving—existing instruments**

To avoid doubt, the amendments made by this Part do not affect the validity of an instrument made before the commencement of this Part.

Note: The purpose of those amendments is to update the text of Acts that still refer to an instrument being a disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*, or that still provide for an instrument to be disallowed under Part XII of that Act, to reflect the legal position that the instrument is already a legislative instrument under paragraph 6(d) of the *Legislative Instruments Act 2003*.

## **Schedule 4—Repeal of obsolete provisions**

### **Part 1—Spent repeals and amendments**

#### *Aboriginal Land Grant (Jervis Bay Territory) Act 1986*

##### **1 Part VII**

Repeal the Part.

#### *Child Support (Assessment) Act 1989*

##### **2 Parts 10 to 13**

Repeal the Parts.

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

##### **3 Part IV**

Repeal the Part.

#### *Defence Force (Home Loans Assistance) Act 1990*

##### **4 Schedule 2**

Repeal the Schedule.

#### *Farm Household Support Act 1992*

##### **5 Part 11**

Repeal the Part.

##### **6 Schedule**

Repeal the Schedule.

#### *Higher Education Funding Act 1988*

##### **7 Divisions 6 to 8 of Part 4.4 of Chapter 4**

Repeal the Divisions.

**8 Divisions 1 to 3 of Part 4.5 of Chapter 4**

Repeal the Divisions.

**9 Division 5 of Part 4.5 of Chapter 4**

Repeal the Division.

**10 Sections 121 to 124**

Repeal the sections.

***Horticulture Marketing and Research and Development  
Services (Repeals and Consequential Provisions)  
Act 2000***

**11 Section 3**

Omit:

The *Australian Horticultural Corporation Act 1987* and the *Horticultural Research and Development Corporation Act 1987* are repealed once the assets, liabilities and staff of the bodies established by those Acts have been transferred to the new industry services body (see Schedule 1 to this Act).

substitute:

The *Australian Horticultural Corporation Act 1987* and the *Horticultural Research and Development Corporation Act 1987* are repealed once the assets, liabilities and staff of the bodies established by those Acts have been transferred to the new industry services body.

**12 Section 7**

Repeal the section.

**13 Schedules 1 to 4**

Repeal the Schedules.

***Housing Assistance Act 1978***

**14 Parts V and VI**

Repeal the Parts.

***Imported Food Control Act 1992***

**15 Part 5**

Repeal the Part.

***Industry Research and Development Act 1986***

**16 Part VI**

Repeal the Part.

***Patents Act 1990***

**17 Sections 229 and 230**

Repeal the sections.

**18 Schedule 2**

Repeal the Schedule.

***Pig Industry Act 2001***

**19 Section 3**

Repeal the section.

**20 Schedule 1**

Repeal the Schedule.

***Postal and Telecommunications Commissions (Transitional Provisions) Act 1975***

**21 Section 4**

Repeal the section.

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**22 Subsection 38(1)**

Repeal the subsection.

**23 Schedule 1**

Repeal the Schedule.

**24 Schedule 2**

Repeal the Schedule.

***Primary Industries and Energy Research and Development  
Act 1989***

**25 Subsections 156(1) and (2)**

Repeal the subsections.

**26 Section 157**

Repeal the section.

**27 Schedules 1 and 2**

Repeal the Schedules.

***Regional Forest Agreements Act 2002***

**28 Section 12**

Repeal the section.

**29 Schedule 1**

Repeal the Schedule.

***Rural Industries Research (Transitional Provisions and  
Consequential Amendments) Act 1985***

**30 Sections 11 and 12**

Repeal the sections.

**31 Schedules 2 and 3**

Repeal the Schedules.

***Wool International Privatisation Act 1999***

**32 Section 3**

Repeal the section.

**33 Subsection 7(1) (definition of *conversion time*)**

Omit “time when Schedule 2 commences”, substitute “beginning of 1 July 1999”.

**34 Schedules 1 and 2**

Repeal the Schedules.

***Wool Services Privatisation Act 2000***

**35 Schedule 1 (heading)**

Repeal the heading, substitute:

**Schedule 1—Transitional and savings**

**36 Part 1 of Schedule 1**

Repeal the Part.

## **Part 2—Spent provisions**

### ***Aboriginal Land Rights (Northern Territory) Act 1976***

#### **37 Subsections 70(2BA), (2BB), (2BC) and (2BD)**

Repeal the subsections.

### ***Crimes Act 1914***

#### **38 Division 12 of Part ID**

Repeal the Division.

### ***Postal and Telecommunications Commissions (Transitional Provisions) Act 1975***

#### **39 Section 38 (heading)**

Repeal the heading, substitute:

#### **38 Directions given by Registrar in Bankruptcy**

#### **40 Subsection 38(2)**

Repeal the subsection.

#### **41 Subsection 38(3)**

Omit “(3)”.

#### **42 Subsection 38(4)**

Repeal the subsection.

#### **43 Schedule 3**

Repeal the Schedule.

### ***Telecommunications Act 1997***

#### **44 Paragraph 6(1)(c) of Schedule 3**

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

**45 Paragraph 6(1)(d) of Schedule 3**

Repeal the paragraph.

**46 Subclause 6(8) of Schedule 3**

Omit “(1)(a), (c) and (d)”, substitute “(1)(a) and (c)”.

**47 Clause 49 of Schedule 3**

Repeal the clause.

## **Schedule 5—Repeal of obsolete Acts**

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

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

Repeal the Act.

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

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

Repeal the Act.

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*[Minister's second reading speech made in—  
House of Representatives on 20 March 2013  
Senate on 17 June 2013]*