





# **Statute Law Revision Act (No. 1) 2016**

**No. 4, 2016**

**An Act to make various technical 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) 2016

No. 4, 2016

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

*[Assented to 11 February 2016]*

The Parliament of Australia enacts:

## **1 Short title**

This Act may be cited as the *Statute Law Revision Act (No. 1) 2016*.

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## 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>Provisions</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.	11 February 2016
2. Schedule 1	The 28th day after this Act receives the Royal Assent.	10 March 2016
3. Schedule 2, items 1 and 2	Immediately after the time specified in the <i>Broadcasting and Other Legislation Amendment (Deregulation) Act 2015</i> for the commencement of item 1 of Schedule 8 to that Act.	20 March 2015
4. Schedule 2, item 3	Immediately after the time specified in the <i>Primary Industries Levies and Charges Collection (Consequential Provisions) Act 1991</i> for the commencement of that Act.	1 July 1991
5. Schedule 3	The later of: (a) the start of the day after this Act receives the Royal Assent; and (b) immediately after the commencement of Part 1 of Schedule 2 to the <i>Norfolk Island Legislation Amendment Act 2015</i> .	1 July 2016 (paragraph (b) applies)
6. Schedules 4 to 6	The 28th day after this Act receives the Royal Assent.	10 March 2016

Note: This table relates only to the provisions of this Act as originally enacted.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.

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

### **3 Schedules**

Legislation that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

## Schedule 1—Amendments of principal Acts

### *Aged Care Act 1997*

#### **1 Subparagraph 52F-3(2)(e)(ii) (second occurring)**

Renumber as subparagraph (iii).

Note: This item renumbers a subparagraph.

#### **2 Subparagraph 52G-2(e)(i)**

Omit “rules set out this Division”, substitute “rules set out in this Division”.

Note: This item fixes a typographical error.

#### **3 Clause 1 of Schedule 1 (definition of *capital expenditure*)**

Repeal the definition.

Note: This item repeals a redundant definition.

### *Agricultural and Veterinary Chemicals Code Act 1994*

#### **4 Section 3 of the Code set out in the Schedule (paragraph (b) of the definition of *protected chemical product*)**

Omit “has ended, or will end”, substitute “has ended, or will end,”.

Note: This item fixes a punctuation error.

#### **5 Section 3 of the Code set out in the Schedule (paragraph (a) of the definition of *relevant particulars*)**

Omit “paragraph 19(1)(c)”, substitute “paragraph 19(c)”.

Note: This item fixes an incorrect cross-reference.

#### **6 Subsection 14A(3) of the Code set out in the Schedule**

Omit “paragraph 19(1)(a)”, substitute “paragraph 19(a)”.

Note: This item fixes an incorrect cross-reference.

**7 Subsection 34J(5A) of the Code set out in the Schedule (note)**

Omit “subsection 3(1)”, substitute “section 3”.

Note: This item fixes an incorrect cross-reference.

**8 Subparagraph 160A(4)(a)(ii) of the Code set out in the Schedule**

Omit “paragraph 19(1)(c)”, substitute “paragraph 19(c)”.

Note: This item fixes an incorrect cross-reference.

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

**9 Before section 111B**

Omit:

**21A Before section 112**

Insert:

Note: This item omits redundant text.

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

**10 Subsection 35(3)**

Omit “*Remuneration Tribunals Act 1973*”, substitute “*Remuneration Tribunal Act 1973*”.

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

***Australian Nuclear Science and Technology Organisation Act 1987***

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

Repeal the definition.

Note: This item repeals a redundant definition.

**12 Subsection 3(1) (definition of *Director*)**

Repeal the definition.

Note: This item repeals a redundant definition.

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

**13 Subsection 23(3)**

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

Note: This item fixes an incorrect cross-reference.

**14 Subsections 28A(2) and (6)**

Omit “paragraph 28(c)” (wherever occurring), substitute “paragraph 28(1)(c)”.

Note: This item fixes incorrect cross-references.

**15 Subsection 44(10)**

Omit “entry in the Child Support Registrar”, substitute “entry in the Child Support Register”.

Note: This item fixes a typographical error.

***Commonwealth Electoral Act 1918***

**16 Subsection 22(3)**

Omit “*Remuneration Tribunals Act 1973*”, substitute “*Remuneration Tribunal Act 1973*”.

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

***Commonwealth Grants Commission Act 1973***

**17 Subsection 9A(3)**

Omit “*Remuneration Tribunals Act 1973*”, substitute “*Remuneration Tribunal Act 1973*”.

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

### ***Customs Act 1901***

#### **18 Subsection 218A(2)**

Omit “Collector is be taken to have reason to believe”, substitute “Collector is taken to have reason to believe”.

Note: This item fixes a grammatical error.

### ***Defence Act 1903***

#### **19 Subsection 58Q(4)**

Omit “*Remuneration Tribunals Act 1973*”, substitute “*Remuneration Tribunal Act 1973*”.

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

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

#### **20 Subsection 6(7)**

Omit “national principals”, substitute “national principles”.

Note: This item fixes a spelling error.

### ***Long Service Leave (Commonwealth Employees) Act 1976***

#### **21 Paragraph 10(6)(ab)**

Omit “*Remuneration Tribunals Act 1973*”, substitute “*Remuneration Tribunal Act 1973*”.

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

### ***Migration Act 1958***

#### **22 Subsection 65(1) (note 2) (the note 2 inserted by item 13 of Schedule 4 to the *Migration and Maritime Powers Legislation Amendment (Resolving the Asylum Legacy Caseload) Act 2014*)**

Re-number as note 3.

Note: This item renumbers a note.

## ***Ministers of State Act 1952***

### **23 Section 6**

Omit “*Remuneration Tribunals Act 1973*”, substitute “*Remuneration Tribunal Act 1973*”.

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

## ***Parliamentary Allowances Act 1952***

### **24 Section 4**

Omit “*Remuneration Tribunals Act 1973*”, substitute “*Remuneration Tribunal Act 1973*”.

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

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

### **25 Subsection 21B(1) (paragraph (f) of the definition of *holder of an office of profit under the Commonwealth*)**

Omit “*Remuneration Tribunals Act 1973*”, substitute “*Remuneration Tribunal Act 1973*”.

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

## ***Veterans’ Entitlements Act 1986***

### **26 Subsection 53D(1) (note 3)**

Omit “Division 8A of Part III”, substitute “Division 3 of Part IIIB”.

Note: This item fixes an incorrect cross-reference.

### **27 Subsection 196ZE(3)**

Omit “the branches of medical science expertise in which would be necessary”, substitute “the branches of medical science expertise which would be necessary”.

Note: This item fixes a grammatical error.

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

### ***Broadcasting and Other Legislation Amendment (Deregulation) Act 2015***

#### **1 Item 1 of Schedule 8 (heading)**

Repeal the heading, substitute:

#### **1 After subsection 43C(3)**

Note: This item and item 2 fix a misdescribed amendment.

#### **2 Item 1 of Schedule 8**

Omit “Repeal the subsections, substitute”, substitute “Insert”.

Note: This item and item 1 fix a misdescribed amendment.

### ***Primary Industries Levies and Charges Collection (Consequential Provisions) Act 1991***

#### **3 Schedule 1**

Omit “*Primary Industries and Energy Research and Development Act 1990*”, substitute “*Primary Industries and Energy Research and Development Act 1989*”.

Note: This item fixes a misdescribed amendment.

## **Schedule 3—Binding the Crown**

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

#### **1 Section 8**

Repeal the section, substitute:

#### **8 Act binds the Crown**

- (1) This Act binds the Crown in each of its capacities.
- (2) This Act does not make the Crown liable to be prosecuted for an offence.

## **Schedule 4—Guilty of an offence**

### **Part 1—Bulk amendments**

#### **1 Amendment of Acts**

Omit “is guilty of” (wherever occurring) and substitute “commits” in the specified provisions of the Acts listed in this Part.

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

##### **2 Subsection 193S(4)**

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

##### **3 Subsections 22(1) to (4)**

#### *Adelaide Airport Curfew Act 2000*

##### **4 Section 20**

#### *Aged Care Act 1997*

##### **5 Subsections 9-1(4), 9-2(3), 10A-2(1), (2) and (3), 18-2(5), 18-4(2) and 86-2(1)**

##### **6 Sections 86-5, 86-6 and 86-7**

##### **7 Subsections 88-1(4) and (5), 88-3(2), 89-1(1), 92-7(2), 92-8(3), 93-1(4) and 93-4(3)**

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

##### **8 Subsection 15(4)**

#### *Air Navigation Act 1920*

##### **9 Subsection 19(1)**

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*Airports Act 1996*

**10 Subsections 65(3), 106(3) and (6) and 132(2)**

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

**11 Subsections 163(1), 164(1) and 165(1)**

**12 Section 177**

*Antarctic Marine Living Resources Conservation Act 1981*

**13 Subsections 8(1A) and (1), 10(1), 14(3) and 16(6)**

*Antarctic Treaty (Environment Protection) Act 1980*

**14 Subsections 15(3), 19(1A) and (1B) and 20(1)**

*Anti-Personnel Mines Convention Act 1998*

**15 Subsections 7(1), 9(1), 12(7) and 16(2)**

**16 Section 21**

**17 Subsection 22(3)**

**18 Section 25**

**19 Subsection 26(1)**

*Archives Act 1983*

**20 Subsections 26(1) and 56(3)**

*Atomic Energy Act 1953*

**21 Subsection 41E(1)**

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***Australian Crime Commission Act 2002***

**22 Subsections 30(6) and 35(2)**

***Australian Federal Police Act 1979***

**23 Subsection 49M(1)**

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

**24 Subsection 26(2)**

***Australian Meat and Live-stock Industry Act 1997***

**25 Subsections 11(4), 49(3) and 55(1) and (2)**

***Australian Postal Corporation Act 1989***

**26 Subsections 90H(2), 90LB(2), 90LE(2) and 90N(2)**

***Australian Prudential Regulation Authority Act 1998***

**27 Subsections 56(2) and (10)**

***Banking Act 1959***

**28 Subsections 7(1) and (3), 8(1) and (3), 9(6) and (6B), 10(3), 11(3) and (3B), 11AA(5) and (5B), 11CG(1), (1A), (2) and (2A), 11E(2), 13(3), 13A(4) and (6), 13B(1B), 14A(2A), 16B(1A), 33(4) and (4B), 36(1A) and (2A), 41(2), 42(1A) and (3), 45(1A) and (4), 46(2), 62(1A) and (1C), 63(1) and (4), 66(1), (1AA), (3) and (3A), 66A(1) and (1A), 67(1), (1A), (3) and (4) and 69(3AA), (5A) and (7A)**

***Bankruptcy Act 1966***

**29 Subsections 139ZIE(6), 139ZIEA(6), 139ZIF(4), 139ZIG(7), 139ZIH(9), 139ZIHA(9), 139ZII(7), 139ZO(1), 139ZT(1) and 263(2)**

**30 Section 263A**

**31 Subsections 265(4), (5), (7) and (8), 266(1) and (3), 268(7) and 270(1)**

**32 Section 271**

**33 Subsections 272(1) and (3) and 313(7)**

***Broadcasting Services Act 1992***

**34 Subsections 61BF(8) and 66(1) and (2)**

**35 Sections 69 and 72**

**36 Subsections 103ZA(2), 103ZB(2), 121FG(1) and (2), 121FJ(1) and 121FLF(1)**

**37 Section 136**

**38 Subsections 139(1), (2), (3), (4), (5) and (6)**

**39 Section 140**

**40 Subclauses 82(1) and 83(4) of Schedule 5**

**41 Clause 86 of Schedule 5**

**42 Subclauses 49(1) and (2), 52(1) and (2) and 53(4) and (5) of Schedule 6**

***Canberra Water Supply (Googong Dam) Act 1974***

**43 Subsection 16(1)**

***Chemical Weapons (Prohibition) Act 1994***

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**44 Subsections 29(3), 30(3), 31(4A), 77(1) to (4) and 78(1)**

**45 Section 79**

**46 Subsections 80(1) and (2) and 102(3E)**

***Cheques Act 1986***

**47 Subsection 68(7)**

***Child Care Act 1972***

**48 Sections 12K, 12L and 12Q**

**49 Subsections 12S(1) and (2)**

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

**50 Subsections 159(1), 159A(1), 159B(1), 160(3), 161(3) and 162(3)**

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

**51 Subsections 23(7), 33(2), 34(2), 57(1), 60(1), 61(3), 72A(2), 72U(3), 111(3), 119(1), 120(3) and 121(3)**

***Christmas Island Act 1958***

**52 Subsection 11AA(10)**

***Civil Aviation Act 1988***

**53 Subsection 28C(2) (note 2)**

**54 Subsection 28C(3) (note 2)**

**55 Subsections 32AP(1) and (2)**

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

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**56 Subsection 41E(2)**

*Cocos (Keeling) Islands Act 1955*

**57 Subsection 15AC(10)**

**58 Subsection 12(2)**

*Commonwealth Electoral Act 1918*

**59 Subsections 101(6), 189B(1), (2) and (3), 200DB(1) and (2),  
245(15) and (15C) and 315(1), (2), (3) and (4)**

**60 Paragraph 315(8)(d)**

**61 Subsections 316(5) and (5A)**

**62 Section 324**

**63 Subsections 325(1) and (2), 328(2) and 329(4)**

**64 Section 330**

**65 Subsections 339(1A), (1C), (1D) and (2)**

*Competition and Consumer Act 2010*

**66 Subsections 95N(2), (3) and (4), 95Q(3), 95T(1), 95Z(1), (2)  
and (3), 95ZK(4), 95ZP(1) and 95ZQ(1)**

**67 Subsection 10.68(2)**

**68 Subsections 151BUA(10) and (11), 151BUB(12) and (13),  
151BUC(12) and (13), 151BUDA(6) and (7), 151BUDB(7)  
and (8), 151BUDC(7) and (8) and 151BV(2)**

*Comprehensive Nuclear-Test-Ban Treaty Act 1998*

**69 Sections 8, 46 and 47**

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**70 Subsection 74(6)**

*Control of Naval Waters Act 1918*

**71 Subsection 6(2)**

*Copyright Act 1968*

**72 Subsections 47A(3) and (7), 126B(7), 135L(4), 135ZY(4),  
135ZZP(4) and 135ZZQ(3)**

*Crimes Act 1914*

**73 Subsections 3ZQJ(1) and 4K(2)**

**74 Section 23XWA**

**75 Subsections 23XWP(4), 23YDAD(1) and (2), 23YDAE(1),  
23YDAF(2), 23YDAG(1), (2) and (3) and 23YO(1)**

*Crimes (Aviation) Act 1991*

**76 Subsections 13(1) and (2), 14(1), 15(1), 16(1), (2) and (3),  
18(1), 20(1), 22(1), 25(1) and (2) and 26(1) and (2)**

*Crimes (Biological Weapons) Act 1976*

**77 Subsection 8(2)**

*Crimes (Hostages) Act 1989*

**78 Subsection 8(1)**

*Crimes (Internationally Protected Persons) Act 1976*

**79 Subsections 8(1), (2), (3), (3A), (3B), (3C) and (4)**

*Crimes (Ships and Fixed Platforms) Act 1992*

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**80 Sections 14, 15 and 16**

**81 Subsection 20(5)**

**82 Sections 25, 26 and 27**

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

**83 Subsection 35(1)**

***Crimes (Taxation Offences) Act 1980***

**84 Subsections 5(1) and (2), 6(1) and (2) and 7(1) and (2)**

**85 Section 8**

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

**86 Subsections 9(1), 10(1), 11(1), 12(1), 13(1), 14(1), 15A(1), 15B(1) and 15C(1)**

***Criminal Code Act 1995***

**87 Subsections 70.2(1), 71.2(1), 71.3(1), 71.4(1), 71.5(1), 71.6(1), 71.7(1), 71.8(1), 71.9(1), 71.10(1) and 71.11(1) of the *Criminal Code***

**88 Sections 71.12 and 73.8 of the *Criminal Code***

**89 Subsection 73.9(1) of the *Criminal Code***

**90 Sections 73.10 and 73.11 of the *Criminal Code***

**91 Subsections 115.1(1), 115.2(1), 115.3(1), 115.4(1), 131.1(1), 132.1(1), 132.2(1), 132.3(1), 132.4(1), (3) and (6), 132.5(1), 132.6(1), 132.7(1), 132.8(1) and (2), 134.1(1), 134.2(1), 135.1(1), (3), (5) and (7), 135.2(1) and (2), 135.4(1), (3), (5)**

and (7), 136.1(1) and (4), 137.1(1) and 137.2(1) of the *Criminal Code*

**92 Sections 139.1 and 139.2 of the *Criminal Code***

**93 Subsections 141.1(1) and (3), 142.1(1) and (3), 142.2(1) and (2), 144.1(1), (3), (5) and (7), 145.1(1), (3), (5) and (7), 145.2(1), (3), (5) and (7), 145.3(1), (2), (3) and (4), 145.4(1) and (2), 145.5(1) and (2), 147.1(1) and (2), 147.2(1), (2) and (3), 148.1(1), (2) and (3), 148.2(1), (2) and (3), 149.1(1), 270.3(1) and (2), 360.2(1), 360.3(1), 380.2(1) and (2), 380.3(1) and (2), 380.4(1) and (2), 400.3(1), (2) and (3), 400.4(1), (2) and (3), 400.5(1), (2) and (3), 400.6(1), (2) and (3), 400.7(1), (2) and (3), 400.8(1), (2) and (3), 471.1(1) and 471.2(1) of the *Criminal Code***

**94 Sections 471.3 and 471.4 of the *Criminal Code***

**95 Subsections 471.5(1), 471.6(1) and 471.7(1) and (2) of the *Criminal Code***

**96 Section 471.8 of the *Criminal Code***

**97 Subsections 471.10(1) and 471.11(1) and (2) of the *Criminal Code***

**98 Section 471.12 of the *Criminal Code***

**99 Subsections 471.13(1), 471.15(1), 474.2(1), (2) and (3), 474.4(1), 474.5(1), 474.6(1), (3) and (5), 474.7(1), 474.8(1), 474.9(1), 474.10(1) and (2), 474.11(1), 474.12(1), 474.14(1), (2) and (3) and 474.15(1) and (2) of the *Criminal Code***

**100 Section 474.16 of the *Criminal Code***

**101 Subsections 474.17(1), 474.18(1) and (2), 474.19(1), 474.20(1), 474.22(1), 474.23(1), 474.29A(1) and (2), 474.29B(1), 477.1(1) and (6), 477.2(1), 477.3(1) and 478.1(1) of the *Criminal Code***

**102 Section 478.2 of the *Criminal Code***

**103 Subsections 478.3(1) and 478.4(1) of the *Criminal Code***

**104 Section 480.4 of the *Criminal Code***

**105 Subsection 480.5(1) of the *Criminal Code***

**106 Section 480.6 of the *Criminal Code***

***Customs Act 1901***

**107 Subsections 50(4) and (7), 96A(11), 96B(11), 112(2B) and (2BC) and 114B(7)**

**108 Paragraph 129(3)(a)**

**109 Subsections 130B(3), 175(7), 181(5), 197(6), 233(1AA), 233A(2), 233BAA(4) and (5), 233BAB(5) and (6), 234(2) and 243K(1)**

***Dairy Produce Act 1986***

**110 Subsections 53(1) and (2)**

**111 Subclauses 38(5), 97(5) and (7), 98(6) and (9), 99(9) and (13), 100(3), 101(3), 102(5), 105(6), 106(5), 112(2) and (4), 113(4), 116(1), 117(2) and 119(3) of Schedule 2**

**112 Clause 133 of Schedule 2**

***Defence Act 1903***

**113 Subsections 61CY(1), 61CZ(1), (3), (5) and (7), 73A(1) and (2), 80A(1) and 80B(1)**

**114 Paragraphs 82(1)(c) and (2)(d)**

**115 Subsections 83(1), (2) and (3) and 86(1)**

**116 Section 88**

**117 Subsections 90(1), 106(1), 107(1), 116U(3), 116W(5) and 116Y(1)**

**118 Section 118**

**119 Subsection 123AA(1)**

***Defence Force Discipline Act 1982***

**120 Subsections 15(1), 15A(1), 15B(1), 15C(1), 15D(1), 15E(1), 15F(1), 15G(1), 16(1), 16A(1), 16B(1), 17(1), 18(1) and (2), 19(1), (2), (3) and (4), 20(1) and (2), 21(1) and (2), 22(1) and (2), 23(1) and (2), 24(1), 25(1), 26(1) and (2), 27(1), 28(1), 29(1), 30(1) and (2), 31(1) and (2) and 32(1) and (3)**

**121 Sections 33 and 33A**

**122 Subsections 34(1), 35(1) and 36(1), (2) and (3)**

**123 Sections 36A and 36B**

**124 Subsections 37(1), 38(1) and (2), 39(1), (2) and (3), 40(1) and (2), 40A(1) and (2), 40C(1), 40D(1) and (2) and 41(1)**

**125 Section 42**

**126 Subsections 43(1), (2) and (3), 44(1), 45(1), 46(1), 47C(1), 47P(1), 47Q(1), 48(1) and (2), 49(1), 49A(1) and 50(1) and (2)**

**127 Section 51**

**128 Subsections 52(1), 53(1), (2) and (4), 54(1), (2), (3) and (4), 54A(1) and (2), 55(1), 56(1) and (4), 57(1) and (2), 58(1), 59(1), (3), (5), (6) and (7), 60(1) and (1A), 61(1), (2) and (3), 62(1) and 101QA(1) and (2)**

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

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**129 Subsections 127(1) and 130(3) and (8)**

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

**130 Subsections 69(7) and 85A(3) and (8)**

***Defence Reserve Service (Protection) Act 2001***

**131 Subsections 15(2), 16(3), 17(2), 18(4), 19(2) and 20(2)**

**132 Subsection 21(2) (second occurring)**

**133 Subsections 22(2) and 23(3)**

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

**134 Subsections 9(1) and (2) and 11(4) and (5)**

**135 Section 12**

**136 Subsections 13(1) and 14(3)**

**137 Section 16**

**138 Subsections 17(1), 23(2) and 31(2)**

***Disability Services Act 1986***

**139 Subsection 28(3)**

***Education Services for Overseas Students Act 2000***

**140 Subsections 8(1) and 101(1)**

**141 Sections 107 and 108**

**142 Subsections 109(5) and 120(1)**

**143 Section 121**

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**144 Subsections 122(1) and 134(1)**

**145 Section 135**

**146 Subsections 136(1), 155(2) and 162(3)**

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

**147 Subsections 15A(1) and (2), 15C(1), (2), (3), (4), (5), (6), (7), (8), (9) and (10), 17B(1) and (2), 18A(1) and (2), 20A(1) and (2), 22A(1), (2), (3), (4), (5) and (6), 24A(1), (2), (3), (4), (5) and (6), 27A(1), (2), (3) and (4), 27C(1) and (2), 111(3), 112(3), 114(3), 119(1) and (2), 120(6), 142A(1) and (3), 142B(1), 196(1), 196A(1), 196B(1), 196C(1), 196D(1), 196E(1) and 199(5)**

**148 Section 203**

**149 Subsections 207B(1), 211(1), 211A(1), 211B(1), 211C(1), 211D(1), 211E(1) and 214(5)**

**150 Section 218**

**151 Subsections 229(1), 229A(1), 229B(1), 229C(1), 229D(1), 230(1), 232(5) and 236(1)**

**152 Section 240**

**153 Subsections 254(1), 254A(1), 254B(1), 254C(1), 254D(1), 254E(1) and 256(5)**

**154 Section 260**

**155 Subsections 303CC(1), 303CD(1), 303DD(1), 303EK(1), 303EV(3), 303GF(2) and (3), 303GN(2) and (6), 303GP(1), (2) and (3), 395(3), 399(3), 401(1) and (3), 402(1) and (3) and 412A(2)**

**156 Section 436**

**157 Subsections 443A(4) and 444(3)**

**158 Section 455**

**159 Subsections 460(1) and (2), 461(3) and (4), 489(1) and (2A), 490(1), 491(1) and 495(1) and (2)**

***Environment Protection (Sea Dumping) Act 1981***

**160 Subsections 10A(1), 10B(1), 10C(1), 10D(1), 10E(1), 10F(1), 17(5) and (6), 29(8), 35(1) and (2) and 36(1)**

***Excise Act 1901***

**161 Subsections 61D(11), 61E(10), 120(2) and 124(1)**

***Explosives Act 1961***

**162 Section 20**

***Export Control Act 1982***

**163 Subsections 7A(1) and (2) and 8(1) and (2)**

**164 Paragraphs 8(3)(a) and (b) and (4)(a) and (b)**

**165 Subsections 9(1) and 21(2)**

***Family Law Act 1975***

**166 Subsections 90MZG(1) and 121(1) and (2)**

***Federal Circuit Court of Australia Act 1999***

**167 Subsections 65(1) and (2)**

***Financial Sector (Business Transfer and Group Restructure) Act 1999***

**168 Subsections 16(4) and 31(4)**

***Financial Sector (Shareholdings) Act 1998***

**169 Subsections 24(3), 26(4) and 31(2)**

**170 Section 38**

***Financial Transaction Reports Act 1988***

**171 Subsections 11(5), 16(5B), 22(2), 23A(3), 24(6), 27B(4),  
40F(1), 40G(1) and (2), 40H(1) and 40J(1)**

**172 Section 40K**

**173 Subsection 40R(1)**

***Fisheries Management Act 1991***

**174 Sections 57, 57F and 57L**

**175 Subsections 89(4), 95(2), 98(2), 100(2), 100A(1), 101(2),  
101A(1), 101B(1), 102(1) and (2), 103(1), 104(2) and (7),  
105A(1), 105AA(1), 105AB(1), 105B(1) and 105C(1)**

***Foreign Proceedings (Excess of Jurisdiction) Act 1984***

**176 Subsection 18(1)**

***Fuel Quality Standards Act 2000***

**177 Subsections 12(1), 12A(1), 18(1) and (2), 20(1), 30(1),  
31(1), 39(3), 42(2) and 53(2)**

***Gene Technology Act 2000***

**178 Subsections 8(2), 32(1), 33(1), 34(1), (2) and (4), 35(1) and  
(2), 35A(1), 35B(1), 36(1), 37(1) and 192A(1)**

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

**179 Subsections 59D(1) and 59L(7)**

***Hazardous Waste (Regulation of Exports and Imports) Act  
1989***

**180 Subsections 38B(1) and (2), 39(4) and (6), 40(3) and (5),  
40A(3) and (5), 40AA(1) and (2), 40B(1) and (3) and  
41A(2)**

***Health Insurance Act 1973***

**181 Subsections 19CB(4), 19CC(1), 19D(2), 23DKA(6),  
23DNJ(3), 23DP(1), (1A) and (2), 23DR(4) and 23DS(6)**

**182 Sections 106ZPN, 106ZPO and 106ZPP**

**183 Subsections 127(2), 128A(2), 128B(2), 129AA(1A) and  
(1B) and 130(14), (15), (17), (19), (21), (22) and (24)**

***High Court of Australia Act 1979***

**184 Subsections 19(6) and 43(7)**

***Historic Shipwrecks Act 1976***

**185 Subsections 10(2), 13(3) and 15(5)**

***Human Services (Medicare) Act 1973***

**186 Subsections 41C(1), (2) and (3)**

***Imported Food Control Act 1992***

**187 Subsection 22(4)**

***Income Tax Assessment Act 1936***

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**188 Subsections 102AAZG(2), 102UT(2), 202EC(4), 202EE(2)  
and 465(1)**

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

**189 Subsection 106(5)**

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

**190 Subsection 18(7)**

***Insurance Acquisitions and Takeovers Act 1991***

**191 Section 38**

**192 Subsection 41(3)**

**193 Sections 45 and 52**

**194 Subsection 55(3)**

**195 Section 59**

***Insurance Act 1973***

**196 Subsections 56(1), 70(9), 74(6), 77(4) and 78(7)**

***Intelligence Services Act 2001***

**197 Subsections 39(1) and 40(1)**

**198 Section 41**

**199 Subclauses 9(1), 10(1), (4) and (6), 11(1), (2) and (3) and  
12(1) of Schedule 1**

***Interactive Gambling Act 2001***

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

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**201 Section 55**

**202 Subsections 56(4), 57(1), 61DA(1) and (2) and 61EA(1) and (2)**

*International Criminal Court Act 2002*

**203 Sections 91, 92 and 93**

*International Organisations (Privileges and Immunities) Act 1963*

**204 Subsection 12(2)**

*Interstate Road Transport Act 1985*

**205 Subsection 12D(2)**

*Life Insurance Act 1995*

**206 Subsections 16E(1), (2), (7) and (8), 16L(4), 16Q(4), 16R(6), 16U(4), 16V(7), 147(3), 180(4) and 230F(1), (2), (3) and (4)**

*Migration Act 1958*

**207 Subsections 197B(1), 229(2), 236(1) and (2) and 268BH(1)**

**208 Section 268BI**

**209 Subsections 268BJ(1) and 268CL(1)**

**210 Section 268CM**

**211 Subsections 268CN(1), 268CV(2), 268CZA(2), 306H(1), 334(1) and (2), 503B(12) and 503C(8)**

*Motor Vehicle Standards Act 1989*

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**212 Subsections 10A(6) and 13D(6)**

**213 Section 13G**

**214 Subsections 16(1) and (7) and 21D(2)**

***Mutual Assistance in Criminal Matters Act 1987***

**215 Sections 34U, 34V and 34W**

**216 Subsection 43B(4)**

***Narcotic Drugs Act 1967***

**217 Subsections 20(1) and 24(3) and (3B)**

***National Environment Protection Measures  
(Implementation) Act 1998***

**218 Subsections 28(3), 36(1) and 37(5)**

***National Health Act 1953***

**219 Subsections 135A(13), (14), (16), (18), (20), (21) and (23)  
and 135AAA(1), (3), (6) and (8)**

***Native Title Act 1993***

**220 Subsections 203DG(4) and (7)**

**221 Section 203FG**

***Naval Defence Act 1910***

**222 Subsection 44E(1)**

***Nuclear Non-Proliferation (Safeguards) Act 1987***

**223 Subsections 23(1), 25(1), 26(1) and 27(2)**

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**224 Section 28**

**225 Subsections 29(2), 30(1), 31(1), 40(2) and 66(4)**

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

**226 Subsections 13(7), 45B(1), 50(3) and 60(1)**

***Passenger Movement Charge Collection Act 1978***

**227 Subsection 6(2)**

***Patents Act 1990***

**228 Subsection 177(2)**

***Payment Systems (Regulation) Act 1998***

**229 Subsections 21(6) and (7), 22(1) and (2), 24(5) and (6) and  
26(4)**

***Pooled Development Funds Act 1992***

**230 Subsections 51(1) and (2)**

***Primary Industries Levies and Charges Collection Act 1991***

**231 Subsections 22(4) and 24A(3) and (4)**

***Privacy Act 1988***

**232 Subsection 46(2)**

***Proceeds of Crime Act 1987***

**233 Subsections 52(1), 68(1), 73(7), 74(5) and 97(2)**

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*Proceeds of Crime Act 2002*

- 234 Subsections 37(1) and (2)**
- 235 Sections 40, 71, 195, 199 and 200**
- 236 Subsection 201(1)**
- 237 Subsections 210(1) and (2) and 211(1)**
- 238 Sections 212, 216 and 217**
- 239 Subsection 218(1)**
- 240 Section 222**
- 241 Subsections 223(1), (2) and (3)**
- 242 Sections 224, 232, 233, 234 and 235**
- 243 Subsection 246(3)**
- 244 Section 266**
- 245 Subsections 272(1) and (2)**
- 246 Sections 273, 274 and 275**

*Product Grants and Benefits Administration Act 2000*

- 247 Paragraph 6(c)**
- 248 Subsections 48(5) and 49(4)**

*Protection of Movable Cultural Heritage Act 1986*

- 249 Subsections 9(3) and (3A), 14(2), 29(3) and 39(2)**

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

- 250 Subsections 15(4) and 19C(2)**
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***Protection of the Sea (Prevention of Pollution from Ships)  
Act 1983***

**251 Subsections 11(3), 22(3) and 26B(5)**

***Protection of the Sea (Shipping Levy Collection) Act 1981***

**252 Subsection 12(2)**

***Public Accounts and Audit Committee Act 1951***

**253 Subsection 21(1)**

***Public Order (Protection of Persons and Property) Act 1971***

**254 Subsections 6(1) and (2), 7(1), 8(3), 9(1), 10(1), 11(1) and (2) and 12(1) and (2)**

**255 Paragraph 13E(3)(a)**

**256 Subsections 15(1) and (2), 16(1), 17(3), 18(1), 19(1) and 20(1) and (2)**

***Radiocommunications Act 1992***

**257 Subsections 113(1), 170(1), 188A(2), 197(1), 214(1), 261B(4) and 261C(4) and (5)**

***Referendum (Machinery Provisions) Act 1984***

**258 Subsections 45(14) and (14C), 62B(1), (2) and (3) and 73CB(1) and (2)**

**259 Section 117**

**260 Subsections 118(1) and (2), 121(2) and 122(4)**

**261 Section 123**

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**262 Subsections 130(1A), (1C), (1D) and (2), 132(1) and 134(2)**

***Renewable Energy (Electricity) Act 2000***

**263 Subsections 24(1), (3) and (4)**

**264 Section 109**

**265 Subsection 113(1)**

**266 Section 124**

**267 Subsections 154(1) and (3)**

***Retirement Savings Accounts Act 1997***

**268 Subsections 34(5), 39(2), 41(4), 44(2), 47(3), 48(2), 49(2),  
64(3), 65(2) and (5), 66(7) and (8), 108(3), 112(2), 118(4),  
133(3), 136(4), 137(6), 138(4), 151(1), 154(1) and (2),  
155(1), 156(1), 161(14) and 162(4)**

**269 Paragraph 165(b)**

**270 Subsections 182(8) and 183(3)**

***Royal Commissions Act 1902***

**271 Subsections 6D(4), 6I(2), 6J(2) and 6L(2)**

**272 Section 6M**

**273 Subsection 6N(1)**

***Shipping Registration Act 1981***

**274 Section 25**

**275 Subsections 73(1) and 74(1), (2) and (5)**

***Social Security Act 1991***

**276 Subsections 1061ZZBW(1) and 1061ZZCD(1)**

**277 Subsection 1061ZZGI(4) (example)**

**278 Subsection 1233(3)**

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

**279 Subsections 203(1), 204(1), 205(1) and 206(1) and (2)**

**280 Section 217**

***South Pacific Nuclear Free Zone Treaty Act 1986***

- 281 Subsections 8(1) and (2)**
- 282 Sections 9, 10, 11, 12 and 13**
- 283 Subsections 24(3) and 34(2)**

***Space Activities Act 1998***

- 284 Sections 11, 12, 13 and 14**
- 285 Subsections 30(2) and 44(1)**
- 286 Section 53**
- 287 Subsections 58(4), 92(1), (3) and (4), 94(3), 96(2) and 101(5)**
- 288 Section 103**
- 289 Subsection 109(3)**

***Student Assistance Act 1973***

- 290 Sections 352 and 353**
- 291 Subsection 357(1)**
- 292 Section 358**
- 293 Subsections 359(1) and (2)**

***Superannuation Contributions Tax (Assessment and Collection) Act 1997***

- 294 Subsections 13(6), 14(4), 15B(5), 16(10) and 40(5)**

***Superannuation Guarantee (Administration) Act 1992***

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**295 Subsection 79(6)**

***Superannuation Industry (Supervision) Act 1993***

**296 Subsections 11B(3) and (4), 11C(2), (3) and (4), 34(2), 63(10), 64(3) and (3A), 66(4), 101(2), 102(4), 103(3), 104(2), 104A(3), 105(2), 106A(3), 122(2), 123(4) and (5), 124(2), 129(5) and (6), 130(4) and (5), 130C(6) and (7), 140(3), 141A(3) and (6) and 154(2) and (2A)**

**297 Paragraph 201(4)(a)**

**298 Subsections 202(1), 252A(3), 254(4) and (5), 260(2) and (3), 262(1) and (2), 278(3), 282(2), 288(4), 299C(3), 299F(4) and (4A), 299G(4) and (4A), 299M(4) and (5), 299N(4), 299Y(2) and (3), 303(1), 306(1) and (2), 307(1), 308(1), 313(12) and 314(4)**

**299 Paragraph 317(b)**

**300 Subsection 347A(6)**

***Superannuation (Unclaimed Money and Lost Members) Act 1999***

**301 Subsections 13(2), 15(2) and 48(5)**

***Taxation Administration Act 1953***

**302 Subsections 8C(1), 8D(1) and (2), 8H(1), 8K(1) and (1B) and 8L(1) and (1A)**

**303 Section 8N**

**304 Subsections 8Q(1) and (2)**

**305 Sections 8T and 8U**

**306 Subsections 8WC(1) and 14Z(2)**

*Telecommunications Act 1997*

**307 Subsection 42(5)**

**308 Section 43**

**309 Subsections 276(3), 277(3) and 278(3)**

**310 Section 303**

**311 Subsections 306(7), 307(2), 399(1), 411(2), 412(2), 413(2), 414(2), 415(2), 416(2), 417(2), 420(2), 421(4), 434(1) and (2), 452(2), 475(7), 476(7), 493(4), 494(4) and (5), 503(4), 504(4) and (5), 522(4), 531(2), 547J(4) and 549(3)**

*Telstra Corporation Act 1991*

**312 Subsections 8BI(2), 8BM(2) and 8BO(2)**

*Textile, Clothing and Footwear Investment and Innovation Programs Act 1999*

**313 Subsection 38(3)**

**314 Sections 49 and 50**

**315 Subsection 51(1)**

*Therapeutic Goods Act 1989*

**316 Subsections 20(1B), 22(7), 26B(2), 31D(1) and 31E(1)**

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**317 Section 41JH**

**318 Subsection 41JI(1)**

**319 Sections 41MH, 41MK and 41MM**

**320 Subsections 41MP(1), 41MQ(3) and (4), 42C(1), (2), (4)  
and (6), 42DM(1), 42DP(1), 42E(1), 42T(1) and (2), 42W(1)  
and (2), 54AA(1) and 54AB(1)**

***Torres Strait Fisheries Act 1984***

**321 Subsections 14(12), (13), (14) and (14A), 44(3), 45(2) and  
(3), 46(2), 49(1), 50(1), 51(2) and (3), 53(1) and 54(2)**

***Trade Marks Act 1995***

**322 Subsection 143(2)**

***Tradex Scheme Act 1999***

**323 Subsections 26(1), 27(1), 28(1), 29(1) and 30(1)**

**324 Sections 31 and 32**

**325 Subsection 45(5)**

***Transport Safety Investigation Act 2003***

**326 Subsections 24(1), 29(3), 36(5), 44(2) and 53(1) and (2)**

***Veterans' Entitlements Act 1986***

**327 Subsections 93B(2), 93C(2), 93D(2), (4), (5) and (6), 93E(5)  
and (6) and 205A(3)**

***Weapons of Mass Destruction (Prevention of Proliferation)  
Act 1995***

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**328 Subsections 9(1), 10(1), 11(1) and 14(6)**

## **Part 2—Other amendments**

### *Aged Care Act 1997*

#### **329 Sections 87-1 and 90-1**

Omit “be guilty of”, substitute “commit”.

### *Air Navigation Act 1920*

#### **330 Subsection 10(2)**

Omit “are each guilty of”, substitute “each commit”.

### *Airports Act 1996*

#### **331 Sections 41, 45 and 51**

Omit “are guilty of”, substitute “commit”.

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

#### **332 Subsection 166(3)**

Repeal the subsection, substitute:

- (3) Nothing in subsection (1) or (2) has the effect that an officer acting in the performance or exercise of his or her powers, duties or functions under the family assistance law commits an offence.

### *A New Tax System (Luxury Car Tax) Act 1999*

#### **333 Subsection 9-10(4)**

Omit “are guilty of”, substitute “commit”.

### *Antarctic Marine Living Resources Conservation Act 1981*

#### **334 Section 7 (heading)**

Repeal the heading, substitute:

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**7 Certain persons do not commit offences against this Act**

**335 Section 7**

Omit “is not guilty of”, substitute “does not commit”.

***Archives Act 1983***

**336 Paragraph 57(1)(c)**

Omit “is not guilty of”, substitute “does not commit”.

***Bankruptcy Act 1966***

**337 Section 267G**

Omit “is guilty of an offence”, substitute “commits an offence”.

***Child Care Act 1972***

**338 Subsection 12S(3)**

Repeal the subsection, substitute:

- (3) Nothing in subsection (1) or (2) has the effect that an officer acting in the exercise or performance of his or her duties, functions or powers under this Act or a family assistance law commits an offence.

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

**339 Subsection 72U(4)**

Omit “is not guilty of”, substitute “does not commit”.

***Commonwealth Electoral Act 1918***

**340 Subsections 101(4), 103(1), 341(1), 347(1) and (4) and 351(1)**

Omit “shall be guilty of”, substitute “commits”.

**341 Subsection 351(2)**

Omit “shall be deemed to be guilty of”, substitute “is taken to have committed”.

***Commonwealth Inscribed Stock Act 1911***

**342 Sections 49, 50 and 51BA**

Omit “shall be guilty of”, substitute “commits”.

***Crimes Act 1914***

**343 Section 6**

Omit “who is, to his or her knowledge, guilty of”, substitute “who has, to his or her knowledge, committed”.

**344 Section 6**

Omit “shall be guilty of”, substitute “commits”.

**345 Subsections 24AA(3), 24AB(2) and 25(1)**

Omit “shall be guilty of”, substitute “commits”.

**346 Section 26**

Omit “shall be guilty of”, substitute “commits”.

**347 Subsections 27(1) and (2)**

Omit “shall be guilty of”, substitute “commits”.

**348 Section 28**

Omit “shall be guilty of”, substitute “commits”.

**349 Subsections 29(1) and 30J(2)**

Omit “shall be guilty of”, substitute “commits”.

**350 Section 30K**

Omit “shall be guilty of”, substitute “commits”.

**351 Subsections 70(1) and (2), 79(2), (3), (4), (5) and (6), 83(1) and 85B(2)**

Omit “shall be guilty of”, substitute “commits”.

**352 Section 87**

Omit “shall be guilty of”, substitute “commits”.

**353 Subsections 89(1) and (2) and 89A(1)**

Omit “shall be guilty of”, substitute “commits”.

**354 Sections 90 and 90B**

Omit “shall be guilty of”, substitute “commits”.

***Criminal Code Act 1995***

**355 Subsections 11.1(1), 11.4(1) and 11.5(1) of the *Criminal Code***

Omit “is guilty of”, substitute “commits”.

**356 Subsections 14.1(3) and (5), 15.1(2) and (4), 15.2(2) and (4), 70.3(1) and (2), 70.4(1) and 270.3(4) of the *Criminal Code***

Omit “is not guilty of”, substitute “does not commit”.

**357 Subsection 400.10(1) of the *Criminal Code* (example)**

Omit “be guilty of”, substitute “commit”.

**358 Subsections 400.15(2) and (4) and 474.29A(3) and (4) of the *Criminal Code***

Omit “is not guilty of”, substitute “does not commit”.

***Customs Act 1901***

**359 Subsections 58A(2), (3), (4) and (5) and 58B(2), (3), (4) and (5)**

Omit “are each guilty of”, substitute “each commit”.

**360 Subsections 192(1) and 231(1)**

Omit “shall be guilty of”, substitute “commit”.

**361 Section 232A**

Omit “shall be guilty of”, substitute “commits”.

***Dairy Produce Act 1986***

**362 Subclauses 48(5) and 111(5) of Schedule 2**

Omit “is not guilty of”, substitute “does not commit”.

***Defence Act 1903***

**363 Subsections 51S(2) and 51SN(2)**

Omit “is not guilty of”, substitute “does not commit”.

**364 Subsection 83(4)**

Omit “shall be guilty of”, substitute “commits”.

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

**365 Subsection 50(1)**

Omit “being guilty of an offence, also guilty of”, substitute “committing an offence, also committing”.

***Defence Service Homes Act 1918***

**366 Subsection 50A(2)**

Omit “shall be deemed to be guilty of”, substitute “is taken to have committed”.

***Education Services for Overseas Students Act 2000***

**367 Subsection 13(1) (note)**

Omit “be guilty of”, substitute “commit”.

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**368 Subsection 109(5) (note 2)**

Omit “be guilty of”, substitute “commit”.

**369 Subsections 120(2) and 122(2)**

Omit “is not guilty of”, substitute “does not commit”.

**370 Section 132 (note)**

Omit “be guilty of”, substitute “commit”.

**371 Section 133 (notes 1 and 2)**

Omit “be guilty of”, substitute “commit”.

**372 Subsections 134(2), 136(2) and 162(5)**

Omit “is not guilty of”, substitute “does not commit”.

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

**373 Subsection 15A(3) (notes 2 and 3)**

Omit “be guilty of”, substitute “commit”.

**374 Subsection 15C(13) (notes 2 and 3)**

Omit “be guilty of”, substitute “commit”.

**375 Subsection 17B(3) (notes 2 and 3)**

Omit “be guilty of”, substitute “commit”.

**376 Subsection 18A(3) (notes 2 and 3)**

Omit “be guilty of”, substitute “commit”.

**377 Subsection 20A(3) (notes 2 and 3)**

Omit “be guilty of”, substitute “commit”.

**378 Subsection 22A(7) (notes 2 and 3)**

Omit “be guilty of”, substitute “commit”.

**379 Subsection 24A(7) (notes 2 and 3)**

Omit “be guilty of”, substitute “commit”.

**380 Subsection 27A(5) (notes 2 and 3)**

Omit “be guilty of”, substitute “commit”.

**381 Subsection 27C(3) (note 2)**

Omit “be guilty of”, substitute “commit”.

**382 Subsection 142A(4) (notes 2 and 3)**

Omit “be guilty of”, substitute “commit”.

**383 Subsection 142B(1) (notes 3 and 4)**

Omit “be guilty of”, substitute “commit”.

***Evidence Act 1995***

**384 Subsection 20(2)**

Omit “was, or believed that he or she was, guilty of”, substitute “had, or believed that he or she had, committed”.

**385 Paragraphs 20(4)(a) and (b)**

Omit “was guilty of”, substitute “had committed”.

***Excise Act 1901***

**386 Section 118**

Omit “is guilty of”, substitute “commit”.

***Financial Sector (Shareholdings) Act 1998***

**387 Section 11**

Omit “are guilty of”, substitute “commit”.

***Financial Transaction Reports Act 1988***

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**388 Subsection 33A(1)**

Omit “is guilty of”, substitute “has committed”.

***Fisheries Management Act 1991***

**389 Subsection 95(5)**

Omit “is not guilty of an offence against subsection (2) is guilty of”, substitute “does not commit an offence against subsection (2) commits”.

***Freedom of Information Act 1982***

**390 Subsections 92(1) and (2)**

Omit “is not guilty of”, substitute “does not commit”.

***Fringe Benefits Tax Assessment Act 1986***

**391 Section 167**

Omit “be guilty of”, substitute “have committed”.

***Fuel Quality Standards Act 2000***

**392 Subsections 12(2) and 39(5)**

Omit “is not guilty of”, substitute “does not commit”.

***Geneva Conventions Act 1957***

**393 Subsection 15(6)**

Omit “shall be deemed to be guilty of”, substitute “is taken to have committed”.

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

**394 Subsections 59B(1) and 59C(1)**

Omit “are each guilty of”, substitute “each commit”.

***Health Insurance Act 1973***

**395 Subsection 19D(7)**

Omit “under subsection (3) is”, substitute “under subsection (3) commits”.

**396 Subsection 19D(7)**

Omit “guilty of”.

***Income Tax Assessment Act 1936***

**397 Subsection 102UT(3)**

Omit “is not guilty of”, substitute “does not commit”.

**398 Subsection 252(3)**

Omit “paragraph (1)(d) is”, substitute “paragraph (1)(d) commits”.

**399 Subsection 252(3)**

Omit “guilty of”.

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

**400 Subsection 46(3)**

Omit “is not guilty of”, substitute “does not commit”.

***Insurance Act 1973***

**401 Sections 94 and 120**

Omit “is not guilty of”, substitute “does not commit”.

***Migration Act 1958***

**402 Subsections 229(1) and 230(1) and (1A)**

Omit “are each guilty of”, substitute “each commit”.

**403 Subsection 232(1)**

Omit “shall each be deemed to be guilty of”, substitute “are each taken to commit”.

**404 Subsections 268BH(2) and 268BJ(2)**

Omit “is not guilty of”, substitute “does not commit”.

**405 Section 268CJ (note)**

Omit “be guilty of”, substitute “commit”.

**406 Section 268CK (notes 1 and 2)**

Omit “be guilty of”, substitute “commit”.

**407 Subsections 268CL(2), 268CN(2) and 268CZA(4)**

Omit “is not guilty of”, substitute “does not commit”.

***Nuclear Non-Proliferation (Safeguards) Act 1987***

**408 Subsection 24(2)**

Omit “is not guilty of”, substitute “does not commit”.

***Offshore Minerals Act 1994***

**409 Subsection 404(3)**

Omit “are each guilty of”, substitute “each commit”.

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

**410 Subsections 15(1), (2) and (3), 19C(1) and (4) and 22(3)**

Omit “are each guilty of”, substitute “each commit”.

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

**411 Subsections 11A(7), 12(4), 14(2), 23(4), 25(2) and 26FB(2)**

Omit “are each guilty of”, substitute “each commit”.

**412 Subsections 27A(5) and 27C(1)**

Omit “are guilty of”, substitute “commit”.

***Royal Commissions Act 1902***

**413 Subsections 6(1), 6I(1), 6J(1), 6L(1) and 6O(1)**

Omit “shall be guilty of”, substitute “commits”.

***Scout Association Act 1924***

**414 Sections 2 and 4**

Omit “shall be guilty of”, substitute “commits”.

***Sea Installations Act 1987***

**415 Subsections 51(1), (2) and (3) and 57(3)**

Omit “are each guilty of”, substitute “each commit”.

***Shipping Registration Act 1981***

**416 Subsection 12(3)**

Omit “the owner of the ship is”, substitute “the owner of the ship commits”.

**417 Subsection 12(3)**

Omit “guilty of”.

**418 Subsection 26(2)**

Omit “the owner and master of the ship are each”, substitute “the owner and master of the ship each commit”.

**419 Subsection 26(2)**

Omit “guilty of”.

**420 Subsections 30(9), 32(1) and 33(1)**

Omit “are each guilty of”, substitute “each commit”.

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**421 Subsection 65(8)**

Omit “the owner of the ship is”, substitute “the owner of the ship commits”.

**422 Subsection 65(8)**

Omit “day) guilty of”, substitute “day),”.

**423 Subsections 68(2), 69(2) and 71(2)**

Omit “are each guilty of”, substitute “each commit”.

**424 Section 72**

Omit “are each guilty of”, substitute “each commit”.

**425 Subsection 74(1A)**

Omit “or 66(1) is”, substitute “or 66(1) commits”.

**426 Subsection 74(1A)**

Omit “guilty of”.

**427 Subsections 74(2) and (5)**

Omit “shall be deemed to be also guilty of”, substitute “is taken to also have committed”.

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

**428 Subsection 206(4)**

Repeal the subsection, substitute:

- (4) Nothing in subsection (1) or (2) has the effect that an officer acting in the performance or exercise of his or her duties, functions or powers under the social security law commits an offence.

***Space Activities Act 1998***

**429 Section 83**

Omit “is not guilty of”, substitute “does not commit”.

### ***Student Assistance Act 1973***

#### **430 Subsection 359(3)**

Repeal the subsection, substitute:

##### *Exception*

- (3) Nothing in subsection (1) or (2) has the effect that an officer acting in the exercise or performance of his or her duties, functions or powers under this Act commits an offence.

Note: For *officer* see subsection 3(1).

### ***Superannuation Act 1922***

#### **431 Subsection 142(2)**

Omit “shall be guilty of”, substitute “commits”.

### ***Superannuation Industry (Supervision) Act 1993***

#### **432 Subsection 202(2)**

Omit “is not guilty of”, substitute “does not commit”.

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

#### **433 Section 8BH**

Omit “are guilty of”, substitute “commit”.

### ***Torres Strait Fisheries Act 1984***

#### **434 Subsection 12(2)**

Omit “is not guilty of”, substitute “does not commit”.

#### **435 Subsection 44(2)**

Omit “is not guilty of an offence by virtue of subsection (3) is guilty of”, substitute “does not commit an offence against subsection (3) commits”.

**436 Subsection 45(4)**

Omit “is not guilty of an offence by virtue of subsection (2) or (3) is guilty of”, substitute “does not commit an offence against subsection (2) or (3) commits”.

**437 Paragraph 56A(a)**

Omit “be guilty of”, substitute “commit”.

**438 Section 56A**

Omit “is not guilty of”, substitute “does not commit”.

***Transport Safety Investigation Act 2003***

**439 Subsection 29(5)**

Omit “is not guilty of”, substitute “does not commit”.

## **Schedule 5—Indexation provisions**

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

#### **1 Subclause 5(5) of Schedule 4**

Omit “reference base” (wherever occurring), substitute “index reference period”.

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

#### **2 Subsection 153A(4)**

Omit “reference base” (wherever occurring), substitute “index reference period”.

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

#### **3 Subsection 69A(8)**

Omit “reference base” (wherever occurring), substitute “index reference period”.

### ***Competition and Consumer Act 2010***

#### **4 Subsection 87N(3)**

Omit “reference base” (wherever occurring), substitute “index reference period”.

### ***Petroleum Resource Rent Tax Assessment Act 1987***

#### **5 Subsection 2A(3)**

Omit “reference base” (wherever occurring), substitute “index reference period”.

***Safety, Rehabilitation and Compensation Act 1988***

**6 Subsection 13AA(6)**

Omit “reference base” (wherever occurring), substitute “index reference period”.

***Social Security Act 1991***

**7 Subsection 20(5) (heading)**

Repeal the heading, substitute:

*Change to CPI index reference period*

**8 Subsection 20(5)**

Omit “reference base” (wherever occurring), substitute “index reference period”.

**9 Subsection 1197(8) (heading)**

Repeal the heading, substitute:

*Change to index reference period*

**10 Subsection 1197(8)**

Omit “reference base” (wherever occurring), substitute “index reference period”.

***Veterans’ Entitlements Act 1986***

**11 Subsection 59EAB(8) (heading)**

Repeal the heading, substitute:

*Change to index reference period*

**12 Subsection 59EAB(8)**

Omit “reference base” (wherever occurring), substitute “index reference period”.

## **Schedule 6—Repeals of spent and obsolete provisions**

### ***Australian Meat and Live-stock Legislation (Consequential Amendments and Transitional Provisions) Act 1985***

#### **1 Section 38**

Repeal the section.

### ***Dairy Produce Act 1986***

#### **2 Clause 76 of Schedule 2**

Repeal the clause.

### ***Do Not Call Register Act 2006***

#### **3 Section 45**

Repeal the section.

### ***Social Security (International Agreements) Act 1999***

#### **4 Section 12A**

Repeal the section.

#### **5 Schedule 1**

Repeal the Schedule.

### ***Spam Act 2003***

#### **6 Section 46**

Repeal the section.

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*[Minister's second reading speech made in—  
House of Representatives on 12 November 2015  
Senate on 2 February 2016]*

*(192/15)*

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*No. 4, 2016*

*Statute Law Revision Act (No. 1) 2016*

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