



Security of Critical Infrastructure (Consequential and Transitional Provisions) Act 2018

No. 30, 2018

An Act to deal with consequential and transitional matters in connection with the *Security of Critical Infrastructure Act 2018*, to amend the *Foreign Acquisitions and Takeovers Act 1975*, and for related purposes

Note: An electronic version of this Act is available on the Federal Register of Legislation (<https://www.legislation.gov.au/>)

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[Assented to 11 April 2018]

The Parliament of Australia enacts:

No. 30, 2018

Security of Critical Infrastructure (Consequential and Transitional Provisions) Act 2018

1

1 Short title

This Act is the *Security of Critical Infrastructure (Consequential and Transitional Provisions) Act 2018*.

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.	11 April 2018
2. Schedule 1	Immediately after the commencement of section 32 of the <i>Security of Critical Infrastructure Act 2018</i> .	
3. Schedule 2	The day after this Act receives the Royal Assent.	12 April 2018

Note: This table relates only to the provisions of this Act as originally enacted.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

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

3 Schedules

Legislation that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

Schedule 1—Amendments consequential on the Security of Critical Infrastructure Act 2018

Australian Security Intelligence Organisation Act 1979

1 Subsection 35(1) (after paragraph (d) of the definition of *prescribed administrative action*)

Insert:

; or (e) the exercise of a power under subsection 32(2) of the
Security of Critical Infrastructure Act 2018.

1A Section 38A (at the end of the heading)

Add “or directions under the Security of Critical Infrastructure
Act”.

1B After subsection 38A(1)

Insert:

(1A) This section also applies to an adverse security assessment in
respect of a person (the *assessed person*) if the assessment is given
for the purposes of section 32 of the *Security of Critical
Infrastructure Act 2018* (direction if risk of act or omission would
be prejudicial to security).

Foreign Acquisitions and Takeovers Act 1975

2 After paragraph 122(1)(o)

Insert:

(oa) the *Security of Critical Infrastructure Act 2018*;

3 At the end of subsections 122(2) and (3)

Add:

; (g) national security.

Schedule 2—Other amendments

Foreign Acquisitions and Takeovers Act 1975

1 After paragraph 122(1)(g)

Insert:

(ga) the *Defence Act 1903*;

2 At the end of subsections 122(2) and (3)

Add:

; (f) defence.

[*Minister's second reading speech made in—
Senate on 7 December 2017
House of Representatives on 28 March 2018*]

(290/17)

4 *Security of Critical Infrastructure (Consequential and Transitional
Provisions) Act 2018* No. 30, 2018