Statute Law Revision Act (No. 1) 2015

No. 5, 2015

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 (No. 1) 2015

No. 5, 2015

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

[*Assented to 25 February 2015*]

The Parliament of Australia enacts:

1 Short title

This Act may be cited as the *Statute Law Revision Act (No. 1) 2015*.

2 Commencement

(1) Each provision of this Act specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	**Column 2**	**Column 3**
Provisions	**Commencement**	**Date/Details**
1. Sections 1 to 3 and anything in this Act not elsewhere covered by this table	The day this Act receives the Royal Assent.	25 February 2015
2. Schedule 1	The 28th day after this Act receives the Royal Assent.	25 March 2015
3. Schedule 2, item 1	Immediately after the time specified in the *Customs and AusCheck Legislation Amendment (Organised Crime and Other Measures) Act 2013* for the commencement of item 44 of Schedule 1 to that Act.	28 November 2013
4. Schedule 2, item 2	Immediately after the time specified in the *Family Assistance and Other Legislation Amendment Act 2013* for the commencement of item 21 of Schedule 2B to that Act.	28 June 2013
5. Schedule 2, item 3	Immediately after the time specified in the *Family Assistance and Other Legislation Amendment Act 2013* for the commencement of Division 3 of Part 4 of Schedule 3 to that Act.	28 June 2013
6. Schedule 2, items 4 and 5	Immediately after the time specified in the *Privacy Amendment (Enhancing Privacy Protection) Act 2012* for the commencement of Schedules 1 to 4 to that Act.	12 March 2014
7. Schedule 2, item 6	Immediately after the time specified in the *Privacy Amendment (Enhancing Privacy Protection) Act 2012* for the commencement of items 1 to 155 of Schedule 5 to that Act.	12 March 2014
8. Schedule 2,	Immediately after the time specified in the	1 July 2013

Commencement information		
Column 1	**Column 2**	**Column 3**
Provisions	**Commencement**	**Date/Details**
item 7	*Superannuation Legislation Amendment (Service Providers and Other Governance Measures) Act 2013* for the commencement of item 1 of Schedule 1 to that Act.	
9. Schedule 2, item 8	Immediately after the time specified in the *Veterans' Affairs Legislation Amendment (Military Compensation Review and Other Measures) Act 2013* for the commencement of Schedule 11 to that Act.	10 December 2013
10. Schedules 3 to 6	The 28th day after this Act receives the Royal Assent.	25 March 2015

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

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

3 Schedules

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

Schedule 1—Amendments of principal Acts

Aged Care (Transitional Provisions) Act 1997

1 Subsection 4-1(3) (note)

Omit “Part 3.1 3.1”, substitute “Part 3.1”.

Note: This item omits a redundant word.

Agricultural and Veterinary Chemicals Code Act 1994

2 Subsection 91(2A) of the Code set out in the Schedule

Omit “(1)”, substitute “(2)”.

Note: This item fixes an incorrect cross-reference.

3 Paragraph 109(c) of the Code set out in the Schedule

Omit “, 79A”.

Note: This item omits a redundant reference.

4 Section 131G of the Code set out in the Schedule

Omit “section 131G”, substitute “section 131F”.

Note: This item fixes an incorrect cross-reference.

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

5 Subparagraph 65KP(3)(a)(ii)

Omit “income year.”, substitute “income year;”.

Note: This item fixes a punctuation error.

Australian Aged Care Quality Agency Act 2013

6 Subsection 33(2)

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

Note: This item fixes an incorrect cross-reference.

Australian Education Act 2013

7 Subsection 78(1)

Omit "subparagraph 73(1)(b)(ii)", substitute "subparagraph 73(1)(b)(iii)".

Note: This item fixes an incorrect cross-reference.

Australian Postal Corporation Act 1989

8 Paragraphs 90J(6)(c) and 90LC(5)(c)

Omit "*Crime and Misconduct Act 2001* of Queensland", substitute "*Crime and Corruption Act 2001* of Queensland".

Note: This item amends provisions to refer to the new short title of a Queensland Act.

Broadcasting Services Act 1992

9 Subsection 6(1) (subparagraph (e)(i) of the definition of *associate*)

Omit "*Corporations Act 1990*", substitute "*Corporations Act 2001*".

Note: This item fixes an incorrect cross-reference to an Act.

Crimes Act 1914

10 Paragraph 15YM(1A)(c)

Omit "section;", substitute "section.".

Note: This item fixes a punctuation error.

Criminal Code Act 1995

11 Subsection 474.25B(2) of the *Criminal Code*

Omit "subsection 474.25A(1", substitute "subsection 474.25A(1)".

Note: This item fixes a typographical error.

Customs Act 1901

12 Subsection 183UA(1) (paragraph (f) of the definition of *authorised person*)

Reletter as paragraph (da).

Note: This item reletters a paragraph.

Customs Tariff Act 1995

13 Schedule 3 (subheading 3921.90.10, the description of goods in column 2)

Omit “laminiated”, substitute “laminated”.

Note: This item fixes a spelling error.

Data-matching Program (Assistance and Tax) Act 1990

14 Section 15A

Omit “subsection (11)(1)”, substitute “subsection 11(1)”.

Note: This item fixes a typographical error.

Defence Force Retirement and Death Benefits Act 1973

15 Paragraph 98B(5B)(a)

Omit all the words after “before the commencement of”, substitute “item 14 of Schedule 3 to the *Superannuation Legislation Amendment (Indexation) Act 2001*”.

Note: This item fixes an incorrectly cited cross-reference.

Excise Act 1901

16 Schedule I

Omit “19”, substitute “20”.

Note: This item fixes a citation error.

Great Barrier Reef Marine Park Act 1975

17 Subsection 66(12)

Omit "subsection (10)", substitute "subsection (11)".

Note: This item fixes an incorrect cross-reference.

Health Insurance Act 1973

18 Subsection 124W(1) (subparagraph (a)(iii) of the definition of *quality assurance activity*)

Omit "under the *Health Care (Appropriation) Act 1998*", substitute "under the former *Health Care (Appropriation) Act 1998*".

Note: This item clarifies that an Act being referred to has been repealed.

Industrial Chemicals (Notification and Assessment) Act 1989

19 Subsection 43(6)

Omit "approving a scheme under subsection (1)", substitute "approving a scheme under subsection (2)".

Note: This item fixes an incorrect cross-reference.

Insurance Acquisitions and Takeovers Act 1991

20 Subsection 47(1)

Omit "A a permanent", substitute "A permanent".

Note: This item fixes a grammatical error.

21 Subsection 61(1)

Omit "A a permanent", substitute "A permanent".

Note: This item fixes a grammatical error.

Insurance Act 1973

22 Subsection 3(1) (definition of *accounts*)

Omit "except in and Part VII", substitute "except in Part VII".

Note: This item fixes a grammatical error.

Interactive Gambling Act 2001

23 Subsection 61BF(3)

Omit "Corporations Law", substitute "*Corporations Act 2001*".

Note: This item fixes an incorrect citation of a short title of an Act.

Military Rehabilitation and Compensation Act 2004

24 Subsection 271(1) (note 1)

Omit "regulation 58F of".

Note: This item fixes an incorrect cross-reference.

25 Section 272 (heading)

Repeal the heading, substitute:

272 Compensation for members entitled to treatment under the Defence Force Regulations

Note: This item fixes an incorrect cross-reference.

26 Paragraph 272(c)

Omit "regulation 58F of".

Note: This item fixes an incorrect cross-reference.

27 Paragraph 272(e)

Omit "regulation 58F", substitute "the *Defence Force Regulations 1952*".

Note: This item fixes an incorrect cross-reference.

28 Section 279 (heading)

Repeal the heading, substitute:

279 Treatment for members entitled to treatment under the Defence Force Regulations

Note: This item fixes an incorrect cross-reference.

29 Paragraph 279(b)

Omit "regulation 58F of".

Note: This item fixes an incorrect cross-reference.

30 Paragraph 279(d)

Omit "regulation 58F", substitute "the *Defence Force Regulations 1952*".

Note: This item fixes an incorrect cross-reference.

31 Paragraph 345(2)(g)

Omit "regulation 58F of the Defence Force Regulations", substitute "the *Defence Force Regulations 1952*".

Note: This item fixes an incorrect cross-reference.

National Health Act 1953

32 Subsection 105AB(14)

Repeal the subsection.

Note: This item repeals a redundant subsection.

Offshore Petroleum and Greenhouse Gas Storage Act 2006

33 Subsection 782A(1) (example 2)

Omit "Example 2", substitute "Example 2:".

Note: This item corrects a punctuation error.

Personal Property Securities Act 2009

34 Subsection 294(2)

Omit "end of period", substitute "end of a period".

Note: This item fixes a grammatical error.

Privacy Act 1988

35 Subsection 50(1) (paragraph (e) of the definition of *alternative complaint body*)

Omit "Public Service Commissioner", substitute "Australian Public Service Commissioner".

Note: This item fixes a misstatement of a title of an office.

Radiocommunications Act 1992

36 Subparagraph 27(1)(bb)(ii)

Omit "Crime and Misconduct Commission", substitute "Crime and Corruption Commission".

Note: This item fixes a misstatement of a title of a body.

37 Subparagraph 27(1)(bb)(ii)

Omit "*Crime and Misconduct Act 2001* of Queensland", substitute "*Crime and Corruption Act 2001* of Queensland".

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

Remuneration Tribunal Act 1973

38 Paragraph 8(1)(a)

Omit ", (2)".

Note: This item omits a redundant reference.

Superannuation Industry (Supervision) Act 1993

39 Section 4 (table item 24)

Omit "facility to pay benefits to".

Note: This item updates a description of matters dealt with in a Part.

40 Section 4 (at the end of the table)

Add:

33	additional transitional provisions relating to MySuper
34	additional transitional provisions relating to eligible rollover funds

Note: This item adds a description of matters dealt with in 2 Parts.

41 Subsection 108A(3) (note)

Omit "account", substitute "account.".

Note: This item fixes a punctuation error.

Surveillance Devices Act 2004

42 Subparagraph 30(1)(a)(viii)

Omit “Division, 80”, substitute “Division 80”.

Note: This item fixes a punctuation error.

Workplace Gender Equality Act 2012

43 Subsection 3(1) (definition of *authority*)

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

Note: This item relocates a definition to its appropriate position.

44 Subsection 3(1) (definition of *discrimination*)

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

Note: This item relocates a definition to its appropriate position.

Schedule 2—Amendments of amending Acts

Customs and AusCheck Legislation Amendment (Organised Crime and Other Measures) Act 2013

1 Item 44 of Schedule 1 (heading)

Repeal the heading, substitute:

44 After paragraph 273GA(1)(b)

Note: This item fixes a misdescribed amendment.

Family Assistance and Other Legislation Amendment Act 2013

2 Item 21 of Schedule 2B

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

Note: This item fixes a misdescribed amendment.

3 Item 98 of Schedule 3

Omit “an”, substitute “the”.

Note: This item fixes a misdescribed amendment.

Privacy Amendment (Enhancing Privacy Protection) Act 2012

4 Item 102 of Schedule 4

Omit “Public Service Commissioner”, substitute “Australian Public Service Commissioner”.

Note: This item fixes a misdescribed amendment.

5 Item 103 of Schedule 4

Omit “Public Service Commissioner”, substitute “Australian Public Service Commissioner”.

Note: This item fixes a misdescribed amendment.

6 Item 71 of Schedule 5 (heading)

Repeal the heading, substitute:

71 Paragraph 73(1)(b)

Note: This item fixes a misdescribed amendment.

Superannuation Legislation Amendment (Service Providers and Other Governance Measures) Act 2013

7 Item 1 of Schedule 1

Omit "fund for the purposes", substitute "fund for the purpose".

Note: This item fixes a misdescribed amendment.

Veterans' Affairs Legislation Amendment (Military Compensation Review and Other Measures) Act 2013

8 Item 12 of Schedule 11

Omit:

> (b) of managing the provision of compensation and rehabilitation provided as a result of making claims of that kind.

substitute:

> (b) of managing the provision of compensation and rehabilitation provided as a result of the making of claims of that kind.

Note: This item fixes a misdescribed amendment.

Schedule 3—Terminology changes

Part 1—Changing servant to employee

Aboriginal and Torres Strait Islander Act 2005

1 Section 199 (heading)

Repeal the heading, substitute:

199 Conduct of directors, employees and agents

2 Subsections 199(1) and (2)

Omit “servant” (wherever occurring), substitute “employee”.

3 Paragraph 199(3)(a)

Omit “a servant”, substitute “an employee”.

4 Paragraph 199(3)(b)

Omit “servant”, substitute “employee”.

5 Subsection 199(4)

Omit “a servant”, substitute “an employee”.

Aboriginal and Torres Strait Islander Heritage Protection Act 1984

6 Section 25 (heading)

Repeal the heading, substitute:

25 Body corporate responsible for acts of employees and agents

7 Subsections 25(1) and (2)

Omit “servant”, substitute “employee”.

Aboriginal Land (Lake Condah and Framlingham Forest) Act 1987

8 Subsections 37(1) and (2)

Omit “servant” (wherever occurring), substitute “employee”.

Aboriginal Land Rights (Northern Territory) Act 1976

9 Section 77B (heading)

Repeal the heading, substitute:

77B Conduct by director, employees or agents

10 Subsections 77B(1) and (2)

Omit “servant” (wherever occurring), substitute “employee”.

Administrative Decisions (Judicial Review) Act 1977

11 Subsection 3(1) (definition of *duty*)

Omit “a servant”, substitute “an officer or employee”.

Agricultural and Veterinary Chemicals (Administration) Act 1992

12 Section 69EU (heading)

Repeal the heading, substitute:

69EU Conduct by directors, employees and agents

13 Paragraph 69EU(1)(a)

Omit “servant”, substitute “employee”.

14 Subparagraph 69EU(1)(b)(ii)

Omit “a servant”, substitute “an employee”.

15 Paragraphs 69EU(3)(a) and (b)

Omit “a servant”, substitute “an employee”.

Agricultural and Veterinary Chemicals Code Act 1994

16 Section 151 of the Code set out in the Schedule (heading)

Repeal the heading, substitute:

151 Conduct by directors, employees and agents

17 Paragraph 151(1)(a) of the Code set out in the Schedule

Omit "servant", substitute "employee".

18 Subparagraph 151(1)(b)(ii) of the Code set out in the Schedule

Omit "a servant", substitute "an employee".

19 Paragraphs 151(3)(a) and (b) of the Code set out in the Schedule

Omit "a servant", substitute "an employee".

Air Accidents (Commonwealth Government Liability) Act 1963

20 Paragraph 14(2)(a)

Omit "a servant", substitute "an employee".

Aircraft Noise Levy Collection Act 1995

21 Section 16 (heading)

Repeal the heading, substitute:

16 Conduct by directors, employees and agents

22 Paragraph 16(1)(a)

Omit "servant", substitute "employee".

23 Subparagraph 16(1)(b)(ii)

Omit "a servant", substitute "an employee".

24 Paragraphs 16(3)(a) and (b)

Omit “a servant”, substitute “an employee”.

Air Navigation Act 1920

25 Section 24A (heading)

Repeal the heading, substitute:

24A Conduct by directors, employees and agents

26 Paragraphs 24A(1)(a) and (b)

Omit “servant”, substitute “employee”.

27 Subsection 24A(2)

Omit “servant”, substitute “employee”.

28 Paragraph 24A(3)(a)

Omit “a servant”, substitute “an employee”.

29 Paragraph 24A(3)(b)

Omit “servant”, substitute “employee”.

30 Subsection 24A(4)

Omit “a servant”, substitute “an employee”.

Australian Grape and Wine Authority Act 2013

31 Section 44A (heading)

Repeal the heading, substitute:

44A Conduct by directors, employees or agents

32 Subsections 44A(1) and (2)

Omit “servant” (wherever occurring), substitute “employee”.

33 Paragraph 44A(3)(a)

Omit “a servant”, substitute “an employee”.

34 Paragraph 44A(3)(b)

Omit “servant”, substitute “employee”.

35 Subsection 44A(4)

Omit “a servant”, substitute “an employee”.

Australian Institute of Aboriginal and Torres Strait Islander Studies Act 1989

36 Section 47 (heading)

Repeal the heading, substitute:

47 Conduct of directors, employees and agents

37 Paragraphs 47(1)(a) and (b)

Omit “servant”, substitute “employee”.

38 Subsection 47(2)

Omit “servant”, substitute “employee”.

39 Paragraph 47(3)(a)

Omit “a servant”, substitute “an employee”.

40 Paragraph 47(3)(b)

Omit “servant”, substitute “employee”.

41 Subsection 47(4)

Omit “a servant”, substitute “an employee”.

Australian Security Intelligence Organisation Act 1979

42 Subsections 93(5) and (6)

Omit “servant” (wherever occurring), substitute “employee”.

Banking Act 1959

43 Section 69C (heading)

Repeal the heading, substitute:

69C Conduct of directors, employees and agents

44 Paragraph 69C(3)(a)

Omit “a servant”, substitute “an employee”.

45 Paragraph 69C(3)(b)

Omit “servant”, substitute “employee”.

46 Subsection 69C(4)

Omit “a servant”, substitute “an employee”.

Chemical Weapons (Prohibition) Act 1994

47 Section 9 (heading)

Repeal the heading, substitute:

9 Conduct by directors, employees and agents

48 Subsections 9(1) and (2)

Omit “servant” (wherever occurring), substitute “employee”.

49 Paragraph 9(3)(a)

Omit “a servant”, substitute “an employee”.

50 Paragraph 9(3)(b)

Omit “servant”, substitute “employee”.

51 Paragraph 9(4)(a)

Omit “a servant”, substitute “an employee”.

52 Paragraph 9(4)(a)

Omit “the servant”, substitute “the employee”.

53 Paragraph 9(4)(b)

Omit “a servant”, substitute “an employee”.

54 Paragraph 9(4)(b)

Omit “the servant”, substitute “the employee”.

Civil Aviation Act 1988

55 Paragraph 28BE(3)(a)

Omit “servants”, substitute “employees”.

56 Section 97A (heading)

Repeal the heading, substitute:

97A Conduct by directors, employees and agents

57 Subsections 97A(1) and (2)

Omit “servant” (wherever occurring), substitute “employee”.

58 Paragraph 97A(3)(a)

Omit “a servant”, substitute “an employee”.

59 Paragraph 97A(3)(b)

Omit “servant”, substitute “employee”.

60 Subsection 97A(4)

Omit “a servant”, substitute “an employee”.

Criminal Code Act 1995

61 Dictionary in the *Criminal Code* (definition of *employee*)

Repeal the definition.

Customs Act 1901

62 Paragraph 96A(7)(b)

Omit “a servant”, substitute “an employee”.

63 Section 257 (heading)

Repeal the heading, substitute:

257 Conduct by directors, employees or agents

64 Subsections 257(1) and (2)

Omit “servant” (wherever occurring), substitute “employee”.

65 Subsection 257(3)

Omit “a servant” (wherever occurring), substitute “an employee”.

66 Paragraph 257(4)(a)

Omit “a servant”, substitute “an employee”.

67 Paragraph 257(4)(a)

Omit “the servant”, substitute “the employee”.

68 Paragraph 257(4)(b)

Omit “a servant”, substitute “an employee”.

69 Paragraph 257(4)(b)

Omit “the servant”, substitute “the employee”.

Disability Discrimination Act 1992

70 Section 123 (heading)

Repeal the heading, substitute:

123 Conduct by directors, employees and agents

71 Subsections 123(1) and (2)

Omit “servant” (wherever occurring), substitute “employee”.

72 Paragraph 123(3)(a)

Omit “a servant”, substitute “an employee”.

73 Paragraph 123(3)(b)

Omit “servant”, substitute “employee”.

74 Subsection 123(4)

Omit “a servant”, substitute “an employee”.

Excise Act 1901

75 Paragraph 61D(7)(b)

Omit “a servant”, substitute “an employee”.

76 Section 145A (heading)

Repeal the heading, substitute:

145A Conduct by directors, employees or agents

77 Subsections 145A(1) and (2)

Omit “servant” (wherever occurring), substitute “employee”.

78 Subsection 145A(3)

Omit “a servant” (wherever occurring), substitute “an employee”.

79 Paragraph 145A(4)(a)

Omit “a servant”, substitute “an employee”.

80 Paragraph 145A(4)(a)

Omit “the servant”, substitute “the employee”.

81 Paragraph 145A(4)(b)

Omit “a servant”, substitute “an employee”.

82 Paragraph 145A(4)(b)

Omit “the servant”, substitute “the employee”.

Financial Transaction Reports Act 1988

83 Section 34 (heading)

Repeal the heading, substitute:

34 Conduct by directors, employees or agents

84 Subsections 34(1) and (2)

Omit “servant” (wherever occurring), substitute “employee”.

85 Subsection 34(3)

Omit “a servant” (wherever occurring), substitute “an employee”.

86 Paragraphs 34(4)(a) and (b)

Omit “a servant”, substitute “an employee”.

87 Paragraph 34(4)(b)

Omit “the servant”, substitute “the employee”.

Hazardous Waste (Regulation of Exports and Imports) Act 1989

88 Section 59 (heading)

Repeal the heading, substitute:

59 Conduct of directors, employees and agents

89 Subsections 59(1) and (2)

Omit “servant” (wherever occurring), substitute “employee”.

90 Paragraph 59(3)(a)

Omit “a servant”, substitute “an employee”.

91 Paragraph 59(3)(b)

Omit “servant”, substitute “employee”.

92 Subsection 59(4)

Omit “a servant”, substitute “an employee”.

Imported Food Control Act 1992

93 Section 33 (heading)

Repeal the heading, substitute:

33 Conduct by directors, employees and agents

94 Subsections 33(1) and (2)

Omit “servant” (wherever occurring), substitute “employee”.

95 Paragraph 33(3)(a)

Omit “a servant”, substitute “an employee”.

96 Paragraph 33(3)(b)

Omit “servant”, substitute “employee”.

97 Subsection 33(4)

Omit “a servant”, substitute “an employee”.

Industrial Chemicals (Notification and Assessment) Act 1989

98 Section 109 (heading)

Repeal the heading, substitute:

109 Conduct by employees or agents

99 Paragraph 109(3)(a)

Omit “a servant”, substitute “an employee”.

100 Paragraph 109(3)(b)

Omit “servant”, substitute “employee”.

101 Subsection 109(4)

Omit “a servant”, substitute “an employee”.

Insurance Acquisitions and Takeovers Act 1991

102 Section 76 (heading)

Repeal the heading, substitute:

76 Conduct by directors, employees and agents

103 Subsections 76(1) and (2)

Omit "servant" (wherever occurring), substitute "employee".

104 Paragraph 76(3)(a)

Omit "a servant", substitute "an employee".

105 Paragraph 76(3)(b)

Omit "servant", substitute "employee".

106 Subsection 76(4)

Omit "a servant", substitute "an employee".

Interstate Road Transport Act 1985

107 Section 47A (heading)

Repeal the heading, substitute:

47A Conduct of directors, employees and agents

108 Subsections 47A(1) and (2)

Omit "servant" (wherever occurring), substitute "employee".

109 Paragraph 47A(3)(a)

Omit "a servant", substitute "an employee".

110 Paragraph 47A(3)(b)

Omit "servant", substitute "employee".

111 Subsection 47A(4)

Omit "a servant", substitute "an employee".

Life Insurance Act 1995

112 Section 250 (heading)

Repeal the heading, substitute:

250 Conduct by directors, employees and agents

113 Subsections 250(1) and (2)

Omit “servant” (wherever occurring), substitute “employee”.

114 Paragraph 250(3)(a)

Omit “a servant”, substitute “an employee”.

115 Paragraph 250(3)(b)

Omit “servant”, substitute “employee”.

116 Subsection 250(4)

Omit “a servant”, substitute “an employee”.

Migration Act 1958

117 Section 493 (heading)

Repeal the heading, substitute:

493 Conduct of directors, employees and agents

118 Subsections 493(1) and (2)

Omit “servant” (wherever occurring), substitute “employee”.

119 Paragraph 493(3)(a)

Omit “a servant”, substitute “an employee”.

120 Paragraph 493(3)(b)

Omit “servant”, substitute “employee”.

121 Subsection 493(4)

Omit “a servant”, substitute “an employee”.

Motor Vehicle Standards Act 1989

122 Section 36 (heading)

Repeal the heading, substitute:

36 Conduct by directors, employees and agents

123 Subsections 36(1) and (2)

Omit "servant" (wherever occurring), substitute "employee".

124 Paragraph 36(3)(a)

Omit "a servant", substitute "an employee".

125 Paragraph 36(3)(b)

Omit "servant", substitute "employee".

126 Subsection 36(4)

Omit "a servant", substitute "an employee".

National Health Act 1953

127 Section 134E (heading)

Repeal the heading, substitute:

134E Conduct by directors, employees or agents

128 Subsections 134E(1) and (2)

Omit "servant" (wherever occurring), substitute "employee".

129 Subsection 134E(3)

Omit "a servant" (wherever occurring), substitute "an employee".

130 Paragraphs 134E(4)(a) and (b)

Omit "a servant", substitute "an employee".

131 Paragraph 134E(4)(b)

Omit "the servant", substitute "the employee".

Nuclear Non-Proliferation (Safeguards) Act 1987

132 Section 5 (heading)

Repeal the heading, substitute:

5 Conduct by directors, employees or agents

133 Subsections 5(1) and (2)

Omit “servant” (wherever occurring), substitute “employee”.

134 Subsection 5(3)

Omit “a servant” (wherever occurring), substitute “an employee”.

135 Paragraphs 5(4)(a) and (b)

Omit “a servant”, substitute “an employee”.

136 Paragraph 5(4)(b)

Omit “the servant”, substitute “the employee”.

Ozone Protection and Synthetic Greenhouse Gas Management Act 1989

137 Section 65 (heading)

Repeal the heading, substitute:

65 Conduct by directors, employees and agents

138 Subsections 65(1) and (2)

Omit “servant” (wherever occurring), substitute “employee”.

139 Paragraph 65(3)(a)

Omit “a servant”, substitute “an employee”.

140 Paragraph 65(3)(b)

Omit “servant”, substitute “employee”.

141 Subsection 65(4)

Omit “a servant”, substitute “an employee”.

Petroleum Excise (Prices) Act 1987

142 Section 11 (heading)

Repeal the heading, substitute:

11 Conduct by directors, employees or agents

143 Subsections 11(1) and (2)

Omit “servant” (wherever occurring), substitute “employee”.

144 Subsection 11(3)

Omit “a servant” (wherever occurring), substitute “an employee”.

145 Paragraphs 11(4)(a) and (b)

Omit “a servant”, substitute “an employee”.

146 Paragraph 11(4)(b)

Omit “the servant”, substitute “the employee”.

Plant Breeder’s Rights Act 1994

147 Section 76 (heading)

Repeal the heading, substitute:

76 Conduct by directors, employees and agents

148 Subsections 76(1) and (2)

Omit “servant” (wherever occurring), substitute “employee”.

149 Paragraph 76(3)(a)

Omit “a servant”, substitute “an employee”.

150 Paragraph 76(3)(b)

Omit “servant”, substitute “employee”.

151 Subsection 76(4)

Omit “a servant”, substitute “an employee”.

Primary Industries Levies and Charges Collection Act 1991

152 Section 25 (heading)

Repeal the heading, substitute:

25 Conduct of directors, employees and agents

153 Subsections 25(1) and (2)

Omit “servant” (wherever occurring), substitute “employee”.

154 Paragraph 25(3)(a)

Omit “a servant”, substitute “an employee”.

155 Paragraph 25(3)(b)

Omit “servant”, substitute “employee”.

156 Paragraphs 25(4)(a) and (b)

Omit “a servant”, substitute “an employee”.

157 Paragraph 25(4)(b)

Omit “the servant”, substitute “the employee”.

Proceeds of Crime Act 1987

158 Section 85 (heading)

Repeal the heading, substitute:

85 Conduct by directors, employees or agents

159 Subsections 85(1) and (2)

Omit “servant” (wherever occurring), substitute “employee”.

160 Subsection 85(3)

Omit “a servant” (wherever occurring), substitute “an employee”.

161 Paragraphs 85(4)(a) and (b)

Omit “a servant”, substitute “an employee”.

162 Paragraph 85(4)(b)

Omit “the servant”, substitute “the employee”.

Protection of the Sea (Prevention of Pollution from Ships) Act 1983

163 Subsection 4(3)

Omit “servant”, substitute “officer, employee”.

164 Subsections 28(5) and (6)

Omit “servant” (wherever occurring), substitute “employee”.

Radiocommunications Act 1992

165 Section 306 (heading)

Repeal the heading, substitute:

306 Conduct by directors, employees and agents

166 Subsections 306(1) and (2)

Omit “servant” (wherever occurring), substitute “employee”.

167 Paragraph 306(3)(a)

Omit “a servant”, substitute “an employee”.

168 Paragraph 306(3)(b)

Omit “servant”, substitute “employee”.

169 Subsection 306(4)

Omit “a servant”, substitute “an employee”.

Sea Installations Act 1987

170 Section 66 (heading)

Repeal the heading, substitute:

66 Conduct by directors, employees or agents

171 Subsections 66(1) and (2)

Omit “servant” (wherever occurring), substitute “employee”.

172 Subsection 66(3)

Omit “a servant” (wherever occurring), substitute “an employee”.

173 Paragraphs 66(4)(a) and (b)

Omit “a servant”, substitute “an employee”.

174 Paragraph 66(4)(b)

Omit “the servant”, substitute “the employee”.

South Pacific Nuclear Free Zone Treaty Act 1986

175 Section 5 (heading)

Repeal the heading, substitute:

5 Conduct by directors, employees or agents

176 Subsections 5(1) and (2)

Omit “servant” (wherever occurring), substitute “employee”.

177 Subsection 5(3)

Omit “a servant” (wherever occurring), substitute “an employee”.

178 Paragraphs 5(4)(a) and (b)

Omit “a servant”, substitute “an employee”.

179 Paragraph 5(4)(b)

Omit “the servant”, substitute “the employee”.

Student Assistance Act 1973

180 Subsections 50(1) and (2)

Omit “servant” (wherever occurring), substitute “employee”.

Superannuation Act 1976

181 Subsections 167AA(1) and (2)

Omit “servant” (wherever occurring), substitute “employee”.

Superannuation (Resolution of Complaints) Act 1993

182 Section 66 (heading)

Repeal the heading, substitute:

66 Conduct by directors, employees and agents

183 Subsections 66(1) and (2)

Omit “servant” (wherever occurring), substitute “employee”.

184 Paragraph 66(3)(a)

Omit “a servant”, substitute “an employee”.

185 Paragraph 66(3)(b)

Omit “servant”, substitute “employee”.

186 Subsection 66(4)

Omit “a servant”, substitute “an employee”.

Sydney Airport Curfew Act 1995

187 Section 25 (heading)

Repeal the heading, substitute:

25 Conduct by directors, employees and agents

188 Subsections 25(1) and (2)

Omit “servant” (wherever occurring), substitute “employee”.

189 Paragraph 25(3)(a)

Omit “a servant”, substitute “an employee”.

190 Paragraph 25(3)(b)

Omit “servant”, substitute “employee”.

191 Subsection 25(4)

Omit “a servant”, substitute “an employee”.

Taxation Administration Act 1953

192 Section 8ZD (heading)

Repeal the heading, substitute:

8ZD Conduct by employees or agents of corporations

193 Subsection 8ZD(1)

Omit “a servant”, substitute “an employee”.

194 Paragraphs 8ZD(2)(a) and (b)

Omit “servant”, substitute “employee”.

Therapeutic Goods Act 1989

195 Section 55 (heading)

Repeal the heading, substitute:

55 Conduct by directors, employees and agents

196 Subsections 55(1) and (2)

Omit “servant” (wherever occurring), substitute “employee”.

197 Paragraph 55(3)(a)

Omit “a servant”, substitute “an employee”.

198 Paragraph 55(3)(b)

Omit “servant”, substitute “employee”.

199 Subsection 55(4)

Omit “a servant”, substitute “an employee”.

Tobacco Advertising Prohibition Act 1992

200 Section 32 (heading)

Repeal the heading, substitute:

32 Conduct by directors, employees and agents

201 Subsections 32(1) and (2)

Omit “servant” (wherever occurring), substitute “employee”.

202 Paragraph 32(3)(a)

Omit “a servant”, substitute “an employee”.

203 Paragraph 32(3)(b)

Omit “servant”, substitute “employee”.

204 Subsection 32(4)

Omit “a servant”, substitute “an employee”.

Torres Strait Fisheries Act 1984

205 Section 53A (heading)

Repeal the heading, substitute:

53A Conduct by directors, employees or agents of bodies corporate

206 Subsections 53A(1) and (2)

Omit “servant” (wherever occurring), substitute “employee”.

Weapons of Mass Destruction (Prevention of Proliferation) Act 1995

207 Section 15 (heading)

Repeal the heading, substitute:

15 Conduct by directors, employees and agents

208 Subsections 15(1) and (2)

Omit "servant" (wherever occurring), substitute "employee".

209 Paragraph 15(3)(a)

Omit "a servant", substitute "an employee".

210 Paragraph 15(3)(b)

Omit "servant", substitute "employee".

211 Subsection 15(4)

Omit "a servant", substitute "an employee".

Part 2—Gender-specific language

Acts Interpretation Act 1901

212 Paragraph 16A(b)

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

213 Subsections 34C(3), (4) and (5)

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

214 Paragraph 34C(6)(a)

After “he”, insert “or she”.

215 Paragraph 34C(6)(a)

After “his”, insert “or her”.

216 Paragraphs 34C(6)(c) and (7)(b)

After “he”, insert “or she”.

Defence Act 1903

217 Subsections 9(2) and (3)

After “he”, insert “or she”.

218 Paragraph 9C(b)

After “his”, insert “or her”.

219 Subsection 50(3)

After “him”, insert “or her”.

220 Subsection 50(3)

After “he”, insert “or she”.

221 Subsection 50(4)

After “him”, insert “or her”.

222 Section 58E

After “his”, insert “or her”.

223 Subsection 58U(2)

After “he”, insert “or she”.

224 Section 58V

After “his”, insert “or her”.

225 Section 58V

After “him”, insert “or her”.

226 Paragraph 58X(b)

After “his”, insert “or her”.

227 Subsection 61B(1)

After “he”, insert “or she”.

228 Subsections 61B(1) and (2)

After “himself”, insert “or herself”.

229 Subsection 61B(2)

After “he”, insert “or she”.

230 Paragraph 63(1)(f)

After “him”, insert “or her”.

231 Paragraphs 70(a) and (b) and 79(1)(c)

After “his”, insert “or her”.

232 Subsection 79(1)

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

233 Paragraph 79(1A)(a)

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

234 Paragraph 79(1A)(a)

After “him”, insert “or her”.

235 Paragraph 79(1A)(a)

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

236 Paragraph 79(1A)(b)

After “his”, insert “or her”.

237 Subsections 80B(2) and (4)

After “himself”, insert “or herself”.

238 Subsection 82(4)

After “he”, insert “or she”.

239 Subsection 82(4)

Omit “him”, substitute “the person”.

240 Subsection 116A(3)

After “he”, insert “or she”.

241 Paragraphs 116B(1)(a) and (b)

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

242 Paragraph 116B(1)(b)

After “he”, insert “or she”.

243 Subsection 116B(2)

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

244 Subsection 116B(4)

After “he”, insert “or she”.

245 Subsection 116B(4)

After “his”, insert “or her”.

246 Subsection 116C(1)

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

247 Subsection 116C(3)

After “him”, insert “or her”.

248 Subsection 116D(2)

After “he”, insert “or she”.

249 Subsection 116E(3)

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

250 Subsection 116E(3)

After “himself”, insert “or herself”.

251 Subsection 116E(3)

After “his”, insert “or her”.

252 Section 116F

After “him”, insert “or her”.

253 Section 116F

After “his”, insert “or her”.

254 Subsection 116G(1)

After “himself”, insert “or herself”.

255 Subsection 116G(2)

After “him”, insert “or her”.

256 Paragraph 116G(2)(b)

After “his”, insert “or her”.

257 Subsection 116G(3)

After “him”, insert “or her”.

258 Subsection 116G(3)

After “he”, insert “or she”.

259 Subsection 116G(4)

After “him”, insert “or her”.

260 Subsection 116H(1)

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

261 Subsection 116K(1)

After “his”, insert “or her”.

262 Subsection 116M(1)

After “him”, insert “or her”.

263 Subsection 116M(1)

After “his”, insert “or her”.

264 Paragraphs 116M(2)(a) and (b)

After “his”, insert “or her”.

265 Subsection 116R(1)

After “him”, insert “or her”.

266 Subsection 116R(1)

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

267 Subsection 116U(2)

After “his”, insert “or her”.

268 Subsection 116V(2)

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

269 Paragraph 116V(2)(b)

After “his”, insert “or her”.

270 Subsection 116V(3)

After “him”, insert “or her”.

271 Subsection 116W(1)

After “he”, insert “or she”.

272 Paragraph 116W(2)(a)

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

273 Paragraph 116W(2)(a)

After “his”, insert “or her”.

274 Paragraph 116W(2)(b)

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

275 Subsection 116W(3)

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

276 Paragraph 116W(3)(a)

After “he”, insert “or she”.

277 Paragraph 116W(3)(b)

After “his”, insert “or her”.

278 Subsection 116W(3)

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

279 Subsection 116W(4)

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

280 Paragraph 116W(4)(a)

After “he”, insert “or she”.

281 Paragraph 116W(4)(b)

After “his”, insert “or her”.

282 Subsection 116W(4)

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

283 Subsections 116X(2) and (3)

After “he”, insert “or she”.

284 Paragraph 116ZD(2)(q)

After “he”, insert “or she”.

285 Subsection 118A(1)

After “him”, insert “or her”.

286 Subsection 118A(2)

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

287 Subsection 118A(2)

After “him” (first occurring), insert “the employee”.

288 Subsection 118A(2)

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

289 Subsection 118A(2)

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

290 Subsection 118A(2)

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

291 Subsection 118A(3)

After “he”, insert “or she”.

292 Subsection 118A(4)

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

293 Subsection 118A(4)

After “him”, insert “or her”.

294 Sections 120 and 123B

After “his”, insert “or her”.

295 Paragraph 124(3)(a)

After “he”, insert “or she”.

Schedule 4—Veterans' Entitlements Act improvements

Part 1—Signposting definitions

Veterans' Entitlements Act 1986

1 Section 5

Repeal the section, substitute:

5 Definitions—simplified outline

> Sections 5A to 11B contain definitions of terms that are used in this Act.
>
> Subsection 5Q(1) contains an entry for each expression that is defined for the purposes of this Act. That subsection is like a Dictionary.
>
> The entry is either an actual definition of the expression or a signpost definition that identifies the provision that defines the expression.
>
> Many other sections in this Part contain the actual definitions relating to a particular topic. For example, sections 6 to 6F deal with operational service and section 5H contains income test definitions.

2 Section 5Q (heading)

Repeal the heading, substitute:

5Q Dictionary

3 Subsection 5Q(1)

Insert:

Aboriginal study assistance scheme: see subsection 5F(1).

accommodation bond: see subsection 5L(1).

accommodation bond balance: see subsection 5L(1).

accommodation charge: see subsection 5L(1).

acting commissioner: see section 5A.

Acting Deputy President: see section 5A.

Acting President: see section 5A.

actual value: see subsection 5MC(4).

adjusted income: see subsection 5H(1).

adopted child: see subsection 5F(1).

aged care resident: see subsection 5NC(5).

allied country: see subsection 5C(1).

allied mariner: see subsection 5C(1).

allied veteran: see subsections 5C(1) and 5R(2).

allotted for duty in an operational area: see subsection 5B(2).

amount of rent paid or payable: see subsections 5N(6) and (7).

approved deposit fund: see subsection 5J(1).

approved exchange trading system: see subsection 5H(11).

asset: see subsections 5L(1), (3B), (3BA), (3C) and (3D).

asset-tested income stream (long term): see subsection 5J(1).

asset-tested income stream (short term): see subsection 5J(1).

asset-test exempt income stream: see sections 5JA, 5JB and 5JBA.

ATO small superannuation account: see subsection 5J(1).

Australian mariner: see subsection 5C(1).

Australian resident: see section 5G.

available money: see subsection 5H(1).

average weekly earnings in relation to a lump sum preclusion period: see subsection 5NB(1).

blinded in an eye: see subsection 5D(3).

board when used in the expression ***board and lodging***: see subsection 5N(1).

British nuclear test defence service: see subsection 68(1).

Chairperson: see subsection 5AB(1).

child: see subsection 5F(1).

child of a veteran or ***child of a deceased veteran***: see section 10.

combined couple rate of minimum pension supplement: see subsection 5GA(2).

combined couple rate of pension supplement: see subsection 5GA(1).

commencement day in relation to an income stream: see subsection 5J(1).

Commission: see section 5A.

commissioner: see section 5A.

Commonwealth country: see subsection 5C(1).

Commonwealth veteran: see subsection 5C(1).

compensation: see subsection 5NB(2) and section 59O.

compensation affected pension: see subsection 5NB(1).

compensation part in relation to a lump sum compensation payment: see subsection 5NB(1).

compensation payer: see subsection 5NB(1).

continuous full-time service: see subsections 5C(1) and 5R(1).

Convener: see subsection 5AB(1).

councillor: see subsection 5AB(1).

current figure: see subsection 5NA(1).

dad and partner pay: see subsection 5H(1).

daily accommodation contribution: see subsection 5L(1).

daily accommodation payment: see subsection 5L(1).

deductible amount in relation to a defined benefit income stream for a year: see subsection 5J(1).

de facto relationship: see section 11A.

defence-caused death: see sections 70 and 71.

defence-caused disease: see sections 70 and 71.

defence-caused injury: see sections 70 and 71.

Defence Force: see subsection 5C(1).

defence force established by a Commonwealth country: see subsection 5C(1).

defence force established by an allied country: see subsections 5C(1) and (3) and 5R(2).

defence service: see subsection 68(1).

deferred annuity: see subsection 5J(1).

deferred payment amount in relation to a sale leaseback agreement: see subsections 5MB(6), (7) and (8).

defined benefit income stream: see subsection 5J(1E).

dependant in relation to a veteran (including a veteran who has died): see section 11.

dependent child: see subsections 5F(1) and (2).

deposit money: see subsection 5H(1).

deprived asset: see subsection 5J(2B).

Deputy President: see section 5A.

disability expenses maintenance: see section 5K.

disease: see subsection 5D(1).

disposes of assets: see subsection 5L(10) and section 52E.

disposes of ordinary income: see section 48.

domestic payment: see subsection 5H(3).

earned, derived or received: see subsection 5H(2).

eligible civilian: see subsection 5C(1).

eligible descendant: see subsection 5P(1).

eligible former partner of a qualifying farmer: see subsection 5P(2).

eligible former partner of a qualifying sugarcane farmer: see subsection 5PAA(2).

eligible interest:
(a) in a sugarcane farm—see subsection 5PAA(5); or
(b) in a relevant sugarcane farm asset—see subsection 5PAA(6).

eligible war service: see section 7.

enemy: see subsection 5C(1).

entry contribution in relation to a special resident: see section 52M.

event that gives rise to a person's entitlement to compensation: see subsection 5NB(11).

exchange trading system: see subsection 5H(10).

exempt lump sum: see subsection 5H(12).

family law affected income stream: see section 5JC.

family member: see subsection 5L(1).

family tax benefit: see subsection 5F(1).

farm: see subsection 5P(1).

farm enterprise: see subsection 5P(1).

financial asset: see subsection 5J(1).

financial investment: see subsections 5J(1) and (2C).

fishing operations: see subsection 5L(1).

fishing vessel: see subsection 5C(1).

foreign superannuation fund: see subsection 5L(1).

foreign superannuation pension: see subsection 5L(1).

forest operations: see subsection 5L(1).

former refugee: see subsection 5C(1).

friendly society: see subsection 5J(1).

FTB child: see subsection 5F(1).

funeral investment: see subsection 5PC(3).

governing rules in relation to an income stream: see subsection 5J(1).

government-in-exile: see subsection 5C(1).

Government rent: see subsections 5N(1), (4) and (5).

granny flat interest: see subsection 5MA(2).

granny flat resident: see subsection 5MA(3).

hazardous service: see subsection 68(1).

holder in relation to a visa: see subsection 5G(1).

holder of a seniors health card: see subsection 5PB(2).

home equity conversion agreement: see subsections 5H(1) and (7).

illness separated couple: see subsection 5R(5).

in a care situation: see subsection 5NC(2).

incapacity from a defence-caused disease: see subsection 5D(2).

incapacity from a defence-caused injury: see subsection 5D(2).

incapacity from a war-caused disease: see subsection 5D(2).

incapacity from a war-caused injury: see subsection 5D(2).

income: see subsection 5H(1).

income amount: see subsection 5H(1).

income stream: see subsections 5J(1) and (1F).

index number: see subsections 5NA(1), (2) and (3).

ineligible property owner: see subsection 5N(1).

in gaol: see subsection 55(4).

initial payment amount in relation to a sale leaseback agreement: see subsections 5MB(4) and (5).

injury: see subsection 5D(1).

in respite care: see subsection 5NC(8).

instalment of parental leave pay: see subsection 5H(1).

insurer who is, under a contract of insurance, liable to indemnify: see subsection 5NB(12).

investment:

(a) in relation to a superannuation fund, approved deposit fund or deferred annuity—see subsection 5J(6); or

(b) in relation to an ATO small superannuation account—see subsection 5J(6A); or

(c) in relation to an FHSA (within the meaning of the *First Home Saver Accounts Act 2008*)—see subsection 5J(6B).

investor in relation to an ATO small superannuation account: see subsection 5J(1).

life expectancy: see subsection 5J(1).

listed security: see subsection 5J(1).

loan: see subsections 5J(2) and (2A).

lump sum preclusion period: see subsections 59Q(3) to (8).

maintenance: see section 5K.

maintenance income: see section 5K.

managed investment: see subsections 5J(1A), (1B) and (1C).

maximum Part A rate of family tax benefit: see subsection 5F(1).

member: see subsection 5AB(1).

member of a couple: see subsections 5E(2), (3), (4) and (4A) and 5R(3).

member of an ordinary couple with different principal homes: see subsection 5M(2).

member of a Peacekeeping Force: see subsection 68(1).

member of a unit of the Defence Force: see subsections 5C(1) and 5R(1).

member of the Defence Force: see subsections 5C(1) and (2).

member of the Forces: see subsection 68(1).

member of the Interim Forces: see subsection 5C(1).

minimum pension supplement amount: see subsection 5GA(3).

non-illness separated spouse: see subsection 5E(1).

non-warlike service: see subsection 5C(1).

operational area: see subsection 5B(1).

operational service: see sections 6 to 6F.

ordinary income: see subsection 5H(1) and section 46.

original family law affected income stream: see section 5JC.

parent: see section 10A.

partner: see subsection 5E(1).

partnered: see paragraph 5E(5)(a).

partnered (partner getting benefit): see paragraph 5E(5)(e).

partnered (partner getting neither pension nor benefit): see paragraph 5E(5)(b).

partnered (partner getting pension): see paragraph 5E(5)(d).

partnered (partner getting pension or benefit): see paragraph 5E(5)(c).

peacekeeping service: see subsection 68(1).

pension supplement basic amount: see subsection 5GA(4).

pension year: see subsections 5L(9) and (9A).

periodic amount: see subsection 5H(13).

periodic payments period: see subsection 5NB(1).

period of hostilities: see subsection 5B(1).

permanent visa: see subsection 5G(1).

personally providing community-based care: see subsection 5NC(4).

potential compensation payer: see subsection 5NB(1).

President: see section 5A.

primary FLA income stream: see section 5JC.

primary producer: see subsection 5L(1).

primary production: see subsection 5L(1).

principal home: see section 5LA.

prohibited relationship: see subsections 5E(6) and (7).

property owner: see subsection 5L(4).

proprietary company: see subsection 5P(1).

psychiatric confinement: see subsections 55(5) and (6).

public unit trust: see subsection 5J(1).

purchase price in relation to an income stream: see subsection 5J(1).

qualifying farmer: see subsections 5P(3) and (4).

qualifying interest:
(a) in a farm—see subsection 5P(5); or
(b) in a relevant farm asset—see subsection 5P(6).

qualifying service: see section 7A.

qualifying sugarcane farmer: see subsections 5PAA(3) and (4).

RASF closing day: see section 49M.

RASF commencement day: see section 49M.

reasonable security of tenure: see subsection 5LA(10).

receives compensation: see subsection 5NB(10).

receiving community-based care: see subsection 5NC(3).

refugee: see subsection 5C(4).

refundable deposit: see subsection 5L(1).

refundable deposit balance: see subsection 5L(1).

registered medical practitioner: see subsection 5AB(1).

regular care child: see subsection 5F(1).

reinstated pensioner: see section 11AA.

relates to service: see subsections (1B) and (1C).

relevant farm asset: see subsection 5P(1).

relevant number in relation to an income stream: see subsection 5J(1).

relevant State land law: see subsection 5P(1).

relevant sugarcane farm asset: see subsection 5PAA(1).

rent: see section 5N.

residential care charge: see subsection 5N(1).

residual capital value in relation to an income stream: see subsections 5J(1) and (9).

respite care couple: see subsection 5R(6).

retirement savings account: see subsection 5J(1).

retirement village: see subsections 5M(3) and (4).

retirement village resident: see subsection 5M(5).

return:

(a) in relation to an ATO small superannuation account—see subsection 5J(1); or

(b) in relation to an investment in an FHSA (within the meaning of the *First Home Saver Accounts Act 2008*)—see subsection 5J(1); or

(c) in relation to any other investment (including an investment in the nature of superannuation)—see subsection 5J(1).

Review Council: see subsection 5AB(1).

sale leaseback agreement: see subsections 5MB(2) and (3).

sale leaseback home: see subsection 5MB(9).

sale leaseback resident: see subsections 5MB(10) and (11).

secondary FLA income stream: see subsection 5J(1).

sound medical-scientific evidence in relation to a particular kind of injury, disease or death: see subsection 5AB(2).

special category visa: see subsection 5G(1).

special mission: see subsection 5C(1).

special purpose visa: see subsection 5G(1).

special residence: see subsection 5MC(2).

special resident: see subsection 5MC(3).

step-child: see subsection 5F(1).

step-parent: see subsection 5F(1).

sugarcane farm: see subsection 5PAA(1).

sugarcane farm enterprise: see subsection 5PAA(1).

superannuation benefit: see subsection 5J(1).

superannuation contributions surcharge: see subsection 5J(1).

superannuation fund: see subsection 5J(1).

tax-exempt pension supplement: see subsections 5GA(5) and (6).

total net value: see section 49R.

transfer:

(a) in relation to an eligible interest in a sugarcane farm—see subsections 5PAA(7), (8), (10), (11) and (12); or

(b) in relation to an eligible interest in a relevant sugarcane farm asset—see subsections 5PAA(9), (11) and (12); or

(c) in relation to a qualifying interest in a farm—see subsections 5P(7), (8), (10) and (11); or

(d) in relation to a qualifying interest in a relevant farm asset—see subsections 5P(9) and (11).

unit of the Defence Force: see subsection 5C(1).

unlisted public security: see subsection 5J(1).

unrealisable asset: see subsections 5L(11) and (12).

value of a charge or encumbrance on an asset: see subsection 5L(3).

value of a liability: see subsection 5L(3A).

value of a particular asset: see subsection 5L(2).

veteran: see subsection 5C(1).

war-caused death: see sections 8 and 9A.

war-caused disease: see sections 9 and 9A.

war-caused injury: see sections 9 and 9A.

warlike service: see subsection 5C(1).

war to which this Act applies: see subsection 5B(1).

war widow: see subsection 5E(1).

war widower: see subsection 5E(1).

wholly dependent partner: see subsection 5E(1).

widow: see subsection 5E(1).

widower: see subsection 5E(1).

World War 1: see subsections 5B(1) and (3).

World War 2: see subsections 5B(1) and (3).

Part 2—Technical corrections

Veterans' Entitlements Act 1986

4 Subsection 5C(1) (at the end of the definition of *allied veteran*)

Add:

Note: See also subsection 5R(2).

Note: This item inserts a note to provide navigational assistance.

5 Subsection 5C(1) (note at the end of the definition of *continuous full-time service*)

Omit "see", substitute "See".

Note: This item fixes a typographical error.

6 Subsection 5C(1) (notes 1 and 2 at the end of the definition of *defence force established by an allied country*)

Omit "for", substitute "For".

Note: This item fixes typographical errors.

7 Subsection 5C(1) (note at the end of the definition of *member of a unit of the Defence Force*)

Omit "see", substitute "See".

Note: This item fixes a typographical error.

8 Subsection 5C(1) (at the end of the definition of *member of the Defence Force*)

Add:

Note: See also subsection (2).

Note: This item inserts a note to provide navigational assistance.

9 Subsection 5C(3) (note)

Omit "for", substitute "For".

Note: This item fixes a typographical error.

10 Subsection 5D(2) (note)

Omit "for", substitute "For".

Note: This item fixes a typographical error.

11 Subsection 5E(2) (note 1)

Omit "for", substitute "For".

Note: This item fixes a typographical error.

12 Subsection 5E(2) (notes 3 and 4)

Omit "subsection", substitute "Subsection".

Note: This item fixes typographical errors.

13 Subsection 5E(4) (note)

Omit "subsection", substitute "Subsection".

Note: This item fixes a typographical error.

14 Subsection 5H(1) (definition of *approved exchange trading system*)

Omit "subsection 5H(11)", substitute "subsection (11)".

Note: This item omits a redundant reference to the section number of which the definition and subsection both form part.

15 Subsection 5H(1) (definition of *exchange trading system*)

Omit "subsection 5H(10)", substitute "subsection (10)".

Note: This item omits a redundant reference to the section number of which the definition and subsection both form part.

16 Subsection 5H(1)

Insert:

> ***exempt lump sum*** has the meaning given by subsection (12).

Note: This item inserts a signpost definition to provide navigational assistance.

17 Subsection 5H(1) (note at the end of the definition of *home equity conversion agreement*)

Omit "see", substitute "See".

Note: This item fixes a typographical error.

18 Subsection 5H(1) (note 2 at the end of the definition of *income*)

Omit "where", substitute "Where".

Note: This item fixes a typographical error.

19 Subsection 5H(1) (note 3 at the end of the definition of *income*)

Omit "amounts of", substitute "Amounts of".

Note: This item fixes a typographical error.

20 Subsection 5H(1) (note 1 at the end of the definition of *ordinary income*)

Omit "for", substitute "For".

Note: This item fixes a typographical error.

21 Paragraph 5H(8)(f) (note)

Omit "however", substitute "However".

Note: This item fixes a typographical error.

22 Paragraph 5H(8)(i) (notes 1 and 2)

Omit "for", substitute "For".

Note: This item fixes typographical errors.

23 Paragraph 5H(8)(q) (note)

Omit "these", substitute "These".

Note: This item fixes a typographical error.

24 Subsection 5J(1)

Insert:

> ***deprived asset*** has the meaning given by subsection (2B).

Note: This item inserts a signpost definition to provide navigational assistance.

25 Subsection 5J(1) (note at the end of the definition of *financial asset*)

Omit "subsection 5J(2B)", substitute "subsection (2B)".

Note: This item omits a redundant reference to the section number of which the definition and subsection both form part.

26 Subsection 5J(1)

Insert:

> ***loan*** has a meaning affected by subsections (2) and (2A).

Note: This item inserts a signpost definition to provide navigational assistance.

27 Paragraphs 5J(1B)(d), (e), (f) and (g) (notes)

Repeal the notes.

Note: This item is consequential on item 28.

28 At the end of subsection 5J(1B)

Add:

Note 1: For paragraph (d), see paragraph (1C)(a) for superannuation investments held before pension age is reached.

Note 2: For paragraph (e), see paragraph (1C)(b) for investments in approved deposit funds held before pension age is reached.

Note 3: For paragraph (f), see paragraph (1C)(c) for deferred annuities held before pension age is reached.

Note 4: For paragraph (g), see paragraph (1C)(ca) for investments in ATO small superannuation accounts held before pension age is reached.

Note: This item relocates various notes and corrects typographical errors.

29 Subsection 5J(1C) (notes 1 and 2)

Omit "for", substitute "For".

Note: This item fixes typographical errors.

30 Paragraph 5JA(2)(h) (notes 1 to 2)

Repeal the notes.

Note: This item is consequential on item 31.

31 At the end of subsection 5JA(2)

Add:

Note: For paragraph (h), ***hardship amount***, ***life expectancy period*** and ***non-commutation funded income stream*** are defined in subsection (7) and ***asset-test exempt income stream*** is defined in section 5J.

Note: This item relocates various notes and makes the form of the replacement note more consistent with other notes in the section.

32 Paragraph 5JB(1A)(aa) (note)

Repeal the note.

Note: This item is consequential on item 33.

33 After subsection 5JB(1A) (before the note)

Insert:

Note 1: For paragraph (aa), ***reversionary partner*** is defined in subsection (7).

Note: This item relocates a note and makes the form of the note more consistent with other notes in the section.

34 Subsection 5JB(1A) (note)

Omit "Note", substitute "Note 2".

Note: This item is consequential on item 33.

35 Paragraph 5JB(2)(h) (notes 1, 1A and 2)

Repeal the notes.

Note: This item is consequential on item 36.

36 At the end of subsection 5JB(2)

Add:

Note: For paragraph (h), ***hardship amount***, ***non-commutation funded income stream*** and ***reversionary partner*** are defined in subsection (7) and ***asset-test exempt income stream*** is defined in section 5J.

Note: This item relocates various notes and makes the form of the replacement note more consistent with other notes in the section.

37 Subsection 5JB(7) (note at the end of paragraph (a) of the definition of *reversionary partner*)

Repeal the note.

Note: This item is consequential on item 38.

38 Subsection 5JB(7) (at the end of the definition of *reversionary partner*)

Add:

Note: For paragraph (a), ***member of a couple*** is defined in section 5E.

Note: This item relocates a note and makes the form of the note more consistent with other notes in the section.

39 Paragraph 5JBA(1)(a) (note)

Repeal the note.

Note: This item is consequential on item 40.

40 At the end of subsection 5JBA(1)

Add:

Note: For paragraph (a), ***reversionary partner*** is defined in subsection (14).

Note: This item relocates a note and makes the form of the note more consistent with other notes in the section.

41 Paragraph 5JBA(2)(f) (notes 1, 2 and 3)

Repeal the notes.

Note: This item is consequential on item 42.

42 At the end of subsection 5JBA(2)

Add:

Note: For paragraph (f), ***hardship amount***, ***non-commutation funded income stream*** and ***reversionary partner*** are defined in subsection (14) and ***asset-test exempt income stream*** is defined in section 5J.

Note: This item relocates various notes and makes the form of the replacement note more consistent with other notes in the section.

43 Subsection 5JBA(14) (note at the end of paragraph (a) of the definition of *reversionary partner*)

Repeal the note.

Note: This item is consequential on item 44.

44 Subsection 5JBA(14) (at the end of the definition of *reversionary partner*)

Add:

Note: For paragraph (a), ***member of a couple*** is defined in section 5E.

Note: This item relocates a note and makes the form of the note more consistent with other notes in the section.

45 Subsection 5L(1) (definition of *pension year*)

Omit "subsection (9)", substitute "subsections (9) and (9A)".

Note: This item inserts a cross-reference that was overlooked in a prior amendment of the *Veterans' Entitlements Act 1986*.

46 Subsection 5L(1) (definition of *value*)

Repeal the definition.

Note: This item is consequential on item 47.

47 Subsection 5L(1)

Insert:

> ***value of a charge or encumbrance on an asset*** has the meaning given by subsection (3).
>
> ***value of a liability*** has the meaning given by subsection (3A).
>
> ***value of a particular asset*** has the meaning given by subsection (2).

Note: This item replaces a general signpost definition with 3 more specific signpost definitions.

48 Subsection 5L(4) (note)

Omit "see", substitute "See".

Note: This item fixes a typographical error.

49 Subsection 5M(5)

Omit "retirement village resident", substitute "***retirement village resident***".

Note: This item fixes a formatting error.

50 Subsection 5MA(2)

Omit "granny flat interest", substitute "***granny flat interest***".

Note: This item fixes a formatting error.

51 Subsection 5MA(3)

Omit "granny flat resident", substitute "***granny flat resident***".

Note: This item fixes a formatting error.

52 Subsection 5MB(7)

Omit "deferred payment amount" (last occurring), substitute "***deferred payment amount***".

Note: This item fixes a formatting error.

53 Subsection 5MB(7) (note)

Omit "sections", substitute "Sections".

Note: This item fixes a typographical error.

54 Subsection 5MB(11) (note)

Omit "subsection (11)", substitute "Subsection (11)".

Note: This item fixes a typographical error.

55 Subsection 5N(2) (note)

Omit "for ***retirement***", substitute "For ***retirement***".

Note: This item fixes a typographical error.

56 Subsection 5N(4)

Omit "taken to be Government rent", substitute "taken to be ***Government rent***".

Note: This item fixes a formatting error.

57 Subsection 5NB(1) (definition of *event that gives rise to an entitlement to compensation*)

Repeal the definition.

Note: This item removes an incorrectly labelled signpost definition.

58 Subsection 5NB(1)

Insert:

> ***event that gives rise to a person's entitlement to compensation*** has the meaning given by subsection (11).

Note: This item inserts a correctly labelled signpost definition and is consequential on item 57.

59 Subsection 5Q(2) (note)

Omit "the", substitute "The".

Note: This item fixes a typographical error.

60 Subsections 5R(1) and (3) (notes)

Omit "for", substitute "For".

Note: This item fixes typographical errors.

61 Subsections 5R(11) and (12) (note 2)

Omit "a person", substitute "A person".

Note: This item fixes typographical errors.

62 Subsection 13A(1) (note)

Omit "for" (first occurring), substitute "For".

Note: This item fixes a typographical error.

63 Subsection 13A(1A) (note)

Omit "for" (first occurring), substitute "For".

Note: This item fixes a typographical error.

64 Subsection 13A(2) (note)

Omit "for", substitute "For".

Note: This item fixes a typographical error.

65 Subsection 14(1) (note 1)

Omit "some", substitute "Some".

Note: This item fixes a typographical error.

66 Subsection 14(1) (note 2)

Omit "if", substitute "If".

Note: This item fixes a typographical error.

67 Subsection 35B(2) (note 1)

Omit "a veteran", substitute "A veteran".

Note: This item fixes a typographical error.

68 Subsection 35B(2) (note 2)

Omit "for", substitute "For".

Note: This item fixes a typographical error.

69 Subsection 35H(7) (note)

Omit "a claimant", substitute "A claimant".

Note: This item fixes a typographical error.

70 Section 35J (note)

Omit "this provision", substitute "This provision".

Note: This item fixes a typographical error.

71 Subsection 36(1) (note 1)

Omit "for", substitute "For".

Note: This item fixes a typographical error.

72 Subsection 36A(2) (note)

Omit "a veteran", substitute "A veteran".

Note: This item fixes a typographical error.

73 Subsection 36H(1) (note)

Omit "for", substitute "For".

Note: This item fixes a typographical error.

74 Subsection 36H(2) (note 1)

Omit "if the", substitute "If the".

Note: This item fixes a typographical error.

75 Subsection 36L(8) (note)

Omit "a claimant", substitute "A claimant".

Note: This item fixes a typographical error.

76 Subsection 37A(2) (note)

Omit "a veteran", substitute "A veteran".

Note: This item fixes a typographical error.

77 Subsection 37H(1) (note)

Omit "for", substitute "For".

Note: This item fixes a typographical error.

78 Subsection 37H(2) (note 1)

Omit "if the", substitute "If the".

Note: This item fixes a typographical error.

79 Subsection 37L(8) (note)

Omit "a claimant", substitute "A claimant".

Note: This item fixes a typographical error.

80 Subsection 38A(2) (note)

Omit "a person", substitute "A person".

Note: This item fixes a typographical error.

81 Subsection 38C(2) (note)

Omit "for", substitute "For".

Note: This item fixes a typographical error.

82 Subsection 38H(1) (note)

Omit "for", substitute "For".

Note: This item fixes a typographical error.

83 Subsection 38H(2) (note 1)

Omit "if the", substitute "If the".

Note: This item fixes a typographical error.

84 Subsection 38L(8) (note)

Omit "a claimant", substitute "A claimant".

Note: This item fixes a typographical error.

85 Section 48B (notes 1, 2 and 3)

Omit "for", substitute "For".

Note: This item fixes typographical errors.

86 Subsection 48C(1) (notes 1 and 2)

Omit "for", substitute "For".

Note: This item fixes typographical errors.

87 Subsection 48C(4) (note)

Omit "for", substitute "For".

Note: This item fixes a typographical error.

88 Section 50 (note)

Omit "payments", substitute "Payments".

Note: This item fixes a typographical error.

89 Paragraph 52(1)(fb) (note)

Omit "a person", substitute "A person".

Note: This item fixes a typographical error.

90 Subsection 52C(1) (note)

Omit "this", substitute "This".

Note: This item fixes a typographical error.

91 Subsection 52CA(1) (note)

Omit "for", substitute "For".

Note: This item fixes a typographical error.

92 Subsection 52M(1C) (note)

Omit "for", substitute "For".

Note: This item fixes a typographical error.

93 Subsection 52S(5) (note)

Omit "the", substitute "The".

Note: This item fixes a typographical error.

94 Subsection 52T(3) (note)

Omit "the", substitute "The".

Note: This item fixes a typographical error.

95 Subsection 52U(2) (note)

Omit "the", substitute "The".

Note: This item fixes a typographical error.

96 Subsection 52Y(1) (note)

Omit "for", substitute "For".

Note: This item fixes a typographical error.

97 Subsection 52Z(3A) (notes)

Repeal the notes, substitute:

Note 1: Subsection 204(5) of the MRCA reduces a Special Rate Disability Pension by reference to amounts of Commonwealth superannuation that the person has received or is receiving.

Note 2: The payments and amounts referred to in this subsection would not be considered ordinary income elsewhere in this Act (see subsections 5H(1) and (8)).

Note: This item renumbers 2 notes and fixes a typographical error in note 2.

98 Subsection 53(1) (note)

Omit "if a", substitute "If a".

Note: This item fixes a typographical error.

99 Subsection 53D(1) (note 2)

Omit "a partner", substitute "A partner".

Note: This item fixes a typographical error.

100 Subsection 53D(1) (note 3)

Omit "some", substitute "Some".

Note: This item fixes a typographical error.

101 Subsection 53D(1) (note 4)

Omit "a veteran who", substitute "A veteran who".

Note: This item fixes a typographical error.

102 Subsection 55A(3) (note)

Omit "this subsection", substitute "This subsection".

Note: This item fixes a typographical error.

103 Subsection 56(2) (note 2)

Repeal the note, substitute:

Note: If a pension ceases to be payable to a person under this section, the person's eligibility for benefits under Division 12 also ceases.

Note: This item renumbers a note and fixes a typographical error.

104 Subsection 56A(2) (note)

Omit "if a", substitute "If a".

Note: This item fixes a typographical error.

105 Subsection 56D(1) (note 1)

Omit "a determination", substitute "A determination".

Note: This item fixes a typographical error.

106 Subsection 56D(1) (note 2)

Omit "for", substitute "For".

Note: This item fixes a typographical error.

107 Subsection 56E(1) (note 1)

Omit "a determination", substitute "A determination".

Note: This item fixes a typographical error.

108 Subsection 56E(1) (note 2)

Omit "for", substitute "For".

Note: This item fixes a typographical error.

109 Subsection 56E(1) (notes 3 and 4)

Omit "when", substitute "When".

Note: This item fixes typographical errors.

110 Subsection 56EA(2) (note 1)

Omit "for", substitute "For".

Note: This item fixes a typographical error.

111 Subsection 56EA(2) (notes 2 and 3)

Omit "when", substitute "When".

Note: This item fixes typographical errors.

112 Section 56F (note)

Omit "for", substitute "For".

Note: This item fixes a typographical error.

113 Subsection 56J(2) (note 1)

Omit "if the", substitute "If the".

Note: This item fixes a typographical error.

114 Section 56K (note 1)

Omit "an example", substitute "An example".

Note: This item fixes a typographical error.

115 Section 56K (note 2)

Omit "if the", substitute "If the".

Note: This item fixes a typographical error.

116 Section 56N (note 1)

Omit "Note 1", substitute "Note".

Note: This item renumbers a note.

117 Subsection 57B(3) (note)

Omit "for", substitute "For".

Note: This item fixes a typographical error.

118 Subsection 57G(3) (note)

Omit "section", substitute "Section".

Note: This item fixes a typographical error.

119 Section 58C (note)

Omit "for", substitute "For".

Note: This item fixes a typographical error.

120 Subsection 59C(2) (note 1)

Omit "for", substitute "For".

Note: This item fixes a typographical error.

121 Subsection 59D(1) (note)

Omit "for", substitute "For".

Note: This item fixes a typographical error.

122 Subsection 59E(1) (notes 1 and 2)

Omit "for", substitute "For".

Note: This item fixes typographical errors.

123 Subsection 122(4) (note)

Omit "for", substitute "For".

Note: This item fixes a typographical error.

124 Subsection 175(2E) (note)

Omit "section", substitute "Section".

Note: This item fixes a typographical error.

125 Subparagraph 198(4)(b)(ii)

Omit "rate; or", substitute "rate.".

Note: This item fixes a grammatical error.

126 Point SCH6-A4 of Schedule 6 (notes)

Repeal the notes, substitute:

Note 1: For ***war widow/war widower—pensioner*** see subsection 5Q(1).

Note 2: The ceiling rate is adjusted 6 monthly in line with service pensions (see section 59LA).

Note: This item renumbers 2 notes and corrects a formatting error in note 1.

Schedule 5—Spent and obsolete provisions

Broadcasting Services Act 1992

1 Sections 130ZT and 130ZU

Repeal the sections.

2 Subsections 130ZUAA(5) and (6)

Repeal the subsections.

Parliamentary Entitlements Act 1990

3 Section 13 (heading)

Repeal the heading, substitute:

13 Transitional—Remuneration Tribunal Act

4 Subsection 13(1)

Repeal the subsection.

5 Schedule 2

Repeal the Schedule.

Radiocommunications Act 1992

6 Section 218

Repeal the section.

Telecommunications Act 1997

7 Section 127

Repeal the section.

Schedule 6—Spent Acts

Part 1—Repeals of Acts

Conciliation and Arbitration (Electricity Industry) Act 1985

1 The whole of the Act

Repeal the Act.

Immigration (Education) Charge Act 1992

2 The whole of the Act

Repeal the Act.

Snowy Mountains Engineering Corporation Act 1970

3 The whole of the Act

Repeal the Act.

Part 2—Other amendments

Snowy Mountains Engineering Corporation Limited Sale Act 1993

4 Subsection 36(2)

Repeal the subsection.

Note: This item is consequential on item 3.

5 Subsection 36(3)

Omit “subsections (1) and (2)”, substitute “subsection (1)”.

Note: This item is consequential on item 4.

[*Minister’s second reading speech made in—*
House of Representatives on 22 October 2014
Senate on 30 October 2014]

(226/14)