



Statute Law Revision Act (No. 1) 2014

No. 31, 2014

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

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

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Statute Law Revision Act (No. 1) 2014

No. 31, 2014

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

[Assented to 27 May 2014]

The Parliament of Australia enacts:

1 Short title

This Act may be cited as the *Statute Law Revision Act (No. 1) 2014*.

2 Commencement

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

Commencement information		
Column 1	Column 2	Column 3
Provision(s)	Commencement	Date/Details
1. Sections 1 to 3 and anything in this Act not elsewhere covered by this table	The day this Act receives the Royal Assent.	27 May 2014
2. Schedule 1	The 28th day after this Act receives the Royal Assent.	24 June 2014
3. Schedule 2, item 1	Immediately after the time specified in the <i>Customs Amendment (Anti-dumping Improvements) Act (No. 3) 2012</i> for the commencement of Schedules 1 to 3 to that Act.	11 June 2013
4. Schedule 2, items 2 and 3	Immediately after the time specified in the <i>Education Services for Overseas Students Legislation Amendment (Tuition Protection Service and Other Measures) Act 2012</i> for the commencement of Parts 1 and 2 of Schedule 2 to that Act.	1 July 2012
5. Schedule 2, item 4	Immediately after the time specified in the <i>Family Assistance and Other Legislation Amendment (Schoolkids Bonus Budget Measures) Act 2012</i> for the commencement of Parts 1 and 2 of Schedule 1 to that Act.	27 May 2012
6. Schedule 2, item 5	Immediately after the time specified in the <i>Intellectual Property Laws Amendment (Raising the Bar) Act 2012</i> for the commencement of items 1 to 86 of Schedule 6 to that Act.	15 April 2013
7. Schedule 2, item 6	Immediately after the commencement of section 1 of the <i>Offshore Petroleum and</i>	28 May 2013

Commencement information		
Column 1	Column 2	Column 3
Provision(s)	Commencement	Date/Details
	<i>Greenhouse Gas Storage Amendment (Compliance Measures No. 2) Act 2013.</i>	
8. Schedule 2, item 7	Immediately after the time specified in the <i>Statute Law Revision Act 2012</i> for the commencement of Part 1 of Schedule 1 to that Act.	22 September 2012
9. Schedules 3 to 10	The 28th day after this Act receives the Royal Assent.	24 June 2014

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—Amendments of principal Acts

Aged Care Act 1997

1 Paragraph 21-2(c)

Omit “Approval of Care Recipient Principles”, substitute “Approval of Care Recipients Principles”.

Note: This item fixes a reference to an incorrect concept.

A New Tax System (Family Assistance) Act 1999

2 Section 84A (the section 84A substituted by item 7 of Schedule 1 to the *Family Assistance Legislation Amendment (Child Care Rebate) Act 2011*)

Re-number as section 84E.

Note: This item renumbers a section.

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

3 Paragraph 108(2)(dba)

Omit “subsection 218RA(1A)”, substitute “subsection 219RA(1A)”.

Note: This item fixes an incorrect cross-reference.

Anti-Money Laundering and Counter-Terrorism Financing Act 2006

4 Subparagraph 1(2)(e)(iii) of Schedule 1

Omit “between a State or Territory”, substitute “between a State and a Territory”.

Note: This item fixes a grammatical error.

AusCheck Act 2007

5 Subparagraph 14(2)(b)(iii)

Omit “security.”, substitute “security;”.

Note: This item fixes a punctuation error.

Australian Film, Television and Radio School Act 1973

6 Subsection 40(2)

Omit “*Lands Acquisition Act 1955*”, substitute “*Lands Acquisition Act 1989*”.

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

7 Section 46 (heading)

Repeal the heading, substitute:

46 Application of the *Air Accidents (Commonwealth Government Liability) Act 1963*

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

8 Section 46

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

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

Broadcasting Services Act 1992

9 Part 8 of Schedule 4 (heading)

Repeal the heading.

Note: This item repeals a redundant Part heading.

Comprehensive Nuclear Test-Ban Treaty Act 1998

10 Section 1

Omit “*Comprehensive Nuclear Test-Ban Treaty Act 1998*”, substitute “*Comprehensive Nuclear-Test-Ban Treaty Act 1998*”

Note: This item amends the short title of the Act. If another amendment of the Act is described by reference to the Act's previous short title, that other amendment has effect after the commencement of this item as an amendment of the Act under its amended short title (see section 10 of the *Acts Interpretation Act 1901*).

Copyright Act 1968

11 Section 135AEC (heading)

Repeal the heading, substitute:

135AEC Late claim for release of seized copies

Note: This item fixes a reference to an incorrect concept.

12 Paragraph 135AEC(2)(c)

Omit "goods", substitute "copies".

Note: This item fixes a reference to an incorrect concept.

Corporations (Aboriginal and Torres Strait Islander) Act 2006

13 Section 700-1 (paragraph (a) of the definition of *special resolution*)

Omit "paragraph 201-35(c)", substitute "paragraph 201-35(1)(c)".

Note: This item fixes an incorrect cross-reference.

Crimes Act 1914

14 Section 3M (heading)

Repeal the heading, substitute:

3M Compensation for damage to equipment

Note: This item amends a heading to better reflect the contents of the section.

15 Section 3Q (heading)

Repeal the heading, substitute:

3Q Receipts for things seized under warrant or moved

Note: This item amends a heading to better reflect the contents of the section.

Crimes at Sea Act 2000

16 Paragraph 14(2)(b) of Schedule 1

Omit “subsection 7(2)”, substitute “subsection 8(2)”.

Note: This item fixes an incorrect cross-reference.

Criminal Code Act 1995

17 Section 271.1 of the *Criminal Code* (definition of *threat*)

Omit “section 271.1A”, substitute “section 270.1A”.

Note: This item fixes an incorrect cross-reference.

Customs Act 1901

18 Paragraph 269L(3)(a)

Omit “section 296K”, substitute “section 269K”.

Note: This item fixes an incorrect cross-reference.

19 Subparagraph 269ZHD(5)(e)(ii)

Omit “section 296ZHI”, substitute “section 269ZHI”.

Note: This item fixes an incorrect cross-reference.

Defence Act 1903

20 Paragraph 58KA(1)(b)

Omit “Chairman’s”, substitute “President’s”.

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

Defence Force Discipline Appeals Act 1955

21 Subsection 4(1) (definition of *conviction*)

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

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

***Environment Protection and Biodiversity Conservation Act
1999***

22 Paragraph 131AA(3)(b)

Omit “as in”, substitute “as is in”.

Note: This item fixes a grammatical error.

23 Subsection 282(3)

Omit “implementing threat abatement plan”, substitute “implementing a threat abatement plan”.

Note: This item fixes a grammatical error.

24 Subsection 391(3) (table item 10C, column headed “Nature of decision”)

Omit “referred to section”, substitute “referred to in section”.

Note: This item fixes a grammatical error.

Fair Work Act 2009

25 Section 12 (definition of *FWC member*)

Repeal the definition.

Note: This item fixes an incorrect reference to a defined term.

26 Section 12

Insert:

FWC Member means the President, a Vice President, a Deputy President, a Commissioner or an Expert Panel Member.

Note: This item fixes an incorrect reference to a defined term.

27 Section 12 (paragraph (a) of the definition of *premises*)

Omit “aircraft ship”, substitute “aircraft, ship”.

Note: This item fixes a punctuation error.

28 Section 615B (heading)

Repeal the heading, substitute:

615B Transfer to a Full Bench from an FWC Member

Note: This item fixes an incorrect reference to a defined term.

29 Paragraph 615B(1)(b)

Omit “FWC member”, substitute “FWC Member”.

Note: This item fixes an incorrect reference to a defined term.

30 Section 615C (heading)

Repeal the heading, substitute:

615C Transfer to the President from an FWC Member or a Full Bench

Note: This item fixes an incorrect reference to a defined term.

31 Paragraph 615C(1)(b)

Omit “FWC member”, substitute “FWC Member”.

Note: This item fixes an incorrect reference to a defined term.

32 Subsection 622(3)

Omit “FWC member”, substitute “FWC Member”.

Note: This item fixes an incorrect reference to a defined term.

33 Subsection 640(2)

Omit “FWC member” (wherever occurring), substitute “FWC Member”.

Note: This item fixes an incorrect reference to a defined term.

Fair Work (Registered Organisations) Act 2009

34 Section 6 (definition of *FWC member*)

Repeal the definition.

Note: This item fixes an incorrect reference to a defined term.

35 Section 6

Insert:

FWC Member has the same meaning as in the Fair Work Act, but does not include an Expert Panel Member (within the meaning of that Act).

Note: This item fixes an incorrect reference to a defined term.

36 Subclause 5(5) of Schedule 1 (heading)

Repeal the heading, substitute:

Cancellation by the FWC

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

Federal Circuit Court of Australia Act 1999

37 Subsection 20(2) (paragraph (a) of the note)

Omit “section 94 of the *Family Law Act 1975*”, substitute “section “94AAA of the *Family Law Act 1975*”.

Note: This item fixes an incorrect cross-reference.

First Home Saver Accounts Act 2008

38 Section 128

Omit “section 116 of the *Bankruptcy Act 1966*”, substitute “section 116 of the *Bankruptcy Act 1966*”.

Note: This item fixes a typographical error.

Great Barrier Reef Marine Park Act 1975

39 Paragraph 59L(2)(a)

Omit “committing”, substitute “committing”.

Note: This item fixes a spelling error.

Health and Other Services (Compensation) Act 1995

40 Subsection 3(1) (definition of *nursing home patient*)

Repeal the definition.

Note: This item repeals a redundant definition.

41 Paragraph 32(1)(b)

Omit “the the”, substitute “the”.

Note: This item omits a redundant word.

42 Paragraph 42(1)(e)

Omit “or subsection 59(1) of the *National Health Act 1953*”.

Note: This item omits a redundant reference.

Health Insurance Act 1973

43 Subsection 16A(5)

Omit “paragraph (4)(b)”, substitute “subparagraph (4)(a)(ii)”.

Note: This item fixes an incorrect cross-reference.

44 Subsection 19CC(1) (note)

Repeal the note.

Note: This item omits an incorrect and redundant note.

Industrial Chemicals (Notification and Assessment) Act 1989

45 Subsection 14(2)

Omit “(including each holder of an extension of such a certificate)”
(first occurring).

Note: This item omits a redundant phrase.

Judiciary Act 1903

46 The Schedule

Omit “day of, 19” (first occurring), substitute “day of , 20”.

Note: This item fixes a citation error and a typographical error.

47 The Schedule

Omit “19” (second occurring), substitute “20”.

Note: This item fixes a citation error.

Marriage Act 1961

48 Section 7

Omit “to subsection 4(2) of this Act and”.

Note: This item omits a redundant reference.

Migration Act 1958

49 Subsection 140XG(1)

Omit “140XC(d)”, substitute “140XC(1)(d)”.

Note: This item fixes an incorrect cross-reference.

50 Paragraphs 140XH(a) and (b)

Omit “140XC(e)”, substitute “140XC(1)(e)”.

Note: This item fixes incorrect cross-references.

National Health Reform Act 2011

51 Subsection 248(1) (note)

Omit “imposes a duty of the”, substitute “imposes a duty on the”.

Note: This item fixes a grammatical error.

Navigation Act 2012

52 Subsection 313(3)

Omit “section 332”, substitute “section 334”.

Note: This item fixes an incorrect cross-reference.

Patents Act 1990

53 Paragraph 36(1)(c)

Omit “probabilities,,”, substitute “probabilities,”.

Note: This item fixes a punctuation error.

54 Subsection 57(5)

Relocate subsection (5) to the end of section 57.

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

Personal Property Securities Act 2009

55 Subsection 36(1)

Omit “goods or document”, substitute “instrument”.

Note: This item fixes a reference to an incorrect concept.

56 Subsection 36(1)

Omit “to the goods”, substitute “to the instrument”.

Note: This item fixes a reference to an incorrect concept.

Public Order (Protection of Persons and Property) Act 1971

57 Part II of The Schedule (entry relating to Queensland)

Omit “of The Criminal Code”, substitute “of the Criminal Code”.

Note: This item corrects an incorrect citation of a Queensland enactment.

Public Service Act 1999

58 Subsection 78(3)

Omit “section 23 or 73”, substitute “section 73”.

Note: This item omits a redundant reference.

Remuneration Tribunal Act 1973

59 Paragraph 7(5B)(a)

Omit “a Federal Court”, substitute “a federal court”.

Note: This item fixes a typographical error.

Reserve Bank Act 1959

60 Subsection 79A(1) (paragraph (b) of the definition of *protected information*)

Omit “Corporations Law”, substitute “*Corporations Act 2001*”.

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

Safety, Rehabilitation and Compensation Act 1988

61 Paragraph 144B(2)(b)

Omit “MRCA”, substitute “MRCC”.

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

Social Security Act 1991

62 Point 1068-A1 (method statement, step 4)

Omit “Steps 1 to 4”, substitute “steps 1 to 3”.

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

Student Assistance Act 1973

63 Subsection 3(1) (definition of *employee*)

Repeal the definition.

Note: This item repeals a redundant definition.

64 Subsection 3(3)

Repeal the subsection.

Note: This item repeals a redundant subsection.

65 Section 352 (note 4)

Repeal the note.

Note: This item repeals a redundant note.

66 Subsection 357(1) (note 4)

Repeal the note.

Note: This item repeals a redundant note.

Superannuation Act 2005

67 Subsections 13(4) and (5)

Omit “paragraph (1)(b) or (2)(h)”, substitute “subparagraph (1)(a)(ii) or paragraph (2)(h)”.

Note: This item fixes an incorrect cross-reference.

68 Subsection 13(6)

Omit “paragraph (1)(b)”, substitute “subparagraph (1)(a)(ii)”.

Note: This item fixes an incorrect cross-reference.

69 Paragraph 13(7)(a)

Omit “paragraph (1)(b)”, substitute “subparagraph (1)(a)(ii)”.

Note: This item fixes an incorrect cross-reference.

Telecommunications Act 1997

70 Subsection 105(5A)

Omit “Parts 14 and 15 and on the costs of compliance with the requirements of those Parts”, substitute “ Part 14 and on the costs of compliance with the requirements of that Part”.

Note: This item omits a redundant reference.

Veterans’ Entitlements Act 1986

71 Paragraph 13B(2)(b)

Omit “section 13AD”, substitute “section 13AC”.

Note: This item fixes an incorrect cross-reference.

Schedule 2—Amendments of amending Acts

Customs Amendment (Anti-dumping Improvements) Act (No. 3) 2012

1 Item 3 of Schedule 3 (heading)

Repeal the heading, substitute:

3 Subsection 269T(1) (definition of *selected exporter*)

Note: This item fixes a misdescribed amendment.

Education Services for Overseas Students Legislation Amendment (Tuition Protection Service and Other Measures) Act 2012

2 Item 79 of Schedule 2 (heading)

Repeal the heading, substitute:

79 Before section 170A

Note: This item fixes a misdescribed amendment.

3 Item 79 of Schedule 2

Omit:

Division 1A—Guide to this Part

Note: This item is consequential on item 2 and repeals a redundant Division heading.

Family Assistance and Other Legislation Amendment (Schoolkids Bonus Budget Measures) Act 2012

4 Item 21 of Schedule 1 (heading)

Repeal the heading, substitute:

21 At the end of subsection 5H(8) (before the note)

Note: This item fixes a misdescribed amendment.

***Intellectual Property Laws Amendment (Raising the Bar) Act
2012***

5 Item 21 of Schedule 6 (heading)

Repeal the heading, substitute:

21 Subsections 136A(1) and (2)

Note: This item fixes a misdescribed amendment.

***Offshore Petroleum and Greenhouse Gas Storage
Amendment (Compliance Measures No. 2) Act
2013***

6 Subsection 2(1) (table)

Omit:

Commencement information

Column 2	Column 3
Commencement	Date/Details

substitute:

Commencement information

Column 1	Column 2	Column 3
Provision(s)	Commencement	Date/Details

Note: This item fixes some typographical errors.

Statute Law Revision Act 2012

7 Item 8 of Schedule 1

Repeal the item.

Note: This item fixes a misdescribed amendment.

Schedule 3—Ministers

Military Rehabilitation and Compensation Act 2004

1 Subsection 5(1) (definition of *Veterans' Affairs Minister*)

Repeal the definition, substitute:

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

Protection of Movable Cultural Heritage Act 1986

2 Paragraph 17(1)(c)

Omit “Minister for Aboriginal Affairs”, substitute “Minister administering the *Aboriginal Land Grant (Jervis Bay Territory) Act 1986*”.

3 Subsection 18(2)

Omit “Minister for Aboriginal Affairs”, substitute “Minister administering the *Aboriginal Land Grant (Jervis Bay Territory) Act 1986*”.

Superannuation Act 1922

4 Subsection 4(9)

Omit “Minister for Aboriginal Affairs”, substitute “Minister administering the *Aboriginal Land Grant (Jervis Bay Territory) Act 1986*”.

5 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.

6 Transitional rules

The Minister may, by legislative instrument, make rules in relation to transitional matters arising out of the amendments and repeals made by this Schedule.

Schedule 4—Terminology changes

Part 1—Chairman and Deputy Chairman

Archives Act 1983

1 Subsection 3(1)

Insert:

Chair means the Chair of the Council.

2 Subsection 3(1) (definition of *Chairman*)

Repeal the definition.

3 Subsection 3(1)

Insert:

Deputy Chair means the Deputy Chair of the Council.

4 Subsection 3(1) (definition of *Deputy Chairman*)

Repeal the definition.

5 Section 12 (heading)

Repeal the heading, substitute:

12 Chair and Deputy Chair of Council

6 Section 12

Omit “Chairman of the Council and another member to be Deputy Chairman”, substitute “Chair of the Council and another member to be Deputy Chair”.

7 Subsections 17(2), (3), (6), (7), (8) and (11)

Omit “Chairman” (wherever occurring), substitute “Chair”.

8 Saving—appointments

- (1) An appointment of a person under section 12 of the *Archives Act 1983* as the Chairman of the Council, being an appointment that is in force

immediately before the commencement of this item, continues in force on and after that commencement as if it were an appointment of the person as Chair of the Council.

- (2) An appointment of a person under section 12 of the *Archives Act 1983* as the Deputy Chairman of the Council, being an appointment that is in force immediately before the commencement of this item, continues in force on and after that commencement as if it were an appointment of the person as Deputy Chair of the Council.

Bankruptcy Act 1966

9 Subparagraph 40(1)(e)(ii)

Omit “chairman”, substitute “chair”.

Part 2—Electronic mail and e-mail

Bankruptcy Act 1966

10 Subparagraph 64A(1)(b)(vi)

Omit “e-mail”, substitute “email”.

Broadcasting Services Act 1992

11 Clause 3 of Schedule 5 (paragraph (c) of the definition of *internet content*)

Omit “electronic mail”, substitute “email”.

12 Clause 3 of Schedule 5 (definition of *ordinary electronic mail*)

Repeal the definition.

13 Clause 3 of Schedule 5

Insert:

ordinary email does not include a posting to a newsgroup.

14 Paragraph 60(1)(i) of Schedule 5

Omit “electronic mail”, substitute “email”.

15 Clause 1 of Schedule 6 (paragraph relating to ordinary electronic mail)

Omit “electronic mail”, substitute “email”.

16 Subclause 2(1) of Schedule 6 (definition of *ordinary electronic mail*)

Repeal the definition.

17 Subclause 2(1) of Schedule 6

Insert:

ordinary email does not include a posting to a newsgroup.

18 Clause 20 of Schedule 6 (heading)

Repeal the heading, substitute:

20 Genre conditions do not apply to internet carriage services or ordinary email

19 Paragraphs 20(1)(b) and 24(2)(b) of Schedule 6

Omit “electronic mail”, substitute “email”.

20 Subclause 24(3) of Schedule 6

Omit “electronic mail”, substitute “email”.

21 Paragraph 24(5)(b) of Schedule 6

Omit “electronic mail”, substitute “email”.

22 Clause 35 of Schedule 6 (heading)

Repeal the heading, substitute:

35 This Part does not apply to internet carriage services or ordinary email

23 Paragraphs 35(b) and 37(2)(b) of Schedule 6

Omit “electronic mail”, substitute “email”.

Civil Aviation Act 1988

24 Subparagraphs 28C(1)(b)(ii) and (iii)

Omit “e-mail”, substitute “email”.

Customs Act 1901

25 Paragraph 126E(1)(d)

Omit “e-mail”, substitute “email”.

Fair Work (Registered Organisations) Act 2009

26 Subsection 235(3) (note)

Omit “e-mail”, substitute “email”.

Migration Act 1958

27 Subsection 332H(1) (table item 4, column headed “Methods of giving notices”)

Omit “e-mail” (wherever occurring), substitute “email”.

28 Subsection 379A(5) (heading)

Repeal the heading, substitute:

Transmission by fax, email or other electronic means

29 Paragraphs 379A(5)(b), (d) and (e)

Omit “e-mail”, substitute “email”.

30 Subsection 379B(4) (heading)

Repeal the heading, substitute:

Transmission by fax, email or other electronic means

31 Subsection 379B(4)

Omit “e-mail” (wherever occurring), substitute “email”.

32 Subsection 379C(5) (heading)

Repeal the heading, substitute:

Transmission by fax, email or other electronic means

33 Subsection 379C(5)

Omit “e-mail”, substitute “email”.

34 Subsection 379D(4) (heading)

Repeal the heading, substitute:

Transmission by fax, email or other electronic means

35 Subsection 379D(4)

Omit “e-mail”, substitute “email”.

36 Subsection 441A(5) (heading)

Repeal the heading, substitute:

Transmission by fax, email or other electronic means

37 Paragraphs 441A(5)(b), (d) and (e)

Omit “e-mail”, substitute “email”.

38 Subsection 441B(4) (heading)

Repeal the heading, substitute:

Transmission by fax, email or other electronic means

39 Subsection 441B(4)

Omit “e-mail” (wherever occurring), substitute “email”.

40 Subsection 441C(5) (heading)

Repeal the heading, substitute:

Transmission by fax, email or other electronic means

41 Subsection 441C(5)

Omit “e-mail”, substitute “email”.

42 Subsection 441D(4) (heading)

Repeal the heading, substitute:

Transmission by fax, email or other electronic means

43 Subsection 441D(4)

Omit “e-mail”, substitute “email”.

44 Subsection 494B(5) (heading)

Repeal the heading, substitute:

Transmission by fax, email or other electronic means

45 Paragraphs 494B(5)(b), (d) and (e)

Omit “e-mail”, substitute “email”.

46 Subsection 494C(5) (heading)

Repeal the heading, substitute:

Transmission by fax, email or other electronic means

47 Subsection 494C(5)

Omit “e-mail”, substitute “email”.

Social Security Act 1991

48 Subsection 1185Q(2)

Omit “e-mail”, substitute “email”.

49 Subparagraph 1185Q(3)(a)(iii)

Omit “e-mail”, substitute “email”.

Spam Act 2003

50 Section 3 (first paragraph)

Omit “e-mail”, substitute “email”.

51 Section 4 (paragraph (a) of the definition of *relevant electronic account-holder*)

Omit “e-mail” (wherever occurring), substitute “email”.

52 Subparagraph 5(1)(b)(i)

Omit “e-mail”, substitute “email”.

53 Subsection 5(1) (note)

Omit “E-mail”, substitute “Email”.

Surveillance Devices Act 2004

54 Subsections 15(1), 23(1), 28(3), 29(2) and 30(2)

Omit “e-mail”, substitute “email”.

Telecommunications Act 1997

55 Subsection 108A(3) (paragraph (a) of the definition of *electronic messaging service*)

Omit “e-mail”, substitute “email”.

Veterans’ Entitlements Act 1986

56 Subsection 49P(2)

Omit “e-mail”, substitute “email”.

57 Subparagraph 49P(3)(a)(iii)

Omit “e-mail”, substitute “email”.

Part 3—Facsimile

Airports Act 1996

58 Subsection 250(6)

Omit “facsimile transmission”, substitute “fax”.

Australian Meat and Live-stock Industry Act 1997

59 Subsection 20(1)

Omit “facsimile service”, substitute “fax”.

Bankruptcy Act 1966

60 Subparagraphs 64A(1)(b)(v) and 64C(b)(iv)

Omit “facsimile transmission”, substitute “fax”.

Broadcasting Services Act 1992

61 Section 211

Omit “facsimile transmission”, substitute “fax”.

Chemical Weapons (Prohibition) Act 1994

62 Subsections 63(1) and (5)

Omit “facsimile”, substitute “fax”.

Comprehensive Nuclear Test-Ban Treaty Act 1998

63 Subsections 37(1) and (5)

Omit “facsimile”, substitute “fax”.

Crimes Act 1914

64 Subsections 3R(1) and (5), 3ZH(5), 23XB(3), 23XC(2) and 23XD(1)

Omit “facsimile”, substitute “fax”.

Customs Act 1901

65 Subsections 203M(1) and (5)

Omit “facsimile”, substitute “fax”.

66 Paragraph 269F(4)(c)

Omit “electronic facsimile to a facsimile”, substitute “fax to a fax”.

67 Subsection 269F(4)

Omit “or a facsimile”, substitute “or a fax”.

68 Paragraph 269SB(3)(c)

Omit “electronic facsimile to a facsimile”, substitute “fax to a fax”.

69 Subsection 269SB(3)

Omit “or a facsimile”, substitute “or a fax”.

70 Paragraph 269TB(5)(c)

Omit “electronic facsimile to a facsimile”, substitute “fax to a fax”.

71 Subsection 269TB(5)

Omit “or a facsimile”, substitute “or a fax”.

72 Paragraph 269W(2)(c)

Omit “electronic facsimile to a facsimile”, substitute “fax to a fax”.

73 Subsection 269W(2)

Omit “or a facsimile”, substitute “or a fax”.

74 Paragraph 269ZB(3)(c)

Omit “electronic facsimile to a facsimile”, substitute “fax to a fax”.

75 Subsection 269ZB(3)

Omit “or a facsimile”, substitute “or a fax”.

76 Paragraph 269ZF(2)(c)

Omit “electronic facsimile”, substitute “fax”.

77 Subsection 269ZF(2)

Omit “or a facsimile”, substitute “or a fax”.

78 Paragraph 269ZHC(2)(c)

Omit “electronic facsimile to a facsimile”, substitute “fax to a fax”.

79 Subsection 269ZHC(2)

Omit “or a facsimile”, substitute “or a fax”.

***Environment Protection and Biodiversity Conservation Act
1999***

80 Subsections 117(1) and (5) and 416(1) and (5)

Omit “facsimile”, substitute “fax”.

Environment Protection (Sea Dumping) Act 1981

81 Subsection 30A(1)

Omit “facsimile”, substitute “fax”.

82 Paragraph 30A(5)(a)

Omit “facsimile”, substitute “fax”.

Export Control Act 1982

83 Subsection 10G(1)

Omit “facsimile”, substitute “fax”.

84 Paragraph 10G(5)(a)

Omit “facsimile”, substitute “fax”.

Fisheries Management Act 1991

85 Subsections 86(1) and (5)

Omit “facsimile”, substitute “fax”.

86 Paragraphs 166(3)(c) and (d)

Omit “facsimile transmission”, substitute “fax”.

87 Transitional—subsection 166(3) of the *Fisheries Management Act 1991*

- (1) This item applies to a certificate if:
 - (a) the certificate was given under subsection 166(3) of the *Fisheries Management Act 1991*; and
 - (b) the certificate was in force immediately before the commencement of this item.
- (2) To avoid doubt, the certificate has effect, after the commencement of this item, as if it had been given under subsection 166(3) of the *Fisheries Management Act 1991* as amended by this Act and any reference to the term “facsimile” in that certificate were a reference to “fax”.

Imported Food Control Act 1992

88 Subsection 27(1)

Omit “facsimile”, substitute “fax”.

Interactive Gambling Act 2001

89 Section 65

Omit “facsimile transmission”, substitute “fax”.

Social Security (Administration) Act 1999

90 Subsections 13(4) and 14(4)

Omit “facsimile”, substitute “fax”.

Special Broadcasting Service Act 1991

91 Subsection 12(5)

Omit “facsimile transmission”, substitute “fax”.

Part 4—Trademark

Anti-Money Laundering and Counter-Terrorism Financing Act 2006

92 Subsection 12(1)

Omit “trademark”, substitute “trade mark”.

Australia Council Act 2013

93 Paragraph 6(h)

Omit “trademarks”, substitute “trade marks”.

Coal Research Assistance Act 1977

94 Section 3 (definition of *intellectual property rights*)

Omit “trademarks”, substitute “trade marks”.

Greenhouse and Energy Minimum Standards Act 2012

95 Subparagraphs 12(2)(b)(i) and (ii)

Omit “trademark”, substitute “trade mark”.

96 Paragraph 40(1)(f)

Omit “trademark”, substitute “trade mark”.

Income Tax Assessment Act 1936

97 Subsection 6(1) (paragraph (a) of the definition of *royalty or royalties*)

Omit “trademark”, substitute “trade mark”.

98 Subsection 109Y(2) (subparagraph (b)(iii) of the definition of *net assets*)

Omit “trademarks”, substitute “trade marks”.

Income Tax Assessment Act 1997

99 Subsection 35-45(2) (table item 4, column headed “Asset”)

Omit “Trademarks”, substitute “Trade marks”.

Schedule 5—Legislative Assemblies

Defence Force Retirement and Death Benefits Act 1973

1 Subsection 66(2A)

Omit “Legislative Assembly for the Northern Territory”, substitute “Legislative Assembly of the Northern Territory”.

2 Paragraph 70(1)(b)

Omit “Legislative Assembly for the Northern Territory”, substitute “Legislative Assembly of the Northern Territory”.

Defence (Parliamentary Candidates) Act 1969

3 Paragraphs 7(1)(b), 8(b) and 9(b)

Omit “Legislative Assembly for the Northern Territory”, substitute “Legislative Assembly of the Northern Territory”.

Northern Territory (Self-Government) Act 1978

4 Schedule 3

Omit “Legislative Assembly for the Northern Territory” (wherever occurring), substitute “Legislative Assembly of the Northern Territory”.

Superannuation Act 1922

5 Subsection 52(1)

Omit “Legislative Assembly for the Northern Territory”, substitute “Legislative Assembly of the Northern Territory”.

6 Subsection 88(1)

Omit “Legislative Assembly for the Northern Territory”, substitute “Legislative Assembly of the Northern Territory”.

7 Subsection 119A(2A)

Omit “Legislative Assembly for the Northern Territory”, substitute “Legislative Assembly of the Northern Territory”.

8 Paragraph 119N(1)(b)

Omit “Legislative Assembly for the Northern Territory”, substitute “Legislative Assembly of the Northern Territory”.

Superannuation Act 1976

9 Subparagraph 120(a)(i)

Omit “Legislative Assembly for the Northern Territory”, substitute “Legislative Assembly of the Northern Territory”.

10 Subsection 125(3)

Omit “Legislative Assembly for the Northern Territory”, substitute “Legislative Assembly of the Northern Territory”.

Schedule 6—Acting appointments

Part 1—Automatic acting

Aboriginal and Torres Strait Islander Act 2005

1 Subsection 144C(1)

Omit “(1)”.

2 At the end of subsection 144C(1)

Add:

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

3 Subsection 144C(2)

Repeal the subsection.

4 At the end of subsection 144D(5)

Add:

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

5 At the end of subsection 144D(6)

Add:

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

6 Subsection 144D(7)

Repeal the subsection.

Australian Communications and Media Authority Act 2005

7 Subsection 22(1)

Omit “(1)”.

8 At the end of subsection 22(1)

Add:

Schedule 6 Acting appointments

Part 1 Automatic acting

Note: For rules that apply to persons acting as the Chair, see section 33A of the *Acts Interpretation Act 1901*.

9 Subsections 22(2) and (3)

Repeal the subsections.

Australian Postal Corporation Act 1989

10 Subsection 81(1)

Omit “(1)”.

11 At the end of subsection 81(1)

Add:

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

12 Subsections 81(2) and (3)

Repeal the subsections.

Australian Prudential Regulation Authority Act 1998

13 At the end of subsection 18(3)

Add:

Note: For rules that apply to persons acting as the Chair, see section 33A of the *Acts Interpretation Act 1901*.

14 Subsections 18(4) and (5)

Repeal the subsections.

Fisheries Administration Act 1991

15 At the end of subsection 13(6)

Add:

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

16 Subsection 13(8)

Repeal the subsection.

Primary Industries Research and Development Act 1989

17 At the end of subsection 74(6)

Add:

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

18 Subsection 74(8)

Repeal the subsection.

Private Health Insurance Act 2007

19 At the end of subsection 270-15(1)

Add:

Note: For rules that apply to persons acting as the Commissioner, see section 33A of the *Acts Interpretation Act 1901*.

20 Subsection 270-15(3)

Repeal the subsection.

Part 2—Other appointments

National Health Reform Act 2011

21 At the end of subsection 256(1)

Add:

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

22 Subsection 256(4)

Repeal the subsection (including the note).

Part 3—Saving

23 Saving—appointments

The amendments made by this Schedule do not affect the validity of an appointment that was made under an Act before the commencement of this item and that was in force immediately before that commencement.

Schedule 7—Removal of redundant Chairman and Deputy Chairman provisions

Australian Bureau of Statistics Act 1975

1 Subsection 3(1)

Omit “(1)”.

2 Subsection 3(2)

Repeal the subsection.

Defence Housing Australia Act 1987

3 Section 13

Repeal the section.

Health Insurance Act 1973

4 Subsection 124C(7)

Repeal the subsection.

Industry Research and Development Act 1986

5 Subsection 4(7)

Repeal the subsection.

Productivity Commission Act 1998

6 Subsection 3(1)

Omit “(1)”.

7 Subsections 3(2) and (3)

Repeal the subsections.

Protection of Movable Cultural Heritage Act 1986

8 Subsection 17(4)

Repeal the subsection.

Public Lending Right Act 1985

9 Subsection 9(7)

Repeal the subsection.

Schedule 8—Removal of redundant definitions

Aboriginal Land Grant (Jervis Bay Territory) Act 1986

1 Subsection 2(1) (definition of *APS employee*)

Repeal the definition.

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

2 Subsection 3(1) (definition of *penalty unit*)

Repeal the definition.

Antarctic Treaty (Environment Protection) Act 1980

3 Subsection 3(1) (definition of *penalty unit*)

Repeal the definition.

Anti-Money Laundering and Counter-Terrorism Financing Act 2006

4 Section 5 (definition of *penalty unit*)

Repeal the definition.

Australian Crime Commission Act 2002

5 Subsection 4(1) (definition of *acting SES employee*)

Repeal the definition.

6 Subsection 4(1) (definition of *SES employee*)

Repeal the definition.

Australian National Registry of Emissions Units Act 2011

7 Section 4 (definition of *penalty unit*)

Repeal the definition.

Banking Act 1959

8 Subsection 5(1) (definition of *penalty unit*)

Repeal the definition.

Broadcasting Services Act 1992

9 Subsection 6(1) (definition of *penalty unit*)

Repeal the definition.

Building Energy Efficiency Disclosure Act 2010

10 Section 3 (definition of *penalty unit*)

Repeal the definition.

Carbon Credits (Carbon Farming Initiative) Act 2011

11 Section 5 (definition of *penalty unit*)

Repeal the definition.

Copyright Act 1968

12 Subsection 10(1) (definition of *calendar year*)

Repeal the definition.

Do Not Call Register Act 2006

13 Section 4 (definition of *penalty unit*)

Repeal the definition.

Energy Efficiency Opportunities Act 2006

14 Subsection 4(1) (definition of *penalty unit*)

Repeal the definition.

Fuel Quality Standards Act 2000

15 Subsection 4(1) (definition of *penalty unit*)

Repeal the definition.

Great Barrier Reef Marine Park Act 1975

16 Subsection 3(1) (definition of *penalty unit*)

Repeal the definition.

Greenhouse and Energy Minimum Standards Act 2012

17 Section 5 (definition of *penalty unit*)

Repeal the definition.

Health Insurance Act 1973

18 Subsection 3(1) (definition of *penalty unit*)

Repeal the definition.

***Horticulture Marketing and Research and Development
Services Act 2000***

19 Section 4 (definition of *APS employee*)

Repeal the definition.

Independent Contractors Act 2006

20 Section 4 (definition of *penalty unit*)

Repeal the definition.

Insurance Act 1973

21 Subsection 3(1) (definition of *penalty unit*)

Repeal the definition.

International Air Services Commission Act 1992

22 Subsection 4(1) (definition of *APS employee*)

Repeal the definition.

International Criminal Court Act 2002

23 Section 4 (definition of *faxed copy*)

Repeal the definition.

International War Crimes Tribunals Act 1995

24 Section 4 (definition of *fax*)

Repeal the definition.

Liquid Fuel Emergency Act 1984

25 Subsection 3(1) (definition of *penalty unit*)

Repeal the definition.

Migration Act 1958

26 Subsection 5(1) (definition of *penalty unit*)

Repeal the definition.

27 Subsection 252A(8) (definition of *SES employee*)

Repeal the definition.

28 Subsection 261AK(10) (definition of *SES employee*)

Repeal the definition.

Military Rehabilitation and Compensation Act 2004

29 Subsection 5(1) (definition of *financial year*)

Repeal the definition.

Mutual Assistance in Criminal Matters Act 1987

30 Subsection 3(1) (definition of *facsimile copy*)

Repeal the definition.

31 Subsection 3(1) (definition of *fax*)

Repeal the definition.

National Greenhouse and Energy Reporting Act 2007

32 Section 7 (definition of *penalty unit*)

Repeal the definition.

National Health and Medical Research Council Act 1992

33 Section 4 (definition of *financial year*)

Repeal the definition.

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

34 Section 7 (definition of *penalty unit*)

Repeal the definition.

Paid Parental Leave Act 2010

35 Section 6 (definition of *calendar month*)

Repeal the definition.

36 Section 6 (definition of *penalty unit*)

Repeal the definition.

Product Stewardship Act 2011

37 Section 6 (definition of *penalty unit*)

Repeal the definition.

Renewable Energy (Electricity) Act 2000

38 Subsection 154A(1) (definition of *penalty unit*)

Repeal the definition.

Spam Act 2003

39 Section 4 (definition of *penalty unit*)

Repeal the definition.

Superannuation Act 1976

40 Subsection 3(1) (definition of *APS employee*)

Repeal the definition.

Tax Agent Services Act 2009

41 Subsection 90-1(1) (definition of *penalty unit*)

Repeal the definition.

Telecommunications Act 1997

42 Section 7 (definition of *penalty unit*)

Repeal the definition.

Tertiary Education Quality and Standards Agency Act 2011

43 Section 5 (definition of *penalty unit*)

Repeal the definition.

Therapeutic Goods Act 1989

44 Subsection 3(1) (definition of *penalty unit*)

Repeal the definition.

45 Section 42YB

Repeal the section.

Wheat Export Marketing Act 2008

46 Section 5 (definition of *penalty unit*)

Repeal the definition.

Schedule 9—Spent and obsolete provisions

Part 1—Spent repeals and amendments

Crimes at Sea Act 2000

1 Items 1 to 10 of Schedule 2

Repeal the items.

Data-matching Program (Assistance and Tax) Act 1990

2 Part 3

Repeal the Part.

Health Insurance Commission (Reform and Separation of Functions) Act 1997

3 Part 3

Repeal the Part.

4 Schedules 1 and 2

Repeal the Schedules.

Hearing Services and AGHS Reform Act 1997

5 Part 3

Repeal the Part.

6 Schedules 2 to 4

Repeal the Schedules.

Military Superannuation and Benefits Act 1991

7 Part 10

Repeal the Part.

Part 2—Spent provisions

Criminal Code Act 1995

8 Paragraph 72.12(1)(d) of the *Criminal Code*

Omit “72.20, 72.21,”.

9 Paragraph 72.13(1)(d) of the *Criminal Code*

Omit “72.20,”.

10 Paragraph 72.14(1)(d) of the *Criminal Code*

Omit “or 72.21”.

11 Paragraph 72.15(1)(d) of the *Criminal Code*

Omit “72.20, 72.21,”.

12 Subsection 72.19(1) of the *Criminal Code*

Omit all the words after “plastic explosive that”, substitute “was manufactured before the commencement of this section”.

13 Sections 72.20 and 72.21 of the *Criminal Code*

Repeal the sections.

14 Subsection 72.28(1) of the *Criminal Code*

Omit “72.20, 72.21,”.

15 Subsection 72.29(1) of the *Criminal Code*

Omit “72.20, 72.21,”.

16 Subsection 72.30(1) of the *Criminal Code*

Omit “, 72.19(1), 72.20(1) or 72.21(2)”, substitute “or 72.19(1)”.

17 Subsection 72.30(2) of the *Criminal Code*

Omit “, 72.19(1), 72.20(1) or 72.21(2)”, substitute “or 72.19(1)”.

Health and Other Services (Compensation) Act 1995

18 Subsection 9(2)

Repeal the subsection.

Wheat Export Marketing Act 2008

19 Section 89

Repeal the section.

Schedule 10—Spent Acts

Part 1—Rate correction Acts

National Residue Survey Customs Levy Rate Correction (Lamb Exports) Act 2004

1 The whole of the Act

Repeal the Act.

National Residue Survey Excise Levy Rate Correction (Lamb Transactions) Act 2004

2 The whole of the Act

Repeal the Act.

3 Saving

If an act or thing was made, or taken to be, lawful, valid or effectual to any extent immediately before the commencement of this item under an Act repealed by this Part, then the act or thing continues to be, or to be taken to be, lawful, valid or effectual to the same extent after the commencement of this item.

Part 2—Validation Acts

Dried Vine Fruits (Rate of Primary Industry (Customs) Charge) Validation Act 2001

4 The whole of the Act

Repeal the Act.

Dried Vine Fruits (Rate of Primary Industry (Excise) Levy) Validation Act 2001

5 The whole of the Act

Repeal the Act.

Part 3—Other Acts

Ballast Water Research and Development Funding Levy Act 1998

6 The whole of the Act

Repeal the Act.

Ballast Water Research and Development Funding Levy Collection Act 1998

7 The whole of the Act

Repeal the Act.

Independent Schools (Loans Guarantee) Act 1969

8 The whole of the Act

Repeal the Act.

Judicial Appointment (Fiji) Act 1971

9 The whole of the Act

Repeal the Act.

Judicial Appointment (Western Samoa) Act 1980

10 The whole of the Act

Repeal the Act.

Judiciary (Diplomatic Representation) Act 1977

11 The whole of the Act

Repeal the Act.

Melbourne 2006 Commonwealth Games (Indicia and Images) Protection Act 2005

12 The whole of the Act

Repeal the Act.

National Firearms Program Implementation Act 1996

13 The whole of the Act

Repeal the Act.

National Firearms Program Implementation Act 1997

14 The whole of the Act

Repeal the Act.

National Firearms Program Implementation Act 1998

15 The whole of the Act

Repeal the Act.

National Handgun Buyback Act 2003

16 The whole of the Act

Repeal the Act.

Non-government Schools (Loans Guarantee) Act 1977

17 The whole of the Act

Repeal the Act.

Repatriation Institutions (Transfer) Act 1992

18 The whole of the Act

Repeal the Act.

*[Minister's second reading speech made in—
House of Representatives on 19 March 2014
Senate on 27 March 2014]*

(41/14)
