# Acts and Instruments (Framework Reform) (Consequential Provisions) Act 2015

# No. 126, 2015

**An Act to make provisions consequential on the enactment of the *Acts and Instruments (Framework Reform) Act 2015* and other provisions relating to legislative instruments, notifiable instruments and rules of court, and for related purposes**

Note: An electronic version of this Act is available in ComLaw (http://www.comlaw.gov.au/)

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# Acts and Instruments (Framework Reform) (Consequential Provisions) Act 2015

**No. 126, 2015**

## An Act to make provisions consequential on the enactment of the *Acts and Instruments (Framework Reform) Act 2015* and other provisions relating to legislative instruments, notifiable instruments and rules of court, and for related purposes

[*Assented to 10 September 2015*]

The Parliament of Australia enacts:

## 1 Short title

This Act may be cited as the *Acts and Instruments (Framework Reform) (Consequential Provisions) Act 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. | 10 September 2015 |
| 2. Schedule 1, Part 1 | The later of:<br>(a) the start of the day after this Act receives the Royal Assent; and<br>(b) the commencement of Schedule 1 to the *Acts and Instruments (Framework Reform) Act 2015*. | |
| 3. Schedule 1, Part 2 | The later of:<br>(a) the commencement of Part 1 of Schedule 1 to this Act; and<br>(b) immediately after the commencement of Schedule 4 to the *Intellectual Property Laws Amendment Act 2015*.<br>However, the provisions do not commence at all if the event mentioned in paragraph (b) does not occur. | |
| 4. Schedule 2, Part 1 | A single day to be fixed by Proclamation.<br>However, if the provisions do not commence within the period of 6 months beginning on the day this Act receives the Royal Assent, | |

| Commencement information | | |
|---|---|---|
| **Column 1** | **Column 2** | **Column 3** |
| **Provisions** | **Commencement** | **Date/Details** |
| | they commence on the day after the end of that period. | |
| 5. Schedule 2, Part 2 | At the same time as the provisions covered by table item 4.<br>However, if that time is the same time as, or after, the commencement of Schedule 1 to the *Acts and Instruments (Framework Reform) Act 2015*, the provisions do not commence at all. | |
| 6. Schedule 2, Part 3 | The later of:<br>(a) the commencement of the provisions covered by table item 4; and<br>(b) immediately after the commencement of Schedule 1 to the *Acts and Instruments (Framework Reform) Act 2015*. | |
| 7. Schedule 2, Part 4 | At the same time as the provisions covered by table item 4. | |
| 8. Schedule 3 | The later of:<br>(a) the start of the day after this Act receives the Royal Assent; and<br>(b) immediately after the commencement of Schedule 1 to the *Acts and Instruments (Framework Reform) Act 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—Consequential amendments

## Part 1—Main amendments

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

#### 1 Subsections 4(3), 142AA(1A), 151(4), 181A(8) and 191D(1B)

Omit "for the purposes of the *Legislative Instruments Act 2003*".

#### 2 Clause 28 of Schedule 4 (note)

Omit "*Legislative Instruments Act 2003*" (wherever occurring), substitute "*Legislation Act 2003*".

### *Aboriginal and Torres Strait Islander Heritage Protection Act 1984*

#### 3 Paragraph 14(1)(b)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### *Aged Care Act 1997*

#### 4 Subsection 63-1AA(9) (note at the end of the definition of *reportable assault*)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### *Aged Care (Living Longer Living Better) Act 2013*

#### 5 Subitem 1(2) of Schedule 5

Omit "paragraph 40(1)(a)", substitute "subparagraph 40(1A)(a)(ii)".

## *Age Discrimination Act 2004*

### 6 Subsection 39(6)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Agricultural and Veterinary Chemicals Act 1994*

### 7 Subsection 23(3)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Agricultural and Veterinary Chemicals Code Act 1994*

### 8 Subsection 7(3)

Omit "*Legislative Instruments Act 2003*, section 42", substitute "*Legislation Act 2003*, section 42 (disallowance)".

### 9 Paragraph 7(6)(b)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 10 Subsection 163A(1) of the Code set out in the Schedule

Omit "*Legislative Instruments Act 2003* but subject to subsection (2) of this section, section 42", substitute "*Legislation Act 2003* but subject to subsection (2) of this section, section 42 (disallowance)".

## *Air Navigation Act 1920*

### 11 Subsection 15A(8)

Omit ", but Part 6 of the *Legislative Instruments Act 2003* does not apply to the determination".

### 12 At the end of subsection 15A(8)

Add:

Note: Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* does not apply to the determination: see regulations made for the purposes of paragraph 54(2)(b) of that Act.

## *Airports Act 1996*

### 13 Subsection 155(1) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 14 Subsection 198(2A)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 15 Subclauses 5(3) and 9(1) of the Schedule (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Airspace Act 2007*

### 16 Subsection 8(5)

Repeal the subsection, substitute:

*Legislation Act 2003*

(5) A statement made under subsection (1) is a legislative instrument, but section 42 (disallowance) of the *Legislation Act 2003* does not apply to the statement.

Note: Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* does not apply to the statement: see regulations made for the purposes of paragraph 54(2)(b) of that Act.

## *Albury-Wodonga Development Corporation (Abolition) Act 2014*

### 17 Item 8 of Schedule 1 (paragraph (c) of the definition of *instrument*)

Omit "(within the meaning of the *Legislative Instruments Act 2003*)".

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

### 18 Subsection 50T(5)

Omit "for the purposes of the *Legislative Instruments Act 2003*".

### 19 Section 206 (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

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

### 20 Subsection 40-75(2B) (note 2)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 21 Section 81-25

Repeal the section, substitute:

#### 81-25 Retrospective application of regulations

Subsection 12(2) (retrospective application of legislative instruments) of the *Legislation Act 2003* does not apply in relation to regulations made for the purposes of subsection 81-5(2) or 81-10(2) or section 81-15.

### 22 Subsection 177-10(6)

Repeal the subsection, substitute:

(6) Subsection 12(2) (retrospective application of legislative instruments) of the *Legislation Act 2003* does not apply in relation to determinations made under subsection (5) of this section.

### 23 Section 195-1 (definition of *eligible Australian carbon credit unit*)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Anti-Money Laundering and Counter-Terrorism Financing Act 2006*

### 24 Section 5 (note 3 at the end of the definition of *threshold transaction*)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 25 Subsection 6(2) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 26 Section 33 (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 27 Subsections 41(5), 90(1), (2) and (3) and 91(1), (2) and (3) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 28 Subsection 102(2) (notes 1 and 2)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 29 Section 103

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 30 Subsection 245(10) (heading)

Repeal the heading, substitute:

*Legislation Act 2003*

### 31 Paragraph 249(a)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Asbestos Safety and Eradication Agency Act 2013*

### 32 Subsections 14(1) and 30(1) (note)

Repeal the note, substitute:

Note: Section 42 (disallowance) and Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* do not apply to the directions (see regulations made for the purposes of paragraphs 44(2)(b) and 54(2)(b) of that Act).

## *Auditor-General Act 1997*

### 33 Subclauses 1(1) of Schedule 1 and 1(2) of Schedule 2 (note)

Omit "19A", substitute "19".

## *Australia Council Act 2013*

### 34 Subsection 12(1) (notes 1 and 2)

Repeal the notes, substitute:

Note 1: Section 42 (disallowance) of the *Legislation Act 2003* does not apply to a direction—see regulations made for the purposes of paragraph 44(2)(b) of that Act.

Note 2: Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* does not apply to a direction—see regulations made for the purposes of paragraph 54(2)(b) of that Act.

## *Australian Aged Care Quality Agency Act 2013*

### 35 Subsection 14(4) (notes 1 and 2)

Repeal the notes, substitute:

Note 1: Section 42 (disallowance) of the *Legislation Act 2003* does not apply to the direction: see regulations made for the purposes of paragraph 44(2)(b) of that Act.

Note 2: Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* does not apply to the direction: see regulations made for the purposes of paragraph 54(2)(b) of that Act.

## *Australian Capital Territory (Planning and Land Management) Act 1988*

### 36 Section 52

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Australian Capital Territory (Self-Government) Act 1988*

### 37 Section 3 (definition of *Commonwealth Minister*)

Omit "19A", substitute "19".

### 38 Section 33

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Australian Charities and Not-for-profits Commission Act 2012*

### 39 Subsection 45-15(4)

Omit "Part 3 of the *Legislative Instruments Act 2003*", substitute "Section 17 (consultation) of the *Legislation Act 2003*".

### 40 Section 45-20

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 41 Subsection 50-15(4)

Omit "Part 3 of the *Legislative Instruments Act 2003*", substitute "Section 17 (consultation) of the *Legislation Act 2003*".

### 42 Section 50-20

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Australian Citizenship Act 2007*

### 43 Subsection 15(4)

Repeal the subsection, substitute:

*Retrospective application of instruments*

(4) Subsection 12(2) (retrospective application of legislative instruments) of the *Legislation Act 2003* does not apply to the instrument.

## *Australian Communications and Media Authority Act 2005*

### 44 Subsection 53(1)

Omit "for the purposes of the *Legislative Instruments Act 2003*".

## *Australian Education Act 2013*

### 45 Subsection 14(3)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 46 Subsection 130(4)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Australian Energy Market Act 2004*

### 47 Subsections 13F(1), (2) and (3)

Omit "for the purposes of the *Legislative Instruments Act 2003*".

## *Australian Hearing Services Act 1991*

### 48 Subsections 8(4) to (8) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Australian Human Rights Commission Act 1986*

### 49 Subsection 47(3)

Omit "Part 6 (sunsetting) of the *Legislative Instruments Act 2003*", substitute "Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003*".

## *Australian Jobs Act 2013*

### 50 Subsection 84(1) (note 2)

Repeal the note, substitute:

Note 2: Section 42 (disallowance) and Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* do not apply to the direction (see regulations made for the purposes of paragraphs 44(2)(b) and 54(2)(b) of that Act).

## *Australian National Registry of Emissions Units Act 2011*

### 51 Section 4 (definition of *Kyoto rules*)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 52 Subsection 36(1) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 53 Subsection 95(2)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Australian Organ and Tissue Donation and Transplantation Authority Act 2008*

### 54 Subsection 30(4) (notes 1 and 2)

Repeal the notes, substitute:

Note 1: Section 42 (disallowance) of the *Legislation Act 2003* does not apply to the direction—see regulations made for the purposes of paragraph 44(2)(b) of that Act.

Note 2: Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* does not apply to the direction—see regulations made for the purposes of paragraph 54(2)(b) of that Act.

## *Australian Passports Act 2005*

### 55 Subsection 52(3)

Omit "for the purposes of the *Legislative Instruments Act 2003*".

## *Australian Postal Corporation Act 1989*

### 56 Subsection 30(2)

Repeal the subsection, substitute:

(2) A regulation made for the purposes of paragraph (1)(q) may not commence earlier than the day after the last day on which the regulation may be disallowed under Part 2 of Chapter 3 of the *Legislation Act 2003*.

## *Australian Renewable Energy Agency Act 2011*

### 57 Subsections 20(2) and 22(6)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Australian Research Council Act 2001*

### 58 Subsection 60(4) (note)

Omit "subsection 44(2) of the *Legislative Instruments Act 2003*", substitute "regulations made for the purposes of paragraph 44(2)(b) of the *Legislation Act 2003*".

## *Australian Security Intelligence Organisation Act 1979*

### 59 Subsection 34C(5)

Omit "neither section 42 nor Part 6 of the *Legislative Instruments Act 2003* applies", substitute "section 42 (disallowance) of the *Legislation Act 2003* does not apply".

### 60 At the end of subsection 34C(5)

Add:

Note: Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* does not apply to the statement: see regulations made for the purposes of paragraph 54(2)(b) of that Act.

## *Australian Sports Anti-Doping Authority Act 2006*

### 61 Subsection 12(2)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Australian Transaction Reports and Analysis Centre Industry Contribution Act 2011*

### 62 Subsection 7(1) (definition of *census day*)

Repeal the definition, substitute:

***census day***, for a financial year, means:

(a) 1 July in that financial year; or

(b) if the AUSTRAC CEO determines, by legislative instrument, another day in that financial year—that day.

### 63 Paragraph 9(3)(d)

Omit "despite subsection 12(2) of the *Legislative Instruments Act 2003*,".

### 64 Subsection 9(4)

Repeal the subsection, substitute:

*Retrospective application of determinations*

(4) Subsection 12(2) (retrospective application of legislative instruments) of the *Legislation Act 2003* does not apply to a determination made for the purposes of subsection (1).

### 65 Application of amendments

The amendments of the *Australian Transaction Reports and Analysis Centre Industry Contribution Act 2011* made by this Part apply to census days, and instalments of levy payable, for financial years starting on or after 1 July 2015.

## *Autonomous Sanctions Act 2011*

### 66 Subsection 10(3)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Aviation Transport Security Act 2004*

### 67 Subsection 65B(1) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 68 Subsection 65B(3) (note)

Omit "Part 3 of the *Legislative Instruments Act 2003*", substitute "section 17 of the *Legislation Act 2003*".

## *Banking Act 1959*

### 69 Subsections 5(4), (7) and (8) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 70 Subsection 5(9)

Omit "neither section 42 (disallowance) nor Part 6 (sunsetting) of the *Legislative Instruments Act 2003* applies", substitute "section 42 (disallowance) of the *Legislation Act 2003* does not apply".

### 71 At the end of subsection 5(9)

Add:

Note: Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* does not apply to the declaration or amendment: see regulations made for the purposes of paragraph 54(2)(b) of that Act.

## 72 Subsection 5(10)

Repeal the subsection, substitute:

(10) Despite subsection 12(1) of the *Legislation Act 2003*, the declaration or amendment commences from the time it is made.

(11) Subsection 12(2) (retrospective application of legislative instruments) of the *Legislation Act 2003* does not apply to the declaration or amendment.

## 73 Paragraph 11AF(7BA)(b)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## 74 Subsection 16AD(6)

Repeal the subsection, substitute:

*Declaration or amendment not disallowable*

(6) A declaration made under subsection (1), or an amendment of the declaration, is a legislative instrument, but section 42 (disallowance) of the *Legislation Act 2003* does not apply to the declaration or amendment.

Note: Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* does not apply to the declaration or amendment: see regulations made for the purposes of paragraph 54(2)(b) of that Act.

## 75 Paragraph 16AD(7)(a)

Repeal the paragraph, substitute:

(a) commences from the time it is made, despite subsection 12(1) of the *Legislation Act 2003*; and

## 76 After subsection 16AD(7)

Insert:

(7A) Subsection 12(2) (retrospective application of legislative instruments) of the *Legislation Act 2003* does not apply to the declaration or amendment.

### 77 Subsection 16AD(8)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 78 Subsections 69(1B) to (1E) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 79 Subsections 70C(7) and (8)

Repeal the subsections, substitute:

*Authorisation or amendment not disallowable*

(7) An authorisation or amendment made under this section is a legislative instrument, but section 42 (disallowance) of the *Legislation Act 2003* does not apply to the authorisation or amendment.

Note: Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* does not apply to the authorisation or amendment: see regulations made for the purposes of paragraph 54(2)(b) of that Act.

*When authorisation or amendment commences*

(8) Despite subsection 12(1) of the *Legislation Act 2003*, the authorisation or amendment commences from the time it is made.

(9) Subsection 12(2) (retrospective application of legislative instruments) of the *Legislation Act 2003* does not apply to the authorisation or amendment.

## *Bankruptcy Act 1966*

### 80 Subsection 116(2E)

Repeal the subsection, substitute:

(2E) Nothing in this Act or the *Legislation Act 2003* prevents regulations made for the purposes of paragraph (2)(k), (l), (m) or (ma) from applying to amounts paid before the regulations commence.

### 81 Section 186Q (note)

Omit "Part 3 of the *Legislative Instruments Act 2003*", substitute "section 17 of the *Legislation Act 2003*".

## *Broadcasting Services Act 1992*

### 82 Subsection 103L(7)

Omit "for the purposes of the *Legislative Instruments Act 2003*".

### 83 Subsection 103L(7) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 84 Subsections 121G(14) and 122(7) (note)

Repeal the note, substitute:

Note: Section 42 (disallowance) and Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* do not apply to the direction (see regulations made for the purposes of paragraphs 44(2)(b) and 54(2)(b) of that Act).

### 85 Subsections 130B(7), 130BA(7), 130BB(7), 146C(1) and (2), 146CA(1) and (2) and 212B(6) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 86 Subsection 215(4) (note)

Omit "Part 3 of the *Legislative Instruments Act 2003*", substitute "section 17 of the *Legislation Act 2003*".

### 87 Subclauses 8(2), 40(5), 60(5) and 91(2), (4) and (5) of Schedule 5 (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 88 Subclauses 3(7), 4(7), 13(8), 15(8), 21(8) and 27(1) of Schedule 6 (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 89 Clause 2 of Schedule 7 (note 3 at the end of the definition of *content service*)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 90 Clause 2 of Schedule 7 (note at the end of the definitions of *exempt internet directory service* and *exempt internet search engine service*)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 91 Clause 2 of Schedule 7 (note 3 at the end of the definition of *exempt point-to-point content service*)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 92 Clause 4 of Schedule 7 (note 3)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 93 Subclause 14(1) of Schedule 7 (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

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

### 94 Section 5 (note at the end of the definition of *land rights land*)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## 95 Subsection 7A(2)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## 96 Subsection 23(1) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## 97 Subsection 23(5)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## 98 Subsection 27(5) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## 99 Subsections 53A(2), 56(3), 69(8) and 106(7) and (9)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## 100 Section 123B (note)

Repeal the note, substitute:

Note: Section 42 (disallowance) and Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* do not apply to the direction (see regulations made for the purposes of paragraphs 44(2)(b) and 54(2)(b) of that Act).

## 101 Subsections 133(4) and (5) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## 102 Subsection 304(2)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Carriage of Goods by Sea Act 1991*

### 103 Section 9A

Omit “, but Part 6 of the *Legislative Instruments Act 2003* does not apply to the determination”.

### 104 Section 9A (note)

After “Note”, insert “1”.

### 105 At the end of section 9A

Add:

Note 2: Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* does not apply to the determination: see regulations made for the purposes of paragraph 54(2)(b) of that Act.

## *Charter of the United Nations Act 1945*

### 106 Subsection 6(3)

Omit “*Legislative Instruments Act 2003*”, substitute “*Legislation Act 2003*”.

## *Chemical Weapons (Prohibition) Act 1994*

### 107 Subsections 8B(3) and 10(9) (note)

Omit “*Legislative Instruments Act 2003*”, substitute “*Legislation Act 2003*”.

## *Civil Aviation Act 1988*

### 108 Section 3 (definition of *civil aviation legislation*)

Omit “(within the meaning of the *Legislative Instruments Act 2003*)” (wherever occurring).

### 109 Subsection 98(4B)

Omit “, but Part 6 of the *Legislative Instruments Act 2003* does not apply to the order”.

## 110 At the end of subsection 98(4B)

Add:

Note: Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* does not apply to the order (see regulations made for the purposes of paragraph 54(2)(b) of that Act).

## 111 Subsection 98(5AAA)

Omit “, but Part 6 of the *Legislative Instruments Act 2003* does not apply to the Order”.

## 112 At the end of subsection 98(5AAA)

Add:

Note: Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* does not apply to the Order (see regulations made for the purposes of paragraph 54(2)(b) of that Act).

## 113 Paragraph 98(5AA)(c)

Omit “product;”, substitute “product.”.

## 114 Subsection 98(5AA)

Omit “but Part 6 of the *Legislative Instruments Act 2003* does not apply to the instrument.”.

## 115 At the end of subsection 98(5AA)

Add:

Note: Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* does not apply to the instrument (see regulations made for the purposes of paragraph 54(2)(b) of that Act).

## 116 Paragraph 98(5B)(c)

Omit “standard;”, substitute “standard.”.

## 117 Subsection 98(5B)

Omit “but Part 6 of the *Legislative Instruments Act 2003* does not apply to the instrument.”.

## 118 At the end of subsection 98(5B)

Add:

Note: Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* does not apply to the instrument (see regulations made for the purposes of paragraph 54(2)(b) of that Act).

### 119 Subsection 98(5D)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Clean Energy Legislation (Carbon Tax Repeal) Act 2014*

### 120 Subitem 359(2) of Schedule 1

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 121 At the end of item 359 of Schedule 1

Add:

(3) Subsection 12(2) (retrospective application of legislative instruments) of the *Legislation Act 2003* does not apply to the rules.

## *Clean Energy Regulator Act 2011*

### 122 Subsection 41(1) (note 2)

Repeal the note, substitute:

Note 2: Section 42 (disallowance) and Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* do not apply to the direction (see regulations made for the purposes of paragraphs 44(2)(b) and 54(2)(b) of that Act).

## *Coal Mining Industry (Long Service Leave) Administration Act 1992*

### 123 Subsection 4(1) (note at the end of the definition of *eligible employee*)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Commonwealth Bank Sale Act 1995*

### 124 Subsection 19(3)

Repeal the subsection, substitute:

(3) Subsection 12(2) (retrospective application of legislative instruments) of the *Legislation Act 2003* does not apply to regulations that are made under this section and that commence at or after the transfer time.

## *Commonwealth Electoral Act 1918*

### 125 Subsection 375(1)

Omit "(1) The", substitute "The".

### 126 Subsection 375(1) (note)

Omit "*Legislative Instruments Act 2003*" (wherever occurring), substitute "*Legislation Act 2003*".

## *Commonwealth Places (Mirror Taxes) Act 1998*

### 127 Subsection 25(2)

Omit "of the *Legislative Instruments Act 2003*", substitute "(retrospective application of legislative instruments) of the *Legislation Act 2003*".

## *Competition and Consumer Act 2010*

### 128 Subsection 44PA(7) (heading)

Repeal the heading, substitute:

*Legislation Act 2003*

### 129 Subsection 44PA(7)

Omit "for the purposes of the *Legislative Instruments Act 2003*".

### 130 Subsection 44PB(4) (heading)

Repeal the heading, substitute:

*Legislation Act 2003*

### 131 Subsections 44PB(4) and 44V(6)

Omit "for the purposes of the *Legislative Instruments Act 2003*".

### 132 Subsection 44ZNA(9) (heading)

Repeal the heading, substitute:

*Legislation Act 2003*

### 133 Subsection 44ZNA(9)

Omit "for the purposes of the *Legislative Instruments Act 2003*".

### 134 Subsection 44ZNB(8) (heading)

Repeal the heading, substitute:

*Legislation Act 2003*

### 135 Subsection 44ZNB(8)

Omit "for the purposes of the *Legislative Instruments Act 2003*".

### 136 Subsection 44ZZCB(8) (heading)

Repeal the heading, substitute:

*Legislation Act 2003*

### 137 Subsection 44ZZCB(8)

Omit "for the purposes of the *Legislative Instruments Act 2003*".

### 138 Subsection 87Y(2)

Repeal the subsection, substitute:

(2) A regulation made for the purposes of paragraph (1)(a) does not commence before the end of the period of 6 months starting:

(a) if the regulation is laid before each House of the Parliament under section 38 of the *Legislation Act 2003* on the same day—on that day; or
(b) if it is laid before each House of the Parliament under that section on different days—on the later of those days.

## 139 Subsection 10.72A(1) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## 140 Section 131E (heading)

Repeal the heading, substitute:

### 131E Application of the *Legislation Act 2003*

## 141 Subsections 151BUAA(1B) and 151BUD(1) and (3) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## 142 Subsections 152AL(9), (10) and (11)

Omit "for the purposes of the *Legislative Instruments Act 2003*".

## 143 Paragraphs 152AL(12)(c) and (d)

Omit "for the purposes of the *Legislative Instruments Act 2003*".

## 144 Subsection 152AL(13)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## 145 Subsections 152ALA(10) and (11)

Omit "for the purposes of the *Legislative Instruments Act 2003*".

## 146 Subsection 152ALA(12)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 147 Subsections 152AR(4B) and (4C) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 148 Subsections 152ELA(8) and 152ELC(3)

Omit "for the purposes of the *Legislative Instruments Act 2003*".

## *Copyright Act 1968*

### 149 Subsection 249(2) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Criminal Code Act 1995*

### 150 Subparagraph 9.4(2)(c)(i) of the *Criminal Code*

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 151 Subsection 80.1AA(2) of the *Criminal Code*

Repeal the subsection, substitute:

(2) Subsection 12(2) (retrospective application of legislative instruments) of the *Legislation Act 2003* does not apply to a Proclamation made for the purpose of paragraph (1)(b).

(2A) Despite subsection 12(3) of the *Legislation Act 2003*, a Proclamation made for the purpose of paragraph (1)(b) of this section must not commence before the day on which the Proclamation is made.

### 152 Subsection 102.1(6) of the *Criminal Code*

Repeal the subsection.

### 153 Subsection 102.1A(3) of the *Criminal Code*

Omit "Part 5 of the *Legislative Instruments Act 2003*", substitute "Part 2 of Chapter 3 of the *Legislation Act 2003*".

### 154 Subsection 102.1A(4) of the *Criminal Code*

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 155 Subsection 119.3(4) (note) of the *Criminal Code*

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 156 Subsection 119.3(7) of the *Criminal Code*

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 157 Paragraph 301.16(1)(a) of the *Criminal Code*

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 158 Subsections 301.16(3) and 301.17(1) of the *Criminal Code*

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Cross-Border Insolvency Act 2008*

### 159 Section 9 (note 2)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Customs Act 1901*

### 160 Subsections 71AAAE(1) and (2) (note 2)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 161 Subsections 153ZLB(6), 153ZMB(6), 153ZNB(6), 269SC(8) and 269SD(6)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Customs Tariff Act 1995*

### 162 Subsection 16A(5)

Omit "Despite subsection 12(2) of the *Legislative Instruments Act 2003*, if", substitute "If".

## *Dairy Produce Act 1986*

### 163 At the end of subclause 94(1) of Schedule 2

Add:

Note: After the declaration was registered, the *Legislative Instruments Act 2003* was renamed as the *Legislation Act 2003*.

## *Data-matching Program (Assistance and Tax) Act 1990*

### 164 Subsection 3A(3)

Omit "Federal Register of Legislative Instruments under the *Legislative Instruments Act 2003*", substitute "Federal Register of Legislation under the *Legislation Act 2003*".

### 165 Subsection 12(6)

Omit "*Legislative Instruments Act 2003*, rules issued under this section take effect", substitute "*Legislation Act 2003*, rules issued under this section commence".

## *Defence Housing Australia Act 1987*

### 166 Subsection 6(5)

Omit "and Part 6 of the *Legislative Instruments Act 2003* do", substitute "(disallowance) of the *Legislation Act 2003* does".

### 167 At the end of subsection 6(5)

Add:

Note: Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* does not apply to the determination: see regulations made for the purposes of paragraph 54(2)(b) of that Act.

## *Defence (Special Undertakings) Act 1952*

### 168 Subsection 15(1)

Omit "for the purposes of the *Legislative Instruments Act 2003*".

## *Defence Trade Controls Act 2012*

### 169 Subsection 36(5)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Dental Benefits Act 2008*

### 170 Subsections 18(2) and 21(2) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 171 Subsection 60(4)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Designs Act 2003*

### 172 Subsection 5A(2)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *DisabilityCare Australia Fund Act 2013*

### 173 Subsection 29(11) (notes 1 and 2)

Repeal the notes, substitute:

Note 1: Section 42 (disallowance) of the *Legislation Act 2003* does not apply to the direction—see regulations made for the purposes of paragraph 44(2)(b) of that Act.

Note 2: Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* does not apply to the direction—see regulations made for the purposes of paragraph 54(2)(b) of that Act.

### 174 Subsection 31(2) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Education Services for Overseas Students Act 2000*

### 175 Subsection 175(1) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 176 Subsections 176B(2) and 176C(2)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Education Services for Overseas Students (TPS Levies) Act 2012*

### 177 Subsection 11(4)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Enhancing Online Safety for Children Act 2015*

### 178 Subsections 67(4) and 70(1) (note 2)

Repeal the note, substitute:

Note 2: Section 42 (disallowance) and Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* do not apply to the direction (see regulations made for the purposes of paragraphs 44(2)(b) and 54(2)(b) of that Act).

### 179 Subsection 73(2)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Environment Protection and Biodiversity Conservation Act 1999*

### 180 Subsections 25A(1) and 28AA(1) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 181 Subsection 184(1)

Omit "(1)".

### 182 At the end of subsection 184(1)

Add:

Note: Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* does not apply to the instrument. See regulations made for the purposes of paragraph 54(2)(b) of that Act.

### 183 Subsection 184(2)

Repeal the subsection.

### 184 Subsection 194C(3)

Omit "neither section 42 nor Part 6 of the *Legislative Instruments Act 2003* applies", substitute "section 42 (disallowance) of the *Legislation Act 2003* does not apply".

### 185 At the end of subsection 194C(3)

Add:

Note: Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* does not apply to the determination. See regulations made for the purposes of paragraph 54(2)(b) of that Act.

### 186 Subsection 194D(4)

Omit "of the *Legislative Instruments Act 2003*", substitute "(disallowance) of the *Legislation Act 2003*".

### 187 Subsection 209(7)

Omit "neither section 42 nor Part 6 of the *Legislative Instruments Act 2003* applies", substitute "section 42 (disallowance) of the *Legislation Act 2003* does not apply".

## 188 At the end of subsection 209(7)

Add:

Note: Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* does not apply to the list or any amendments. See regulations made for the purposes of paragraph 54(2)(b) of that Act.

## 189 Subsection 324G(3)

Omit "neither section 42 nor Part 6 of the *Legislative Instruments Act 2003* applies", substitute "section 42 (disallowance) of the *Legislation Act 2003* does not apply".

## 190 At the end of subsection 324G(3)

Add:

Note: Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* does not apply to the determination. See regulations made for the purposes of paragraph 54(2)(b) of that Act.

## 191 Subsection 324H(3)

Omit "of the *Legislative Instruments Act 2003*", substitute "(disallowance) of the *Legislation Act 2003*".

## 192 Subsection 341G(3)

Omit "neither section 42 nor Part 6 of the *Legislative Instruments Act 2003* applies", substitute "section 42 (disallowance) of the *Legislation Act 2003* does not apply".

## 193 At the end of subsection 341G(3)

Add:

Note: Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* does not apply to the determination. See regulations made for the purposes of paragraph 54(2)(b) of that Act.

## 194 Paragraphs 390SD(4)(a) and 390SF(3)(a)

Omit "Federal Register of Legislative Instruments", substitute "Federal Register of Legislation".

### 195 Subsection 390SG(2)

Omit "Federal Register of Legislative Instruments", substitute "Federal Register of Legislation".

### 196 Section 528

Insert:

> ***Federal Register of Legislation*** means the Federal Register of Legislation established under the *Legislation Act 2003*.

### 197 Section 528 (definition of *Federal Register of Legislative Instruments*)

Repeal the definition.

### 198 Subclause 4(2) of Schedule 1

Omit ", but neither section 42 nor Part 6 of the *Legislative Instruments Act 2003* applies to the direction".

### 199 At the end of subclause 4(2) of Schedule 1

Add:

Note 1: Section 42 (disallowance) of the *Legislation Act 2003* does not apply to the direction. See regulations made for the purposes of paragraph 44(2)(b) of that Act.

Note 2: Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* does not apply to the direction. See regulations made for the purposes of paragraph 54(2)(b) of that Act.

## *Excise Act 1901*

### 200 Subsection 65(3)

Omit "take effect", substitute "commence".

### 201 Subsection 65(3) (note)

Repeal the note, substitute:

Note: Section 12 of the *Legislation Act 2003* deals with when a legislative instrument commences.

## 202 Section 164A

Repeal the section, substitute:

### 164A Effect of regulations relating to condensate

(1) Subsection 12(2) (retrospective application of legislative instruments) of the *Legislation Act 2003* does not apply to regulations made for the purposes of this Act in relation to condensate.

(2) Subsection 12(3) (retrospective commencement of legislative instruments) of the *Legislation Act 2003* does not apply to regulations that create, modify or otherwise affect a provision that makes a person liable to an offence or civil penalty.

# *Excise Tariff Act 1921*

## 203 Subsection 6CA(1A) (note)

Repeal the note, substitute:

Note: A by-law may be expressed to commence before the day it is registered under the *Legislation Act 2003* (see subsection 12(3) of that Act).

## 204 Subsection 6CA(1D)

Repeal the subsection, substitute:

(1D) Subsection 12(2) (retrospective application of legislative instruments) of the *Legislation Act 2003* does not apply to regulations specifying a reservoir, or a group of reservoirs, for the purposes of paragraph (1B)(b) of this section.

## 205 Subsection 6CA(13)

Repeal the subsection, substitute:

(13) Subsection 12(2) (retrospective application of legislative instruments) of the *Legislation Act 2003* does not apply to a by-law prescribing a condensate production area.

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

### 206 Section 17 (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

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

### 207 Subsection 7(1) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Export Market Development Grants Act 1997*

### 208 Subsection 107(1) (note at the end of the definition of *non-tourism service*)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Fair Work Act 2009*

### 209 Subsection 14(5)

Omit "neither section 42 (disallowance) nor Part 6 (sunsetting) of the *Legislative Instruments Act 2003* applies", substitute "section 42 (disallowance) of the *Legislation Act 2003* does not apply".

### 210 At the end of subsection 14(5)

Add:

Note: Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* does not apply to the endorsement, revocation or amendment (see regulations made for the purposes of paragraph 54(2)(b) of that Act).

### 211 Subsection 31(1) (note 2)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 212 Subsection 684(1) (note)

Repeal the note, substitute:

Note: Section 42 (disallowance) and Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* do not apply to the direction (see regulations made for the purposes of paragraphs 44(2)(b) and 54(2)(b) of that Act).

### 213 Subsection 789DE(6)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 214 Subclause 7(5) of Schedule 1

Repeal the subclause, substitute:

*Retrospective application of regulations*

(5) Subsection 12(2) (retrospective application of legislative instruments) of the *Legislation Act 2003* does not apply to regulations made for the purposes of subclause (1) or (3) of this clause.

### 215 Subclause 32(4) of Schedule 3

Repeal the subclause, substitute:

(4) Subsection 12(2) (retrospective application of legislative instruments) of the *Legislation Act 2003* does not apply to:
  (a) regulations relating to the amendments and repeals made by Schedule 9 to the amending Act; and
  (b) regulations made for the purposes of subclause (2).

## *Fair Work (Building Industry) Act 2012*

### 216 Subsection 11(4)

Omit "section 44 of the *Legislative Instruments Act 2003*, section 42", substitute "regulations made for the purposes of paragraph 44(2)(b) of the *Legislation Act 2003*, section 42 (disallowance)".

### 217 Subsections 27(5), 29(4) and 31(4)

Omit "for the purposes of the *Legislative Instruments Act 2003*".

### 218 Subsection 31(5)

Omit "section 44 of the *Legislative Instruments Act 2003*, section 42", substitute "regulations made for the purposes of paragraph 44(2)(b) of the *Legislation Act 2003*, section 42 (disallowance)".

### 219 Subsections 60(5) and (6)

Omit "for the purposes of the *Legislative Instruments Act 2003*".

### 220 Subsection 78(3)

Repeal the subsection.

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

### 221 Subsection 158A(3)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Fair Work (Transitional Provisions and Consequential Amendments) Act 2009*

### 222 Subitem 10(2) of Schedule 2

Repeal the subitem, substitute:

(2) Subsection 12(2) (retrospective application of legislative instruments) of the *Legislation Act 2003* does not apply to the regulations.

### 223 Paragraph 10(3)(a) of Schedule 2

Repeal the paragraph, substitute:

(a) regulations are expressed to commence from a date (the ***registration date***) before the regulations are registered under the *Legislation Act 2003*; and

## *Family Law Act 1975*

### 224 Subsection 33C(7)

Omit "take effect", substitute "commence".

## *Federal Circuit Court of Australia Act 1999*

### 225 Subsection 10AA(2) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 226 Subsection 41(9)

Omit "take effect", substitute "commence".

## *Federal Financial Relations Act 2009*

### 227 Subsections 8(3), 9(5), 12(3), 13(3), 14(3), 15A(2) and 16(5)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *First Home Saver Accounts Act 2008*

### 228 Subsections 17A(3) and (4) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Fisheries Levy Act 1984*

### 229 Subsection 8(2)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Fisheries Management Act 1991*

### 230 Subsection 168(3)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Future Fund Act 2006*

### 231 Section 6 (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 232 Subsection 18(9)

Repeal the subsection, substitute:

(9) A direction under subsection (1) is a legislative instrument.

Note: Section 42 (disallowance) of the *Legislation Act 2003* does not apply to the direction—see regulations made for the purposes of paragraph 44(2)(b) of that Act.

### 233 Subsection 19(2) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 234 Subsections 20(6), 24(9), 54(5) and (6), 72(3) and (7) and 83(3)

Omit "for the purposes of the *Legislative Instruments Act 2003*".

### 235 Subclauses 2(4) and 3(5) of Schedule 1

Omit "for the purposes of the *Legislative Instruments Act 2003*, but section 42 of that Act", substitute ", but section 42 (disallowance) of the *Legislation Act 2003*".

### 236 Subclauses 6(7), 8(11) and 9(3) of Schedule 1

Omit "for the purposes of the *Legislative Instruments Act 2003*".

### 237 Subclauses 2(2) and 3(9) of Schedule 3

Omit "for the purposes of the *Legislative Instruments Act 2003*".

## *Governor-General Act 1974*

### 238 Subsection 4AA(11)

Omit "for the purposes of the *Legislative Instruments Act 2003*".

### 239 Subsection 4AA(12)

Omit "section 44 of the *Legislative Instruments Act 2003*, section 42", substitute "regulations made for the purposes of paragraph 44(2)(b) of the *Legislation Act 2003*, section 42 (disallowance)".

### 240 Subsection 4AH(2)

Omit "subsection 44(2) of the *Legislative Instruments Act 2003*", substitute "regulations made for the purposes of paragraph 44(2)(b) of the *Legislation Act 2003*".

## *Great Barrier Reef Marine Park Act 1975*

### 241 Subsections 34(9) and 35C(7)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 242 Section 35D

Omit "neither section 42 (disallowance) nor Part 6 (sunsetting) of the *Legislative Instruments Act 2003* applies", substitute "section 42 (disallowance) of the *Legislation Act 2003* does not apply".

### 243 At the end of section 35D

Add:

Note: Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* does not apply to the plan (see regulations made for the purposes of paragraph 54(2)(b) of that Act).

### 244 Subsection 35E(1) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 245 Paragraph 35F(1)(a)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## 246 Subsection 37(2A)

Omit "neither section 42 (disallowance) nor Part 6 (sunsetting) of the *Legislative Instruments Act 2003* applies", substitute "section 42 (disallowance) of the *Legislation Act 2003* does not apply".

## 247 At the end of subsection 37(2A)

Add:

Note: Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* does not apply to the amendment (see regulations made for the purposes of paragraph 54(2)(b) of that Act).

## 248 Subsection 37(4A)

Omit "neither section 42 (disallowance) nor Part 6 (sunsetting) of the *Legislative Instruments Act 2003* applies", substitute "section 42 (disallowance) of the *Legislation Act 2003* does not apply".

## 249 At the end of subsection 37(4A)

Add:

Note: Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* does not apply to the revocation (see regulations made for the purposes of paragraph 54(2)(b) of that Act).

## 250 Subsection 37A(3)

Omit "neither section 42 (disallowance) nor Part 6 (sunsetting) of the *Legislative Instruments Act 2003* applies", substitute "section 42 (disallowance) of the *Legislation Act 2003* does not apply".

## 251 At the end of subsection 37A(3)

Add:

Note: Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* does not apply to the amendment (see regulations made for the purposes of paragraph 54(2)(b) of that Act).

## 252 Subsection 66(13)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Healthcare Identifiers Act 2010*

### 253 Subsection 32(1) (notes 1 and 2)

Repeal the notes, substitute:

Note 1: Section 42 (disallowance) of the *Legislation Act 2003* does not apply to the direction—see regulations made for the purposes of paragraph 44(2)(b) of that Act.

Note 2: Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* does not apply to the direction—see regulations made for the purposes of paragraph 54(2)(b) of that Act.

### 254 Subsection 37(7)

Omit "Neither section 42 (disallowance) nor Part 6 (sunsetting) of the *Legislative Instruments Act 2003* applies", substitute "Section 42 (disallowance) of the *Legislation Act 2003* does not apply".

### 255 At the end of subsection 37(7)

Add:

Note: Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* does not apply to such a declaration or revocation (see subsection 54(1) of that Act).

## *Health Insurance Act 1973*

### 256 Subsection 10B(1) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Hearing Services Administration Act 1997*

### 257 Subsection 5(3) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Higher Education Funding Act 1988*

### 258 Section 110

Omit "for the purposes of the *Legislative Instruments Act 2003*".

## *Higher Education Support Act 2003*

### 259 Subsection 16-5(3)

Omit "Part 5 (Parliamentary scrutiny of legislative instruments) of the *Legislative Instruments Act 2003*", substitute "Part 2 of Chapter 3 (parliamentary scrutiny of legislative instruments) of the *Legislation Act 2003*".

### 260 Subsection 16-55(2)

Repeal the subsection, substitute:

(2) A decision of the Minister to approve a body corporate as a higher education provider takes effect when the notice of approval commences under the *Legislation Act 2003*.

Note: Section 12 of the *Legislation Act 2003* provides for when a legislative instrument commences.

### 261 Subsection 16-70(4)

Repeal the subsection, substitute:

(4) The variation takes effect when the notice of variation commences under the *Legislation Act 2003*.

Note: Section 12 of the *Legislation Act 2003* provides for when a legislative instrument commences.

### 262 Paragraph 22-1(1)(c)

Omit "Part 5 (Parliamentary scrutiny of legislative instruments) of the *Legislative Instruments Act 2003*", substitute "Part 2 of Chapter 3 (parliamentary scrutiny of legislative instruments) of the *Legislation Act 2003*".

### 263 Subsection 22-2(2)

Omit "*Federal Register of Legislative Instruments", substitute "*Federal Register of Legislation".

### 264 Subsection 22-2(3)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 265 Subsections 22-2(4) and 22-3(2)

Omit "*Federal Register of Legislative Instruments", substitute "*Federal Register of Legislation".

### 266 Subsection 22-3(3)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 267 Subsection 22-3(4)

Omit "*Federal Register of Legislative Instruments", substitute "*Federal Register of Legislation".

### 268 Paragraph 22-20(3)(c)

Omit "*Federal Register of Legislative Instruments", substitute "*Federal Register of Legislation".

### 269 Subsection 22-20(5)

Omit "*Federal Register of Legislative Instruments", substitute "*Federal Register of Legislation".

### 270 Subsection 22-20(6)

Omit "Part 5 (Parliamentary scrutiny of legislative instruments) of the *Legislative Instruments Act 2003*", substitute "Part 2 of Chapter 3 (parliamentary scrutiny of legislative instruments) of the *Legislation Act 2003*".

### 271 Subdivision 22-E (heading)

Repeal the heading, substitute:

## Subdivision 22-E—Notice of approval or revocation ceasing to have effect under the Legislation Act 2003

### 272 Section 22-45 (heading)

Repeal the heading, substitute:

### 22-45 Notice of approval ceasing to have effect under the *Legislation Act 2003*

### 273 Paragraph 22-45(1)(b)

Omit "Part 5 (Parliamentary scrutiny of legislative instruments) of the *Legislative Instruments Act 2003*", substitute "Part 2 of Chapter 3 (parliamentary scrutiny of legislative instruments) of the *Legislation Act 2003*".

### 274 Section 22-50 (heading)

Repeal the heading, substitute:

### 22-50 Notice of revocation ceasing to have effect under the *Legislation Act 2003*

### 275 Paragraph 22-50(1)(b)

Omit "Part 5 (Parliamentary scrutiny of legislative instruments) of the *Legislative Instruments Act 2003*", substitute "Part 2 of Chapter 3 (parliamentary scrutiny of legislative instruments) of the *Legislation Act 2003*".

### 276 Subsection 137-18(2) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 277 Subsections 187-1(7), 193-5(5) and 193-10(5)

Omit "for the purposes of the *Legislative Instruments Act 2003*".

### 278 Subclause 5(2) of Schedule 1A

Omit "Part 5 (Parliamentary scrutiny of legislative instruments) of the *Legislative Instruments Act 2003*", substitute "Part 2 of Chapter 3 (parliamentary scrutiny of legislative instruments) of the *Legislation Act 2003*".

### 279 Subclause 12(2) of Schedule 1A

Repeal the subclause, substitute:

(2) A decision of the Minister to approve a body as a *VET provider takes effect when the notice of approval commences under the *Legislation Act 2003*.

Note: Section 12 of the *Legislation Act 2003* provides for when a legislative instrument commences.

## 280 Subclause 12C(4) of Schedule 1A

Repeal the subclause, substitute:

(2) The variation takes effect when the notice of variation commences under the *Legislation Act 2003*.

Note: Section 12 of the *Legislation Act 2003* provides for when a legislative instrument commences.

## 281 Subsection 17(4) of Schedule 1A

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## 282 Paragraph 29(c) of Schedule 1A

Omit "Part 5 (Parliamentary scrutiny of legislative instruments) of the *Legislative Instruments Act 2003*", substitute "Part 2 of Chapter 3 (parliamentary scrutiny of legislative instruments) of the *Legislation Act 2003*".

## 283 Subclause 29B(2) of Schedule 1A

Omit "*Federal Register of Legislative Instruments", substitute "*Federal Register of Legislation".

## 284 Subclause 29B(3) of Schedule 1A

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## 285 Subclauses 29B(4) and 29C(2) of Schedule 1A

Omit "*Federal Register of Legislative Instruments", substitute "*Federal Register of Legislation".

## 286 Subclause 29C(3) of Schedule 1A

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 287 Subclause 29C(4) of Schedule 1A

Omit "*Federal Register of Legislative Instruments", substitute "*Federal Register of Legislation".

### 288 Paragraph 34(3)(c) of Schedule 1A

Omit "*Federal Register of Legislative Instruments", substitute "*Federal Register of Legislation".

### 289 Subclause 34(5) of Schedule 1A

Omit "*Federal Register of Legislative Instruments", substitute "*Federal Register of Legislation".

### 290 Subclause 34(6) of Schedule 1A

Omit "Part 5 (Parliamentary scrutiny of legislative instruments) of the *Legislative Instruments Act 2003*", substitute "Part 2 of Chapter 3 (parliamentary scrutiny of legislative instruments) of the *Legislation Act 2003*".

### 291 Subdivision 5-E of Schedule 1A (heading)

Repeal the heading, substitute:

## Subdivision 5-E—Notice of approval or revocation ceasing to have effect under the Legislation Act 2003

### 292 Clause 39A of Schedule 1A (heading)

Repeal the heading, substitute:

## 39A Notice of approval ceasing to have effect under the *Legislation Act 2003*

### 293 Paragraph 39A(1)(b) of Schedule 1A

Omit "Part 5 (Parliamentary scrutiny of legislative instruments) of the *Legislative Instruments Act 2003*", substitute "Part 2 of Chapter 3 (parliamentary scrutiny of legislative instruments) of the *Legislation Act 2003*".

### 294 Clause 39B of Schedule 1A (heading)

Repeal the heading, substitute:

### 39B Notice of revocation ceasing to have effect under the *Legislation Act 2003*

### 295 Paragraph 39B(1)(b) of Schedule 1A

Omit "Part 5 (Parliamentary scrutiny of legislative instruments) of the *Legislative Instruments Act 2003*", substitute "Part 2 of Chapter 3 (parliamentary scrutiny of legislative instruments) of the *Legislation Act 2003*".

### 296 Subclause 1(1) of Schedule 1

Insert:

> ***Federal Register of Legislation*** means the Federal Register of Legislation established under the *Legislation Act 2003*.

### 297 Subclause 1(1) of Schedule 1 (definition of *Federal Register of Legislative Instruments*)

Repeal the definition.

## *Income Tax Assessment Act 1936*

### 298 Subsection 24AV(2)

Repeal the subsection, substitute:

> *Retrospective application of regulations prescribing excluded STBs*
>
> (2) Subsection 12(2) (retrospective application of legislative instruments) of the *Legislation Act 2003* does not apply to a regulation prescribing an STB as an excluded STB.

## *Income Tax Assessment Act 1997*

### 299 Subsection 293-115(6)

Repeal the subsection, substitute:

> (6) Subsection 12(2) (retrospective application of legislative instruments) of the *Legislation Act 2003* does not apply to a regulation made for the purposes of subsection (1).

(7) Despite subsection 12(3) (retrospective commencement of legislative instruments) of the *Legislation Act 2003*, a regulation made for the purposes of subsection (1) must not commence before 1 July 2012.

### 300 Subsection 293-145(2)

Repeal the subsection, substitute:

(2) Subsection 12(2) (retrospective application of legislative instruments) of the *Legislation Act 2003* does not apply to a regulation made for the purposes of paragraph (1)(b).

(2A) Despite subsection 12(3) (retrospective commencement of legislative instruments) of the *Legislation Act 2003*, a regulation made for the purposes of paragraph (1)(b) must not commence before 1 July 2012.

### 301 Subsections 415-100(2) and 974-10(7)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Independent Contractors Act 2006*

### 302 Subsections 42(3) and (4)

Repeal the subsections, substitute:

(3) Subsection 12(2) (retrospective application of legislative instruments) of the *Legislation Act 2003* does not apply to a regulation made for the purposes of subsection (1).

(4) Subsection 12(3) (retrospective commencement of legislative instruments) of the *Legislation Act 2003* does not apply to a regulation made for the purposes of subsection (1) that creates, modifies or otherwise affects a provision that makes a person liable to an offence or civil penalty.

## *Industrial Chemicals (Notification and Assessment) Act 1989*

### 303 Subsection 81(2)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Industry Research and Development Act 1986*

### 304 Subsections 28B(1) and 32(3) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Insurance Act 1973*

### 305 Subsection 32(6)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 306 Subsection 62ZZC(6)

Repeal the subsection, substitute:

*Declaration or amendment not disallowable*

(6) A declaration made under subsection (1), or an amendment of the declaration, is a legislative instrument, but section 42 (disallowance) of the *Legislation Act 2003* does not apply to the declaration or amendment.

Note: Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* does not apply to the declaration or amendment: see regulations made for the purposes of paragraph 54(2)(b) of that Act.

### 307 Paragraph 62ZZC(7)(a)

Repeal the paragraph, substitute:

(a) commences from the time it is made, despite subsection 12(1) of the *Legislation Act 2003*; and

### 308 After subsection 62ZZC(7)

Insert:

(7A) Subsection 12(2) (retrospective application of legislative instruments) of the *Legislation Act 2003* does not apply to the declaration or amendment.

### 309 Subsection 62ZZC(8)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 310 Subsections 131A(7) and (8)

Repeal the subsections, substitute:

*Authorisation or amendment not disallowable*

(7) An authorisation or amendment made under this section is a legislative instrument, but section 42 (disallowance) of the *Legislation Act 2003* does not apply to the authorisation or amendment.

Note: Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* does not apply to the authorisation or amendment: see regulations made for the purposes of paragraph 54(2)(b) of that Act.

*When authorisation or amendment commences*

(8) The authorisation or amendment commences from the time it is made, despite subsection 12(1) of the *Legislation Act 2003*.

(9) Subsection 12(2) (retrospective application of legislative instruments) of the *Legislation Act 2003* does not apply to the authorisation or amendment.

## *Intelligence Services Act 2001*

### 311 Section 3A

Omit "19A", substitute "19".

### 312 Section 3A (note)

Omit "section 19", substitute "subsection 19(4)".

## *Interactive Gambling Act 2001*

### 313 Subsections 24(5) and 37(5) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *International Monetary Agreements Act 1947*

### 314 Subsection 8CAA(4)

Omit "comes into force", substitute "commences".

### 315 Paragraphs 8CAA(4)(a) and (b)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

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

### 316 Subsection 13(2)

Omit "take effect", substitute "commence".

### 317 Subsection 13(3)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 318 Subsection 13(4)

Repeal the subsection, substitute:

(4) A determination under subsection (2) is a legislative instrument.

## *International War Crimes Tribunals Act 1995*

### 319 Subsection 42(3)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Judges' Pensions Act 1968*

### 320 Subsection 12A(14)

Omit "for the purposes of the *Legislative Instruments Act 2003*".

### 321 Subsection 17AI(2)

Omit "subsection 44(2) of the *Legislative Instruments Act 2003*", substitute "regulations made for the purposes of paragraph 44(2)(b) of the *Legislation Act 2003*".

## *Lands Acquisition Act 1989*

### 322 Subsection 21(3)

Repeal the subsection, substitute:

(3) Despite subsection 12(1) of the *Legislation Act 2003*, regulations made for the purpose of paragraph (1)(b) of this section may provide that the regulations commence on a day to be fixed by the Minister by notice published in the Gazette.

### 323 Subsection 21(4)

Omit "shall", substitute "must".

### 324 Paragraph 21(4)(a)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 325 Subsection 117(2)

Repeal the subsection, substitute:

(2) Despite subsection 12(1) of the *Legislation Act 2003*, regulations made for the purpose of paragraph (1)(b) of this section may provide that the regulations commence on a day to be fixed by the Minister by notice published in the Gazette.

### 326 Subsection 117(3)

Omit "shall", substitute "must".

### 327 Paragraph 117(3)(a)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Life Insurance Act 1995*

### 328 Subsection 16ZD(2) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 329 Paragraph 230A(12C)(b)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 330 Subsections 251A(7) and (8)

Repeal the subsections, substitute:

*Authorisation or amendment not disallowable*

(7) An authorisation or amendment made under this section is a legislative instrument, but section 42 (disallowance) of the *Legislation Act 2003* does not apply to the authorisation or amendment.

Note: Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* does not apply to the authorisation or amendment: see regulations made for the purposes of paragraph 54(2)(b) of that Act.

*When authorisation or amendment commences*

(8) The authorisation or amendment commences from the time it is made, despite subsection 12(1) of the *Legislation Act 2003*.

(9) Subsection 12(2) (retrospective application of legislative instruments) of the *Legislation Act 2003* does not apply to the authorisation or amendment.

## *Liquid Fuel Emergency Act 1984*

### 331 Subsection 9(2)

Repeal the subsection, substitute:

(2) Subsection 12(2) (retrospective application of legislative instruments) of the *Legislation Act 2003* does not apply to a determination under subsection (1).

### 332 Subsection 10(5)

Repeal the subsection, substitute:

(2) Subsection 12(2) (retrospective application of legislative instruments) of the *Legislation Act 2003* does not apply to guidelines made under subsection (4).

### 333 Subsection 11(6)

Repeal the subsection, substitute:

*Retrospective application of instruments*

(6) Subsection 12(2) (retrospective application of legislative instruments) of the *Legislation Act 2003* does not apply to the following instruments:
  (a) an instrument under subsection (3);
  (b) guidelines made under subsection (5).

### 334 Subsection 12(7)

Repeal the subsection, substitute:

(7) Subsection 12(2) (retrospective application of legislative instruments) of the *Legislation Act 2003* does not apply to guidelines made under subsection (6).

### 335 Subsection 13(2)

Omit “, but neither section 42 nor Part 6 of the *Legislative Instruments Act 2003* applies to the direction”.

## 336 At the end of subsection 13(2)

Add:

Note 1: Section 42 (disallowance) of the *Legislation Act 2003* does not apply to the direction: see regulations made for the purposes of paragraph 44(2)(b) of that Act.

Note 2: Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* does not apply to the direction: see regulations made for the purposes of paragraph 54(2)(b) of that Act.

## 337 Subsection 13(4)

Repeal the subsection, substitute:

*Retrospective application of instruments*

(4) Subsection 12(2) (retrospective application of legislative instruments) of the *Legislation Act 2003* does not apply to the following instruments:

(a) a direction given under subsection (1);

(b) guidelines made under subsection (3).

## 338 Subsection 14(2)

Omit “, but neither section 42 nor Part 6 of the *Legislative Instruments Act 2003* applies to the direction”.

## 339 At the end of subsection 14(2)

Add:

Note 1: Section 42 (disallowance) of the *Legislation Act 2003* does not apply to the direction: see regulations made for the purposes of paragraph 44(2)(b) of that Act.

Note 2: Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* does not apply to the direction: see regulations made for the purposes of paragraph 54(2)(b) of that Act.

## 340 Subsection 14(5)

Repeal the subsection, substitute:

*Retrospective application of instruments*

(5) Subsection 12(2) (retrospective application of legislative instruments) of the *Legislation Act 2003* does not apply to the following instruments:

(a) a direction given under subsection (1);

(b) guidelines made under subsection (4).

## 341 Subsection 14A(5)

Repeal the subsection, substitute:

(5) Subsection 12(2) (retrospective application of legislative instruments) of the *Legislation Act 2003* does not apply to guidelines made under subsection (4).

## 342 Subsection 17(6)

Repeal the subsection, substitute:

(6) Subsection 12(2) (retrospective application of legislative instruments) of the *Legislation Act 2003* does not apply to guidelines made under subsection (5).

## 343 Subsection 20(6)

Repeal the subsection, substitute:

(6) Subsection 12(2) (retrospective application of legislative instruments) of the *Legislation Act 2003* does not apply to guidelines made under subsection (5).

## 344 Subsection 21(5)

Omit “, but neither section 42 nor Part 6 of the *Legislative Instruments Act 2003* applies to the direction”.

## 345 At the end of subsection 21(5)

Add:

Note 1: Section 42 (disallowance) of the *Legislation Act 2003* does not apply to the direction: see regulations made for the purposes of paragraph 44(2)(b) of that Act.

Note 2: Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* does not apply to the direction: see regulations made for the purposes of paragraph 54(2)(b) of that Act.

## 346 Subsection 21(8)

Repeal the subsection, substitute:

*Retrospective application of instruments*

(8) Subsection 12(2) (retrospective application of legislative instruments) of the *Legislation Act 2003* does not apply to the following instruments:
  (a) a direction given under subsection (1);
  (b) guidelines made under subsection (7).

## 347 Subsection 22(5)

Omit “, but neither section 42 nor Part 6 of the *Legislative Instruments Act 2003* applies to the direction”.

## 348 At the end of subsection 22(5)

Add:

Note 1: Section 42 (disallowance) of the *Legislation Act 2003* does not apply to the direction: see regulations made for the purposes of paragraph 44(2)(b) of that Act.

Note 2: Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* does not apply to the direction: see regulations made for the purposes of paragraph 54(2)(b) of that Act.

## 349 Subsection 22(8)

Repeal the subsection, substitute:

*Retrospective application of instruments*

(8) Subsection 12(2) (retrospective application of legislative instruments) of the *Legislation Act 2003* does not apply to the following instruments:
  (a) a direction given under subsection (1);
  (b) guidelines made under subsection (7).

## 350 Subsection 23(5)

Omit “, but neither section 42 nor Part 6 of the *Legislative Instruments Act 2003* applies to the direction”.

## 351 At the end of subsection 23(5)

Add:

Note 1: Section 42 (disallowance) of the *Legislation Act 2003* does not apply to the direction: see regulations made for the purposes of paragraph 44(2)(b) of that Act.

Note 2: Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* does not apply to the direction: see regulations made for the purposes of paragraph 54(2)(b) of that Act.

## 352 Subsection 23(8)

Repeal the subsection, substitute:

*Retrospective application of instruments*

(8) Subsection 12(2) (retrospective application of legislative instruments) of the *Legislation Act 2003* does not apply to the following instruments:
  (a) a direction given under subsection (1);
  (b) guidelines made under subsection (7).

## 353 Subsection 24(5)

Omit “, but neither section 42 nor Part 6 of the *Legislative Instruments Act 2003* applies to the direction”.

## 354 At the end of subsection 24(5)

Add:

Note 1: Section 42 (disallowance) of the *Legislation Act 2003* does not apply to the direction: see regulations made for the purposes of paragraph 44(2)(b) of that Act.

Note 2: Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* does not apply to the direction: see regulations made for the purposes of paragraph 54(2)(b) of that Act.

## 355 Subsection 24(8)

Repeal the subsection, substitute:

*Retrospective application of instruments*

(8) Subsection 12(2) (retrospective application of legislative instruments) of the *Legislation Act 2003* does not apply to the following instruments:

(a) a direction given under subsection (1);

(b) guidelines made under subsection (7).

## *Local Government (Financial Assistance) Act 1995*

### 356 Subsection 6(6)

Omit “, but neither section 42 nor Part 6 of the *Legislative Instruments Act 2003* applies to the national principles”.

### 357 At the end of subsection 6(6)

Add:

Note 1: Section 42 (disallowance) of the *Legislation Act 2003* does not apply to the principles: see subsection 44(1) of that Act.

Note 2: Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* does not apply to the principles: see subsection 54(1) of that Act.

## *Low Aromatic Fuel Act 2013*

### 358 Subsection 9(1) (note 2)

Omit “*Legislative Instruments Act 2003*”, substitute “*Legislation Act 2003*”.

## *Marine Safety (Domestic Commercial Vessel) National Law Act 2012*

### 359 Section 164

Omit “*Legislative Instruments Act 2003*”, substitute “*Legislation Act 2003*”.

### 360 Subsection 165(5)

Repeal the subsection, substitute:

(5) Subsection 12(2) (retrospective application of legislative instruments) of the *Legislation Act 2003* of the Commonwealth does not apply to regulations made under this section.

### 361 Paragraph 165(6)(a)

Repeal the paragraph, substitute:

(a) regulations are expressed to commence from a day before the day the regulations are registered under the *Legislation Act 2003* of the Commonwealth; and

## *Medibank Private Sale Act 2006*

### 362 At the end of subsections 3(3) and (4)

Add:

Note: After the declaration was made, the *Legislative Instruments Act 2003* was renamed as the *Legislation Act 2003*.

### 363 At the end of subitems 5(5) and 6(7) of Schedule 2

Add:

Note: After the designated sale day, the *Legislative Instruments Act 2003* was renamed as the *Legislation Act 2003*.

## *Medical Indemnity Act 2002*

### 364 Subsection 4(1)

Insert:

***Federal Register of Legislation*** means the Federal Register of Legislation established under the *Legislation Act 2003*.

### 365 Subsection 4(1) (definition of *Federal Register of Legislative Instruments*)

Repeal the definition.

### 366 Subsection 29(2)

Omit "Federal Register of Legislative Instruments must not take effect", substitute "Federal Register of Legislation must not commence".

## 367 Subsection 30(1A)

Omit “take effect”, substitute “commence”.

## 368 Subsection 30(3)

Omit “Federal Register of Legislative Instruments”, substitute “Federal Register of Legislation”.

## 369 Subsection 34(2)

Omit “Federal Register of Legislative Instruments must not take effect”, substitute “Federal Register of Legislation must not commence”.

## 370 Subsections 34F(2) to (4)

Repeal the subsections, substitute:

*Threshold specified in regulations only applies to contracts entered into after the regulations commence*

(2) A regulation specifying an amount as the threshold (or changing the amount previously so specified) only applies in relation to contracts of insurance entered into after the regulation commences.

*When regulations reducing the threshold commence*

(3) A regulation reducing the threshold (which could be the threshold originally applicable under subsection (1), or that threshold as already changed by regulations) commences on the date specified in the regulations, which must be the date on which the regulations are entered on the Federal Register of Legislation or a later day.

*When regulations increasing the threshold commence*

(4) A regulation increasing the threshold (which could be the threshold originally applicable under subsection (1), or that threshold as already changed by regulations), commences on the date specified in the regulations, which must be at least 3 months after the date on which the regulations are entered on the Federal Register of Legislation.

### 371 Subsections 34G(2) and 34ZB(4)

Omit "Federal Register of Legislative Instruments", substitute "Federal Register of Legislation".

## *Midwife Professional Indemnity (Commonwealth Contribution) Scheme Act 2010*

### 372 Subsection 5(1)

Insert:

> ***Federal Register of Legislation*** means the Federal Register of Legislation established under the *Legislation Act 2003*.

### 373 Subsection 5(1) (definition of *Federal Register of Legislative Instruments*)

Repeal the definition.

### 374 Subsections 10(3) and (4)

Omit "takes effect", substitute "commences".

### 375 Subsection 10(5)

Omit "takes effect on the date specified in the Rules, which must be the date on which the Rules are entered on the Federal Register of Legislative Instruments", substitute "commences on the date specified in the Rules, which must be the date on which the Rules are entered on the Federal Register of Legislation".

### 376 Subsection 11(3B)

Repeal the subsection, substitute:

(3B) Subsection 12(2) (retrospective application of legislative instruments) of the *Legislation Act 2003* does not apply to Rules made for the purposes of subsection (3A).

### 377 Subsection 16(2)

Omit "take effect", substitute "commence".

### 378 Subsection 31(7)

Repeal the subsection, substitute:

(7) Subsection 12(2) (retrospective application of legislative instruments) of the *Legislation Act 2003* does not apply to Rules made for the purposes of subsection (6).

### 379 Subsection 90(4)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Migration Act 1958*

### 380 Subsections 9A(7) and 39(1)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 381 Subsection 39A(4)

Omit "subsection 44(2) of the *Legislative Instruments Act 2003*", substitute "regulations made for the purposes of paragraph 44(2)(b) of the *Legislation Act 2003*".

### 382 Subsection 45AA(8)

Repeal the subsection, substitute:

*Conversion regulation may affect accrued rights etc.*

(8) To avoid doubt:

(a) subsection 12(2) (retrospective application of legislative instruments) of the *Legislation Act 2003* does not apply in relation to the effect of a conversion regulation (including a conversion regulation enacted by the Parliament); and

(b) subsection 7(2) of the *Acts Interpretation Act 1901*, including that subsection as applied by section 13 of the *Legislation Act 2003*, does not apply in relation to the enactment of this section or the making of a conversion regulation (including a conversion regulation enacted by the Parliament).

### 383 Subsection 140GBC(5)

Omit "subsection 44(2) of the *Legislative Instruments Act 2003*", substitute "regulations made for the purposes of paragraph 44(2)(b) of the *Legislation Act 2003*".

### 384 Subsection 198AB(1B)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 385 Subsection 504(2)

Repeal the subsection, substitute:

(2) Section 14 of the *Legislation Act 2003* does not prevent, and has not prevented, regulations whose operation depends on a country or other matter being specified or certified by the Minister in an instrument in writing made under the regulations after the commencement of the regulations.

## *Military Superannuation and Benefits Act 1991*

### 386 Subsection 5A(3)

Repeal the subsection, substitute:

(3) Subsection 12(2) (retrospective application of legislative instruments) of the *Legislation Act 2003* does not apply to amendments referred to in subsection (1) of this section.

### 387 Section 49 (heading)

Repeal the heading, substitute:

**49 Amendments to Trust Deed disallowable under the *Legislation Act 2003***

### 388 Section 49

Omit "section 44 of the *Legislative Instruments Act 2003*, section 42", substitute "regulations made for the purposes of paragraph 44(2)(b) of the *Legislation Act 2003*, section 42 (disallowance)".

## *Mutual Assistance in Criminal Matters Act 1987*

### 389 Subsection 13A(5)

Omit "for the purposes of the *Legislative Instruments Act 2003*".

## *National Blood Authority Act 2003*

### 390 Subsection 10(3) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *National Broadband Network Companies Act 2011*

### 391 Subsection 41(1) (note 3)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 392 Subsection 41(3) (note 2)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 393 Subsections 49(7), 54(9), 55(7) and 85(3) and (4)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 394 After subsection 85(4)

Insert:

(4A) Subsection 12(2) of the *Legislation Act 2003* (retrospective application of legislative instruments) does not apply to the declaration under subsection (2) of this section.

## *National Disability Insurance Scheme Act 2013*

### 395 Section 10 (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 396 Subsection 121(1) (note)

Repeal the note, substitute:

Note: Section 42 (disallowance) and Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* do not apply to the directions (see regulations made for the purposes of paragraphs 44(2)(b) and 54(2)(b) of that Act).

### 397 Subsection 209(2)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *National Environment Protection Council Act 1994*

### 398 Subsection 21(2)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *National Film and Sound Archive of Australia Act 2008*

### 399 Subsection 42(1) (notes 1 and 2)

Repeal the notes, substitute:

Note 1: Section 42 (disallowance) of the *Legislation Act 2003* does not apply to the direction—see regulations made for the purposes of paragraph 44(2)(b) of that Act.

Note 2: Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* does not apply to the direction—see regulations made for the purposes of paragraph 54(2)(b) of that Act.

## *National Health Act 1953*

### 400 Subsection 135AA(8)

Repeal the subsection, substitute:

*When rules commence*

(8) Despite section 12 of the *Legislation Act 2003*, rules commence:
  (a) from the first day on which they are no longer liable to be disallowed; or

(b) if the rules provide for their commencement after that day—in accordance with that provision.

## *National Health Reform Act 2011*

### 401 Section 5 (note at the end of the definition of *local hospital network*)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *National Health Security Act 2007*

### 402 Subsections 60A(4) and (5)

Repeal the subsections, substitute:

*When legislative instrument commences*

(4) A legislative instrument made under subsection (1A), (1) or (1B) commences:
  (a) on the day on which the instrument is made; or
  (b) if the instrument specifies a later day as the day on which it commences, on that day.

(5) Subsection (4) has effect despite section 12 of the *Legislation Act 2003*.

(5A) Subsection 12(2) (retrospective application of legislative instruments) of the *Legislation Act 2003* does not apply to a legislative instrument made under subsection (1A), (1) or (1B).

### 403 Subsections 60B(4) and (5)

Repeal the subsections, substitute:

*When variation or revocation commences*

(4) The variation or revocation commences:
  (a) on the day on which the instrument is made; or
  (b) if the instrument specifies a later day as the day on which it commences, on that day.

(5) Subsection (4) has effect despite section 12 of the *Legislation Act 2003*.

(5A) Subsection 12(2) (retrospective application of legislative instruments) of the *Legislation Act 2003* does not apply to the variation or revocation.

## *National Land Transport Act 2014*

### 404 Subsection 5(4)

Omit "for the purposes of the *Legislative Instruments Act 2003*, but neither section 42 nor Part 6 of that Act applies to the instrument", substitute ", but section 42 (disallowance) of the *Legislation Act 2003* does not apply to the instrument".

### 405 At the end of subsection 5(4)

Add:

Note: Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* does not apply to the instrument (see regulations made for the purposes of paragraph 54(2)(b) of that Act).

### 406 Subsection 6(3)

Omit "for the purposes of the *Legislative Instruments Act 2003*, but neither section 42 nor Part 6 of that Act applies to the instrument", substitute ", but section 42 (disallowance) of the *Legislation Act 2003* does not apply to the instrument".

### 407 At the end of subsection 6(3)

Add:

Note: Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* does not apply to the instrument (see regulations made for the purposes of paragraph 54(2)(b) of that Act).

### 408 Section 7 (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 409 Subsections 9(2), 15(4), 17(4), 24(3), 25(5) and 26(4)

Omit "for the purposes of the *Legislative Instruments Act 2003*".

## 410 Subsection 27(4)

Omit "for the purposes of the *Legislative Instruments Act 2003*, but neither section 42 nor Part 6 of that Act applies to the instrument", substitute ", but section 42 (disallowance) of the *Legislation Act 2003* does not apply to the instrument".

## 411 At the end of subsection 27(4)

Add:

Note: Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* does not apply to the instrument (see regulations made for the purposes of paragraph 54(2)(b) of that Act).

## 412 Subsection 27(5)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## 413 Subsections 29(2), 35(4), 37(4) and 43(4)

Omit "for the purposes of the *Legislative Instruments Act 2003*".

## 414 Subsection 44(4)

Omit "for the purposes of the *Legislative Instruments Act 2003*, but neither section 42 nor Part 6 of that Act applies to the instrument", substitute ", but section 42 (disallowance) of the *Legislation Act 2003* does not apply to the instrument".

## 415 At the end of subsection 44(4)

Add:

Note: Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* does not apply to the instrument (see regulations made for the purposes of paragraph 54(2)(b) of that Act).

## 416 Subsection 44(5)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## 417 Subsections 46(6), 70(2), 76(4), 78(4) and 85(4)

Omit "for the purposes of the *Legislative Instruments Act 2003*".

## 418 Subsection 86(4)

Omit "for the purposes of the *Legislative Instruments Act 2003*, but neither section 42 nor Part 6 of that Act applies to the instrument", substitute ", but section 42 (disallowance) of the *Legislation Act 2003* does not apply to the instrument".

## 419 At the end of subsection 86(4)

Add:

Note: Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* does not apply to the instrument (see regulations made for the purposes of paragraph 54(2)(b) of that Act).

## 420 Subsections 86(5), 87(2) and 88(5)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## 421 Subsection 89(5)

Omit "for the purposes of the *Legislative Instruments Act 2003*".

## 422 Subsection 90(6)

Omit "for the purposes of the *Legislative Instruments Act 2003*, but neither section 42 nor Part 6 of that Act applies to the instrument", substitute ", but section 42 (disallowance) of the *Legislation Act 2003* does not apply to the instrument".

## 423 At the end of subsection 90(6)

Add:

Note: Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* does not apply to the instrument (see regulations made for the purposes of paragraph 54(2)(b) of that Act).

## 424 Subsection 90(7)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## 425 Subsection 91(4)

Omit "for the purposes of the *Legislative Instruments Act 2003*".

## *National Portrait Gallery of Australia Act 2012*

### 426 Subsection 50(1) (note)

Repeal the note, substitute:

Note: Section 42 (disallowance) and Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* do not apply to the direction (see regulations made for the purposes of paragraphs 44(2)(b) and 54(2)(b) of that Act).

## *National Rental Affordability Scheme Act 2008*

### 427 Subsection 12(1)

Omit "(1) The", substitute "The".

### 428 Subsection 12(2)

Repeal the subsection.

## *National Security Information (Criminal and Civil Proceedings) Act 2004*

### 429 Subsections 6A(6), 26(6), 28(9), 38F(8), 38H(10) and 39A(7)

Omit "for the purposes of the *Legislative Instruments Act 2003*".

## *National Vocational Education and Training Regulator Act 2011*

### 430 Subsection 7(3) (note)

Repeal the note, substitute:

Note: Section 42 (disallowance) of the *Legislation Act 2003* does not apply to a determination (see regulations made for the purposes of paragraph 44(2)(b) of that Act).

### 431 Subsection 54(1) (note)

Repeal the note, substitute:

Note: Section 42 (disallowance) and Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* do not apply to a determination (see regulations

made for the purposes of paragraphs 44(2)(b) and 54(2)(b) of that Act).

## 432 Subsection 157(3) (note 2)

Repeal the note, substitute:

Note 2: Section 42 (disallowance) and Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* do not apply to a legislative instrument that sets out a function (see regulations made for the purposes of paragraphs 44(2)(b) and 54(2)(b) of that Act).

## 433 Subsection 158(3)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## 434 Subsections 160(1) and 181(1) (note)

Repeal the note, substitute:

Note: Section 42 (disallowance) and Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* do not apply to the direction (see regulations made for the purposes of paragraphs 44(2)(b) and 54(2)(b) of that Act).

## 435 Subsection 185(1) (note 1)

Repeal the note, substitute:

Note 1: Section 42 (disallowance) and Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* do not apply to a legislative instrument that makes the standards (see regulations made for the purposes of paragraphs 44(2)(b) and 54(2)(b) of that Act).

## 436 Subsections 186(1) and 187(1) (note 1)

Repeal the note, substitute:

Note 1: Section 42 (disallowance) and Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* do not apply to a legislative instrument that makes the requirements (see regulations made for the purposes of paragraphs 44(2)(b) and 54(2)(b) of that Act).

## 437 Subsections 188(1) and 189(1) (note 1)

Repeal the note, substitute:

Note 1: Section 42 (disallowance) and Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* do not apply to a legislative instrument that

makes the standards (see regulations made for the purposes of paragraphs 44(2)(b) and 54(2)(b) of that Act).

### 438 Subsection 191A(2)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 439 Subsection 232(1) (note)

Repeal the note, substitute:

Note: Section 42 (disallowance) and Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* do not apply to a legislative instrument that determines fees (see regulations made for the purposes of paragraphs 44(2)(b) and 54(2)(b) of that Act).

## *Nation-building Funds Act 2008*

### 440 Section 5 (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 441 Subsections 14(5), 15(3) and 17(3)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 442 Subsection 35(11) (notes 1 and 2)

Repeal the notes, substitute:

Note 1: Section 42 (disallowance) of the *Legislation Act 2003* does not apply to the direction—see regulations made for the purposes of paragraph 44(2)(b) of that Act.

Note 2: Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* does not apply to the direction—see regulations made for the purposes of paragraph 54(2)(b) of that Act.

### 443 Subsection 37(2) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 444 Subsection 134(3)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 445 Subsection 154(11) (notes 1 and 2)

Repeal the notes, substitute:

Note 1: Section 42 (disallowance) of the *Legislation Act 2003* does not apply to the direction—see regulations made for the purposes of paragraph 44(2)(b) of that Act.

Note 2: Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* does not apply to the direction—see regulations made for the purposes of paragraph 54(2)(b) of that Act.

### 446 Subsection 156(2) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 447 Subsections 216(5) and 217(3)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 448 Subsection 229(11) (notes 1 and 2)

Repeal the notes, substitute:

Note 1: Section 42 (disallowance) of the *Legislation Act 2003* does not apply to the direction—see regulations made for the purposes of paragraph 44(2)(b) of that Act.

Note 2: Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* does not apply to the direction—see regulations made for the purposes of paragraph 54(2)(b) of that Act.

### 449 Subsection 231(2) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Native Title Act 1993*

### 450 Subsections 203CA(6) and 203FE(3A)

Omit "for the purposes of the *Legislative Instruments Act 2003*".

### 451 Section 253 (definition of *Commonwealth Minister*)

Omit "19A", substitute "19".

## *Navigation Act 2012*

### 452 Subsections 341(2) and 342(4)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Offshore Petroleum and Greenhouse Gas Storage Act 2006*

### 453 Subsections 58(2), 61(3), 66(8), 106(9), 574(10) and (11), 615(4), 616(11), 647(6), 654(2), 657(3) and (4) and 677(4)

Omit "for the purposes of the *Legislative Instruments Act 2003*".

### 454 Subsection 689(2) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 455 Subsections 691(4) and (5), 692(14) and 697(6), (7) and (8)

Omit "for the purposes of the *Legislative Instruments Act 2003*".

### 456 Subclause 46(1) of Schedule 3 (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 457 Subclause 46(3) of Schedule 3

Omit "for the purposes of the *Legislative Instruments Act 2003*".

### 458 Paragraph 4(2)(b) of Schedule 6

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 459 Subclause 7(1) of Schedule 6 (note 1)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 460 Subclause 7(3) of Schedule 6

Omit "for the purposes of the *Legislative Instruments Act 2003*".

## *Offshore Petroleum (Royalty) Act 2006*

### 461 Subsections 6(5) and 14(4)

Omit "for the purposes of the *Legislative Instruments Act 2003*".

## *Ombudsman Act 1976*

### 462 Subsection 19ZE(4)

Omit "for the purposes of the *Legislative Instruments Act 2003*".

## *Ozone Protection and Synthetic Greenhouse Gas (Import Levy) Act 1995*

### 463 Subsection 4A(8)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Ozone Protection and Synthetic Greenhouse Gas Management Act 1989*

### 464 Subsections 8D(2) and 13(6B)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 465 Subsection 45(9)

Omit "*Legislative Instruments Act 2003*, a determination under subsection (4) of this section takes effect", substitute "*Legislation Act 2003*, a determination under subsection (4) of this section commences".

### 466 Subsection 69F(10) (heading)

Repeal the heading, substitute:

*Legislation Act 2003*

### 467 Subclause 10(1A) of Schedule 4 (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Parliamentary Contributory Superannuation Act 1948*

### 468 Subsection 22CK(2)

Omit "section 44 of the *Legislative Instruments Act 2003*, section 42", substitute "regulations made for the purposes of paragraph 44(2)(b) of the *Legislation Act 2003*, section 42 (disallowance)".

## *Parliamentary Service Act 1999*

### 469 Subsection 20(5) (note)

Repeal the note, substitute:

Note: Section 42 (disallowance) and Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* do not apply to the direction (see regulations made for the purposes of paragraphs 44(2)(b) and 54(2)(b) of that Act).

### 470 Subsection 23(1) (note)

Repeal the note, substitute:

Note: Section 42 (disallowance) and Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* do not apply to the Classification Rules (see regulations made for the purposes of paragraphs 44(2)(b) and 54(2)(b) of that Act).

### 471 Subsection 24(3) (note)

Repeal the note, substitute:

Note: Section 42 (disallowance) and Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* do not apply to the determination (see regulations made for the purposes of paragraphs 44(2)(b) and 54(2)(b) of that Act).

## *Patents Act 1990*

### 472 Subsection 29B(6)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 473 Paragraph 136E(3)(b)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 474 Subsection 228(5)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Personally Controlled Electronic Health Records Act 2012*

### 475 Subsection 111(2) (note)

Omit "Part 3 of the *Legislative Instruments Act 2003*", substitute "section 17 of the *Legislation Act 2003*".

## *Personal Property Securities Act 2009*

### 476 Subsection 306(6)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Petroleum Excise (Prices) Act 1987*

### 477 Subsection 4(1C)

Repeal the subsection, substitute:

(1C) Subsection 12(2) (retrospective application of legislative instruments) of the *Legislation Act 2003* does not apply to regulations made for the purposes of this Act in relation to condensate.

## *Petroleum Resource Rent Tax Assessment Act 1987*

### 478 Subsection 36B(4)

Omit "for the purposes of the *Legislative Instruments Act 2003*".

## *Privacy Act 1988*

### 479 Subsection 6C(1) (note 2 at the end of the definition of *organisation*)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 480 Subsections 6E(1) and (2) and 6F(1) (note 2)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 481 Subsection 26B(3) (not including the note)

Repeal the subsection, substitute:

(3) Subsection 12(2) (retrospective application of legislative instruments) of the *Legislation Act 2003* does not apply to a registered APP code.

### 482 Subsection 26M(3)

Repeal the subsection, substitute:

(3) Subsection 12(2) (retrospective application of legislative instruments) of the *Legislation Act 2003* does not apply to the registered CR code.

## *Product Stewardship Act 2011*

### 483 Subsections 19(3B) and 39(3)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Product Stewardship (Oil) Act 2000*

### 484 Subsection 10(5)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Protection of Cultural Objects on Loan Act 2013*

### 485 Section 5 (note at the end of the definition of *borrowing institution*)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Public Governance and Resources Legislation Amendment Act (No. 1) 2015*

### 486 Item 1 of Schedule 7

Repeal the item, substitute:

### 1 Amendments to legislative instruments

Subsection 12(2) (retrospective application of legislative instruments) of the *Legislation Act 2003* does not apply to a legislative instrument (the ***amending instrument***) if:

(a) the amending instrument is made under an Act (the ***enabling Act***); and

(b) the amending instrument amends another legislative instrument made under the enabling Act; and

(c) the amendment is consequential on:

(i) the amendments or repeals made by this Act; or

(ii) the enactment of this Act.

## *Public Governance, Performance and Accountability Act 2013*

### 487 Subsections 22(4), 57(2), 58(9) and 59(4)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 488 Subsection 75(7) (heading)

Repeal the heading, substitute:

*Legislation Act 2003*

### 489 Subsection 75(7)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 490 Subsection 75(8)

Omit "take effect", substitute "commence".

### 491 Subsection 75(9)

Repeal the subsection, substitute:

(9) Subsection (8) does not authorise expenditure under an appropriation that did not exist at the time of the expenditure.

(9A) Subsection 12(2) (retrospective application of legislative instruments) of the *Legislation Act 2003* does not apply to a determination under subsection (2) of this section.

### 492 Subsection 79(2)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 493 Subsection 79(5)

Omit "takes effect", substitute "commences".

### 494 Subsections 93(4), 101(4), 105B(2) and 105C(2)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Public Governance, Performance and Accountability (Consequential and Transitional Provisions) Act 2014*

### 495 Item 5 of Schedule 14

Repeal the item, substitute:

### 5 Amendments to legislative instruments

Subsection 12(2) (retrospective application of legislative instruments) of the *Legislation Act 2003* does not apply to a legislative instrument (the ***amending instrument***) if:

(a) the amending instrument is made under an Act (the ***enabling Act***); and

(b) the amending instrument amends another legislative instrument made under the enabling Act; and

(c) the amendment is consequential on:

(i) the amendments or repeals made by this Act; or

(ii) the enactment of this Act or the PGPA Act.

## *Public Interest Disclosure Act 2013*

### 496 Subsection 32(3) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Public Service Act 1999*

### 497 Subsection 21(2) (note)

Repeal the note, substitute:

Note: Section 42 (disallowance) and Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* do not apply to the direction (see regulations made for the purposes of paragraphs 44(2)(b) and 54(2)(b) of that Act).

### 498 Subsection 23(1) (note)

Repeal the note, substitute:

Note: Section 42 (disallowance) and Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* do not apply to the Classification Rules (see regulations made for the purposes of paragraphs 44(2)(b) and 54(2)(b) of that Act).

### 499 Subsection 24(3) (note)

Repeal the note, substitute:

Note: Section 42 (disallowance) and Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* do not apply to the determination (see regulations made for the purposes of paragraphs 44(2)(b) and 54(2)(b) of that Act).

### 500 Subsection 41(2) (note)

Repeal the note, substitute:

Note: Section 42 (disallowance) and Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* do not apply to a direction given under paragraph (2)(q) of this section (see regulations made for the purposes of paragraphs 44(2)(b) and 54(2)(b) of that Act).

## *Quarantine Act 1908*

### 501 Subsections 64B(1), (3) and (4) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 502 Subsection 64D(3)

Repeal the subsection, substitute:

(3) A tariff must not commence before the tenth day after it is registered under the *Legislation Act 2003*.

## *Remuneration Tribunal Act 1973*

### 503 Subsection 7(8AA)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Renewable Energy (Electricity) Act 2000*

### 504 Paragraph 30LA(6)(b)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 505 Subsection 160A(2)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Retirement Savings Accounts Act 1997*

### 506 Subsection 45B(8)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 507 Subsection 45B(9) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Safety, Rehabilitation and Compensation Act 1988*

### 508 Subsections 101(2) and 114D(4)

Omit "of the *Legislative Instruments Act 2003*", substitute "(disallowance) of the *Legislation Act 2003*".

## *Safe Work Australia Act 2008*

### 509 Subsection 46(1) (notes 1 and 2)

Repeal the notes, substitute:

Note: Section 42 (disallowance) and Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* do not apply to the direction—see regulations made for the purposes of paragraphs 44(2)(b) and 54(2)(b) of that Act.

## *Schools Assistance Act 2008*

### 510 At the end of subsection 15(2)

Add:

Note: Section 46B of the *Acts Interpretation Act 1901* was repealed by the *Acts and Instruments (Framework Reform) Act 2015*. Item 179 of Schedule 1 to that Act includes certain saving and transitional provisions for section 46B.

### 511 Subsections 17(4), 22(2), 67(5), 69(5) and 85(5)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 512 Subsection 92(2) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 513 Subsection 92(5)

Repeal the subsection, substitute:

(5) Subsection 12(2) (retrospective application of legislative instruments) of the *Legislation Act 2003* does not apply in relation to a determination made under subsection (4).

### 514 Subsection 165(3)

Omit "take effect", substitute "commence".

### 515 Subsections 173(3) and (4) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Schools Assistance (Learning Together—Achievement Through Choice and Opportunity) Act 2004*

### 516 Section 4 (definition of *eligible new arrival*)

Omit the second sentence, substitute "Subsection 12(2) (retrospective application of legislative instruments) of the *Legislation Act 2003* does not apply in relation to a determination made under subparagraph (c)(v) of this definition.".

### 517 Subsection 8(2)

Omit "for the purposes of the *Legislative Instruments Act 2003*".

### 518 Subsection 140(2)

Repeal the subsection, substitute:

(2) Despite the *Legislation Act 2003*, regulations made for the purposes of section 14, 15, 19, 31, 32 or 36 of this Act commence not earlier than on the first day on which they are no longer liable to be disallowed, or to have been taken to have been disallowed, under that Act.

## *Screen Australia Act 2008*

### 519 Subsection 44(1) (notes 1 and 2)

Repeal the notes, substitute:

Note: Section 42 (disallowance) and Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* do not apply to the direction—see regulations made for the purposes of paragraphs 44(2)(b) and 54(2)(b) of that Act.

## *Screen Australia and the National Film and Sound Archive of Australia (Consequential and Transitional Provisions) Act 2008*

### 520 Subitem 36(3) of Schedule 2

Repeal the subitem.

## *Shipping Reform (Tax Incentives) Act 2012*

### 521 Subsection 25(2) (note 1)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Social and Community Services Pay Equity Special Account Act 2012*

### 522 Subsections 7(5), 8(8) and 9(2)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Social Security Act 1991*

### 523 Subsection 11A(12) (heading)

Repeal the heading, substitute:

*Application of the Legislation Act 2003*

### 524 Subsection 92Q(1A)

Omit "Despite subsection 12(2) of the *Legislative Instruments Act 2003*, a", substitute "A".

### 525 After subsection 92Q(1A)

Insert:

(1B) Subsection 12(2) (retrospective application of legislative instruments) of the *Legislation Act 2003* does not apply in relation to a declaration made under subsection (1).

### 526 Subsections 500E(2) and 546(2)

Omit "take effect", substitute "commence".

### 527 Subsection 592N(2)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 528 Subsection 600(2)

Omit "take effect", substitute "commence".

### 529 Subsection 1061KA(7)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 530 Subsections 1061K(3), 1061L(3) and 1061P(6)

Omit "but section 42 of the *Legislative Instruments Act 2003*", substitute "but section 42 (disallowance) of the *Legislation Act 2003*".

### 531 Subsection 1061ZZGH(1) (note 1)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 532 Subsections 1157M(2), 1157R(2) and 1157U(2)

Repeal the subsections, substitute:

(2) The determination:

(a) commences on the day after the day when it is registered in the Federal Register of Legislation under the *Legislation Act 2003*; and

(b) ceases to have effect 6 months after the day it commences, if it has not already been revoked.

### 533 Subsection 1237AB(3)

Omit "take effect", substitute "commence".

## *Social Security (Administration) Act 1999*

### 534 Subsection 202(5)

Omit "*Legislative Instruments Act 2003*, an instrument does not take effect", substitute "*Legislation Act 2003*, an instrument does not commence".

### 535 Subclause 2(4) of Schedule 5

Omit "Federal Register of Legislative Instruments under the *Legislative Instruments Act 2003*", substitute "Federal Register of Legislation under the *Legislation Act 2003*".

## *Stronger Futures in the Northern Territory Act 2012*

### 536 Section 8 (subsection 75D(3) of the *Liquor Act* (NT))

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Student Assistance Act 1973*

### 537 Subsection 48(2)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Student Identifiers Act 2014*

### 538 Subsections 4(2) and (3) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 539 Subsection 33(1) (note)

Repeal the note, substitute:

Note: Section 42 (disallowance) and Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* do not apply to the directions (see regulations made for the purposes of paragraphs 44(2)(b) and 54(2)(b) of that Act).

### 540 Subsection 53(3) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 541 Subsection 55(4)

Omit ", but neither section 42 (disallowance) nor Part 6 (sunsetting) of the *Legislative Instruments Act 2003* applies to the declaration or revocation".

### 542 At the end of subsection 55(4)

Add:

Note 1: Section 42 (disallowance) of the *Legislation Act 2003* does not apply to the declaration or revocation: see subsection 44(1) of that Act.

Note 2: Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* does not apply to the declaration or revocation: see subsection 54(1) of that Act.

### 543 Subsection 57(3)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Superannuation Act 1922*

### 544 Subsection 93DE(2)

Omit "section 44 of the *Legislative Instruments Act 2003*, section 42", substitute "regulations made for the purposes of paragraph 44(2)(b) of the *Legislation Act 2003*, section 42 (disallowance)".

## *Superannuation Act 1976*

### 545 Subsections 3(1BD) and 4A(1)

Omit "section 44 of the *Legislative Instruments Act 2003*, section 42", substitute "regulations made for the purposes of paragraph 44(2)(b) of the *Legislation Act 2003*, section 42 (disallowance)".

### 546 Section 110G

Omit "section 44 of the *Legislative Instruments Act 2003*, section 42", substitute "regulations made for the purposes of paragraph 44(2)(b) of the *Legislation Act 2003*, section 42 (disallowance)".

### 547 Subsections 146MH(2), 238(2), 241(3) and 242C(4)

Omit "section 44 of the *Legislative Instruments Act 2003*, section 42", substitute "regulations made for the purposes of paragraph 44(2)(b) of the *Legislation Act 2003*, section 42 (disallowance)".

## *Superannuation Act 1990*

### 548 Subsection 5A(2)

Repeal the subsection, substitute:

(2) Subsection 12(2) (retrospective application of legislative instruments) of the *Legislation Act 2003* does not apply in relation to amendments referred to in subsection (1) of this section.

### 549 Subsection 6(5) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 550 Subsection 6(7)

Omit "for the purposes of the *Legislative Instruments Act 2003*".

### 551 Subsections 6(8) and 45(2)

Omit "section 44 of the *Legislative Instruments Act 2003*, section 42", substitute "regulations made for the purposes of paragraph 44(2)(b) of the *Legislation Act 2003*, section 42 (disallowance)".

### 552 Subsection 45(3)

Omit "have taken effect", substitute "commence".

### 553 Subsections 45(4) and (5)

Omit "take effect", substitute "commence".

### 554 Subsection 45(6)

Repeal the subsection, substitute:

(6) Subsection 12(2) (retrospective application of legislative instruments) of the *Legislation Act 2003* does not apply in relation to an instrument referred to in paragraph (1)(e).

## *Superannuation Act 2005*

### 555 Subsection 4(3)

Omit "section 44 of the *Legislative Instruments Act 2003*, section 42", substitute "regulations made for the purposes of paragraph 44(2)(b) of the *Legislation Act 2003*, section 42 (disallowance)".

### 556 Subsection 5(2) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 557 Subsection 5(3)

Omit "for the purposes of the *Legislative Instruments Act 2003*".

### 558 Subsection 5(4)

Omit "section 44 of the *Legislative Instruments Act 2003*, section 42", substitute "regulations made for the purposes of paragraph 44(2)(b) of the *Legislation Act 2003*, section 42 (disallowance)".

### 559 Subsections 5(5) and (6)

Omit "have taken effect", substitute "commence".

### 560 Subsections 6(1) and (2) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 561 Subsection 6(3)

Omit "for the purposes of the *Legislative Instruments Act 2003*".

### 562 Subsection 6(4)

Omit "section 44 of the *Legislative Instruments Act 2003*, section 42", substitute "regulations made for the purposes of paragraph 44(2)(b) of the *Legislation Act 2003*, section 42 (disallowance)".

### 563 Subsection 7(1) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 564 Subsection 7(2)

Omit "for the purposes of the *Legislative Instruments Act 2003*".

### 565 Subsection 7(3)

Omit "section 44 of the *Legislative Instruments Act 2003*, section 42", substitute "regulations made for the purposes of paragraph 44(2)(b) of the *Legislation Act 2003*, section 42 (disallowance)".

### 566 Subsections 7(4) and (5)

Omit "have taken effect", substitute "commence".

### 567 Subsection 8(2) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 568 Subsection 8(5)

Omit "for the purposes of the *Legislative Instruments Act 2003*".

### 569 Subsection 8(6)

Omit "section 44 of the *Legislative Instruments Act 2003*, section 42", substitute "regulations made for the purposes of paragraph 44(2)(b) of the *Legislation Act 2003*, section 42 (disallowance)".

### 570 Subsection 8(7)

Omit "have taken effect", substitute "commence".

### 571 Subsection 10(2)

Omit "for the purposes of the *Legislative Instruments Act 2003*, but section 42 of that Act", substitute ", but section 42 (disallowance) of the *Legislation Act 2003*".

### 572 Subsection 11(3)

Omit "for the purposes of the *Legislative Instruments Act 2003*".

### 573 Subsection 11(4)

Omit "section 44 of the *Legislative Instruments Act 2003*, section 42", substitute "regulations made for the purposes of paragraph 44(2)(b) of the *Legislation Act 2003*, section 42 (disallowance)".

### 574 Subsections 13(1) and (2) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 575 Subsection 13(4)

Omit "for the purposes of the *Legislative Instruments Act 2003*".

### 576 Subsection 13(5)

Omit "section 44 of the *Legislative Instruments Act 2003*, section 42", substitute "regulations made for the purposes of paragraph 44(2)(b) of the *Legislation Act 2003*, section 42 (disallowance)".

### 577 Subsections 13(6) and (7)

Omit "have taken effect", substitute "commence".

### 578 Subsection 16(1) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 579 Subsection 16(2)

Omit "for the purposes of the *Legislative Instruments Act 2003*".

### 580 Subsection 16(3)

Omit "section 44 of the *Legislative Instruments Act 2003*, section 42", substitute "regulations made for the purposes of paragraph 44(2)(b) of the *Legislation Act 2003*, section 42 (disallowance)".

### 581 Subsection 19(4)

Omit "for the purposes of the *Legislative Instruments Act 2003*".

### 582 Subsection 19(5)

Omit "section 44 of the *Legislative Instruments Act 2003*, section 42", substitute "regulations made for the purposes of paragraph 44(2)(b) of the *Legislation Act 2003*, section 42 (disallowance)".

### 583 Paragraph 32(1)(b)

Omit "for the purposes of the *Legislative Instruments Act 2003*".

### 584 Subsections 34(5) and 39(3)

Omit "for the purposes of the *Legislative Instruments Act 2003*, but section 42 of that Act", substitute ", but section 42 (disallowance) of the *Legislation Act 2003*".

## *Superannuation Industry (Supervision) Act 1993*

### 585 Subsection 34K(8)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 586 Subsection 34K(9) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 587 Subsection 50(6) (heading)

Repeal the heading, substitute:

*Section 14 of the Legislation Act 2003*

### 588 Subsections 50(6), 128Q(5) and 142(9)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Superannuation Legislation Amendment (Simplification) Act 2007*

### 589 Section 4

Omit "(within the meaning of the *Legislative Instruments Act 2003*)".

## *Superannuation (Productivity Benefit) Act 1988*

### 590 Section 9B

Omit "section 44 of the *Legislative Instruments Act 2003*, section 42", substitute "regulations made for the purposes of paragraph 44(2)(b) of the *Legislation Act 2003*, section 42 (disallowance)".

## *Superannuation (Unclaimed Money and Lost Members) Act 1999*

### 591 Subsection 18AA(1) (note 1)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 592 Subsection 20AA(2) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 593 Subsection 20JA(1) (note 1)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 594 Subsection 24HA(1) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Surveillance Devices Act 2004*

### 595 Subsections 12(6), 31(2), 33(4), 40(2), 42(7), 52(2) and 53(5)

Omit "for the purposes of the *Legislative Instruments Act 2003*".

## *Sydney Airport Demand Management Act 1997*

### 596 Subsection 8(4)

Omit "Part 3 of the *Legislative Instruments Act 2003*", substitute "section 17 (consultation) of the *Legislation Act 2003*".

### 597 Subsection 46(6)

Omit "for the purposes of the *Legislative Instruments Act 2003*".

### 598 Subsection 59A(3) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 599 Subsection 59A(5)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Tax Agent Services Act 2009*

### 600 Subsections 90-5(2) and 90-10(2) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Taxation Administration Act 1953*

### 601 Subsection 45-114(3) in Schedule 1 (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 602 Subsection 133-130(3) in Schedule 1

Repeal the subsection, substitute:

(3) Subsection 12(2) (retrospective application of legislative instruments) of the *Legislation Act 2003* does not apply in relation to an instrument made under subsection (2).

(4) Despite subsection 12(3) (retrospective commencement of legislative instruments) of the *Legislation Act 2003*, an instrument made under subsection (2) of this section must not commence before 1 July 2012.

### 603 Subsection 355-55(1) in Schedule 1 (note 2)

Omit "Section 19A" substitute "Section 19".

## *Telecommunications Act 1997*

### 604 Subsection 69(8)

Omit "for the purposes of the *Legislative Instruments Act 2003*".

### 605 Subsections 87(4), 95(1) and 96(1) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 606 Subsections 102(7), 121(5) and 136B(4)

Omit "for the purposes of the *Legislative Instruments Act 2003*".

### 607 Subsection 136C(5) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 608 Subsection 136C(7)

Omit "for the purposes of the *Legislative Instruments Act 2003*".

### 609 Subsection 136E(1) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 610 Subsection 136E(2)

Omit "for the purposes of the *Legislative Instruments Act 2003*".

### 611 Subsection 372B(1) (note 4)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 612 Subsection 372C(1) (note 3)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 613 Subsections 372K(1), (3), (5) and (7) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 614 Subsection 372N(1) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 615 Subsection 460(4A)

Omit "for the purposes of the *Legislative Instruments Act 2003*".

### 616 Subsection 572M(2) (note)

Omit "Part 3 of the *Legislative Instruments Act 2003*", substitute "section 17 (consultation) of the *Legislation Act 2003*".

### 617 Subclause 47(6) of Schedule 1

Omit "for the purposes of the *Legislative Instruments Act 2003*".

### 618 Subclause 6(3) of Schedule 3 (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 619 Subclauses 44(4) and (5) of Schedule 3 (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 620 Subclause 46(1) of Schedule 3 (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Telecommunications (Carrier Licence Charges) Act 1997*

### 621 Subsections 9(2), 14(2) and 15(2)

Omit "for the purposes of the *Legislative Instruments Act 2003*".

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

### 622 Subparagraphs 8J(2)(b)(ii) and 8K(2)(b)(ii)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 623 Paragraph 9(2AAA)(b)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 624 Paragraph 9(2AA)(b)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 625 Subsection 158P(8)

Omit "for the purposes of the *Legislative Instruments Act 2003*, but section 42 of that Act", substitute ", but section 42 (disallowance) of the *Legislation Act 2003*".

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

### 626 Subsection 6(2C)

Omit "for the purposes of the *Legislative Instruments Act 2003*".

### 627 Subsection 6(2E)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Telecommunications (Numbering Charges) Act 1997*

### 628 Subsections 15(2) and 22(3) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Telstra Corporation Act 1991*

### 629 Subsection 8AJ(3B)

Omit "for the purposes of the *Legislative Instruments Act 2003*, but section 42 of that Act", substitute ", but section 42 (disallowance) of the *Legislation Act 2003*".

### 630 Subsection 8AJ(6C)

Omit "for the purposes of the *Legislative Instruments Act 2003*".

### 631 Subsection 8AJA(7)

Omit "for the purposes of the *Legislative Instruments Act 2003*, but section 42 of that Act", substitute ", but section 42 (disallowance) of the *Legislation Act 2003*".

### 632 Subsection 8AYB(6)

Omit "for the purposes of the *Legislative Instruments Act 2003*".

### 633 Subsection 12(3)

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

### 634 Subclause 12(4AB) of the Schedule (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 635 Subclause 12(8) of the Schedule

Omit "for the purposes of the *Legislative Instruments Act 2003*, but section 42 of that Act", substitute ", but section 42 (disallowance) of the *Legislation Act 2003*".

## *Tertiary Education Quality and Standards Agency Act 2011*

### 636 Subsection 58(5)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 637 Subsection 136(1) (note)

Repeal the note, substitute:

Note: Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* does not apply to the direction (see regulations made for the purposes of paragraph 54(2)(b) of that Act).

### 638 Subsection 136(2B)

Omit "Section 44 of the *Legislative Instruments Act 2003* does", substitute "Regulations made for the purposes of paragraph 44(2)(b) of the *Legislation Act 2003* do".

### 639 Subsection 136(2B) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 640 Subsection 155(1) (note)

Repeal the note, substitute:

Note: Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* does not apply to the direction (see regulations made for the purposes of paragraph 54(2)(b) of that Act).

### 641 Subsection 155(1A)

Omit "Section 44 of the *Legislative Instruments Act 2003* does", substitute "Regulations made for the purposes of paragraph 44(2)(b) of the *Legislation Act 2003* do".

### 642 Subsection 155(1A) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Therapeutic Goods Act 1989*

### 643 Subsections 3AA(4), 3AB(4), 3C(1) and 7AA(1) and (2) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 644 Subsections 10(1) and (3A) (note)

Repeal the note, substitute:

Note: Section 12 of the *Legislation Act 2003* deals with when a legislative instrument commences.

### 645 Subsection 26BB(8)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 646 Subsection 30F(4A)

Omit "for the purposes of the *Legislative Instruments Act 2003*".

### 647 Subsections 32A(2) and (3) and 32CA(1) and (2) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 648 Subsections 41CB(1) and 41DC(1) (note)

Repeal the note, substitute:

Note: Section 12 of the *Legislation Act 2003* deals with when a legislative instrument commences.

### 649 Subsections 41HD(1) and (2) and 52A(2) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 650 Subsections 52D(4A) and (4B)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 651 Section 52EA

Repeal the section.

## *Tourism Australia Act 2004*

### 652 Subsections 41(3) and 42(3)

Omit "for the purposes of the *Legislative Instruments Act 2003*".

### 653 Subsection 60(3) (note)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Veterans' Entitlements Act 1986*

### 654 Subsection 5LA(12) (heading)

Repeal the heading, substitute:

*Application of the Legislation Act 2003*

## 655 Subsection 29(11)

Repeal the subsection, substitute:

(11) Subsection 12(2) (retrospective application of legislative instruments) of the *Legislation Act 2003* does not apply in relation to the document or instrument.

## 656 Subsection 45TO(1A)

Omit "Despite subsection 12(2) of the *Legislative Instruments Act 2003*, a", substitute "A".

## 657 After subsection 45TO(1A)

Insert:

(1B) Subsection 12(2) (retrospective application of legislative instruments) of the *Legislation Act 2003* does not apply in relation to a declaration made under subsection (1).

## 658 Subsection 90A(6)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## 659 Subsection 196B(13)

Omit "Despite section 12 of the *Legislative Instruments Act 2003*, a", substitute "A".

## 660 Subsection 196B(13)

Omit "to be taken to have had effect from", substitute "taken to have commenced on".

## 661 After subsection 196B(13)

Insert:

(13AA) Subsection 12(2) (retrospective application of legislative instruments) of the *Legislation Act 2003* does not apply in relation to a determination under subsection (10) of this section amending a

Statement of Principles, or a Statement of Principles under subsection (11) or (12).

### 662 Paragraph 196W(3)(a)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Water Efficiency Labelling and Standards Act 2005*

### 663 Subsection 12(2)

Omit "for the purposes of the *Legislative Instruments Act 2003* but neither section 42 of that Act nor Part 6 of that Act applies to the instrument".

### 664 At the end of subsection 12(2)

Add:

Note 1: Section 42 (disallowance) of the *Legislation Act 2003* does not apply to the declaration: see subsection 44(1) of that Act.

Note 2: Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* does not apply to the declaration: see subsection 54(1) of that Act.

### 665 Subsection 18(3)

Repeal the subsection, substitute:

(3) A determination under subsection (1) is a legislative instrument and, despite subsection 44(1) of the *Legislation Act 2003*, section 42 (disallowance) of that Act applies to the determination.

Note: Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* does not apply to the determination: see subsection 54(1) of that Act.

### 666 Subsection 26(7)

Omit "*Legislative Instruments Act 2003*, section 42", substitute "*Legislation Act 2003*, section 42 (disallowance)".

### 667 Subsection 26(7) (note)

Repeal the note, substitute:

Note: Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* does not apply to the scheme (see subsection 54(1) of that Act).

## *Work Health and Safety Act 2011*

### 668 Section 273B (heading)

Repeal the heading, substitute:

**273B Application of the *Legislation Act 2003***

### 669 Subsection 274(3) (note)

Omit "Federal Register of Legislative Instruments and commence in accordance with section 12 of the *Legislative Instruments Act 2003*", substitute "Federal Register of Legislation and commence in accordance with section 12 of the *Legislation Act 2003*".

## *Workplace Gender Equality Act 2012*

### 670 Subsection 19(1) (note 2)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

### 671 Subsection 33A(2) (note)

Omit "Part 3 of the *Legislative Instruments Act 2003*", substitute "section 17 (consultation) of the *Legislation Act 2003*".

# Part 2—Contingent amendments

## *Designs Act 2003*

### 672 Subsection 145(3)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Patents Act 1990*

### 673 Subsection 221(3)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Plant Breeder's Rights Act 1994*

### 674 Subsection 3(3)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

## *Trade Marks Act 1995*

### 675 Subsection 215(9)

Omit "*Legislative Instruments Act 2003*", substitute "*Legislation Act 2003*".

# Schedule 2—Amendments relating to court rules

## Part 1—Amendments commencing on Proclamation

### *Family Law Act 1975*

#### 1 Subsection 123(2)

Omit "under this section", substitute "by Judges under this section or any other Act".

#### 2 Subsection 123(2A)

Omit "under this Act", insert "by Judges under this or any other Act".

# Part 2—Amendment of the Legislative Instruments Act 2003

## *Legislative Instruments Act 2003*

### 3 Section 9

Omit "for the High Court, the Federal Court of Australia, the Family Court of Australia and the Federal Circuit Court of Australia".

### 4 Section 9 (note)

Omit "are", substitute "may be".

# Part 3—Amendment of the Legislation Act 2003

## *Legislation Act 2003*

### 5 Paragraph 8(8)(d)

Repeal the paragraph, substitute:

(d) rules of court or a compilation of rules of court;

### 6 Subsection 8(8) (note)

Repeal the note, substitute:

Note: Rules of court may, however, be registered under this Act, and may be otherwise treated as if they were legislative instruments by their enabling legislation.

# Part 4—Application of amendments

## 7 Application of amendments

(1) The amendments made by this Schedule apply in relation to any rules of court, whether made before or after this item commences.

(2) However, this item does not affect rights or liabilities of parties to proceedings commenced in a court before this item commences, to the extent that those rights or liabilities arose from, or were affected by, rules of court referred to in subitem (1).

# Schedule 3—Amendments relating to forms and technical matters

## Part 1—Amendments

### *Acts and Instruments (Framework Reform) Act 2015*

#### 1 Items 170 and 178 of Schedule 1

Repeal the items.

### *Acts Interpretation Act 1901*

#### 2 Subsection 46AA(4)

Repeal the subsection, substitute:

*Forms*

(4) If an instrument provides for a form to be used, this section does not apply in relation to the form.

### *Legislation Act 2003*

#### 3 Subsection 14(4)

Repeal the subsection, substitute:

*Forms*

(4) If a legislative instrument or notifiable instrument provides for a form to be used, this section does not apply in relation to the form.

#### 4 Paragraph 15A(3)(b)

Omit “Part”, substitute “Part)”.

#### 5 Subsection 15H(1)

Omit “or document”.

# Part 2—Application of amendments

## 6 Application of amendments relating to forms

(1) The amendments of section 46AA of the *Acts Interpretation Act 1901* and section 14 of the *Legislation Act 2003* made by Part 1 of this Schedule apply, on or after the commencement of that Part, in relation to:

(a) a form made before that commencement; and

(b) a form made on or after that commencement, whether the instrument providing for the form to be used is made before, on or after that commencement.

(2) No inference may be drawn from an amendment of a section mentioned in subitem (1) as to whether, before the commencement of Part 1 of this Schedule, that section applied in relation to a form made before that commencement.

[*Minister's second reading speech made in—*
*House of Representatives on 25 June 2015*
*Senate on 19 August 2015*]

(107/15)