





# **Statute Law Revision Act 2011**

**No. 5, 2011**

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

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



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# Statute Law Revision Act 2011

No. 5, 2011

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

[Assented to 22 March 2011]

The Parliament of Australia enacts:

### **1 Short title**

This Act may be cited as the *Statute Law Revision Act 2011*.

### **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.

| <b>Commencement information</b>   |   |                     |
|---|---|---------------------|
| <b>Column 1</b>   | <b>Column 2</b>   | <b>Column 3</b>     |
| <b>Provision(s)</b>   | <b>Commencement</b>   | <b>Date/Details</b> |
| 1. Sections 1 to 3 and anything in this Act not elsewhere covered by this table | The day this Act receives the Royal Assent.   | 22 March 2011       |
| 2. Schedule 1   | The day this Act receives the Royal Assent.   | 22 March 2011       |
| 3. Schedule 2, item 1   | Immediately after the time specified in the <i>Broadcasting Legislation Amendment (Digital Television) Act 2010</i> for the commencement of item 104A of Schedule 1 to that Act.                | 30 June 2010        |
| 4. Schedule 2, item 2   | Immediately after the time specified in the <i>Crimes Legislation Amendment (Serious and Organised Crime) Act (No. 2) 2010</i> for the commencement of item 182 of Schedule 1 to that Act.      | 20 February 2010    |
| 5. Schedule 2, items 3 to 5   | The day this Act receives the Royal Assent.   | 22 March 2011       |
| 6. Schedule 2, item 6   | Immediately after the time specified in the <i>Electoral and Referendum Amendment (Pre-poll Voting and Other Measures) Act 2010</i> for the commencement of item 151 of Schedule 2 to that Act. | 19 July 2010        |
| 7. Schedule 2, items 7 and 8  | The day this Act receives the Royal Assent.   | 22 March 2011       |
| 8. Schedule 2, item 9   | Immediately after the time specified in the <i>Fair Work (State Referral and Consequential and Other Amendments) Act 2009</i> for the commencement of item 4 of Schedule 19 to that Act.        | 1 July 2009         |
| 9. Schedule 2, item 10  | The day this Act receives the Royal Assent.   | 22 March 2011       |
| 10. Schedule 3  | The day this Act receives the Royal Assent.   | 22 March 2011       |

| <b>Commencement information</b> |  |                     |
|---------------------------------|--|---------------------|
| <b>Column 1</b>                 | <b>Column 2</b>  | <b>Column 3</b>     |
| <b>Provision(s)</b>             | <b>Commencement</b>  | <b>Date/Details</b> |
| 11. Schedule 4, items 1 to 24   | The day this Act receives the Royal Assent.  | 22 March 2011       |
| 12. Schedule 4, item 25         | Immediately after the commencement of the provision(s) covered by table item 11.   | 22 March 2011       |
| 13. Schedule 5                  | The 28th day after this Act receives the Royal Assent.   | 19 April 2011       |
| 14. Schedule 6, items 1 to 4    | The later of:<br>(a) the start of the 28th day after this Act receives the Royal Assent; and<br>(b) the commencement of item 10 of Schedule 1 to the <i>Airports Amendment Act 2010</i> .<br><br>However, the provision(s) do not commence at all if the event mentioned in paragraph (b) does not occur.                      | 19 April 2011       |
| 15. Schedule 6, items 5 to 60   | The 28th day after this Act receives the Royal Assent.   | 19 April 2011       |
| 16. Schedule 6, item 61         | The later of:<br>(a) the start of the 28th day after this Act receives the Royal Assent; and<br>(b) the commencement of item 46 of Schedule 9 to the <i>National Security Legislation Amendment Act 2010</i> .<br><br>However, the provision(s) do not commence at all if the event mentioned in paragraph (b) does not occur. | 19 April 2011       |
| 17. Schedule 6, items 62 to 139 | The 28th day after this Act receives the Royal Assent.   | 19 April 2011       |
| 18. Schedule 7, items 1 to 147  | The 28th day after this Act receives the Royal Assent.   | 19 April 2011       |
| 19. Schedule 7, item 148        | The later of:<br>(a) the start of the 28th day after this Act receives the Royal Assent; and<br>(b) the commencement of item 2 of Schedule 4 to the <i>Financial Framework Legislation Amendment Act 2010</i> .  | 19 April 2011       |

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| <b>Commencement information</b> |  |                     |
|---------------------------------|--|---------------------|
| <b>Column 1</b>                 | <b>Column 2</b>  | <b>Column 3</b>     |
| <b>Provision(s)</b>             | <b>Commencement</b>  | <b>Date/Details</b> |
|                                 | However, the provision(s) do not commence at all if the event mentioned in paragraph (b) does not occur. |                     |
| 20. Schedule 8                  | The 28th day after this Act receives the Royal Assent.   | 19 April 2011       |

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

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

### **3 Schedule(s)**

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

## **Schedule 1—Amendment of principal Acts**

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

#### **1 Subclause 28(1) of Schedule 4**

Omit “(1)”.

Note: This item removes a redundant subclause number.

### *Administrative Decisions (Judicial Review) Act 1977*

#### **2 Paragraph 2(f) of Schedule 3**

Repeal the paragraph.

Note: This item repeals a redundant paragraph.

### *Aged Care Act 1997*

#### **3 Paragraph 29-1(1)(a)**

Omit “28-2”, substitute “27-5”.

Note: This item fixes an incorrect cross-reference.

#### **4 Paragraph 63-1(1)(h)**

Omit “28-2”, substitute “27-5”.

Note: This item fixes an incorrect cross-reference.

#### **5 Section 85-1 (table item 30, column headed “Decision”)**

Omit “28-2”, substitute “27-5”.

Note: This item fixes an incorrect cross-reference.

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

#### **6 Subsection 3(1) (subparagraph (c)(iii) of the definition of *income tax refund*)**

Omit “subsection 12ZN(1)”, substitute “section 12ZN”.

Note: This item fixes an incorrect cross-reference.

**7 Subsection 3(1) (paragraph (d) of the definition of *income tax refund*)**

Omit “under Division 67 of the Income Tax Assessment Act”, substitute “(see Division 67 of the Income Tax Assessment Act)”.

Note: This item clarifies a cross-reference.

**8 Section 103**

Repeal the section.

Note: This item repeals a redundant section.

***Australian Securities and Investments Commission Act 2001***

**9 Section 38 (note)**

Omit “subsection”, substitute “section”.

Note: This item fixes an incorrect cross-reference.

***Broadcasting Services Act 1992***

**10 Subsection 40(1)**

Omit “Subject to section 28, the”, substitute “The”.

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

***Civil Aviation (Carriers’ Liability) Act 1959***

**11 Subsection 5(1) (definition of *the Montreal No. 3 Convention*)**

Repeal the definition.

Note: This item repeals a redundant definition.

**12 Subsection 5(1) (definition of *the Montreal Protocol No. 3*)**

Repeal the definition.

Note: This item repeals a redundant definition.

**13 Paragraph 8(1)(d)**

Repeal the paragraph.

Note: This item repeals a redundant paragraph.

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**14 Schedule 4**

Repeal the Schedule.

Note: This item repeals a redundant Schedule.

***Corporations Act 2001***

**15 Section 9 (paragraph (c) of the definition of *contributory*)**

Omit “section 385”, substitute “subsection 254M(2)”.

Note: This item fixes an incorrect cross-reference.

**16 Section 9 (paragraph (a) of the definition of *publish*)**

Omit “Internet”, substitute “internet”.

**17 Section 9 (subparagraph (a)(i) of the definition of *special resolution*)**

Omit “249L(c)”, substitute “249L(1)(c)”.

Note: This item fixes an incorrect cross-reference.

**18 Section 9 (table item 3 of the definition of *State Fair Trading Act*)**

Omit “1987”, substitute “1989”.

Note: This item fixes a misstatement of the short title of a Queensland Act.

**19 Subsection 58AA(2)**

Omit “Part 9.7”, substitute “Part 9.6A”.

Note: This item fixes an incorrect cross-reference.

**20 Subsection 58AA(2) (note)**

Omit “Part 9.7”, substitute “Part 9.6A”.

Note: This item fixes an incorrect cross-reference.

**21 Paragraph 11.3 of the small business guide in Part 1.5 (note)**

Omit “995, 707, 1091D-1091E”, substitute “707, 1041H, 1091D-1091E”.

Note: This item fixes an incorrect cross-reference.

**22 Subsection 112(2) (note 2, table item 6)**

Omit “610BA”, substitute “601BA”.

Note: This item fixes an incorrect cross-reference.

**23 Subsection 161A(2)**

Omit “(iv)”, substitute “(iii)”.

Note: This item fixes an incorrect cross-reference.

**24 Subsection 161A(3)**

Omit “(iii)”, substitute “(iv)”.

Note: This item fixes an incorrect cross-reference.

**25 Subsection 169(3) (note 1)**

Omit “1092”, substitute “1071D”.

Note: This item fixes an incorrect cross-reference.

**26 Subsection 169(3) (note 1)**

Omit “1091C”, substitute “1072E”.

Note: This item fixes an incorrect cross-reference.

**27 Subsection 257B(8)**

Omit “paragraph (7)(b)”, substitute “subsection (7)”.

Note: This item fixes an incorrect cross-reference.

**28 Subsection 306(2) (the subsection 306(2) added at the end of section 306 by item 92 of Schedule 1 to the *Corporate Law Economic Reform Program (Audit Reform and Corporate Disclosure) Act 2004*)**

Renumber as subsection (1A).

**29 Paragraphs 314(1AA)(b) and (c) and (1AB)(b)**

Omit “web site” (wherever occurring), substitute “website”.

**30 Subsection 323EK(7)**

Omit “Internet”, substitute “internet”.

**31 Subparagraph 354(1)(a)(ii)**

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Omit “Internet”, substitute “internet”.

**32 Paragraph 354(1)(b)**

Omit “Internet”, substitute “internet”.

**33 Paragraphs 579J(1)(b) and (2)(d)**

Omit “an Internet site”, substitute “a website”.

**34 Paragraphs 579K(1)(b), (2)(d), (3)(d) and (4)(e)**

Omit “an Internet site”, substitute “a website”.

**35 Subsection 635(1) (table item 8, column headed “Steps”)**

Omit “securities exchange”, substitute “market operator”.

Note: This item fixes a cross-reference to a concept that has changed.

**36 Subsection 670A(1) (note 2)**

Omit “995”, substitute “1041H”.

Note: This item fixes an incorrect cross-reference.

**37 Subsection 670B(3) (note)**

Omit “995”, substitute “1041H”.

Note: This item fixes an incorrect cross-reference.

**38 Subsection 728(1) (note 3)**

Omit “995”, substitute “1041H”.

Note: This item fixes an incorrect cross-reference.

**39 Subsection 729(4) (note)**

Omit “995”, substitute “1041H”.

Note: This item fixes an incorrect cross-reference.

**40 Paragraphs 827D(7)(b) and (9)(b)**

Omit “Internet”, substitute “internet”.

**41 Paragraph 926A(5)(a)**

Omit “Internet”, substitute “internet”.

**42 Paragraph 951B(5)(a)**

Omit “Internet”, substitute “internet”.

**43 Paragraph 992B(5)(a)**

Omit “Internet”, substitute “internet”.

**44 Paragraph 1018A(6)(c)**

Omit “Internet”, substitute “internet”.

**45 Paragraph 1020F(6)(a)**

Omit “Internet”, substitute “internet”.

**46 Paragraph 1073E(5)(a)**

Omit “Internet”, substitute “internet”.

**47 Paragraph 1075A(6)(a)**

Omit “Internet”, substitute “internet”.

**48 Subsection 1296(1B)**

Omit “Internet”, substitute “internet”.

**49 Section 1390**

Omit “925A”, substitute “890A”.

Note: This item fixes an incorrect cross-reference.

**50 Subsection 1417(2)**

Omit “791”, substitute “791A”.

Note: This item fixes an incorrect cross-reference.

**51 Paragraph 1437(6)(a)**

Omit “Internet”, substitute “internet”.

**52 Paragraph 1438(8)(a)**

Omit “Internet”, substitute “internet”.

**53 Paragraph 1442(6)(a)**

Omit “Internet”, substitute “internet”.

## ***Customs Act 1901***

### **54 Paragraphs 11(1)(a) and (2)(a)**

Repeal the paragraphs.

Note: This item repeals paragraphs made redundant by the repeal of Division 1A of Part XII of the *Customs Act 1901*.

### **55 Paragraph 11(2)(b)**

Omit “that Subdivision”, substitute “Subdivision C of Division 1B of Part XII”.

Note: This item fixes an incorrect cross-reference.

### **56 Subsection 132C(1)**

Repeal the subsection, substitute:

- (1) The CEO may, by writing under his or her hand, revoke or vary a quota order at any time before the expiration of the declared period to which the quota order relates.

Note: This item substitutes a subsection to remove a redundant paragraph.

### **57 Subsection 269SHA(1)**

Repeal the subsection, substitute:

- (1) For the purpose of an application to the Administrative Appeals Tribunal under section 273GA for review of a decision under subsection 269SH(4) or (5) (a *reconsideration decision*), application may be made by any person who is an affected person in relation to that decision within the meaning of subsection 269SH(13).

Note: This item fixes an incorrect cross-reference and fixes a typographical error.

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

### **58 Subparagraph 5(5)(b)(i) of Schedule 1**

Omit “registered”, substitute “recognised”.

Note: This item removes a reference to a concept that no longer exists and substitutes a reference to the concept that replaced it.

***Great Barrier Reef Marine Park Act 1975***

**59 Subparagraphs 48(2)(i) and (ii)**

Repeal the subparagraphs, substitute:

- (a) is an SES employee or an acting SES employee; or
- (b) holds, or is acting in, an Executive Level 1 or 2, or equivalent, position.

Note: This item converts 2 subparagraphs into paragraphs and omits redundant text.

***Healthcare Identifiers Act 2010***

**60 Paragraph 36(a)**

Omit “who”.

Note: This item and item 61 together fix a grammatical error.

**61 Subparagraph 36(a)(i)**

Before “is”, insert “who”.

Note: This item and item 60 together fix a grammatical error.

**62 Paragraph 36(c)**

Omit “who”.

Note: This item and item 63 together fix a grammatical error.

**63 Subparagraph 36(c)(i)**

Before “is”, insert “who”.

Note: This item and item 62 together fix a grammatical error.

***Health Insurance Act 1973***

**64 Subsection 3C(3)**

Omit “, the regulations or a determination made under section 4A”, substitute “or the regulations”.

Note: This item removes a redundant cross-reference.

***Higher Education Support Act 2003***

**65 Subclause 98(1) of Schedule 1A**

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After “Secretary” (second occurring), insert “under any Guidelines made”.

Note: This item inserts words to clarify the intended effect of a provision.

### ***Law Enforcement Integrity Commissioner Act 2006***

Note: The heading to section 106 is altered by omitting “under” and substituting “without”.

### ***National Consumer Credit Protection Act 2009***

#### **66 Paragraph 158(2)(h)**

Omit “representative’s” (second occurring), substitute “representative”.

Note: This item fixes a grammatical error.

#### **67 Subparagraphs 72(3)(b)(i) and 94(2)(b)(i) of Schedule 1**

After “external”, insert “dispute”.

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

#### **68 Subsection 95(3) of Schedule 1**

Omit “(5)”, substitute “(6)”.

Note: This item fixes an incorrect cross-reference.

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

#### **69 Part 12**

Repeal the Part.

Note: This item repeals a Part which ceased to have effect on 23 March 2006.

### ***Ombudsman Act 1976***

#### **70 Subsection 3(1) (definition of *case manager*)**

Repeal the definition.

Note: This item repeals a redundant definition.

#### **71 Subsection 3(1) (definition of *eligible case manager*)**

Repeal the definition.

Note: This item repeals a redundant definition.

**72 Subsection 3(1) (definition of *ESRA*)**

Repeal the definition.

Note: This item repeals a redundant definition.

**73 Subsection 3(1) (paragraph (b) of the definition of *officer*)**

Omit “(other than an eligible case manager)”.

Note: This item is consequential on item 71.

**74 Subsection 3(1) (subparagraph (b)(iv) of the definition of *officer*)**

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

Note: This item is consequential on item 71.

**75 Subsection 3(1) (paragraph (c) of the definition of *officer*)**

Repeal the paragraph.

Note: This item is consequential on item 71.

**76 Subsection 3(1) (paragraph (d) of the definition of *prescribed authority*)**

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

Note: This item is consequential on item 71.

**77 Subsection 3(1) (paragraph (e) of the definition of *prescribed authority*)**

Repeal the paragraph.

Note: This item is consequential on item 71.

**78 Subsection 3(1) (paragraph (c) of the definition of *principal officer*)**

Omit “(other than an eligible case manager)”.

Note: This item is consequential on item 71.

**79 Subsection 3(1) (subparagraph (c)(ii) of the definition of *principal officer*)**

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

Note: This item is consequential on item 71.

**80 Subsection 3(1) (paragraph (d) of the definition of *principal officer*)**

Repeal the paragraph.

Note: This item is consequential on item 71.

**81 Subsection 3(1) (paragraph (da) of the definition of *responsible Minister*)**

Repeal the paragraph.

Note: This item is consequential on item 77.

**82 Paragraph 5(2)(g)**

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

Note: This item is consequential on item 71.

**83 Paragraph 5(2)(h)**

Repeal the paragraph.

Note: This item is consequential on item 71.

**84 Subsections 6(4G) and (4H)**

Repeal the subsections.

Note: This item is consequential on item 72.

**85 Subparagraph 19R(3)(b)(iii)**

Omit “(4H)”, substitute “(4E)”.

Note: This item is consequential on item 84.

**86 Subsections 35A(3A) to (3E)**

Repeal the subsections.

Note: This item is consequential on items 70 and 72.

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

**87 Subparagraph 2(d)(ii) of Annex I to the Convention set out  
in Schedule 2**

Omit “ClO<sub>x</sub>”, substitute “ClO<sub>x</sub>”.

Note: This item fixes a mistranscription of the text of the Convention.

**88 Paragraph 4(c) of Annex I to the Convention set out in Schedule 2**

Repeal the paragraph, substitute:

(c) Chlorine substances

(i) Fully halogenated alkanes, e.g. CCl<sub>4</sub>, CFCl<sub>3</sub> (CFC-11), CF<sub>2</sub>Cl<sub>2</sub> (CFC-12), C<sub>2</sub>F<sub>3</sub>Cl<sub>3</sub> (CFC-113), C<sub>2</sub>F<sub>4</sub>Cl<sub>2</sub> (CFC-114)

Fully halogenated alkanes are anthropogenic and act as a source of ClO<sub>x</sub>, which plays a vital role in ozone photochemistry, especially in the 30-50 km altitude region.

(ii) Partially halogenated alkanes, e.g. CH<sub>3</sub>Cl, CHF<sub>2</sub>Cl (CFC-22), CH<sub>3</sub>CCl<sub>3</sub>, CHFCl<sub>2</sub> (CFC-21)

The sources of CH<sub>3</sub>Cl are natural, whereas the other partially halogenated alkanes mentioned above are anthropogenic in origin. These gases also act as a source of stratospheric ClO<sub>x</sub>.

Note: This item fixes a mistranscription of the text of the Convention.

**89 Paragraph 4(d) of Annex I to the Convention set out in Schedule 2**

Omit “BrO<sub>x</sub>”, substitute “BrO<sub>x</sub>”.

Note: This item fixes a mistranscription of the text of the Convention.

**90 Paragraph 4(d) of Annex I to the Convention set out in Schedule 2**

Omit “ClO<sub>x</sub>”, substitute “ClO<sub>x</sub>”.

Note: This item fixes a mistranscription of the text of the Convention.

**91 Subparagraph 4(e)(ii) of Annex I to the Convention set out in Schedule 2**

Omit “H<sub>2</sub>O”, substitute “H<sub>2</sub>O”.

Note: This item fixes a mistranscription of the text of the Convention.

***Plant Breeder’s Rights Act 1994***

**92 Paragraph 51(1)(b)**

Omit “section 55”, substitute “subsection 54(3)”.

Note: This item fixes an incorrect cross-reference.

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***Privacy Act 1988***

**93 Subsection 17(3)**

Repeal the subsection.

Note: This item repeals a subsection made redundant by amendment of the *Acts Interpretation Act 1901*.

**94 Subsection 80(1)**

Omit "(1)".

Note: This item is consequential on item 95.

**95 Subsection 80(2)**

Repeal the subsection.

Note: This item repeals a subsection made redundant by amendment of the *Acts Interpretation Act 1901*.

***Proceeds of Crime Act 2002***

**96 Subsection 333(1)**

Omit "(1)".

Note: This item is consequential on item 97.

**97 Subsection 333(2)**

Repeal the subsection.

Note: This item repeals a redundant subsection.

**98 Subsection 335(7) (the subsection 335(7) inserted by item 29 of Schedule 1 to the *Crimes Legislation Amendment (Serious and Organised Crime) Act 2010*)**

Repeal the subsection.

**99 Section 338 (definition of *suspect*) (the definition included in the *Proceeds of Crime Act 2002* as originally enacted)**

Repeal the definition.

Note: This item repeals a duplicate definition.

***Protection of the Sea (Civil Liability) Act 1981***

**100 Paragraph 1(a) of Article VI of the Convention set out in Schedule 1**

Omit “other” (second occurring).

Note: This item fixes a mistranscription of the text of the Convention.

***Social Security Act 1991***

**101 Subparagraph 8(8)(y)(viiia)**

Omit “that Act”, substitute “the Veterans’ Entitlements Act”.

Note: This item fixes an incorrect cross-reference.

**102 Subparagraph 8(8)(y)(viii)**

Omit “Part III”, substitute “Part IIIB”.

Note: This item fixes an incorrect cross-reference.

**103 Subsection 23(1) (paragraph (b) of the definition of *family law order*)**

Omit “that Act”, substitute “the *Family Law Act 1975*”.

Note: This item fixes an incorrect cross-reference.

**104 Subsection 593(1) (note 18)**

Repeal the note.

Note: This item repeals a note that refers to an Act that has been repealed.

**105 Subsection 601(5) (note 1)**

Omit “Note 1”, substitute “Note”.

Note: This item is consequential on item 106.

**106 Subsection 601(5) (note 2)**

Repeal the note.

Note: This item repeals a note that refers to an Act that has been repealed.

**107 Subsection 613(2) (note 1)**

Omit “Note 1”, substitute “Note”.

Note: This item is consequential on item 108.

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**108 Subsection 613(2) (note 2)**

Repeal the note.

Note: This item repeals a note that refers to an Act that has been repealed.

**109 Subsection 1067D(2)**

Repeal the subsection.

Note: This item repeals a subsection that relates to an Act that has been repealed.

**110 Subparagraph 1209Q(1)(b)(ii)**

Omit “Veterans’ Entitlement Act”, substitute “Veterans’ Entitlements Act”.

**111 Paragraph 63(3)(a) of Schedule 1A**

Omit “Veterans’ Entitlement Act”, substitute “Veterans’ Entitlements Act”.

***Student Assistance Act 1973***

**112 Paragraph 355(1)(c)**

Repeal the paragraph.

Note: This item repeals a paragraph that relates to an Act that has been repealed.

***Veterans’ Entitlements Act 1986***

**113 Paragraph 7A(1)(e)**

Omit “paragraph 5B(1)(b) of the definition of *period of hostilities*”, substitute “paragraph (b) of the definition of *period of hostilities* in subsection 5B(1)”.

Note: This item fixes an incorrect cross-reference.

**114 Subpoint SCH6-A1(2) of Schedule 6 (method statement 1, step 11, note 7)**

Omit “58A(4)”, substitute “58A(9)”.

Note: This item fixes an incorrect cross-reference.

**115 Subpoint SCH6-A1(3) of Schedule 6 (method statement 2, step 4)**

Omit “, 2A”.

Note: This item removes a duplicate cross-reference.

**116 Subpoint SCH6-A1(3) of Schedule 6 (method statement 2, step 7, note 2)**

Omit “58A(4)”, substitute “58A(9)”.

Note: This item fixes an incorrect cross-reference.

**117 Subpoint SCH6-A1(6) of Schedule 6 (method statement 5, step 12, note 7)**

Omit “58A(4)”, substitute “58A(9)”.

Note: This item fixes an incorrect cross-reference.

***Water Act 2007***

**118 Subsections 37(1) and 61(1)**

Omit “tradable”, substitute “tradeable”.

**119 Paragraph 73(4)(b)**

Omit “meditation”, substitute “mediation”.

## **Schedule 2—Amendment of amending Acts**

### ***Broadcasting Legislation Amendment (Digital Television) Act 2010***

#### **1 Item 104A of Schedule 1 (heading)**

Omit “Schedule 34”, substitute “Schedule 4”.

Note: This item fixes a misdescribed amendment.

### ***Crimes Legislation Amendment (Serious and Organised Crime) Act (No. 2) 2010***

#### **2 Item 182 of Schedule 1**

After “it may”, insert “also”.

Note: This item fixes a misdescribed amendment.

### ***Disability Discrimination and Other Human Rights Legislation Amendment Act 2009***

#### **3 Schedule 3 (heading relating to the *Workplace Relations Act 1996*)**

Repeal the heading.

Note: This item is consequential on item 4.

#### **4 Items 94 to 110 of Schedule 3**

Repeal the items.

Note: This item repeals items made redundant by amendments made by the *Fair Work (Transitional Provisions and Consequential Amendments) Act 2009*.

### ***Electoral and Referendum Amendment (Modernisation and Other Measures) Act 2010***

#### **5 Subsection 2(1) (table item 11)**

Repeal the item.

Note: This item repeals an item of a commencement table relating to provisions that were not enacted.

***Electoral and Referendum Amendment (Pre-poll Voting and Other Measures) Act 2010***

**6 Item 151 of Schedule 2**

Omit “the”, substitute “a”.

Note: This item fixes a misdescribed amendment.

***Evidence Amendment Act 2008***

**7 Schedule 3 (heading relating to the *Workplace Relations Act 1996*)**

Repeal the heading.

Note: This item is consequential on item 8.

**8 Items 9 and 10 of Schedule 3**

Repeal the items.

Note: This item repeals items made redundant by amendments made by the *Fair Work (Transitional Provisions and Consequential Amendments) Act 2009*.

***Fair Work (State Referral and Consequential and Other Amendments) Act 2009***

**9 Item 4 of Schedule 19**

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

Note: This item corrects an amending item so that the location of an amendment of the *Military Rehabilitation and Compensation Act 2004* becomes clear.

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

**10 Subitem 20A(5) of Schedule 18**

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

Note: This item fixes an incorrect cross-reference.

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## **Schedule 3—Repeal of obsolete Acts**

### ***Road Transport Reform (Heavy Vehicles Registration) Act 1997***

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

Repeal the Act.

Note: This item repeals spent legislation.

### ***Road Transport Reform (Vehicles and Traffic) Act 1993***

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

Repeal the Act.

Note: This item repeals spent legislation.

### ***States and Northern Territory Grants (Rural Adjustment) Act 1979***

#### **3 The whole of the Act**

Repeal the Act.

Note: This item repeals spent legislation.

### ***States and Northern Territory Grants (Rural Adjustment) Act 1985***

#### **4 The whole of the Act**

Repeal the Act.

Note: This item repeals spent legislation.

### ***States Grants (Beef Industry) Act 1975***

#### **5 The whole of the Act**

Repeal the Act.

Note: This item repeals spent legislation.

***States Grants (Rural Adjustment) Act 1976***

**6 The whole of the Act**

Repeal the Act.

Note: This item repeals spent legislation.

***States Grants (Rural Adjustment) Act 1988***

**7 The whole of the Act**

Repeal the Act.

Note: This item repeals spent legislation.

***Williamstown Dockyard Employees Act 1987***

**8 The whole of the Act**

Repeal the Act.

Note: This item repeals spent legislation.

## **Schedule 4—Amendment of the Marriage Act 1961**

### **1 Subsection 5(1)**

Insert:

*approved organisation* means an organisation approved or deemed to be approved under Part IA.

### **2 Subsection 5(1) (definition of *approved organization*)**

Repeal the definition.

### **3 Subsection 5(1)**

Insert:

*authorised celebrant* means:

- (a) a minister of religion registered under Subdivision A of Division 1 of Part IV; or
- (b) a person authorised to solemnise marriages by virtue of Subdivision B of Division 1 of Part IV; or
- (c) a marriage celebrant.

### **4 Subsection 5(1) (definition of *authorized celebrant*)**

Repeal the definition.

### **5 Subsection 5(1)**

Insert:

*recognised denomination* means a religious body or a religious organisation in respect of which a Proclamation under section 26 is in force.

### **6 Subsection 5(1) (definition of *recognized denomination*)**

Repeal the definition.

### **7 Subsection 5(3)**

Omit “authorization” (wherever occurring), substitute “authorisation”.

**8 Subsection 15(4)**

Omit “authorize”, substitute “authorise”.

**9 Division 1 of Part III (heading)**

Repeal the heading, substitute:

**Division 1—Marriages solemnised on or after 20 June 1977  
and before the commencement of section 13 of the  
Marriage Amendment Act 1985**

**10 Division 2 of Part III (heading)**

Repeal the heading, substitute:

**Division 2—Marriages solemnised after the  
commencement of section 13 of the Marriage  
Amendment Act 1985**

**11 Part IV (heading)**

Repeal the heading, substitute:

**Part IV—Solemnisation of marriages in Australia**

**12 Division 1 of Part IV (heading)**

Repeal the heading, substitute:

**Division 1—Authorised celebrants**

**13 Subsection 39(2)**

Omit “authorize”, substitute “authorise”.

**14 Subsection 39(3)**

Omit “authorization”, substitute “authorisation”.

**15 Paragraph 39(3)(a)**

Omit “authorize”, substitute “authorise”.

**16 Paragraph 39(3)(a)**

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Omit “authorization”, substitute “authorisation”.

**17 Subsection 50(1)**

Omit “solemnizes”, substitute “solemnises”.

**18 Subsection 51(4)**

Omit “*authorized*”, substitute “*authorised*”.

**19 Section 54**

Omit “authorizes”, substitute “authorises”.

**20 Subsections 57(4), 58(1) and 59(1)**

Omit “Solemnized”, substitute “Solemnised”.

**21 Subsection 80(1)**

Omit “solemnizes”, substitute “solemnises”.

**22 Paragraph 90(1)(a)**

Omit “recognize”, substitute “recognise”.

**23 Paragraph 90(1)(d)**

Omit “recognize” (wherever occurring), substitute “recognise”.

**24 Subsection 90(2)**

Omit “recognize”, substitute “recognise”.

**25 Bulk amendments—references to “authorized” etc.**

The *Marriage Act 1961* is amended as follows:

- (a) by omitting “authorized” (wherever occurring) and substituting “authorised”;
- (b) by omitting “organization” (wherever occurring) and substituting “organisation”;
- (c) by omitting “recognized” (wherever occurring) and substituting “recognised”;
- (d) by omitting “solemnization” (wherever occurring) and substituting “solemnisation”;
- (e) by omitting “solemnize” (wherever occurring) and substituting “solemnise”;

(f) by omitting “solemnized” (wherever occurring) and substituting “solemnised”;

(g) by omitting “solemnizing” (wherever occurring) and substituting “solemnising”.

Note 1: This item commences immediately after the commencement of items 1 to 24, and so this item amends the *Marriage Act 1961* as already amended by items 1 to 24.

Note 2: The headings to sections of the *Marriage Act 1961* are altered as follows:

- (a) by omitting “**organizations**” (wherever occurring) and substituting “**organisations**”;
- (b) by omitting “**solemnization**” (wherever occurring) and substituting “**solemnisation**”;
- (c) by omitting “**Solemnization**” (wherever occurring) and substituting “**Solemnisation**”;
- (d) by omitting “**solemnize**” (wherever occurring) and substituting “**solemnise**”;
- (e) by omitting “**solemnized**” (wherever occurring) and substituting “**solemnised**”;
- (f) by omitting “**Solemnized**” (wherever occurring) and substituting “**Solemnised**”;
- (g) by omitting “**Solemnizing**” (wherever occurring) and substituting “**Solemnising**”.

## **Schedule 5—References to specific Ministers**

### **Part 1—Definitions of Ministers**

#### **Division 1—General amendments**

##### ***Administrative Decisions (Judicial Review) Act 1977***

###### **1 Subsection 3(1)**

Insert:

***Finance Minister*** means the Minister administering the *Financial Management and Accountability Act 1997*.

###### **2 Paragraph (g) of Schedule 2**

Omit “Minister for Finance”, substitute “Finance Minister”.

##### ***Aircraft Noise Levy Collection Act 1995***

###### **3 Section 3**

Insert:

***Finance Minister*** means the Minister administering the *Financial Management and Accountability Act 1997*.

###### **4 Subsections 17(1), (2) and (3)**

Omit “Minister for Finance”, substitute “Finance Minister”.

##### ***Airports (Transitional) Act 1996***

###### **5 Section 4**

Insert:

***Finance Minister*** means the Minister administering the *Financial Management and Accountability Act 1997*.

Note: Amendments of the *Airports (Transitional) Act 1996* that relate to this definition are set out in Division 2 of this Part.

## *Air Services Act 1995*

### **6 Subsection 3(1)**

Insert:

*Finance Minister* means the Minister administering the *Financial Management and Accountability Act 1997*.

### **7 Subsection 44(2)**

Omit “Minister for Finance”, substitute “Finance Minister”.

### **8 Section 45**

Omit “Minister for Finance”, substitute “Finance Minister”.

### **9 Section 48**

Omit “Minister for Finance” (wherever occurring), substitute “Finance Minister”.

## *Anti-Personnel Mines Convention Act 1998*

### **10 Section 4**

Insert:

*Defence Minister* means the Minister administering section 1 of the *Defence Act 1903*.

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

Omit “Minister for Defence”, substitute “Defence Minister”.

Note: The heading to section 8 is altered by omitting “**Minister for Defence**” and substituting “**Defence Minister**”.

### **12 Subsection 8(3)**

Omit “Minister for Defence” (wherever occurring), substitute “Defence Minister”.

### **13 Subsections 8(4) and (5), 12(5) and 13(6)**

Omit “Minister for Defence”, substitute “Defence Minister”.

### **14 Subsection 29(3)**

Omit “Minister for Defence” (wherever occurring), substitute “Defence Minister”.

Note 1: The heading to section 29 is altered by omitting “**Minister for Defence**” and substituting “**Defence Minister**”.

Note 2: The heading to subsection 29(3) is altered by omitting “*Minister for Defence*” and substituting “*Defence Minister*”.

### **15 Subsection 29(5)**

Omit “Minister for Defence”, substitute “Defence Minister”.

## ***Australia Council Act 1975***

### **16 Section 3**

Insert:

*Finance Minister* means the Minister administering the *Financial Management and Accountability Act 1997*.

### **17 Subsection 32(2)**

Omit “Minister for Finance”, substitute “Finance Minister”.

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

### **18 Section 56**

Insert:

*Finance Minister* means the Minister administering the *Financial Management and Accountability Act 1997*.

### **19 Subsection 85(2)**

Omit “Minister for Finance”, substitute “Finance Minister”.

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

### **20 Section 3**

Insert:

*Finance Minister* means the Minister administering the *Financial Management and Accountability Act 1997*.

**21 Section 60**

Omit “Minister for Finance”, substitute “Finance Minister”.

***Australian Federal Police Act 1979***

**22 Subsection 4(1)**

Insert:

*Finance Minister* means the Minister administering the *Financial Management and Accountability Act 1997*.

**23 Subsections 47B(3) and 54(2)**

Omit “Minister for Finance”, substitute “Finance Minister”.

***Australian Film, Television and Radio School Act 1973***

**24 Section 3**

Insert:

*Finance Minister* means the Minister administering the *Financial Management and Accountability Act 1997*.

**25 Subsection 36(2)**

Omit “Minister for Finance”, substitute “Finance Minister”.

***Australian Institute of Aboriginal and Torres Strait Islander Studies Act 1989***

**26 Section 3**

Insert:

*Finance Minister* means the Minister administering the *Financial Management and Accountability Act 1997*.

**27 Subsection 36(2)**

Omit “Minister for Finance”, substitute “Finance Minister”.

***Australian Institute of Health and Welfare Act 1987***

**28 Subsection 3(1)**

Insert:

*Finance Minister* means the Minister administering the *Financial Management and Accountability Act 1997*.

**29 Subsection 20(2)**

Omit “Minister for Finance”, substitute “Finance Minister”.

***Australian Maritime Safety Authority Act 1990***

**30 Subsection 3(1)**

Insert:

*Finance Minister* means the Minister administering the *Financial Management and Accountability Act 1997*.

**31 Subsection 32(4)**

Omit “Minister for Finance”, substitute “Finance Minister”.

**32 Section 39**

Omit “Minister for Finance”, substitute “Finance Minister”.

**33 Subsection 41(7)**

Repeal the subsection.

Note: This item repeals a redundant definition.

***Australian National Maritime Museum Act 1990***

**34 Subsection 3(1)**

Insert:

*Finance Minister* means the Minister administering the *Financial Management and Accountability Act 1997*.

**35 Subsection 43(2)**

Omit “Minister for Finance”, substitute “Finance Minister”.

***Australian Postal Corporation Act 1989***

**36 Section 3**

Insert:

*Finance Minister* means the Minister administering the *Financial Management and Accountability Act 1997*.

**37 Section 60**

Omit “Minister for Finance” (wherever occurring), substitute “Finance Minister”.

***Australian Radiation Protection and Nuclear Safety Act 1998***

**38 Section 13**

Insert:

*Finance Minister* means the Minister administering the *Financial Management and Accountability Act 1997*.

**39 Subsection 55(2)**

Omit “Minister for Finance and Administration”, substitute “Finance Minister”.

***Australian Sports Commission Act 1989***

**40 Section 3**

Insert:

*Finance Minister* means the Minister administering the *Financial Management and Accountability Act 1997*.

**41 Subsections 43(2) and 46(1)**

Omit “Minister for Finance”, substitute “Finance Minister”.

***Australian War Memorial Act 1980***

**42 Section 3**

Insert:

---

*Finance Minister* means the Minister administering the *Financial Management and Accountability Act 1997*.

**43 Subsection 30(2)**

Omit “Minister for Finance”, substitute “Finance Minister”.

***Bankruptcy Act 1966***

**44 Subsection 5(1)**

Insert:

*Finance Minister* means the Minister administering the *Financial Management and Accountability Act 1997*.

**45 Subsections 20E(1) and (2)**

Omit “Minister for Finance”, substitute “Finance Minister”.

***Civil Aviation Act 1988***

**46 Section 3**

Insert:

*Finance Minister* means the Minister administering the *Financial Management and Accountability Act 1997*.

**47 Subsection 46(2)**

Omit “Minister for Finance”, substitute “Finance Minister”.

***Classification (Publications, Films and Computer Games) Act 1995***

**48 Section 5**

Insert:

*Finance Minister* means the Minister administering the *Financial Management and Accountability Act 1997*.

**49 Subsection 91A(2)**

Omit “Minister for Finance and Administration”, substitute “Finance Minister”.

***Coal Mining Industry (Long Service Leave Funding) Act  
1992***

**50 Subsection 4(1)**

Insert:

*Finance Minister* means the Minister administering the *Financial Management and Accountability Act 1997*.

**51 Subsections 35(1) and 36(3)**

Omit “Minister for Finance”, substitute “Finance Minister”.

***Commonwealth Electoral Act 1918***

**52 Subsection 4(1)**

Insert:

*Finance Minister* means the Minister administering the *Financial Management and Accountability Act 1997*.

**53 Subsection 4(1)**

Insert:

*Foreign Affairs Minister* means the Minister administering the *Diplomatic Privileges and Immunities Act 1967*.

**54 Paragraph 7(1)(fa)**

Omit “Minister for Foreign Affairs and Trade”, substitute “Foreign Affairs Minister”.

**55 Subsections 92(7) and (8)**

Omit “Minister for Finance”, substitute “Finance Minister”.

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

**56 Subsection 3(1)**

---

Insert:

*Customs Minister* means the Minister administering the *Customs Act 1901*.

**57 Paragraph 6(1)(a)**

Omit “Minister for Industry, Technology and Commerce”, substitute “Customs Minister”.

**58 Subparagraphs 6(1)(b)(i) and (ii)**

Omit “Minister for Industry, Technology and Commerce”, substitute “Customs Minister”.

**59 Paragraphs 6(2)(c) and 7(2)(c)**

Omit “Minister for Industry, Technology and Commerce”, substitute “Customs Minister”.

**60 Subsection 7(3)**

Omit “Minister for Industry, Technology and Commerce”, substitute “Customs Minister”.

**61 Paragraphs 7(4)(a) and (b)**

Omit “Minister for Industry, Technology and Commerce”, substitute “Customs Minister”.

**62 Subsections 12A(1), (2) and (3)**

Omit “Minister for Industry, Technology and Commerce”, substitute “Customs Minister”.

***Crimes Act 1914***

**63 Subsection 3(1)**

Insert:

*Foreign Affairs Minister* means the Minister administering the *Diplomatic Privileges and Immunities Act 1967*.

**64 Subsection 56(1)**

Omit “Minister for Foreign Affairs and Trade”, substitute “Foreign Affairs Minister”.

### ***Crimes (Aviation) Act 1991***

#### **65 Subsection 3(1)**

Insert:

*Foreign Affairs Minister* means the Minister administering the *Diplomatic Privileges and Immunities Act 1967*.

#### **66 Subsection 43(1)**

Omit “Minister for Foreign Affairs”, substitute “Foreign Affairs Minister”.

### ***Crimes (Hostages) Act 1989***

#### **67 Subsection 3(1)**

Insert:

*Foreign Affairs Minister* means the Minister administering the *Diplomatic Privileges and Immunities Act 1967*.

#### **68 Subsection 13(1)**

Omit “Minister for Foreign Affairs”, substitute “Foreign Affairs Minister”.

### ***Crimes (Internationally Protected Persons) Act 1976***

#### **69 Subsection 3(1)**

Insert:

*Foreign Affairs Minister* means the Minister administering the *Diplomatic Privileges and Immunities Act 1967*.

#### **70 Subsections 13(1) and 14(1)**

Omit “Minister for Foreign Affairs”, substitute “Foreign Affairs Minister”.

Note: The heading to section 14 is altered by omitting “**Minister for Foreign Affairs**” and substituting “**Foreign Affairs Minister**”.

### ***Crimes (Superannuation Benefits) Act 1989***

#### **71 Subsection 2(1)**

Insert:

*Finance Minister* means the Minister administering the *Financial Management and Accountability Act 1997*.

#### **72 Subsections 23(3) and 41(2)**

Omit “Minister for Finance”, substitute “Finance Minister”.

### ***Crimes (Traffic in Narcotic Drugs and Psychotropic Substances) Act 1990***

#### **73 Section 3**

Insert:

*Foreign Affairs Minister* means the Minister administering the *Diplomatic Privileges and Immunities Act 1967*.

#### **74 Subsection 20(1)**

Omit “Minister for Foreign Affairs”, substitute “Foreign Affairs Minister”.

Note: The heading to section 20 is altered by omitting “**Minister for Foreign Affairs**” and substituting “**Foreign Affairs Minister**”.

### ***Criminal Code Act 1995***

#### **75 Subsection 71.21(1) of the *Criminal Code***

Omit “Minister for Foreign Affairs”, substitute “Foreign Affairs Minister”.

#### **76 Subsection 71.21(2) of the *Criminal Code***

Omit “Minister for Immigration and Multicultural Affairs”, substitute “Immigration Minister”.

#### **77 Subsection 71.23(1) of the *Criminal Code***

Insert:

*Foreign Affairs Minister* means the Minister administering the *Diplomatic Privileges and Immunities Act 1967*.

**78 Subsection 71.23(1) of the *Criminal Code***

Insert:

*Immigration Minister* means the Minister administering the *Migration Act 1958*.

***Criminology Research Act 1971***

**79 Section 4**

Insert:

*Finance Minister* means the Minister administering the *Financial Management and Accountability Act 1997*.

**80 Subsection 28(2)**

Omit “Minister for Finance”, substitute “Finance Minister”.

***CSL Sale Act 1993***

**81 Subsection 3(1)**

Insert:

*Finance Minister* means the Minister administering the *Financial Management and Accountability Act 1997*.

**82 Subsections 4(1) and (2)**

Omit “Minister for Finance”, substitute “Finance Minister”.

***Customs Act 1901***

**83 Subsection 4(1)**

Insert:

*Defence Minister* means the Minister administering section 1 of the *Defence Act 1903*.

**84 Subsection 4(1)**

---

Insert:

*Finance Minister* means the Minister administering the *Financial Management and Accountability Act 1997*.

**85 Subsection 112(2AB)**

Omit “Minister for Defence” (wherever occurring), substitute “Defence Minister”.

**86 Subsection 277(1)**

Omit “Minister for Finance”, substitute “Finance Minister”.

***Customs Tariff Act 1995***

**87 Schedule 4 (item 69, the description of goods in column 2)**

Omit “Minister for Industry, Science and Resources”, substitute “Minister administering the *Space Activities Act 1998*”.

**88 Schedule 4 (item 72A, the description of goods in column 2)**

Omit “Minister for the Environment and Heritage”, substitute “Minister administering the *Environment Protection and Biodiversity Conservation Act 1999*”.

**89 Schedule 4 (item 72B, the description of goods in column 2)**

Omit “Minister for the Environment and Heritage”, substitute “Minister administering the *Environment Protection and Biodiversity Conservation Act 1999*”.

***Defence Act 1903***

**90 Subsection 4(1)**

Insert:

*Foreign Affairs Minister* means the Minister administering the *Diplomatic Privileges and Immunities Act 1967*.

**91 Subsection 51CA(2A)**

---

Omit “Minister for Foreign Affairs”, substitute “Foreign Affairs Minister”.

### ***Defence Force Discipline Appeals Act 1955***

#### **92 Subsection 4(1)**

Insert:

*Finance Minister* means the Minister administering the *Financial Management and Accountability Act 1997*.

#### **93 Subsections 34(3) and 37(2)**

Omit “Minister for Finance”, substitute “Finance Minister”.

### ***Defence Force Retirement and Death Benefits Act 1973***

#### **94 Subsection 3(1)**

Insert:

*Finance Minister* means the Minister administering the *Financial Management and Accountability Act 1997*.

#### **95 Subsections 72(1) and (3), 73(1) and (3) and 84(11) and (13)**

Omit “Minister for Finance”, substitute “Finance Minister”.

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

#### **96 Subsection 4(1)**

Insert:

*Finance Minister* means the Minister administering the *Financial Management and Accountability Act 1997*.

#### **97 Subsections 82V(1) and (3), 82W(1) and (3) and 82ZH(11) and (13)**

Omit “Minister for Finance”, substitute “Finance Minister”.

#### **98 Subsection 82ZH(15)**

Omit “Minister for Finance” (wherever occurring), substitute “Finance Minister”.

**99 Subsection 82ZH(16)**

Omit “Minister for Finance”, substitute “Finance Minister”.

***Defence Forces Retirement Benefits (Pension Increases) Act 1967***

**100 Subsection 3(1)**

Insert:

*Finance Minister* means the Minister administering the *Financial Management and Accountability Act 1997*.

**101 Subsections 7(2) and 9(2)**

Omit “Minister for Finance”, substitute “Finance Minister”.

***Defence Service Homes Act 1918***

**102 Subsection 4(1)**

Insert:

*Finance Minister* means the Minister administering the *Financial Management and Accountability Act 1997*.

**103 Subsection 40A(3)**

Repeal the subsection.

Note: This item repeals a redundant definition.

**104 Paragraphs 50B(2)(a) and (b)**

Omit “Minister for Finance”, substitute “Finance Minister”.

**105 Subsection 50B(4)**

Omit “Minister for Finance”, substitute “Finance Minister”.

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

**106 Subsection 4(1)**

---

Insert:

*Customs Minister* means the Minister administering the *Customs Act 1901*.

**107 Paragraph 7(2)(h)**

Omit “Department of Foreign Affairs and Trade”, substitute “Department administered by the Minister administering this Act”.

**108 Subsection 8(2)**

Omit “Minister for Industry, Technology and Commerce”, substitute “Customs Minister”.

**109 Paragraphs 8(3)(a) and (b)**

Omit “Minister for Industry, Technology and Commerce”, substitute “Customs Minister”.

**110 Subsection 9(2)**

Omit “Minister for Industry, Technology and Commerce”, substitute “Customs Minister”.

**111 Paragraphs 9(3)(a) and (b)**

Omit “Minister for Industry, Technology and Commerce”, substitute “Customs Minister”.

**112 Subsections 14A(1), (2) and (3)**

Omit “Minister for Industry, Technology and Commerce”, substitute “Customs Minister”.

***Health Insurance Act 1973***

**113 Subsection 3(1)**

Insert:

*Veterans’ Affairs Minister* means the Minister administering the *Veterans’ Entitlements Act 1986*.

**114 Paragraph 130(7)(b)**

Omit “Minister for Veterans’ Affairs”, substitute “Veterans’ Affairs Minister”.

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**115 Paragraph 130(9)(b)**

Omit “Minister for Veterans’ Affairs”, substitute “Veterans’ Affairs Minister”.

***Intelligence Services Act 2001***

**116 Section 3**

Insert:

***Defence Minister*** means the Minister administering section 1 of the *Defence Act 1903*.

**117 Section 3**

Insert:

***Foreign Affairs Minister*** means the Minister administering the *Diplomatic Privileges and Immunities Act 1967*.

**118 Section 9A**

Omit “Minister for Defence”, substitute “Defence Minister”.

**119 Section 9A**

Omit “Minister for Foreign Affairs”, substitute “Foreign Affairs Minister”.

***Judiciary Act 1903***

**120 Section 55I (definition of *Finance Minister*)**

Repeal the definition, substitute:

***Finance Minister*** means the Minister administering the *Financial Management and Accountability Act 1997*.

***Lighthouses Act 1911***

**121 Section 3**

Insert:

***Finance Minister*** means the Minister administering the *Financial Management and Accountability Act 1997*.

**122 Subsection 6A(5)**

Omit “Minister for Finance”, substitute “Finance Minister”.

***Members of Parliament (Staff) Act 1984***

**123 Section 3**

Insert:

*Finance Minister* means the Minister administering the *Financial Management and Accountability Act 1997*.

**124 Subsections 8(5), 15(5) and 22(5)**

Omit “Minister for Finance”, substitute “Finance Minister”.

***Moomba-Sydney Pipeline System Sale Act 1994***

**125 Subsection 3(1)**

Insert:

*Finance Minister* means the Minister administering the *Financial Management and Accountability Act 1997*.

**126 Subsection 51(1)**

Omit “Minister for Finance”, substitute “Finance Minister”.

***Narcotic Drugs Act 1967***

**127 Subsection 4(1)**

Insert:

*Customs Minister* means the Minister administering the *Customs Act 1901*.

**128 Subsection 4(1)**

Insert:

*Health Minister* means the Minister administering the *National Health Act 1953*.

**129 Section 6**

---

Omit “Minister for Health”, substitute “Health Minister”.

**130 Section 6**

Omit “Minister for Industry, Technology and Commerce”, substitute “Customs Minister”.

**131 Subsection 9(5) (definition of *Minister*)**

Omit “Minister for Health”, substitute “Health Minister”.

**132 Subsection 10(2) (definition of *Minister*)**

Omit “Minister for Health”, substitute “Health Minister”.

**133 Paragraphs 14A(1)(a), (b) and (c)**

Omit “Minister for Health”, substitute “Health Minister”.

**134 Subsection 24(1)**

Omit “Minister for Health”, substitute “Health Minister”.

**135 Subsection 25(1)**

Omit “Minister for Health”, substitute “Health Minister”.

**136 Subsection 25(1)**

Omit “Minister for Industry, Technology and Commerce”, substitute “Customs Minister”.

**137 Subsection 25(2)**

Omit “Minister for Health”, substitute “Health Minister”.

**138 Subsection 25(2)**

Omit “Minister for Industry, Technology and Commerce”, substitute “Customs Minister”.

**139 Subsection 25(3)**

Omit “Minister for Health”, substitute “Health Minister”.

**140 Subsection 25(3)**

Omit “Minister for Industry, Technology and Commerce”, substitute “Customs Minister”.

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

**141 Subsection 6(1)**

Insert:

*Finance Minister* means the Minister administering the *Financial Management and Accountability Act 1997*.

**142 Subsection 53(2)**

Omit “Minister for Finance”, substitute “Finance Minister”.

***National Gallery Act 1975***

**143 Subsection 3(1)**

Insert:

*Finance Minister* means the Minister administering the *Financial Management and Accountability Act 1997*.

**144 Subsection 34(2)**

Omit “Minister for Finance”, substitute “Finance Minister”.

***National Health Act 1953***

**145 Subsection 4(1)**

Insert:

*Finance Minister* means the Minister administering the *Financial Management and Accountability Act 1997*.

**146 Subsection 4(1)**

Insert:

*Health Minister* means the Minister administering this Act.

**147 Subsection 4(1) (paragraph (a) of the definition of Secretary)**

Omit “Minister for Health”, substitute “Health Minister”.

**148 Subsection 4(1) (paragraph (c) of the definition of Secretary)**

Omit “Minister for Health”, substitute “Health Minister”.

**149 Subsection 4(1) (subparagraph (c)(i) of the definition of Secretary)**

Omit “Minister for Health”, substitute “Health Minister”.

**150 Subsection 4(1)**

Insert:

*Veterans’ Affairs Minister* means the Minister administering the *Veterans’ Entitlements Act 1986*.

**151 Paragraph 4AA(1)(b)**

Omit “Minister administering the *Veterans’ Entitlements Act 1986*”, substitute “Veterans’ Affairs Minister”.

**152 Section 133A**

Omit “Minister for Finance”, substitute “Finance Minister”.

**153 Paragraph 135A(7)(b)**

Omit “Minister for Veterans’ Affairs”, substitute “Veterans’ Affairs Minister”.

**154 Paragraph 135A(9)(b)**

Omit “Minister for Veterans’ Affairs”, substitute “Veterans’ Affairs Minister”.

***National Library Act 1960***

**155 Section 4**

Insert:

*Finance Minister* means the Minister administering the *Financial Management and Accountability Act 1997*.

**156 Subsection 20(2)**

Omit “Minister for Finance”, substitute “Finance Minister”.

***National Museum of Australia Act 1980***

**157 Subsection 3(1)**

Insert:

*Finance Minister* means the Minister administering the *Financial Management and Accountability Act 1997*.

**158 Subsection 33(2)**

Omit “Minister for Finance”, substitute “Finance Minister”.

***Natural Heritage Trust of Australia Act 1997***

**159 Subparagraphs 19(3)(a)(ii) and (b)(ii) and 20(3)(a)(ii) and (b)(ii)**

Omit “Minister for Primary Industries and Energy”, substitute “Agriculture Minister”.

**160 Paragraphs 40(1)(b) and (2)(a)**

Omit “Minister for Primary Industries and Energy”, substitute “Agriculture Minister”.

**161 Subsection 42(5)**

Omit “Minister for Finance”, substitute “Finance Minister”.

**162 Subsections 43(2) and (3)**

Omit “Minister for Finance”, substitute “Finance Minister”.

**163 Subsection 43(5)**

Omit “Minister for Primary Industries and Energy”, substitute “Agriculture Minister”.

**164 Subsection 46(1)**

Omit “Minister for Primary Industries and Energy” (wherever occurring), substitute “Agriculture Minister”.

Note: The heading to section 46 is altered by omitting “**Minister for Primary Industries and Energy**” and substituting “**Agriculture Minister**”.

**165 Subsection 46(2)**

---

Omit “Minister for Primary Industries and Energy”, substitute “Agriculture Minister”.

**166 Section 54**

Insert:

*Agriculture Minister* means the Minister administering Part 2 of the *Natural Resources Management (Financial Assistance) Act 1992*.

**167 Section 54**

Insert:

*Finance Minister* means the Minister administering the *Financial Management and Accountability Act 1997*.

***Natural Resources Management (Financial Assistance) Act 1992***

**168 Subsection 4(1)**

Insert:

*Environment Minister* means the Minister administering the *Environment Protection and Biodiversity Conservation Act 1999*.

**169 Paragraph 13(2)(a)**

Omit “the Minister for the Arts, Sport, the Environment and Territories”, substitute “Environment Minister”.

***Northern Territory (Self-Government) Act 1978***

**170 Subsection 4(1)**

Insert:

*Finance Minister* means the Minister administering the *Financial Management and Accountability Act 1997*.

**171 Section 46**

Omit “Minister for Finance” (wherever occurring), substitute “Finance Minister”.

### ***Parliamentary Contributory Superannuation Act 1948***

#### **172 Subsection 4(1)**

Insert:

*Finance Minister* means the Minister administering the *Financial Management and Accountability Act 1997*.

#### **173 Subsection 4(1) (definition of *trustee*)**

Omit “Minister for Finance”, substitute “Finance Minister”.

#### **174 Paragraph 5(3)(a)**

Omit “Minister for Finance”, substitute “Finance Minister”.

#### **175 Subsections 5(4), 8(3) and 14(6)**

Omit “Minister for Finance” (wherever occurring), substitute “Finance Minister”.

#### **176 Paragraph 20(2C)(a)**

Omit “Minister for Finance” (wherever occurring), substitute “Finance Minister”.

#### **177 Subsections 22R(11) and (13)**

Omit “Minister for Finance”, substitute “Finance Minister”.

### ***Parliamentary Entitlements Act 1990***

#### **178 Section 3**

Insert:

*Defence Minister* means the Minister administering section 1 of the *Defence Act 1903*.

#### **179 Schedule 1 (paragraph (c) of table item 8)**

Omit “Minister for Defence”, substitute “Defence Minister”.

#### **180 Paragraph 1(1)(g) of Schedule 1**

Omit “Minister for Defence”, substitute “Defence Minister”.

**181 Subclause 1(3) of Schedule 1**

Omit “Minister for Defence”, substitute “Defence Minister”.

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

**182 Subsection 29(6)**

Omit “Minister for Finance”, substitute “Finance Minister”.

**183 Subsection 29(7)**

Insert:

*Finance Minister* means the Minister administering the *Financial Management and Accountability Act 1997*.

***Royal Commissions Act 1902***

**184 Subsection 1B(1)**

Insert:

*Finance Minister* means the Minister administering the *Financial Management and Accountability Act 1997*.

**185 Subsection 1B(1)**

Insert:

*Foreign Affairs Minister* means the Minister administering the *Diplomatic Privileges and Immunities Act 1967*.

**186 Subsection 8(2)**

Omit “Minister for Finance”, substitute “Finance Minister”.

**187 Paragraphs 16(2)(a) and (b)**

Omit “Minister for Foreign Affairs”, substitute “Foreign Affairs Minister”.

***Science and Industry Research Act 1949***

**188 Section 7**

---

Insert:

*Finance Minister* means the Minister administering the *Financial Management and Accountability Act 1997*.

**189 Subsection 46(2)**

Omit “Minister for Finance”, substitute “Finance Minister”.

***Seat of Government (Administration) Act 1910***

**190 Subsection 12(2C)**

Omit “for Sport, Recreation and Tourism”.

***Small Superannuation Accounts Act 1995***

**191 Section 4**

Insert:

*Finance Minister* means the Minister administering the *Financial Management and Accountability Act 1997*.

**192 Paragraph 38(b)**

Omit “Minister for Finance”, substitute “Finance Minister”.

**193 Subsections 39(3), 43(1) and (2) and 50(6)**

Omit “Minister for Finance”, substitute “Finance Minister”.

**194 Section 92**

Omit “Minister for Finance”, substitute “Finance Minister”.

***Snowy Hydro Corporatisation Act 1997***

**195 Subsection 5(1)**

Insert:

*Finance Minister* means the Minister administering the *Financial Management and Accountability Act 1997*.

**196 Subsection 14(1)**

---

Omit “Minister for Finance”, substitute “Finance Minister”.

Note: The heading to section 14 is altered by omitting “Minister for Finance” and substituting “Finance Minister”.

**197 Subsections 15(1) and (2), 20(1), (4) and (5), 49(2), 51(2) and 57(1)**

Omit “Minister for Finance”, substitute “Finance Minister”.

***Snowy Mountains Engineering Corporation Limited Sale Act 1993***

**198 Subsection 3(1)**

Insert:

*Finance Minister* means the Minister administering the *Financial Management and Accountability Act 1997*.

**199 Subsections 4(1) and (2)**

Omit “Minister for Finance”, substitute “Finance Minister”.

**200 Subsection 38(4) (paragraph (a) of the definition of *authorised person*)**

Omit “Minister for Finance”, substitute “Finance Minister”.

**201 Subsection 38(4) (definition of *tax*)**

Omit “Minister for Finance”, substitute “Finance Minister”.

***Social Security (Administration) Act 1999***

**202 Subsection 127(3)**

Omit “Minister for Agriculture, Fisheries and Forestry”, substitute “Agriculture Minister”.

**203 Paragraphs 129(4)(d) and 144(c)**

Omit “Minister for Agriculture, Fisheries and Forestry”, substitute “Agriculture Minister”.

**204 Subclause 1(1) of Schedule 1**

Insert:

*Agriculture Minister* means the Minister administering the *Farm Household Support Act 1992*.

***Superannuation (Pension Increases) Act 1971***

**205 Subsection 3(1)**

Insert:

*Finance Minister* means the Minister administering the *Financial Management and Accountability Act 1997*.

**206 Section 12**

Omit “Minister for Finance” (wherever occurring), substitute “Finance Minister”.

***Superannuation (Resolution of Complaints) Act 1993***

**207 Subsection 3(2)**

Insert:

*Consumer Affairs Minister* means the Minister administering Schedule 2 to the *Competition and Consumer Act 2010*.

**208 Subsection 8(4)**

Omit “Minister for Consumer Affairs”, substitute “Consumer Affairs Minister”.

***Sydney Harbour Federation Trust Act 2001***

**209 Section 3**

Insert:

*Finance Minister* means the Minister administering the *Financial Management and Accountability Act 1997*.

**210 Subsection 59(2)**

Omit “Minister for Finance and Administration”, substitute “Finance Minister”.

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

#### **211 Section 7**

Insert:

*Finance Minister* means the Minister administering the *Financial Management and Accountability Act 1997*.

#### **212 Subsection 471(3)**

Omit “Minister for Finance”, substitute “Finance Minister”.

### ***Telstra Corporation Act 1991***

#### **213 Section 3**

Insert:

*Transport Minister* means the Minister administering the *Nation Building Program (National Land Transport) Act 2009*.

#### **214 Subsection 70(1)**

Omit “Minister for Transport and Regional Services” (wherever occurring), substitute “Transport Minister”.

Note: The heading to section 70 is altered by omitting “**Minister for Transport and Regional Services**” and substituting “**Transport Minister**”.

#### **215 Subsection 70(2)**

Omit “Minister for Transport and Regional Services”, substitute “Transport Minister”.

### ***Territory Authorities (Financial Provisions) Act 1978***

#### **216 Subsection 4(1)**

Insert:

*Finance Minister* means the Minister administering the *Financial Management and Accountability Act 1997*.

#### **217 Subsections 6(2) and 7(1)**

Omit “Minister of State for Finance”, substitute “Finance Minister”.

***Veterans' Entitlements Act 1986***

**218 Section 5 (index of definitions)**

Insert the following entry in its appropriate alphabetical position, as determined on a letter-by-letter basis:

Defence Minister 5Q(1)

**219 Paragraph 5B(2)(c)**

Omit "Minister for Defence", substitute "Defence Minister".

**220 Subsection 5C(1) (definition of *non-warlike service*)**

Omit "Minister for Defence", substitute "Defence Minister".

**221 Subsection 5C(1) (definition of *warlike service*)**

Omit "Minister for Defence", substitute "Defence Minister".

**222 Subsection 5Q(1)**

Insert:

***Defence Minister*** has the meaning given by the *Military Rehabilitation and Compensation Act 2004*.

## **Division 2—Bulk amendments**

### **223 Amendment of Acts**

The specified provisions of the Acts listed in this Division are amended by omitting “Minister for Finance” (wherever occurring) and substituting “Finance Minister”.

### ***Airports (Transitional) Act 1996***

#### **224 Subsection 6(2)**

#### **225 Subsection 11(2)**

#### **226 Subsection 12(2)**

#### **227 Subsections 13(2), (3), (4) and (5)**

#### **228 Subsection 14(2)**

#### **229 Subsection 16(4) (paragraphs (a) and (b) of the definition of *authorised person*)**

#### **230 Subsections 23(2), (3) and (4)**

#### **231 Subsections 24(2), (3), (4) and (5)**

#### **232 Subsections 25(2), (3) and (4)**

#### **233 Subsection 26(2)**

#### **234 Subsections 30(2), (3) and (4)**

#### **235 Subsections 31(2), (3), (4) and (5)**

#### **236 Subsections 33(2), (3) and (4)**

#### **237 Section 34**

#### **238 Subsections 36(2), (3) and (4)**

- 239 Subsection 37(2)**
- 240 Paragraph 38(1)(b)**
- 241 Subsection 38(2)**
- 242 Section 40**
- 243 Subsection 42(2)**
- 244 Paragraph 43(1)(b)**
- 245 Subsection 43(2)**
- 246 Subsections 49B(4) and (5)**
- 247 Subsections 50B(2) and (3)**
- 248 Subsections 51B(2) and (3)**
- 249 Subsection 52A(2), (3) and (4)**
- 250 Subsections 58(2) and (3)**
- 251 Subsection 69(1)**
- 252 Subsection 76(2)**
- 253 Subsection 77(1)**
- 254 Subsections 84(1) and (2)**

## **Part 2—References changed by orders**

### *Judges' Pensions Act 1968*

**255 Subsection 4(1) (definition of *relevant pension*)**

Omit “Attorney-General”, substitute “Minister”.

**256 Paragraphs 4AA(b) and 4AB(2)(b)**

Omit “Attorney-General”, substitute “Minister”.

**257 Subsection 4AB(5)**

Omit “Attorney-General”, substitute “Minister”.

**258 Paragraph 4AC(3)(d)**

Omit “Attorney-General’s”, substitute “Minister’s”.

**259 Subsection 6(2)**

Omit “Attorney-General”, substitute “Minister”.

**260 Subsection 6(2AA)**

Omit “Attorney-General” (wherever occurring), substitute “Minister”.

**261 Paragraph 6(2A)(a)**

Omit “Attorney-General”, substitute “Minister”.

**262 Subsection 6A(3) (paragraph (a) of the definition of *B*)**

Omit “Attorney-General”, substitute “Minister”.

**263 Subsection 6B(2) (paragraph (b) of the definition of *Y*)**

Omit “Attorney-General”, substitute “Minister”.

**264 Subsection 8A(1)**

Omit “Attorney-General”, substitute “Minister”.

**265 Subsection 8A(2)**

Omit “Attorney-General” (wherever occurring), substitute “Minister”.

**266 Subsections 8A(3), (4) and (5)**

Omit “Attorney-General”, substitute “Minister”.

**267 Subsection 8B(1)**

Omit “Attorney-General” (wherever occurring), substitute “Minister”.

**268 Paragraphs 11(2A)(b) and 12(2A)(b)**

Omit “Attorney-General”, substitute “Minister”.

**269 Subsections 13(2) and (3)**

Omit “Attorney-General”, substitute “Minister”.

**270 Paragraphs 15(1)(a) and (b)**

Omit “Attorney-General”, substitute “Minister”.

**271 Subsection 15(2)**

Omit “Attorney-General”, substitute “Minister”.

**272 Subsection 15(3)**

Omit “Attorney-General” (wherever occurring), substitute “Minister”.

**273 Subsections 15A(1) and (2)**

Omit “Attorney-General”, substitute “Minister”.

**274 Paragraphs 17A(a), (aa), (aaa), (aab), (aac), (ab), (b), (c), (d) and (e)**

Omit “Attorney-General”, substitute “Minister”.

## **Part 3—Transitional, saving and application provisions**

### **275 Transitional—amendments do not affect things done**

#### *Things done under amended provisions*

- (1) Subitem (2) applies to a thing done under a provision of an Act if:
  - (a) the provision is amended by an item of this Schedule; and
  - (b) the thing was in force immediately before the commencement of that item.
- (2) The thing has effect, on and after the commencement of that item, as if it had been done under that provision as amended by that item. However, this is not taken to change the time at which the thing was actually done.

#### *Amendments do not affect requirements for things done*

- (3) Subitem (4) applies to a thing done under an Act if:
  - (a) the thing was in force, and complied with a requirement of that Act, immediately before the commencement of an item of this Schedule; and
  - (b) immediately after the commencement of that item, the thing fails to comply with that requirement solely because of the amendments of that Act made by that item.
- (4) Disregard those amendments when considering, on and after the commencement of that item, whether the thing complies with that requirement.

#### *Meaning of **things done***

- (5) In this item, *doing a thing* includes:
  - (a) making an instrument; and
  - (b) making a decision.

### **276 Regulations may deal with transitional etc. matters**

**Schedule 5** References to specific Ministers  
**Part 3** Transitional, saving and application provisions

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The Governor-General may make regulations dealing with matters of a transitional, saving or application nature relating to the amendments or repeals made by this Schedule.

## **Schedule 6—References to specific Departments**

### **Part 1—Departments of State**

#### *Airports Act 1996*

##### **1 Subsection 5(1)**

Insert:

*Defence Department* means the Department of State that deals with defence and that is administered by the Minister administering section 1 of the *Defence Act 1903*.

##### **2 Paragraphs 71(3)(e) and 91(1)(f)**

Omit “Department of Defence”, substitute “Defence Department”.

##### **3 Subsection 251(2)**

Omit “Department of Defence”, substitute “Defence Department”.

##### **4 Paragraph 251(3)(a)**

Omit “Department of Defence”, substitute “Defence Department”.

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

##### **5 Section 4**

Insert:

*Defence Department* means the Department of State that deals with defence and that is administered by the Defence Minister.

##### **6 Paragraph 29(3)(a)**

Omit “Department of Defence”, substitute “Defence Department”.

#### *Australian Human Rights Commission Act 1986*

##### **7 Subsection 3(1)**

Insert:

*Defence Department* means the Department of State that deals with defence and that is administered by the Minister administering section 1 of the *Defence Act 1903*.

**8 Subsection 11(4)**

Omit “Department of Defence” (wherever occurring), substitute “Defence Department”.

**9 Subsection 21(3)**

Omit “Department of Defence”, substitute “Defence Department”.

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

**10 Section 4**

Insert:

*Defence Department* means the Department of State that deals with defence and that is administered by the Minister administering section 1 of the *Defence Act 1903*.

**11 Section 4 (paragraphs (c), (d) and (e) of the definition of *intelligence or security agency*)**

Omit “Department of Defence”, substitute “Defence Department”.

***Aviation Transport Security Act 2004***

**12 Section 9**

Insert:

*Defence Department* means the Department of State that deals with defence and that is administered by the Minister administering section 1 of the *Defence Act 1903*.

**13 Paragraph 28(4)(b)**

Omit “Department of Defence”, substitute “Defence Department”.

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

**14 Subsection 150(1)**

Insert:

*Veterans' Affairs Department* means the Department administered by the Minister administering the *Veterans' Entitlements Act 1986*.

**15 Paragraph 150(3)(b)**

Omit "Department of Veterans' Affairs", substitute "Veterans' Affairs Department".

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

**16 Subsection 4(1)**

Insert:

*Immigration Department* means the Department administered by the Minister administering the *Migration Act 1958*.

**17 Subsection 4(1)**

Insert:

*Veterans' Affairs Department* means the Department administered by the Minister administering the *Veterans' Entitlements Act 1986*.

**18 Paragraph 16(3)(b)**

Omit "Department of Veterans' Affairs", substitute "Veterans' Affairs Department".

**19 Subsection 72G(4)**

Omit "Department of Immigration and Multicultural Affairs", substitute "Immigration Department".

***Civil Aviation (Carriers' Liability) Act 1959***

**20 Subsection 5(1)**

Insert:

*Foreign Affairs Department* means the Department administered by the Minister administering the *Diplomatic Privileges and Immunities Act 1967*.

**21 Subsection 8(3)**

Omit “Department of Foreign Affairs and Trade”, substitute “Foreign Affairs Department”.

***Coal Mining Industry (Long Service Leave Funding) Act 1992***

**22 Subsection 50(3)**

Omit “of Industrial Relations”.

***Commonwealth Electoral Act 1918***

**23 Subsection 99A(6)**

Omit “Department of Immigration, Local Government and Ethnic Affairs”, substitute “Immigration Department”.

***Crimes Act 1914***

**24 Subsection 3(1)**

Insert:

*Defence Department* means the Department of State that deals with defence and that is administered by the Minister administering section 1 of the *Defence Act 1903*.

**25 Subsection 3(1)**

Insert:

*Foreign Affairs Department* means the Department administered by the Minister administering the *Diplomatic Privileges and Immunities Act 1967*.

**26 Subsection 56(2) (definition of *eligible person*)**

Omit “Department of Foreign Affairs and Trade”, substitute “Foreign Affairs Department”.

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**27 Section 85ZL (paragraphs (d), (e) and (f) of the definition of *intelligence or security agency*)**

Omit “Department of Defence”, substitute “Defence Department”.

***Criminal Code Act 1995***

**28 Section 473.1 of the *Criminal Code***

Insert:

*Defence Department* means the Department of State that deals with defence and that is administered by the Minister administering section 1 of the *Defence Act 1903*.

**29 Section 473.1 of the *Criminal Code* (paragraphs (d) and (e) of the definition of *intelligence or security officer*)**

Omit “Department of Defence”, substitute “Defence Department”.

**30 Subsection 476.1(1) of the *Criminal Code***

Insert:

*Defence Department* means the Department of State that deals with defence and that is administered by the Minister administering section 1 of the *Defence Act 1903*.

**31 Subsection 476.5(3) of the *Criminal Code* (definition of *DIGO*)**

Omit “Department of Defence”, substitute “Defence Department”.

**32 Subsection 476.5(3) of the *Criminal Code* (definition of *DSD*)**

Omit “Department of Defence”, substitute “Defence Department”.

***Defence Act 1903***

**33 Subsection 116R(1)**

Omit “Department of Defence”, substitute “Department administered by the Minister”.

### ***Defence Service Homes Act 1918***

#### **34 Subsection 4(1)**

Insert:

*Defence Department* has the meaning given by the *Military Rehabilitation and Compensation Act 2004*.

#### **35 Subsections 4BA(5) and 4BB(4)**

Omit “Department of Defence”, substitute “Defence Department”.

### ***Defence (Special Undertakings) Act 1952***

#### **36 Section 19**

Omit “Department of Aviation”, substitute “Department administered by the Minister administering the *Air Navigation Act 1920*”.

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

#### **37 Paragraph 7(2)(h)**

Omit “Department of Foreign Affairs and Trade”, substitute “Department administered by the Minister administering this Act”.

### ***Health Insurance Act 1973***

#### **38 Subsection 3(1)**

Insert:

*Immigration Department* means the Department administered by the Minister administering the *Migration Act 1958*.

#### **39 Subsection 3(1)**

Insert:

*Veterans’ Affairs Department* means the Department administered by the Veterans’ Affairs Minister.

#### **40 Subsection 19AB(6)**

---

Omit “Department of Immigration and Multicultural Affairs”, substitute “Immigration Department”.

**41 Subsection 19AB(6)**

Omit “Department of Health and Family Services”, substitute “Department administered by the Minister”.

**42 Paragraph 130(6)(d)**

Omit “Department of Veterans’ Affairs”, substitute “Veterans’ Affairs Department”.

**43 Paragraph 130(7)(f)**

Omit “Department of Veterans’ Affairs”, substitute “Veterans’ Affairs Department”.

**44 Paragraph 130(7)(fa)**

Omit “Department of Immigration and Ethnic Affairs”, substitute “Immigration Department”.

**45 Paragraph 130(9)(b)**

Omit “Department of Veterans’ Affairs”, substitute “Veterans’ Affairs Department”.

**46 Paragraph 130(9)(ba)**

Omit “Department of Immigration and Ethnic Affairs”, substitute “Immigration Department”.

***Higher Education Funding Act 1988***

**47 Subsection 78(8)**

Omit “the Department of Employment, Education and Training”, substitute “the Department”.

***Immigration (Education) Charge Act 1992***

**48 Subsection 3(2)**

Insert:

*Finance Department* means the Department administered by the Minister administering the *Financial Management and Accountability Act 1997*.

**49 Subsection 6(2) (paragraph (a) of the definition of base CGFCE number)**

Omit “Department of Finance”, substitute “Finance Department”.

**50 Subsection 6(2) (paragraph (a) of the definition of new CGFCE number)**

Omit “Department of Finance”, substitute “Finance Department”.

***Independent National Security Legislation Monitor Act 2010***

**51 Section 4**

Insert:

*Defence Department* means the Department of State that deals with defence and that is administered by the Minister administering section 1 of the *Defence Act 1903*.

**52 Section 4 (paragraphs (f), (g), (h) and (i) of the definition of head)**

Omit “Department of Defence”, substitute “Defence Department”.

**53 Section 4 (paragraphs (g), (h) and (i) of the definition of law enforcement or security agency)**

Omit “Department of Defence”, substitute “Defence Department”.

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

**54 Subsection 5(1) (definition of ADG Code)**

Omit “Department of Transport and Regional Development”, substitute “Transport Department”.

**55 Subsection 5(1)**

Insert:

*Transport Department* means the Department administered by the Minister administering the *National Transport Commission Act 2003*.

***Inspector-General of Intelligence and Security Act 1986***

**56 Subsection 3(1)**

Insert:

*Defence Department* means the Department of State that deals with defence and that is administered by the Minister administering section 1 of the *Defence Act 1903*.

**57 Subsection 3(1) (definition of *DIGO*)**

Omit “Department of Defence”, substitute “Defence Department”.

**58 Subsection 3(1) (definition of *DIO*)**

Omit “Department of Defence”, substitute “Defence Department”.

**59 Subsection 3(1) (definition of *DSD*)**

Omit “Department of Defence”, substitute “Defence Department”.

**60 Paragraphs 15(3)(b) and 21(1B)(b) and (2)(a)**

Omit “Department of Defence”, substitute “Defence Department”.

**61 Paragraph 24A(1)(b)**

Omit “Department of Defence”, substitute “Defence Department”.

**62 Paragraphs 32A(1)(d) and (5)(b)**

Omit “Department of Defence”, substitute “Defence Department”.

***Intelligence Services Act 2001***

**63 Section 3**

Insert:

*Defence Department* means the Department of State that deals with defence and that is administered by the Defence Minister.

**64 Section 3 (definition of *DIGO*)**

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Omit “Department of Defence”, substitute “Defence Department”.

**65 Section 3 (definition of *DIO*)**

Omit “Department of Defence”, substitute “Defence Department”.

**66 Section 3 (definition of *DSD*)**

Omit “Department of Defence”, substitute “Defence Department”.

***International Arbitration Act 1974***

**67 Subsection 3(1)**

Insert:

*Foreign Affairs Department* means the Department administered by the Minister administering the *Diplomatic Privileges and Immunities Act 1967*.

**68 Subsections 10(1) and 10A(1) and (5)**

Omit “Department of Foreign Affairs”, substitute “Foreign Affairs Department”.

Note: The heading to section 10A is altered by omitting “**Department of Foreign Affairs and Trade**” and substituting “**Foreign Affairs Department**”.

***Narcotic Drugs Act 1967***

**69 Subsection 4(1) (definition of *Secretary*)**

Omit “Department of Health”, substitute “Department administered by the Health Minister”.

***National Health Act 1953***

**70 Subsection 4(1)**

Insert:

*Health Department* means the Department administered by the Health Minister.

**71 Subsection 4(1) (paragraph (a) of the definition of *Secretary*)**

Omit “Department of Health”, substitute “Health Department”.

**72 Subsection 4(1) (subparagraph (c)(i) of the definition of Secretary)**

Omit “Department of Health”, substitute “Health Department”.

**73 Subsection 4(1)**

Insert:

*Veterans’ Affairs Department* means the Department administered by the Veterans’ Affairs Minister.

**74 Paragraph 99YBC(2)(b)**

Omit “Department of Health and Ageing”, substitute “Health Department”.

**75 Paragraph 135A(6)(e)**

Omit “Department of Veterans’ Affairs”, substitute “Veterans’ Affairs Department”.

**76 Paragraph 135A(7)(h)**

Omit “Department of Veterans’ Affairs”, substitute “Veterans’ Affairs Department”.

**77 Paragraph 135A(9)(b)**

Omit “Department of Veterans’ Affairs”, substitute “Veterans’ Affairs Department”.

**78 Section 139C**

Omit “Department of Health and Aged Care”, substitute “Health Department”.

***Natural Heritage Trust of Australia Act 1997***

**79 Paragraphs 46(1)(a) and (b)**

Omit “Department of Primary Industries and Energy”, substitute “Agriculture Department”.

**80 Section 54**

Insert:

*Agriculture Department* means the Department administered by the Agriculture Minister.

### ***Parliamentary Contributory Superannuation Act 1948***

#### **81 Subsection 4(1)**

Insert:

*Finance Department* means the Department administered by the Finance Minister.

#### **82 Subsection 8(5)**

Omit “Department of Finance” (wherever occurring), substitute “Finance Department”.

#### **83 Subsections 14(2) and (3)**

Omit “Department of Finance”, substitute “Finance Department”.

#### **84 Subsection 18A(1)**

Omit “Department of Finance and Administration”, substitute “Finance Department”.

#### **85 Subsections 18B(3) and (3A)**

Omit “Department of Finance”, substitute “Finance Department”.

#### **86 Subsections 19AAA(1) and 19ABA(1)**

Omit “Department of Finance and Administration”, substitute “Finance Department”.

#### **87 Subsections 19A(6) and 20(2A) and (2B)**

Omit “Department of Finance”, substitute “Finance Department”.

### ***Public Order (Protection of Persons and Property) Act 1971***

#### **88 Subsection 4(1)**

Insert:

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*Foreign Affairs Department* means the Department administered by the Minister administering the *Diplomatic Privileges and Immunities Act 1967*.

**89 Paragraph 21(2)(a)**

Omit “Department of Foreign Affairs”, substitute “Foreign Affairs Department”.

***Radiocommunications Act 1992***

**90 Section 5**

Insert:

*Defence Department* means the Department of State that deals with defence and that is administered by the Minister administering section 1 of the *Defence Act 1903*.

**91 Section 24**

Omit “Department of Defence” (wherever occurring), substitute “Defence Department”.

**92 Subsections 26(1) and (2)**

Omit “Department of Defence”, substitute “Defence Department”.

**93 Paragraph 283(d)**

Omit “Department of Defence”, substitute “Defence Department”.

***Referendum (Machinery Provisions) Act 1984***

**94 Subsection 3(1)**

Insert:

*Immigration Department* means the Department administered by the Minister administering the *Migration Act 1958*.

***Safety, Rehabilitation and Compensation Act 1988***

**95 Subsection 4(1)**

Insert:

*Defence Department* has the meaning given by the MRCA.

**96 Paragraph 54(4)(a)**

Omit “Department of Defence”, substitute “Defence Department”.

**97 Section 141 (definition of *Defence Department*)**

Repeal the definition.

Note: This item repeals a redundant definition.

***Small Superannuation Accounts Act 1995***

**98 Section 4**

Insert:

*Finance Department* means the Department administered by the Finance Minister.

**99 Section 92**

Omit “Department of Finance”, substitute “Finance Department”.

***Snowy Mountains Engineering Corporation Limited Sale Act 1993***

**100 Subsection 3(1)**

Insert:

*Finance Department* means the Department administered by the Finance Minister.

**101 Subsection 38(4) (paragraph (b) of the definition of *authorised person*)**

Omit “Department of Finance”, substitute “Finance Department”.

***Social Security (Administration) Act 1999***

**102 Subsection 127(3)**

Omit “Department of Agriculture, Fisheries and Forestry”, substitute “Agriculture Department”.

**103 Paragraphs 129(4)(d) and 144(c)**

Omit “Department of Agriculture, Fisheries and Forestry”, substitute “Agriculture Department”.

**104 Subclause 1(1) of Schedule 1**

Insert:

*Agriculture Department* means the Department administered by the Agriculture Minister.

***Superannuation (Productivity Benefit) Act 1988***

**105 Subsection 3(1)**

Insert:

*Finance Department* means the Department administered by the Minister administering the *Financial Management and Accountability Act 1997*.

**106 Section 9C**

Omit “Department of Finance”, substitute “Finance Department”.

***Telecommunications Act 1997***

**107 Section 7**

Insert:

*Defence Department* means the Department of State that deals with defence and that is administered by the Minister administering section 1 of the *Defence Act 1903*.

**108 Subsection 45(3) (paragraph (a) of the definition of *defence organisation*)**

Omit “Department of Defence”, substitute “Defence Department”.

**109 Subsection 45(3) (subparagraph (c)(i) of the definition of *defence organisation*)**

Omit “Department of Defence”, substitute “Defence Department”.

**110 Subsection 90(2) (paragraph (a) of the definition of *defence organisation*)**

Omit “Department of Defence”, substitute “Defence Department”.

**111 Subsection 90(2) (subparagraph (c)(i) of the definition of *defence organisation*)**

Omit “Department of Defence”, substitute “Defence Department”.

**112 Paragraphs 334(a), 335(1)(a) and 338(4)(a)**

Omit “Department of Defence”, substitute “Defence Department”.

**113 Subsection 347(1)**

Omit “Department of Defence”, substitute “Defence Department”.

**114 Clause 2 of Schedule 3 (paragraph (a) of the definition of *defence organisation*)**

Omit “Department of Defence”, substitute “Defence Department”.

**115 Clause 2 of Schedule 3 (subparagraph (c)(i) of the definition of *defence organisation*)**

Omit “Department of Defence”, substitute “Defence Department”.

***Telstra Corporation Act 1991***

**116 Section 3**

Insert:

*Finance Department* means the Department administered by the Minister administering the *Financial Management and Accountability Act 1997*.

**117 Section 3**

Insert:

*Transport Department* means the Department administered by the Transport Minister.

**118 Paragraphs 8BB(2)(a) and (b) and 8CB(2)(a) and (b)**

Omit “Department of Finance”, substitute “Finance Department”.

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**119 Paragraph 70(1)(a)**

Omit “Department of Transport and Regional Services”, substitute  
“Transport Department”.

## Part 2—Parliamentary Departments

### *A New Tax System (Australian Business Number) Act 1999*

#### **120 Section 41 (paragraph (b) of the definition of *government entity*)**

After “Parliament”, insert “established under the *Parliamentary Service Act 1999*”.

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

#### **121 Paragraph 72-95(b)**

After “Parliament”, insert “established under the *Parliamentary Service Act 1999*”.

### *Australian Communications and Media Authority Act 2005*

#### **122 Subsection 55(2) (paragraph (a) of the definition of *authority of the Commonwealth*)**

Omit “Department of the Parliament, or a prescribed agency”, substitute “Parliamentary Department, or a prescribed agency”.

### *Commonwealth Electoral Act 1918*

#### **123 Subsection 311A(4) (paragraph (b) of the definition of *Commonwealth Department*)**

After “Parliament”, insert “established under the *Parliamentary Service Act 1999*”.

### *Commonwealth Volunteers Protection Act 2003*

#### **124 Subsection 4(1) (paragraph (b) of the definition of *Commonwealth*)**

After “Parliament”, insert “established under the *Parliamentary Service Act 1999*”.

***Financial Management and Accountability Act 1997***

**125 Section 5 (paragraph (b) of the definition of *Agency*)**

Omit “Department of the Parliament”, substitute “Parliamentary Department”.

**126 Section 5**

Insert:

***Parliamentary Department*** means a Department of the Parliament established under the *Parliamentary Service Act 1999*.

**127 Subsection 32(5)**

Omit “Departments of the Parliament”, substitute “Parliamentary Departments”.

Note: The heading to subsection 32(5) is altered by omitting “*Departments of the Parliament*” and substituting “*Parliamentary Departments*”.

**128 Subsection 36(1)**

Omit “Department of the Parliament”, substitute “Parliamentary Department”.

***Fringe Benefits Tax (Application to the Commonwealth) Act 1986***

**129 Subsection 3(1) (paragraph (b) of the definition of *Department*)**

After “Parliament”, insert “established under the *Parliamentary Service Act 1999*”.

***Ombudsman Act 1976***

**130 Subsection 3(1) (definition of *Parliamentary Department*)**

Repeal the definition, substitute:

***Parliamentary Department*** means a Department of the Parliament established under the *Parliamentary Service Act 1999*.

*Paid Parental Leave Act 2010*

**131 Section 6 (paragraph (b) of the definition of  
Commonwealth agency)**

After “Parliament”, insert “established under the *Parliamentary Service Act 1999*”.

*Superannuation Act 1976*

**132 Subsection 3C(2) (at the end of paragraph (b) of the  
definition of *Department*)**

Add “established under the *Parliamentary Service Act 1999*”.

*Superannuation Act 1990*

**133 Subsection 3AA(2) (at the end of paragraph (b) of the  
definition of *Department*)**

Add “established under the *Parliamentary Service Act 1999*”.

*Superannuation Act 2005*

**134 Section 4 (at the end of the definition of *Parliamentary  
Department*)**

Add “established under the *Parliamentary Service Act 1999*”.

*Superannuation Guarantee (Administration) Act 1992*

**135 Subsection 5(5) (paragraph (b) of the definition of  
Commonwealth Department)**

After “Parliament”, insert “established under the *Parliamentary Service Act 1999*”.

*Superannuation (Productivity Benefit) Act 1988*

**136 Subsection 3(1) (at the end of paragraph (b) of the  
definition of *Department*)**

Add “established under the *Parliamentary Service Act 1999*”.

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***Telecommunications Act 1997***

**137 Paragraph 471(2)(b)**

After “Parliament”, insert “established under the *Parliamentary Service Act 1999*”.

## Part 3—Transitional, saving and application provisions

### 138 Transitional—amendments do not affect things done

#### *Things done under amended provisions*

- (1) Subitem (2) applies to a thing done under a provision of an Act if:
  - (a) the provision is amended by an item of this Schedule; and
  - (b) the thing was in force immediately before the commencement of that item.
- (2) The thing has effect, on and after the commencement of that item, as if it had been done under that provision as amended by that item. However, this is not taken to change the time at which the thing was actually done.

#### *Amendments do not affect requirements for things done*

- (3) Subitem (4) applies to a thing done under an Act if:
  - (a) the thing was in force, and complied with a requirement of that Act, immediately before the commencement of an item of this Schedule; and
  - (b) immediately after the commencement of that item, the thing fails to comply with that requirement solely because of the amendments of that Act made by that item.
- (4) Disregard those amendments when considering, on and after the commencement of that item, whether the thing complies with that requirement.

#### *Meaning of things done*

- (5) In this item, *doing a thing* includes:
  - (a) making an instrument; and
  - (b) making a decision.

### 139 Regulations may deal with transitional etc. matters

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The Governor-General may make regulations dealing with matters of a transitional, saving or application nature relating to the amendments or repeals made by this Schedule.

## **Schedule 7—References to Secretaries to Departments**

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

#### **1 Section 11**

Omit “Secretary to” (wherever occurring), substitute “Secretary of”.

### ***ACIS Administration Act 1999***

#### **2 Subsection 6(1) (definition of *Secretary*)**

Omit “Secretary to”, substitute “Secretary of”.

### ***Adelaide Airport Curfew Act 2000***

#### **3 Subsection 3(1) (paragraph (a) of the definition of *authorised person*)**

Omit “Secretary to”, substitute “Secretary of”.

#### **4 Paragraph 21(a)**

Omit “Secretary to”, substitute “Secretary of”.

### ***Aged or Disabled Persons Care Act 1954***

#### **5 Subsection 2(1) (definition of *Secretary*)**

Omit “Secretary to”, substitute “Secretary of”.

### ***Aircraft Noise Levy Collection Act 1995***

#### **6 Section 3 (definition of *Secretary*)**

Omit “Secretary to”, substitute “Secretary of”.

### ***Air Navigation Act 1920***

#### **7 Subsection 3(1) (definition of *the Secretary*)**

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Omit “Secretary to”, substitute “Secretary of”.

***Airports Act 1996***

**8 Subsection 103(5) (paragraphs (a) and (b) of the definition of *authorised person*)**

Omit “Secretary to”, substitute “Secretary of”.

**9 Subsection 109(4) (paragraphs (a) and (b) of the definition of *authorised person*)**

Omit “Secretary to”, substitute “Secretary of”.

**10 Subsection 234(1)**

Omit “Secretary to”, substitute “Secretary of”.

**11 Paragraph 234(2)(a)**

Omit “Secretary to”, substitute “Secretary of”.

**12 Subsection 234(3)**

Omit “Secretary to”, substitute “Secretary of”.

**13 Paragraph 244(1)(a)**

Omit “Secretary to”, substitute “Secretary of”.

**14 Subsection 249(1)**

Omit “Secretary to”, substitute “Secretary of”.

***Albury-Wodonga Development Act 1973***

**15 Paragraph 31A(1)(a)**

Omit “Secretary to”, substitute “Secretary of”.

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

**16 Subsection 3(1) (definition of *Secretary*)**

Omit “Secretary to”, substitute “Secretary of”.

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

**17 Paragraphs 29(1)(a) and (3)(a) and (b)**

Omit “Secretary to”, substitute “Secretary of”.

***Australian Federal Police Act 1979***

**18 Subsection 37(7) (definition of Secretary)**

Omit “Secretary to”, substitute “Secretary of”.

***Australian Hearing Services Act 1991***

**19 Paragraphs 67(8B)(a) and 69(a)**

Omit “Secretary to”, substitute “Secretary of”.

***Australian Institute of Aboriginal and Torres Strait Islander Studies Act 1989***

**20 Subparagraph 60(b)(iii)**

Omit “Secretary to”, substitute “Secretary of”.

***Australian Institute of Health and Welfare Act 1987***

**21 Paragraph 8(1)(e)**

Omit “Secretary to”, substitute “Secretary of”.

***Australian Maritime Safety Authority Act 1990***

**22 Paragraph 57(a)**

Omit “Secretary to”, substitute “Secretary of”.

***Australian National Maritime Museum Act 1990***

**23 Subsection 8(6)**

Omit “Secretary to”, substitute “Secretary of”.

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***Australian National University Act 1991***

**24 Subparagraph 60(b)(iii)**

Omit “Secretary to”, substitute “Secretary of”.

***Australian Radiation Protection and Nuclear Safety Act 1998***

**25 Paragraph 17(2)(b)**

Omit “Secretary to”, substitute “Secretary of”.

***Australian Sports Commission Act 1989***

**26 Section 3 (definition of *appointed member*)**

Omit “Secretary to”, substitute “Secretary of”.

**27 Paragraphs 13(1)(ba) and (7)(a)**

Omit “Secretary to”, substitute “Secretary of”.

***Australian Trade Commission Act 1985***

**28 Subsection 94(3)**

Omit “Secretary to”, substitute “Secretary of”.

***Banking Act 1959***

**29 Subsection 69(12) (definition of *authorized officer*)**

Omit “Secretary to” (first occurring), substitute “Secretary of”.

***Bankruptcy Act 1966***

**30 Subsection 10(7) (definition of *Secretary*)**

Omit “Secretary to”, substitute “Secretary of”.

**31 Paragraph 42(1)(a)**

Omit “Secretary to”, substitute “Secretary of”.

***Chemical Weapons (Prohibition) Act 1994***

**32 Paragraphs 99(a) and 102(1)(a)**

Omit “Secretary to”, substitute “Secretary of”.

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

**33 Paragraphs 150(3)(b) and (d)**

Omit “Secretary to”, substitute “Secretary of”.

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

**34 Subsection 4(1) (definition of Secretary)**

Omit “Secretary to”, substitute “Secretary of”.

**35 Paragraphs 16(3)(b) and (d)**

Omit “Secretary to”, substitute “Secretary of”.

***Commonwealth Bank Sale Act 1995***

**36 Subsection 20(5) (paragraph (b) of the definition of authorised person)**

Omit “Secretary to”, substitute “Secretary of”.

**37 Subsection 20(5) (subparagraph (c)(ii) of the definition of authorised person)**

Omit “Secretary to”, substitute “Secretary of”.

***Competition and Consumer Act 2010***

**38 Subsections 87C(1), (2) and (3)**

Omit “Secretary to”, substitute “Secretary of”.

Note: The heading to section 87C is altered by omitting “Secretary to” and substituting “Secretary of”.

**39 Paragraph 163(4)(c)**

Omit “Secretary to”, substitute “Secretary of”.

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***Comprehensive Nuclear Test-Ban Treaty Act 1998***

**40 Paragraphs 69(1)(a) and 74(1)(a)**

Omit “Secretary to”, substitute “Secretary of”.

***Consular Fees Act 1955***

**41 Paragraphs 3(b), (c) and (d)**

Omit “Secretary to”, substitute “Secretary of”.

***Crimes Act 1914***

**42 Subsection 22(4)**

Omit “Secretary to”, substitute “Secretary of”.

***CSL Sale Act 1993***

**43 Paragraph 44(3) (paragraph (a) of the definition of *authorised person*)**

Omit “Secretary to”, substitute “Secretary of”.

**44 Subsection 47(4) (paragraph (b) of the definition of *authorised person*)**

Omit “Secretary to”, substitute “Secretary of”.

***Customs Act 1901***

**45 Paragraphs 269ZU(3)(c) and (e)**

Omit “Secretary to”, substitute “Secretary of”.

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

**46 Subsection 10(3A)**

Omit “Secretary to”, substitute “Secretary of”.

***Defence Act 1903***

**47 Subsection 4(1) (definition of *The Secretary*)**

Omit “Secretary to”, substitute “Secretary of”.

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

**48 Section 3 (definition of *Secretary*)**

Omit “Secretary to”, substitute “Secretary of”.

***Defence Housing Australia Act 1987***

**49 Subparagraph 60(3)(b)(i)**

Omit “Secretary to”, substitute “Secretary of”.

***Defence Service Homes Act 1918***

**50 Subsection 4(1) (definition of *Secretary*)**

Omit “Secretary to”, substitute “Secretary of”.

**51 Subsections 4BA(5) and 4BB(4)**

Omit “Secretary to”, substitute “Secretary of”.

***Defence (Special Undertakings) Act 1952***

**52 Section 19**

Omit “Secretary to”, substitute “Secretary of”.

***Disability Services Act 1986***

**53 Section 4 (definition of *Secretary*)**

Omit “Secretary to”, substitute “Secretary of”.

***Environment Protection and Biodiversity Conservation Act  
1999***

**54 Section 528 (definition of *Secretary*)**

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Omit “Secretary to”, substitute “Secretary of”.

***Export Control Act 1982***

**55 Section 3 (definition of Secretary)**

Omit “Secretary to”, substitute “Secretary of”.

***Export Finance and Insurance Corporation Act 1991***

**56 Subsection 87(2)**

Omit “Secretary to”, substitute “Secretary of”.

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

**57 Subsection 3(1) (definition of Secretary)**

Omit “Secretary to”, substitute “Secretary of”.

***Family Law Act 1975***

**58 Subparagraph 69ZD(c)(ii)**

Omit “Secretary to”, substitute “Secretary of”.

***Farm Household Support Act 1992***

**59 Subparagraph 15(b)(i)**

Omit “Secretary to”, substitute “Secretary of”.

**60 Subsections 53(2) and 57A(2)**

Omit “Secretary to”, substitute “Secretary of”.

***Financial Sector (Collection of Data) Act 2001***

**61 Subsection 9(9)**

Omit “Secretary to”, substitute “Secretary of”.

***Hazardous Waste (Regulation of Exports and Imports) Act  
1989***

**62 Paragraph 60(a)**

Omit “Secretary to”, substitute “Secretary of”.

***Health Insurance Act 1973***

**63 Subsection 3(1) (definition of Secretary)**

Omit “Secretary to”, substitute “Secretary of”.

**64 Subsection 19AB(6)**

Omit “Secretary to”, substitute “Secretary of”.

**65 Paragraphs 130(6)(c) and (d) and (7)(e), (f) and (fa)**

Omit “Secretary to”, substitute “Secretary of”.

**66 Paragraph 130(9)(a)**

Omit “Secretary to” (wherever occurring), substitute “Secretary of”.

**67 Paragraphs 130(9)(b) and (ba)**

Omit “Secretary to”, substitute “Secretary of”.

**68 Subsection 130G(1)**

Omit “Secretary to”, substitute “Secretary of”.

**69 Subsection 131A(8) (definition of Secretary)**

Omit “Secretary to”, substitute “Secretary of”.

***Health Insurance Commission (Reform and Separation of  
Functions) Act 1997***

**70 Paragraph 47(4)(a)**

Omit “Secretary to”, substitute “Secretary of”.

***Hearing Services Administration Act 1997***

**71 Paragraph 27(1)(a)**

Omit “Secretary to”, substitute “Secretary of”.

***Higher Education Funding Act 1988***

**72 Section 3 (definition of Secretary)**

Omit “Secretary to”, substitute “the Secretary of”.

***Imported Food Control Act 1992***

**73 Subsection 3(1) (definition of Secretary)**

Omit “Secretary to”, substitute “Secretary of”.

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

**74 Paragraph 104(b)**

Omit “Secretary to”, substitute “Secretary of”.

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

**75 Paragraphs 47(2)(b) and (c)**

Omit “Secretary to”, substitute “Secretary of”.

***Inspector-General of Intelligence and Security Act 1986***

**76 Paragraphs 32A(1)(d) and (5)(b)**

Omit “Secretary to”, substitute “Secretary of”.

***International Arbitration Act 1974***

**77 Subsection 10(1)**

Omit “Secretary to”, substitute “Secretary of”.

**78 Subsection 10A(5)**

Omit “Secretary to”, substitute “Secretary of”.

Note: The heading to section 10A is altered by omitting “Secretary to” and substituting “Secretary of”.

**79 Subsection 31(1) (definition of Secretary)**

Omit “Secretary to”, substitute “Secretary of”.

***International Transfer of Prisoners Act 1997***

**80 Paragraph 53(a)**

Omit “Secretary to”, substitute “Secretary of”.

***Judges’ Pensions Act 1968***

**81 Subsection 6C(2)**

Omit “Secretary to”, substitute “Secretary of”.

**82 Paragraphs 7(2)(b), 9(3)(b), 11(2A)(b) and 12(2A)(b)**

Omit “Secretary to”, substitute “Secretary of”.

**83 Subsections 20(1), (2), (3) and (4)**

Omit “Secretary to”, substitute “Secretary of”.

***Judiciary Act 1903***

**84 Subsection 55E(1) (subparagraph (b)(i) of the definition of Attorney-General’s lawyer)**

Omit “Secretary to”, substitute “Secretary of”.

***Lands Acquisition Act 1989***

**85 Subsections 38(1) and 51(1)**

Omit “Secretary to”, substitute “Secretary of”.

**86 Subparagraphs 55(2)(e)(ii), 65(1)(b)(ii) and 87(1)(d)(i)**

Omit “Secretary to”, substitute “Secretary of”.

**87 Paragraph 87(2)(a)**

Omit “Secretary to”, substitute “Secretary of”.

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**88 Subsection 123(3)**

Omit “Secretary to”, substitute “Secretary of”.

***Lands Acquisition (Northern Territory Pastoral Leases) Act  
1981***

**89 Subsection 9(1)**

Omit “Secretary to”, substitute “Secretary of”.

***Law Officers Act 1964***

**90 Subsection 17(2)**

Omit “Secretary to”, substitute “Secretary of”.

**91 Section 18**

Omit “Secretary to”, substitute “Secretary of”.

***Marriage Act 1961***

**92 Section 38**

Omit “Secretary to”, substitute “Secretary of”.

***Meat Inspection Act 1983***

**93 Subsection 3(1) (definition of *Secretary*)**

Omit “Secretary to”, substitute “Secretary of”.

***Migration Act 1958***

**94 Subsection 5(1) (definition of *Secretary*)**

Omit “Secretary to”, substitute “Secretary of”.

**95 Paragraph 143(1)(a)**

Omit “Secretary to”, substitute “Secretary of”.

***Motor Vehicle Standards Act 1989***

**96 Paragraphs 22(2)(a) and (3)(a)**

Omit “Secretary to”, substitute “Secretary of”.

***Narcotic Drugs Act 1967***

**97 Subsection 4(1) (definition of *Secretary*)**

Omit “Secretary to”, substitute “Secretary of”.

***National Environment Protection Measures  
(Implementation) Act 1998***

**98 Section 5 (definition of *Environment Secretary*)**

Omit “Secretary to”, substitute “Secretary of”.

***National Health Act 1953***

**99 Subsection 4(1) (definition of *Secretary*)**

Omit “Secretary to” (wherever occurring), substitute “Secretary of”.

**100 Paragraphs 135A(6)(d) and (e), (7)(g) and (h) and 9(a) and (b)**

Omit “Secretary to” (wherever occurring), substitute “Secretary of”.

***National Health and Medical Research Council Act 1992***

**101 Paragraph 80(9)(a)**

Omit “Secretary to”, substitute “Secretary of”.

***National Transmission Network Sale Act 1998***

**102 Paragraph 23(1)(a)**

Omit “Secretary to”, substitute “Secretary of”.

***Natural Heritage Trust of Australia Act 1997***

**103 Subsection 44(5)**

Omit “Secretary to”, substitute “Secretary of”.

**104 Paragraphs 45(1)(a) and 46(1)(a)**

Omit “Secretary to”, substitute “Secretary of”.

***Northern Territory (Self-Government) Act 1978***

**105 Subsection 70(7)**

Omit “Secretary to”, substitute “Secretary of”.

***Parliamentary Contributory Superannuation Act 1948***

**106 Subsections 8(5), 14(2) and (3), 18B(3) and (3A), 19A(6) and 20(2A) and (2B)**

Omit “Secretary to”, substitute “Secretary of”.

**107 Subsection 21B(1) (definition of *Secretary*)**

Omit “Secretary to”, substitute “Secretary of”.

***Patents Act 1990***

**108 Subsection 70(6)**

Omit “Secretary to”, substitute “Secretary of”.

**109 Paragraph 200A(b)**

Omit “Secretary to”, substitute “Secretary of”.

***Port Statistics Act 1977***

**110 Section 3 (definition of *Secretary*)**

Omit “Secretary to”, substitute “Secretary of”.

***Primary Industries Levies and Charges Collection Act 1991***

**111 Subsection 4(1) (definition of Secretary)**

Omit “Secretary to”, substitute “Secretary of”.

***Primary Industry Councils Act 1991***

**112 Subsection 34(1)**

Omit “Secretary to”, substitute “Secretary of”.

***Protection of Movable Cultural Heritage Act 1986***

**113 Paragraph 24(1)(a)**

Omit “Secretary to”, substitute “Secretary of”.

**114 Subsection 41(3)**

Omit “Secretary to”, substitute “Secretary of”.

***Public Order (Protection of Persons and Property) Act 1971***

**115 Paragraph 21(2)(a)**

Omit “Secretary to” (first occurring), substitute “Secretary of”.

***Quarantine Act 1908***

**116 Subsection 5(1) (definition of Secretary)**

Omit “Secretary to”, substitute “the Secretary of”.

**117 Subsection 9AA(1)**

Omit “Secretary to”, substitute “Secretary of”.

***Registration of Deaths Abroad Act 1984***

**118 Subsection 25(1)**

Omit “Secretary to”, substitute “Secretary of”.

***Repatriation Institutions (Transfer) Act 1992***

**119 Subsections 3(2) and 4(3)**

Omit “Secretary to”, substitute “Secretary of”.

***Rural Adjustment Act 1992***

**120 Section 10**

Omit “Secretary to”, substitute “Secretary of”.

***Snowy Hydro Corporatisation Act 1997***

**121 Subsection 44(3) (paragraph (a) of the definition of authorised person)**

Omit “Secretary to”, substitute “Secretary of”.

***Snowy Mountains Engineering Corporation Limited Sale Act 1993***

**122 Subsection 35(3) (paragraph (a) of the definition of authorised person)**

Omit “Secretary to”, substitute “Secretary of”.

**123 Subsection 38(4) (paragraph (b) of the definition of authorised person)**

Omit “Secretary to”, substitute “Secretary of”.

***Social Security Act 1991***

**124 Subsection 23(1) (definition of *Health Secretary*)**

Omit “Secretary to”, substitute “Secretary of”.

**125 Subsection 23(1) (paragraph (a) of the definition of *Secretary*)**

Omit “Secretary to”, substitute “Secretary of”.

**126 Subsection 23(1) (paragraph (b) of the definition of Secretary)**

Omit “Secretary to the Department” (wherever occurring), substitute “Secretary of the Department”.

***Social Security (Administration) Act 1999***

**127 Subsection 127(3)**

Omit “Secretary to”, substitute “Secretary of”.

**128 Paragraphs 129(4)(d) and 144(c)**

Omit “Secretary to”, substitute “Secretary of”.

***Stevedoring Levy (Collection) Act 1998***

**129 Section 5 (definition of Secretary)**

Omit “Secretary to”, substitute “Secretary of”.

***Student Assistance Act 1973***

**130 Subsection 3(1) (definition of Secretary)**

Omit “Secretary to”, substitute “the Secretary of”.

***Telecommunications Act 1997***

**131 Paragraph 334(a)**

Omit “Secretary to”, substitute “Secretary of”.

**132 Subsection 347(1)**

Omit “Secretary to”, substitute “Secretary of”.

**133 Paragraph 471(2)(c)**

Omit “Secretary to”, substitute “Secretary of”.

**134 Clause 2 of Schedule 3 (definition of *Environment Secretary*)**

Omit “Secretary to”, substitute “Secretary of”.

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***Telstra Corporation Act 1991***

**135 Paragraphs 8BB(1)(a) and (2)(a) and 8CB(1)(a) and (2)(a)**

Omit “Secretary to”, substitute “Secretary of”.

**136 Subsections 61(3) and 62(3)**

Omit “Secretary to”, substitute “Secretary of”.

**137 Paragraphs 69(1)(a) and 70(1)(a)**

Omit “Secretary to”, substitute “Secretary of”.

**138 Subsections 71(1) and (2)**

Omit “Secretary to”, substitute “Secretary of”.

Note: The heading to section 71 is altered by omitting “Secretary to” and substituting “Secretary of”.

***Textile, Clothing and Footwear Investment and Innovation Programs Act 1999***

**139 Section 4 (definition of Secretary)**

Omit “Secretary to”, substitute “Secretary of”.

***Therapeutic Goods Act 1989***

**140 Subsection 3(1) (definition of Secretary)**

Omit “Secretary to”, substitute “Secretary of”.

***Treasury Bills Act 1914***

**141 Section 12**

Omit “Secretary to”, substitute “Secretary of”.

***Veterans’ Entitlements Act 1986***

**142 Subsection 5Q(1) (definition of Secretary)**

Omit “Secretary to”, substitute “Secretary of”.

**143 Subpoint 118ZZA-5(3)**

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Omit “Secretary to”, substitute “Secretary of”.

**144 Section 184**

Omit “Secretary to” (wherever occurring), substitute “Secretary of”.

**145 Paragraphs 193(1)(b) and (8)(a)**

Omit “Secretary to”, substitute “Secretary of”.

**146 Subsection 193(9)**

Omit “Secretary to”, substitute “Secretary of”.

***War Graves Act 1980***

**147 Subsection 2(1) (definition of *Secretary*)**

Omit “Secretary to”, substitute “Secretary of”.

***Wine Australia Corporation Act 1980***

**148 Section 50**

Omit “Secretary to”, substitute “Secretary of”.

## **Schedule 8—References to Departments administering Acts**

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

#### **1 Subparagraph 94(1)(a)(iv)**

Omit “Department administering”, substitute “Department administered by the Minister administering”.

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

#### **2 Subsection 22(4)**

Omit “Department administering”, substitute “Department administered by the Minister administering”.

### ***Defence Housing Australia Act 1987***

#### **3 Subsection 3(1)**

Insert:

*Finance Secretary* means the Secretary of the Department administered by the Finance Minister.

#### **4 Paragraph 12(1)(d)**

Omit “Secretary of the Department administering the *Financial Management and Accountability Act 1997*”, substitute “Finance Secretary”.

#### **5 Subsection 23(2A)**

Omit “Secretary of the Department administering the *Financial Management and Accountability Act 1997*”, substitute “Finance Secretary”.

### ***Schools Assistance Act 2008***

#### **6 Subparagraph 165(1)(b)(i)**

After “the Minister”, insert “(the *Education Assistance Minister*)”.

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**7 Subparagraphs 165(1)(b)(ii) and (iii)**

Omit “Department administering that Act”, substitute “Department administered by the Education Assistance Minister”.

**8 Subparagraph 166(1)(b)(i)**

After “the Minister”, insert “(the *Education Assistance Minister*)”.

**9 Subparagraphs 166(1)(b)(ii) and (iii)**

Omit “Department administering that Act”, substitute “Department administered by the Education Assistance Minister”.

***Schools Assistance (Learning Together—Achievement Through Choice and Opportunity) Act 2004***

**10 Subparagraph 131(1)(b)(i)**

After “the Minister”, insert “(the *Education Assistance Minister*)”.

**11 Subparagraphs 131(1)(b)(ii) and (iii)**

Omit “Department administering that Act”, substitute “Department administered by the Education Assistance Minister”.

**12 Subparagraph 132(1)(b)(i)**

After “the Minister”, insert “(the *Education Assistance Minister*)”.

**13 Subparagraphs 132(1)(b)(ii) and (iii)**

Omit “Department administering that Act”, substitute “Department administered by the Education Assistance Minister”.

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*[Minister's second reading speech made in—  
House of Representatives on 24 November 2010  
Senate on 28 February 2011]*

(288/10)

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