

Naval Defence Act 1910

No. 30, 1910

**Compilation No. 23**

**Compilation date:** 10 March 2016

**Includes amendments up to:** Act No. 4, 2016

**Registered:** 8 June 2016

**About this compilation**

**This compilation**

This is a compilation of the *Naval Defence Act 1910* that shows the text of the law as amended and in force on 10 March 2016 (the ***compilation date***).

The notes at the end of this compilation (the ***endnotes***) include information about amending laws and the amendment history of provisions of the compiled law.

**Uncommenced amendments**

The effect of uncommenced amendments is not shown in the text of the compiled law. Any uncommenced amendments affecting the law are accessible on the Legislation Register (www.legislation.gov.au). The details of amendments made up to, but not commenced at, the compilation date are underlined in the endnotes. For more information on any uncommenced amendments, see the series page on the Legislation Register for the compiled law.

**Application, saving and transitional provisions for provisions and amendments**

If the operation of a provision or amendment of the compiled law is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

**Editorial changes**

For more information about any editorial changes made in this compilation, see the endnotes.

**Modifications**

If the compiled law is modified by another law, the compiled law operates as modified but the modification does not amend the text of the law. Accordingly, this compilation does not show the text of the compiled law as modified. For more information on any modifications, see the series page on the Legislation Register for the compiled law.

**Self‑repealing provisions**

If a provision of the compiled law has been repealed in accordance with a provision of the law, details are included in the endnotes.

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An Act relating to Naval Defence

Part I—Introductory

1 Short title

 This Act may be cited as the *Naval Defence Act 1910*.

3 Interpretation

 In this Act, unless the contrary intention appears:

***member*** means an officer or sailor.

***naval establishment*** includes any naval college, naval instructional establishment, ship, vessel or boat used for services auxiliary to naval defence, and any dock, shipyard, foundry, machine shop, work, office, or establishment, used in connexion with naval defence.

***officer*** means a person appointed as an officer of the Navy, and includes a subordinate officer.

***regulations*** means regulations relating to the Navy, whether made under this Act or the Defence Act.

***sailor*** means a member of the Navy not being an officer.

***subordinate officer*** means a person who holds the rank in the Navy of Acting Sub‑Lieutenant, Midshipman or Cadet Midshipman.

***the Defence Act*** means the *Defence Act 1903*.

***time of defence emergency***, ***time of war*** and ***war*** have the same meanings respectively as in the Defence Act.

5A Extension of Act to Territories

 This Act extends to every Territory.

5B Application of the *Criminal Code*

 Chapter 2 of the *Criminal Code* applies to all offences against this Act.

Note: Chapter 2 of the *Criminal Code* sets out the general principles of criminal responsibility.

6 Act does not appropriate money

 Nothing in this Act shall be taken as an appropriation of any public moneys.

Part III—The Australian Navy

19 Australian Navy

 The Australian Navy consists of 2 parts:

 (a) the Permanent Navy; and

 (b) the Naval Reserve.

20 Permanent Navy

 The Permanent Navy consists of:

 (a) officers appointed to, and sailors enlisted in, the Permanent Navy; and

 (b) officers and sailors transferred to the Permanent Navy from:

 (i) the Naval Reserve; or

 (ii) the Australian Army; or

 (iii) the Australian Air Force.

21 Naval Reserve

 The Naval Reserve consists of:

 (a) officers appointed to, and sailors enlisted in, the Naval Reserve; and

 (b) officers and sailors transferred to the Naval Reserve from:

 (i) the Permanent Navy; or

 (ii) the Australian Army; or

 (iii) the Australian Air Force.

24 Voluntary entry

 Except as provided by Part IV of the Defence Act, the Navy shall be kept up by the appointment to the Navy, or the enlistment in the Navy, of persons who volunteer and are accepted for service in the Navy.

Part IV—The service of the Navy

31 Service of the Permanent Navy

 Members of the Permanent Navy are bound to render continuous full time naval service.

32A Service of the Naval Reserve

 (1) A member of the Naval Reserve is not bound to render continuous full time naval service otherwise than:

 (a) as provided in this section; or

 (b) as a result of a call out order under section 50D, 51A, 51AA, 51AB, 51B, 51C or 51CA of the Defence Act.

 (2) The regulations must set, or provide for the setting of, training periods for the Naval Reserve.

Note: Different training periods may be set for different parts of the Naval Reserve or for different classes of members of the Naval Reserve: see subsection 33(3A) of the *Acts Interpretation Act 1901*.

 (2A) A member of the Naval Reserve is bound to render, in each training period, naval service (other than continuous full time naval service) for such periods as are set by or under the regulations. However, a member may be exempted by or under the regulations from the obligation to render all, or a specified part, of that service.

Note: Different service may be required of different parts of the Naval Reserve, or of different classes of members of the Naval Reserve, or in different periods: see subsection 33(3A) of the *Acts Interpretation Act 1901*.

 (2B) The regulations:

 (a) may make provision for different periods of naval service with respect to different parts, or different classes of members, of the Australian Naval Reserve; and

 (b) may make provision for exempting:

 (i) a particular member of the Australian Naval Reserve; or

 (ii) members within a specified class of members of the Australian Naval Reserve;

from the obligation to render, during a training period, the whole or part of the naval service that he or they would otherwise be bound to render during that period.

 (3) A member of the Naval Reserve may, at any time, voluntarily undertake to render continuous full time naval service for a period specified by him and, if that undertaking is accepted, he is bound to render that form of service for that specified period, or for such period or periods within that specified period, as the Chief of Navy directs.

 (4) A member of the Naval Reserve may at any time voluntarily undertake to render naval service, other than continuous full time naval service, for a period or periods specified by him, and, if that undertaking is accepted, the member is bound to render naval service in accordance with that undertaking or for such period or periods within that specified period, or within those specified periods, as the case may be, as the Chief of Navy directs.

33 Limits of service

 Members of the Navy may be required to serve either within or beyond the territorial limits of Australia.

Part V—Cadets

38 Establishment and constitution of the Australian Navy Cadets

 (1) The body known immediately before the commencement of this subsection as the Naval Reserve Cadets is continued in existence with the new name, Australian Navy Cadets.

Constitution of the Australian Navy Cadets

 (2) The Australian Navy Cadets consists of:

 (a) persons appointed in accordance with the regulations to be officers in that body;

 (b) persons appointed in accordance with the regulations to be instructors in that body; and

 (c) subject to subsections (5) and (6), persons who volunteer, and are accepted, in accordance with the regulations as cadets in that body.

Relationship to the Navy

 (3) A person appointed to be an officer or instructor in the Australian Navy Cadets does not become a member of the Navy by virtue of that appointment.

 (4) A cadet in the Australian Navy Cadets is not a member of the Navy.

Age requirements for cadets

 (5) A person is not entitled to volunteer, or to be accepted, as a cadet unless he or she:

 (a) has attained such age as is prescribed; and

 (b) has not attained the age of 20 years.

 (6) A person ceases to be a cadet when he or she attains the age of 21 years or such lower age as is prescribed.

Regulations about the Australian Navy Cadets

 (7) The regulations may make provision for or in relation to the organization, maintenance, regulation, control and discipline of the Australian Navy Cadets and, in particular, for and in relation to:

 (a) the periods and conditions of service of members, other than conditions of service with respect to which determinations under section 58B of the Defence Act may be made; and

 (b) the promotion of members.

 (8) In subsection (7), ***member*** means an officer, instructor or cadet in the Australian Navy Cadets.

39 Administration of the Australian Navy Cadets

 (1) Subject to the regulations, to any determinations in force under section 58B of the Defence Act, to any directions of the Minister and to any directions of the Chief of the Defence Force, the Chief of Navy is to administer the Australian Navy Cadets.

 (2) A direction of the Chief of the Defence Force under subsection (1) is subject to, and must be in accordance with, any directions of the Minister.

Part VI—Special powers in relation to Naval ships, Naval establishments and civil employment

40 Interpretation

 (1) In this Part, unless the contrary intention appears:

***authorized person*** means a person appointed by the Minister in writing to be an authorized person for the purposes of this Part.

***Commonwealth authority*** means a company or other body corporate incorporated under a law of the Commonwealth or of a State or Territory, being a company or body corporate in which the Commonwealth has a controlling interest.

***determination*** means a determination made under section 42A.

***National Employment Standards*** has the meaning given by the *Fair Work Act 2009*.

42 Employment of persons in civil capacity

 The authorized person may, on behalf of the Commonwealth, engage persons for employment in a civil capacity (whether within or without Australia) in or in connexion with a naval establishment or otherwise in connexion with the Navy.

42A Determination of conditions of employment

 (1) The authorized person may, by instrument in writing, determine the terms and conditions (including rates of pay and allowances) applicable to the employment of persons under section 42.

 (3) A determination takes effect from the date on which it is made or, if it is expressed to take effect from another date specified in the determination, from that other date.

 (4) A determination:

 (b) shall not be expressed to take effect from a date before the date on which the determination is made in any case where, if it so took effect:

 (i) the rights of a person (other than the Commonwealth) existing at the date on which it is made would be affected in a manner prejudicial to that person; or

 (ii) liabilities would be imposed on a person (other than the Commonwealth) in respect of anything done or omitted to be done before the date on which it is made;

and where, in a determination, provision is made in contravention of this subsection, that provision is void and of no effect.

 (5) A determination may make provision for or in relation to terms or conditions of employment by applying, adopting or incorporating, with or without modification:

 (a) the provisions of any Act, or of any regulations, as in force at a particular time or as in force from time to time; or

 (b) any matter contained in any other instrument or writing as in force or existing at the time when the determination takes effect.

 (7) Nothing in this section affects the application of the *Fair Work Act 2009* in relation to persons employed under the last preceding section.

42C Public Service Act not to apply

 (1) Subject to the next succeeding subsection, the *Public Service Act 1999* does not apply to persons employed under section 42 of this Act.

 (2) Section 75 of the *Public Service Act 1999* applies in relation to a person employed under section 42 of this Act as if he were an APS employee, within the meaning of that Act, employed in the Department.

42D Transfer of persons where functions are to be performed by a Commonwealth authority

 (1) Where the Minister certifies in writing that a function that has been performed by persons employed under section 42 is to be performed by a Commonwealth authority, the authorized person may, by writing published in the *Gazette*, declare that specified persons or classes of persons are in the employment of the Commonwealth authority.

 (2) A person specified in, or in a class of persons specified in, a declaration under subsection (1):

 (a) on the day specified in the declaration for the purpose of this subsection, ceases to be employed under section 42; and

 (b) from and including that day, is employed by the Commonwealth authority specified in the declaration.

 (3) For the purpose of facilitating a transfer of persons to the employment of a Commonwealth authority, the Commonwealth authority may, notwithstanding anything in any other law, but subject to the National Employment Standards and any relevant national minimum wage order or industrial award, determine special terms or conditions of employment that are to apply in relation to the persons (other than terms and conditions with respect to superannuation).

Part VII—Miscellaneous

44B Delegation

Delegation by the Chief of Navy

 (3) The Chief of Navy may, by instrument in writing, delegate to an officer all or any of his or her powers under section 32A.

Delegation by the Chief of the Defence Force

 (3A) The Chief of the Defence Force may, by instrument in writing, delegate to the Vice Chief of the Defence Force, his or her power under subsection 39(1).

Delegation by the authorized person

 (4) The authorized person may, by instrument in writing, delegate to a person all or any of his or her powers under Part VI.

General provisions about delegations

 (5) A delegation under this section may be made either generally or otherwise as provided in the instrument of delegation.

 (6) A power delegated under this section shall, when exercised by the delegate, be deemed, for the purposes of this Act, to have been exercised by the person who made the delegation.

 (6A) The delegate is, in the exercise of a power delegated under this section, subject to the directions of the person who made the delegation.

 (7) A delegation under this section does not prevent the exercise of a power by the person who made the delegation.

 (8) A delegation under this section continues in force notwithstanding a change in the occupancy of, or a vacancy in, the office of the person who made the delegation.

 (9) A document purporting to be a copy of an instrument of delegation under this section and purporting to bear the signature, or a facsimile of the signature, of the person who made the delegation and an endorsement in writing that the delegation is, or was on a specified date, in force, is, upon mere production in a court or otherwise for any purpose arising under this Act, *prima facie* evidence that the delegation was duly made in the terms set out in the document and is, or was on the date specified, in force.

Definition of **authorized person**

 (10) In this section, ***authorized person*** has the same meaning as in section 40.

44E Intoxicating liquor not to be supplied to Australian Navy Cadets

 (1) A person commits an offence if:

 (a) the person sells or supplies intoxicating liquor to another person; and

 (b) the person is a member of the Australian Navy Cadets, is under such age as is prescribed, and is in uniform.

Maximum penalty: $40.

 (2) Subsection (1) does not apply if the liquor is sold or supplied by direction of a duly qualified medical practitioner.

Note: The defendant bears an evidential burden in relation to the matter in subsection (2). See subsection 13.3(3) of the *Criminal Code*.

 (3) An offence under subsection (1) is an offence of strict liability.

Note: For ***strict liability***, see section 6.1 of the *Criminal Code*.

45 Regulations

 (1) The Governor‑General may make regulations, not inconsistent with this Act, prescribing all matters which by this Act are required or permitted to be prescribed, or which are necessary or convenient to be prescribed, for securing the good government of the Navy, or for carrying out or giving effect to this Act, and in particular prescribing matters for or in relation to:

 (a) the good government of naval establishments;

 (b) the discipline of persons (not being defence members or defence civilians within the meaning of the *Defence Force Discipline Act 1982*) employed in or in connexion with naval establishments;

 (c) the regulation and control of shipping in time of war or for the purposes of any naval operation or practice;

 (d) the fixing of charter rates and establishment charges in respect of ships requisitioned for naval purposes; and

 (e) the imposition of penalties, not exceeding a fine of $2,000 or imprisonment for a period not exceeding 12 months, or both, for offences against the regulations.

 (3) The power to make regulations contained in this section is in addition to any power to make regulations contained in the Defence Act.

Endnotes

Endnote 1—About the endnotes

The endnotes provide information about this compilation and the compiled law.

The following endnotes are included in every compilation:

Endnote 1—About the endnotes

Endnote 2—Abbreviation key

Endnote 3—Legislation history

Endnote 4—Amendment history

**Abbreviation key—Endnote 2**

The abbreviation key sets out abbreviations that may be used in the endnotes.

**Legislation history and amendment history—Endnotes 3 and 4**

Amending laws are annotated in the legislation history and amendment history.

The legislation history in endnote 3 provides information about each law that has amended (or will amend) the compiled law. The information includes commencement details for amending laws and details of any application, saving or transitional provisions that are not included in this compilation.

The amendment history in endnote 4 provides information about amendments at the provision (generally section or equivalent) level. It also includes information about any provision of the compiled law that has been repealed in accordance with a provision of the law.

**Editorial changes**

The *Legislation Act 2003* authorises First Parliamentary Counsel to make editorial and presentational changes to a compiled law in preparing a compilation of the law for registration. The changes must not change the effect of the law. Editorial changes take effect from the compilation registration date.

If the compilation includes editorial changes, the endnotes include a brief outline of the changes in general terms. Full details of any changes can be obtained from the Office of Parliamentary Counsel.

**Misdescribed amendments**

A misdescribed amendment is an amendment that does not accurately describe the amendment to be made. If, despite the misdescription, the amendment can be given effect as intended, the amendment is incorporated into the compiled law and the abbreviation “(md)” added to the details of the amendment included in the amendment history.

If a misdescribed amendment cannot be given effect as intended, the abbreviation “(md not incorp)” is added to the details of the amendment included in the amendment history.

Endnote 2—Abbreviation key

|  |  |
| --- | --- |
| ad = added or inserted | o = order(s) |
| am = amended | Ord = Ordinance |
| amdt = amendment | orig = original |
| c = clause(s) | par = paragraph(s)/subparagraph(s) |
| C[x] = Compilation No. x |  /sub‑subparagraph(s) |
| Ch = Chapter(s) | pres = present |
| def = definition(s) | prev = previous |
| Dict = Dictionary | (prev…) = previously |
| disallowed = disallowed by Parliament | Pt = Part(s) |
| Div = Division(s) | r = regulation(s)/rule(s) |
| ed = editorial change | reloc = relocated |
| exp = expires/expired or ceases/ceased to have | renum = renumbered |
|  effect | rep = repealed |
| F = Federal Register of Legislation | rs = repealed and substituted |
| gaz = gazette | s = section(s)/subsection(s) |
| LA = *Legislation Act 2003* | Sch = Schedule(s) |
| LIA = *Legislative Instruments Act 2003* | Sdiv = Subdivision(s) |
| (md) = misdescribed amendment can be given | SLI = Select Legislative Instrument |
|  effect | SR = Statutory Rules |
| (md not incorp) = misdescribed amendment | Sub‑Ch = Sub‑Chapter(s) |
|  cannot be given effect | SubPt = Subpart(s) |
| mod = modified/modification | underlining = whole or part not |
| No. = Number(s) |  commenced or to be commenced |

Endnote 3—Legislation history

| Act | Number and year | Assent or registration | Commencement | Application, saving and transitional provisions |
| --- | --- | --- | --- | --- |
| Naval Defence Act 1910 | 30, 1910 | 25 Nov 1910 | 25 Nov 1910 |  |
| Naval Defence Act 1911 | 16, 1911 | 22 Dec 1911 | 22 Dec 1911 | — |
| Naval Defence Act 1912 | 21, 1912 | 24 Dec 1912 | 24 Dec 1912 | — |
| Naval Defence Act 1918 | 45, 1918 | 25 Dec 1918 | 25 Dec 1918 | — |
| Statute Law Revision Act 1934 | 45, 1934 | 6 Aug 1934 | 6 Aug 1934 | s. 8 |
| Commonwealth Public Service Act 1948 | 35, 1948 | 26 June 1948 | 1 Sept 1948 (*see Gazette* 1948, p. 3115) | — |
| Naval Defence Act 1949 | 72, 1949 | 28 Oct 1949 | 1 Jan 1950 | — |
| Naval Defence Act 1952 | 14,1952 | 30 May 1952 | 30 May 1952 | — |
| Naval Defence Act 1964 | 93, 1964 | 6 Nov 1964 | 6 Nov 1964 | ss. 5, 15(2), 17 and 18 |
| Naval Defence Act 1965 | 53, 1965 | 7 June 1965 | 7 June 1965 | s. 2(2) |
| Statute Law Revision (Decimal Currency) Act 1966 | 93, 1966 | 29 Oct 1966 | 1 Dec 1966 | — |
| Naval Defence Act 1968 | 24, 1968 | 22 May 1968 | 22 May 1968 | s. 5(2)–(6) |
| Naval Defence Act 1971  | 14, 1971 | 5 Apr 1971  | ss. 3 and 4: 1 Jan 1973 (*see Gazette* 1972, No. 125, p 4)Remainder: Royal Assent | ss. 4 and 5 |
| Statute Law Revision Act 1973 | 216, 1973 | 19 Dec 1973 | 31 Dec 1973 | ss. 9(1) and 10 |
| Defence Force Re‑organization Act 1975 | 96, 1975 | 9 Sept 1975 | ss. 62, 63(a), (b), 64, 71, 73–77, 83, 85 and 88: 28 Oct 1975 (*see Gazette* 1975, No. G42, p. 2) *(a)*ss. 63(c), (d), 65–70, 72, 79–82, 84, 86 and 89: 9 Feb 1976 (*see Gazette* 1975, No. G42, p. 2) *(a)*ss. 78 and 87: 9 Feb 1976 (*see Gazette* 1976, No. S24) *(a)*  | ss. 65(2), (4), (5), 68(2), (3), 69(2), 72(2), 74(2), 76(2), 81(2) and 82(2)s. 65(3) (am. by 164, 1984, s. 120) |
| as amended by |  |  |  |  |
| Defence Legislation Amendment Act 1984 | 164, 1984 | 25 Oct 1984 | (*see* 164, 1984 below) | — |
| Naval Defence Amendment Act 1979 | 133, 1979 | 23 Nov 1979 | ss. 4 and 7: 1 Jan 1985 (*see* s. 2(2) and *Gazette* 1981, No. S273, p. 2)Remainder: Royal Assent | s. 7 |
| Statute Law Revision Act 1981 | 61, 1981 | 12 June 1981 | Part XV (ss. 61–72): 30 Sept 1983 (*see Gazette* 1983, No. S222) *(b)* | s. 72 |
| Statute Law (Miscellaneous Amendments) Act (No. 2) 1982 | 80, 1982 | 22 Sept 1982 | Part LXXVII (s. 280): Royal Assent *(c)* | s. 280(2) and (3) |
| Defence Force (Miscellaneous Provisions) Act 1982 | 153, 1982 | 31 Dec 1982 | 3 July 1985 (*see* s. 2 and *Gazette* 1985, No. S255) | s. 96 |
| as amended by |  |  |  |  |
| Defence Legislation Amendment Act 1984 | 164, 1984 | 25 Oct 1984 | (*see* 164, 1984 below) | — |
| Statute Law (Miscellaneous Provisions) Act (No. 1) 1983 | 39, 1983 | 20 June 1983 | s. 3: 18 July 1983 *(d)* | s. 7(1) |
| Conciliation and Arbitration Amendment Act (No. 2) 1983 | 115, 1983 | 16 Dec 1983 | s. 41: 1 June 1984 (*see Gazette* 1984, No. S201) *(e)* | — |
| Defence Legislation Amendment Act 1984 | 164, 1984 | 25 Oct 1984 | ss. 1, 2, 16–19,Part XIV (ss. 115, 116) and 120: Royal Assentss. 23–70 and 72–78: 3 July 1985 (*see* s. 2(4) and *Gazette* 1985, No. S255)s. 71: 31 Dec 1982 (*see* s. 2(3))ss. 82, 83 and 87–89: 1 July 1983ss. 84 and 86: 1 Oct 1972Part XI (ss. 108, 109): 1 Jan 1985Part XV (ss. 117–119): 1 Aug 1984 (*see* s. 2(8))s. 121: 1 Jan 1982Remainder: 22 Nov 1984 | ss. 120(1), (3), 121 and 122 |
| Statute Law (Miscellaneous Provisions) Act (No. 2) 1984 | 165, 1984 | 25 Oct 1984 | s. 3: 22 Nov 1984 *(f)* | s. 6(1) |
| Statute Law (Miscellaneous Provisions) Act (No. 1) 1985 | 65, 1985 | 5 June 1985 | s. 3: 3 July 1985 *(g)* | — |
| Statute Law (Miscellaneous Provisions) Act (No. 1) 1986 | 76, 1986 | 24 June 1986 | s. 3: Royal Assent *(h)* | s. 9 |
| Defence Legislation Amendment Act 1987 | 65, 1987 | 5 June 1987 | ss. 58, 61(1), 62 and 69(1): Royal Assent (*j*)ss. 59, 60, 61(2), 63–68, 69(2) and 70: 1 July 1988 (*see Gazette* 1988, No. S173) *(j)* | s. 64(2)–(5) |
| Industrial Relations (Consequential Provisions) Act 1988 | 87, 1988 | 8 Nov 1988 | ss. 1 and 2: Royal AssentRemainder: 1 Mar 1989 (*see* s. 2(2) and *Gazette* 1989, No. S53) | — |
| Defence Legislation Amendment Act 1988 | 100, 1988 | 2 Dec 1988 | ss. 5 and 16: 1 July 1988 (*see* s. 2 and *Gazette* 1987, No. S173)Remainder: Royal Assent | — |
| Naval Defence Amendment Act 1988 | 101, 1988 | 2 Dec 1988 | 2 Dec 1988 | — |
| Defence Legislation Amendment Act (No. 2) 1988 | 104, 1988 | 6 Dec 1988 | s. 18: 1 Sept 1989 (*see Gazette* 1989, No. S268)s. 25: 1 Oct 1972ss. 29 and 36: 1 July 1978Part IX (ss. 52, 53): 18 Dec 1987Remainder: Royal Assent | — |
| Defence Legislation Amendment Act 1990 | 75, 1990 | 22 Oct 1990 | s. 3: *(k)* | — |
| Defence Legislation Amendment Act (No. 2) 1990 | 21, 1991 | 5 Feb 1991 | ss. 10–13 and 16–18: 1 July 1990Remainder: Royal Assent | — |
| Prime Minister and Cabinet Legislation Amendment Act 1991 | 199, 1991 | 18 Dec 1991 | 18 Dec 1991 | — |
| Qantas Sale Act 1992 | 196, 1992 | 21 Dec 1992 | Schedule (Part 1): 10 Mar 1993 (*see Gazette* 1993, No. GN17) *(l)*Schedule (Part 5): 30 Aug 1995 (*see Gazette* 1995, No. S324) *(l)* | s. 2(6) (am. by 60, 1993, s.4; 168, 1994, s. 3) |
| as amended by |  |  |  |  |
| Qantas Sale Amendment Act 1993 | 60, 1993 | 3 Nov 1993 | 10 Mar 1993 | — |
| Qantas Sale Amendment Act 1994 | 168, 1994 | 16 Dec 1994 | s. 3 (item 17): Royal Assent *(m)* | — |
| Defence Legislation Amendment Act 1995 | 43, 1995 | 15 June 1995 | Schedule 5: 1 Nov 1995 (*see Gazette* 1995, No. S361) *(n)*  | — |
| Workplace Relations and Other Legislation Amendment Act 1996  | 60, 1996 | 25 Nov 1996 | Schedule 19 (item 32): Royal Assent *(o)* | s. 2(2) and (6) (am. by 77, 1996, Sch. 3 [items 1, 2]) |
| as amended by |  |  |  |  |
| Workplace Relations and Other Legislation Amendment Act (No. 2) 1996 | 77, 1996 | 19 Dec 1996 | Schedule 3 (items 1, 2): *(p)* | — |
| Defence Legislation Amendment Act (No. 1) 1997 | 1, 1997 | 19 Feb 1997 | Schedule 1 (items 14–20) and Schedule 3 (items 3, 4): 30 Apr 1997 (*see Gazette* 1997, No. S91) *(q)*Schedule 2 (items 29–46): Royal Assent *(q)* | — |
| Defence Legislation Amendment Act (No. 1) 1999 | 116, 1999 | 22 Sept 1999 | Schedule 2 (items 13–24): 22 Mar 2000 *(r)*Schedule 3 (item 2): Royal Assent *(r)* | Sch 2 (item 24) |
| Public Employment (Consequential and Transitional) Amendment Act 1999 | 146, 1999 | 11 Nov 1999 | Schedule 1 (items 687–691): 5 Dec 1999 (*see Gazette* 1999, No. S584) *(s)* | — |
| Defence Legislation Amendment (Flexible Career Practices) Act 2000 | 113, 2000 | 5 Sept 2000 | 5 Mar 2001 | s 4 |
| Defence Legislation Amendment (Aid to Civilian Authorities) Act 2000 | 119, 2000 | 12 Sept 2000 | 12 Sept 2000 | — |
| Defence Legislation Amendment (Enhancement of the Reserves and Modernisation) Act 2001 | 10, 2001 | 22 Mar 2001  | Schedule 2 (items 12–15, 19, 27–31, 67, 68, 75–77): 22 Mar 2002Schedule 3: 19 Apr 2001 (*see* s. 2(4))Schedule 4: Royal AssentRemainder: 19 Apr 2001 | Sch 2 (items 91–95) |
| Defence Legislation Amendment (Application of Criminal Code) Act 2001 | 141, 2001 | 1 Oct 2001 | s. 4: Royal AssentSchedule 1 (items 107–109): 15 Dec 2001 | s 4 and Sch 1 (item 109)s. 2(2) (am. by 135, 2003, Sch. 2 [item 28]) |
| **as amended by** |  |  |  |  |
| Defence Legislation Amendment Act 2003 | 135, 2003 | 17 Dec 2003 | Schedule 2 (item 28): *(t)* | — |
| Defence Legislation Amendment Act 2003 | 135, 2003 | 17 Dec 2003 | Schedule 2 (items 33–38): 17 June 2004 | Sch 2 (item 38) |
| Defence Legislation Amendment Act (No. 1) 2005 | 121, 2005 | 6 Oct 2005 | Schedule 5: *(u)*Remainder: Royal Assent | — |
| Defence Legislation Amendment (Aid to Civilian Authorities) Act 2006 | 3, 2006 | 1 Mar 2006 | 2 Mar 2006 | — |
| Fair Work (State Referral and Consequential and Other Amendments) Act 2009 | 54, 2009 | 25 June 2009 | Sch 7:1 July 2009 (s 2(1) item 23) | Sch 7 (items 6, 7) |
| as amended by |  |  |  |  |
| Fair Work (State Referral and Consequential and Other Amendments) Regulations 2009 | SLI No. 165, 2009  | 30 June 2009 (F2009L02568) | Sch 2 (items 2, 3): 1 July 2009 (r 2) | — |
| as amended by |  |  |  |  |
| Fair Work Legislation Amendment Regulations 2009 (No. 2) | SLI No. 364, 2009 | 16 Dec 2009 (F2009L04520) | Sch 1 (item 5): 1 July 2009 (r 2(a))  | — |
| Defence Legislation Amendment Act 2011 | 183, 2011 | 6 Dec 2011 | Schedule 1 (items 36–52): 1 Mar 2012 (*see* F2012L00395) | Sch 1 (item 42) |
| Defence Legislation Amendment (Superannuation and ADF Cover) Act 2015 | 120, 2015 | 10 Sept 2015 | Sch 2 (items 6, 7): 1 July 2016 (s 2(1) item 3(b)) | — |
| Defence Legislation Amendment (First Principles) Act 2015 | 164, 2015 | 2 Dec 2015 | Sch 3 (item 2): 1 July 2016 (s 2(1) item 2) | — |
| Statute Law Revision Act (No. 1) 2016 | 4, 2016 | 11 Feb 2016 | Sch 4 (items 1, 222): 10 Mar 2016 (s 2(1) item 6) | — |

| Name | Registration | Commencement | Application, saving and transitional provisions |
| --- | --- | --- | --- |
| Workplace Relations Amendment (Work Choices) (Consequential Amendments) Regulations 2006 (No. 1) (SLI No. 50, 2006) | 17 Mar 2006 (F2006L00820) | Sch 54: 27 Mar 2006 (r 2(b)) | — |

*(a)* The *Naval Defence Act 1910* was amended by sections 62–89 only of the *Defence Force Re‑Organization Act 1975*, section 2 of which provides as follows:

 2 This Part shall come into operation on the day on which this Act receives the Royal Assent, and the remaining provisions of this Act shall come into operation on such date as is, or such respective dates as are, fixed by Proclamation.

*(b)* The *Naval Defence Act 1910* was amended by Part XV (sections 61–72) only of the *Statute Law Revision Act 1981*, subsection 2(2) of which provides as follows:

 (2) Parts III, X and XV and section 116 shall come into operation on a date to be fixed by Proclamation.

*(c)* The *Naval Defence Act 1910* was amended by Part LXXVII (section 280) only of the *Statute Law (Miscellaneous Amendments) Act (No. 2) 1982*, subsection 2(1) of which provides as follows:

 (1) Sections 1, 2, 166 and 195 and Parts III, VI, VII, XVI, XXXVI, XLIV, LI, LIII, LIV, LXI and LXXVII shall come into operation on the day on which this Act receives the Royal Assent.

*(d)* The *Naval Defence Act 1910* was amended by section 3 only of the *Statute Law (Miscellaneous Provisions) Act (No. 1) 1983*, subsection 2(1) of which provides as follows:

 (1) Subject to this section, this Act shall come into operation on the twenty‑eighth day after the day on which it receives the Royal Assent.

*(e)* The *Naval Defence Act 1910* was amended by section 41 only of the *Conciliation and Arbitration Amendment Act (No. 2) 1983*, subsection 2(2) of which provides as follows:

 (2) Sections 3, 6, 7, 8, 9, 10, 12, 14 and 16, subsection 22(3) and sections 27, 39, 40, 41 and 43 shall come into operation on a date, or respective dates, to be fixed by Proclamation.

*(f)* The *Naval Defence Act 1910* was amended by section 3 only of the *Statute Law (Miscellaneous Provisions) Act (No. 2) 1984*, subsection 2(1) of which provides as follows:

 (1) Subject to this section, this Act shall come into operation on the twenty‑eighth day after the day on which it receives the Royal Assent.

*(g)* The *Naval Defence Act 1910* was amended by section 3 only of the *Statute Law (Miscellaneous Provisions) Act (No. 1) 1985*, subsection 2(1) of which provides as follows:

 (1) Subject to this section, this Act shall come into operation on the twenty‑eighth day after the day on which it receives the Royal Assent.

*(h)* The *Naval Defence Act 1910* was amended by section 3 only of the *Statute Law (Miscellaneous Provisions) Act (No. 1) 1986*, subsection 2(1) of which provides as follows:

 (1) Subject to this section, this Act shall come into operation on the day on which it receives the Royal Assent.

*(j)* The *Naval Defence Act 1910* was amended by sections 58–70 only of the *Defence Legislation Amendment Act 1987*, subsections 2(1) and (6) of which provide as follows:

 (1) Sections 1, 2, 3, 9 and 10, subsection 13(1), sections 23, 24 and 25, subsection 26 (1), sections 27, 29, 31, 33, 34, 35, 36, 42, 43, 44, 45, 52, 53, 54, 55 and 58, subsection 61(1), section 62, subsection 69(1) and Parts IX and X shall come into operation on the day on which this Act receives the Royal Assent.

 (6) The remaining provisions of this Act shall come into operation on such day as is, or on such respective days as are, fixed by Proclamation.

*(k)* The *Naval Defence Act 1910* was amended by section 3 only of the *Defence Legislation Amendment Act 1990*, subsections 2(1) and (2) of which provide as follows:

 (1) Subject to this section, this Act commences on the day on which it receives the Royal Assent.

 (2) Subject to subsection (3), the amendment of section 9, and the repeal of sections 32C and 33, of the *Defence Act 1903*, and the repeal of section 23 of the *Naval Defence Act 1910*, made by section 3 commence on a day to be fixed by Proclamation.

 In pursuance of section 2(2) the date of commencement for the repeal of section 23 was 15 December 1990 (*see Gazette* 1990, No. S312).

*(l)* The *Naval Defence Act 1910* was amended by Schedule (Parts 1 and 5) only of the *Qantas Sale Act 1992*, subsections 2(2), (3)(a) and (c) of which provide as follows:

 (2) Subject to subsection (3), the remaining provisions of this Act commence on a day or days to be fixed by Proclamation.

 (3) A Proclamation may fix a day that is earlier than the day on which the Proclamation is published in the *Gazette* but only if:

 (a) in the case of sections 30, 31, 35, 37, 39, 43 and 50 and Parts 1 and 2 of the Schedule—the day is not earlier than the substantial minority sale day; and

 (c) in the case of sections 25, 36, 38, 44 and 51 and Parts 5, 6 and 7 of the Schedule—the day is not earlier than the 100% sale day.

*(m*) The *Qantas Sale Act 1992* was amended by section 3 (item 17) only of the *Qantas Sale Amendment Act 1994*, subsection 2(1) of which provides as follows:

 (1) Subject to this section, this Act commences on the day on which it receives the Royal Assent.

*(n)* The *Naval Defence Act 1910* was amended by Schedule 5 only of the *Defence Legislation Amendment Act 1995*, subsection 2(2) of which provides as follows:

 (2) Schedule 1 (except items 3 and 11.3), items 29 and 30 of Schedule 2, and Schedule 5 commence on a day to be fixed by Proclamation.

*(o)* The *Naval Defence Act 1910* was amended by Schedule 19 (item 32) only of the *Workplace Relations and Other Legislation Amendment Act 1996*, subsection 2(1) of which provides as follows:

 (1) Subject to this section, this Act commences on the day on which it receives the Royal Assent.

*(p)* The *Workplace Relations and Other Legislation Amendment Act 1996* was amended by Schedule 3 (items 1 and 2) only of the *Workplace Relations and Other Legislation Amendment Act (No. 2) 1996*, subsection 2(4) of which provides as follows:

 (4) The items of Schedule 3 are taken to have commenced immediately after the *Workplace Relations and Other Legislation Amendment Act 1996* received the Royal Assent.

 The *Workplace Relations and Other Legislation Amendment Act 1996* received the Royal Assent on 25 November 1996.

*(q)* The *Naval Defence Act 1910* was amended by Schedule 1 (items 14–20), Schedule 3 (items 3 and 4) and Schedule 2 (items 29–46) only of the *Defence Legislation Amendment Act (No. 1) 1997*, subsections 2(1) and (2) of which provide as follows:

 (1) Subject to subsections (2) and (3), this Act commences on the day on which it receives the Royal Assent.

 (2) Subject to subsection (3), Schedules 1 and 3 commence on a day or days to be fixed by Proclamation.

*(r)* The *Naval Defence Act 1910* was amended by Schedule 2 (items 13–23) and Schedule 3 (item 2) only of the *Defence Legislation Amendment Act (No. 1) 1999*, subsections 2(1)–(3) of which provide as follows:

 (1) Subject to this section, this Act commences on the day on which it receives the Royal Assent.

 (2) Subject to subsection (3), the items in Schedules 1 and 2 commence on a day or days to be fixed by Proclamation.

 (3) If an item in Schedule 1 or 2 does not commence under subsection (2) within the period of 6 months beginning on the day on which this Act receives the Royal Assent, it commences on the first day after the end of that period.

*(s)* The *Naval Defence Act 1910* was amended by Schedule 1 (items 687–691) only of the *Public Employment (Consequential and Transitional) Amendment Act 1999*, subsections 2(1) and (2) of which provide as follows:

 (1) In this Act, ***commencing time*** means the time when the *Public Service Act 1999* commences.

 (2) Subject to this section, this Act commences at the commencing time.

*(t)* Subsection 2(1) (item 9) of the *Defence Legislation Amendment Act 2003* provides as follows:

 (1) Each provision of this Act specified in column 1 of the table commences, or is taken to have commenced, on the day or at the time specified in column 2 of the table.

| **Commencement information** |
| --- |
| **Column 1** | **Column 2** | **Column 3** |
| **Provision(s)** | **Commencement** | **Date/Details** |
| 9. Schedule 2, item 28 | Immediately after the commencement of section 2 of the *Defence Legislation Amendment (Application of Criminal Code) Act 2001* | 1 October 2001 |

*(u)* Subsection 2(1) (item 3) of the *Defence Legislation Amendment Act (No. 1) 2005* provides as follows:

 (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.

| **Provision(s)** | **Commencement** | **Date/Details** |
| --- | --- | --- |
| 3. Schedule 5 | Immediately after the commencement of section 3 of the *Legislative Instruments Act 2003*. | 1 January 2005 |

Endnote 4—Amendment history

| Provision affected | How affected |
| --- | --- |
| **Part I** |  |
| s. 2  | am. No. 14, 1952 |
|  | rs. No. 93, 1964 |
|  | am. No. 24, 1968 |
|  | rep. No. 216, 1973 |
| s. 3  | am. No. 45, 1918; No. 14, 1952 |
|  | rs. No. 93, 1964 |
|  | am. No. 216, 1973; No. 96, 1975; No. 133, 1979; No. 153,1982; No. 65, 1987; No. 104, 1988 |
| s. 4  | rep. No. 93, 1964 |
| s. 5  | am. No. 45, 1918; No. 14, 1952 |
|  | rs. No. 93, 1964 |
|  | am. No. 53, 1965; No. 96, 1975; No. 133, 1979 |
|  | rep. No. 153, 1982 |
| s. 5A  | ad. No. 93, 1964 |
|  | am. No. 216, 1973 |
| s. 5B  | ad. No. 141, 2001 |
| s. 7  | rep. No. 96, 1975 |
| Part II  | rep. No. 10, 2001 |
| Heading to Div. 1 of Part II  | ad. No. 43, 1995 |
|  | rep. No. 10, 2001 |
| s. 8  | am. No. 45, 1918 |
|  | rs. No. 93, 1964 |
|  | am. No. 96, 1975; No. 133, 1979; No. 39, 1983 |
|  | rep. No. 10, 2001 |
| s. 9  | rs. No. 93, 1964; No. 53, 1965 |
|  | am. No. 96, 1975; No. 61, 1981; No. 39, 1983; No. 65, 1987; No. 43, 1995 |
|  | rep. No. 10, 2001 |
| s. 10  | rs. No. 93, 1964 |
|  | am. No. 216, 1973 |
|  | rep. No. 153, 1982 |
| s. 11  | am. No. 45, 1918 |
|  | rs. No. 93, 1964 |
|  | am. No. 96, 1975 |
|  | rs. No. 39, 1983 |
|  | am. No. 1, 1997; No. 113, 2000 |
|  | rep. No. 10, 2001 |
| Heading to s. 12  | rs. No. 43, 1995 |
|  | rep. No. 10, 2001 |
| s. 12  | rs. No. 93, 1964 |
|  | am. No. 76, 1986; No. 43, 1995; No. 1, 1997 |
|  | rep. No. 10, 2001 |
| s. 13  | rs. No. 93, 1964; No. 96, 1975 |
|  | am. No. 133, 1979; No. 39, 1983; No. 65, 1987; Nos. 100 and 104, 1988; No. 1, 1997; No. 113, 2000 |
|  | rep. No. 10, 2001 |
| s. 13A  | ad. No. 43, 1995 |
|  | am. No. 1, 1997; No. 116, 1999; No. 113, 2000 |
|  | rep. No. 10, 2001 |
| Heading to Div. 2 of Part II  | ad. No. 43, 1995 |
|  | rep. No. 10, 2001 |
| s. 13B  | ad. No. 43, 1995 |
|  | am. No. 1, 1997 |
|  | rep. No. 10, 2001 |
| s. 13C  | ad. No. 43, 1995 |
|  | am. No. 116, 1999 |
|  | rep. No. 10, 2001 |
| s. 13D  | ad. No. 43, 1995 |
|  | rep. No. 10, 2001 |
| s. 13E  | ad. No. 43, 1995 |
|  | rep. No. 10, 2001 |
| Heading to s. 13F  | am. No. 116, 1999 |
|  | rep. No. 10, 2001 |
| s. 13F  | ad. No. 43, 1995 |
|  | am. No. 116, 1999 |
|  | rep. No. 10, 2001 |
| s. 13G  | ad. No. 43, 1995 |
|  | rep. No. 10, 2001 |
| s. 13H  | ad. No. 43, 1995 |
|  | am. No. 1, 1997 |
|  | rep. No. 10, 2001 |
| s. 13J  | ad. No. 43, 1995 |
|  | rep. No. 10, 2001 |
| s. 13K  | ad. No. 43, 1995 |
|  | am. No. 1, 1997; No. 116, 1999 |
|  | rep. No. 10, 2001 |
| Heading to s. 13L  | am. No. 116, 1999 |
|  | rep. No. 10, 2001 |
| s. 13L  | ad. No. 43, 1995 |
|  | am. No. 1, 1997; No. 116, 1999 |
|  | rep. No. 10, 2001 |
| s. 13M  | ad. No. 43, 1995 |
|  | am. No. 1, 1997 |
|  | rs. No. 116, 1999 |
|  | rep. No. 10, 2001 |
| s. 13N  | ad. No. 43, 1995 |
|  | rep. No. 10, 2001 |
| s. 14  | am. No. 45, 1918 |
|  | rs. No. 93, 1964 |
|  | am. No. 216, 1973; No. 96, 1975 |
|  | rep. No. 75, 1990 |
| ss. 15, 16  | rep. No. 93, 1964 |
| Heading to s. 17  | rs. No. 43, 1995 |
|  | rep. No. 10, 2001 |
| s. 17  | am. No. 216, 1973; No. 96, 1975; No. 133, 1979; No. 39, 1983; No. 43, 1995 |
|  | rep. No. 10, 2001 |
| s. 17A  | ad. No. 96, 1975 |
|  | am. No. 61, 1981; No. 39, 1983; No. 1, 1997 |
|  | rep. No. 10, 2001 |
| Div. 2A of Part II  | ad. No. 1, 1997 |
|  | rep. No. 10, 2001 |
| s. 17B  | ad. No. 1, 1997 |
|  | am. No. 113, 2000 |
|  | rep. No. 10, 2001 |
| Div. 3 of Part II  | ad. No. 43, 1995 |
|  | rep. No. 10, 2001 |
| s. 18  | am. No. 216, 1973; No. 96, 1975 |
|  | rep. No. 65, 1987 |
|  | ad. No. 43, 1995 |
|  | rep. No. 10, 2001 |
| **Part III** |  |
| Heading to Part III  | am. No. 96, 1975 |
| s. 19  | rs. No. 93, 1964 |
|  | am. No. 96, 1975; No. 133, 1979; No. 61, 1981 |
|  | rs. No. 10, 2001 |
| s. 20  | rs. No. 93, 1964 |
|  | am. No. 216, 1973 |
|  | rs. No. 65, 1987 |
|  | am. No. 1, 1997 |
|  | rs. No. 10, 2001 |
| s. 21  | am. No. 21, 1912; No. 14, 1952 |
|  | rs. No. 93, 1964 |
|  | am. No. 216, 1973; No. 61, 1981 |
|  | rs. No. 65, 1987 |
|  | am. No. 1, 1997 |
|  | rs. No. 10, 2001 |
| s. 22  | rs. No. 93, 1964 |
|  | am. No. 216, 1973 |
|  | rs. No. 61, 1981; No. 65, 1987 |
|  | am. No. 1, 1997 |
|  | rep. No. 10, 2001 |
| s. 23  | rep. No. 45, 1934 |
|  | ad. No. 93, 1964 |
|  | am. No. 96, 1975 |
|  | rep. No. 75, 1990 |
| s. 24  | am. No. 14, 1952 |
|  | rs. No. 93, 1964; No. 53, 1965 |
|  | am. No. 96, 1975; No. 133, 1979 |
| s. 24A  | ad. No. 14, 1952 |
|  | am. No. 216, 1973 |
|  | rep. No. 96, 1975 |
| s. 25  | rs. No. 93, 1964 |
|  | am. No. 216, 1973; No. 96, 1975; No. 39, 1983 |
|  | rs. No. 65, 1987 |
|  | rep. No. 10, 2001 |
| s. 25A  | ad. No. 16, 1911 |
|  | rep. No. 96, 1975 |
| s. 26  | rs. No. 93, 1964 |
|  | am. No. 96, 1975 |
|  | rs. No. 65, 1987 |
|  | rep. No. 10, 2001 |
| s. 26A  | ad. No. 113, 2000 |
|  | rep. No. 10, 2001 |
| s. 27  | am. No. 216, 1973 |
|  | rep. No. 96, 1975 |
|  | ad. No. 65, 1987 |
|  | rep. No. 10, 2001 |
| s. 28  | am. No. 45, 1918 |
|  | rs. No. 93, 1964; No. 53, 1965 |
|  | am. No. 216, 1973; No. 96, 1975; No. 133, 1979; No. 61, 1981 |
|  | rs. No. 65, 1987 |
|  | am. No. 100, 1988; No. 75, 1990; No. 1, 1997 |
|  | rep. No. 10, 2001 |
| s. 29  | am. No. 14, 1952 |
|  | rs. No. 93, 1964 |
|  | am. No. 216, 1973; No. 133, 1979; No. 61, 1981 |
|  | rs. No. 65, 1987 |
|  | rep. No. 10, 2001 |
| s. 29A  | ad. No. 65, 1987 |
|  | rep. No. 10, 2001 |
| s. 30  | rs. No. 53, 1965 |
|  | am. No. 216, 1973; No. 96, 1975; No. 39, 1983; No. 65, 1987; No. 1, 1997 |
|  | rep. No. 10, 2001 |
| s. 30A  | ad. No. 1, 1997 |
|  | rep. No. 10, 2001 |
| **Part IV** |  |
| Heading to Part IV  | am. No. 96, 1975 |
| Heading to s. 31  | am. No. 10, 2001 |
| s. 31  | rs. No. 93, 1964; No. 53, 1965 |
|  | am. No. 216, 1973 |
|  | rs. No. 61, 1981 |
|  | am. No. 10, 2001 |
| s. 32  | am. No. 14, 1952 |
|  | rs. No. 93, 1964 |
|  | am. No. 133, 1979; No. 61, 1981; No. 164, 1984 |
|  | rs. No. 65, 1987 |
|  | am. No. 1, 1997; No. 119, 2000 |
|  | rep. No. 10, 2001 |
|  | ad No 120, 2015 |
| s. 32AA  | ad. No. 164, 1984 |
|  | am. No. 1, 1997 |
|  | rep. No. 10, 2001 |
| Heading to s. 32A  | am. No. 10, 2001 |
| s. 32A  | ad. No. 93, 1964 |
|  | am. No. 96, 1975; No. 61, 1981; No. 164, 1984; No. 65, 1987; No. 1, 1997; No. 119, 2000; No. 10, 2001; No. 3, 2006 |
| s. 33  | rs. No. 216, 1973 |
|  | am. No. 96, 1975 |
| s. 34  | rs. No. 93, 1964 |
|  | am. No. 216, 1973; No. 96, 1975 |
|  | rep. No. 153, 1982 |
| s. 35  | rep. No. 93, 1964 |
| s. 36  | am. No. 21, 1912 |
|  | rep. No. 93, 1964 |
| s. 37  | rs. No. 16, 1911 |
|  | am. No. 21, 1912 |
|  | rep. No. 93, 1964 |
| **Part V** |  |
| Part V  | rs. No. 14, 1952; No. 14, 1971 |
| Heading to s. 38  | am. No. 135, 2003 |
| Subheads. to s. 38(2), (3)  | ad. No. 183, 2011 |
| Subhead. to s. 38(5)  | ad. No. 183, 2011 |
| s. 38  | rs. No. 14, 1952; No. 14, 1971 |
|  | am. No. 96, 1975; No. 133, 1979; No. 135, 2003; No. 121, 2005; No. 183, 2011 |
| Heading to s. 39  | am. No. 135, 2003 |
| s. 39  | rs. No. 14, 1952; No. 14, 1971; No. 96, 1975 |
|  | am. No. 133, 1979; No. 1, 1997; No. 135, 2003; No. 183, 2011 |
| **Part VI** |  |
| Heading to Part VI  | rs. No. 24, 1968 |
| s. 40  | rep. No. 14, 1952 |
|  | ad. No. 24, 1968 |
|  | rs. No. 96, 1975 |
|  | am. No. 101, 1988; No. 196, 1992; No. 146, 1999; SLI 2006 No. 50; No. 54, 2009 |
| ss. 40A, 40B  | ad. No. 21, 1912 |
|  | rep. No. 14, 1952 |
| s. 41  | am. No. 35, 1948; No. 24, 1968; No. 96, 1975; No. 104, 1988 |
|  | rep. No. 21, 1991 |
| s. 42  | rep. No. 93, 1964 |
|  | ad. No. 24, 1968 |
|  | am. No. 96, 1975; No. 133, 1979; No. 146, 1999 |
| s. 42A  | ad. No. 24, 1968 |
|  | am. No. 96, 1975; No. 133, 1979; No. 115, 1983; Nos. 87 and 104, 1988; No. 199, 1991; No. 60, 1996; No. 121, 2005; No. 54, 2009 |
| s. 42B  | ad. No. 24, 1968 |
|  | am. No. 216, 1973; No. 96, 1975; No. 133, 1979 |
|  | rep. No. 65, 1985 |
| s. 42C  | ad. No. 24, 1968 |
|  | am. No. 96, 1975; No. 133, 1979; No. 80, 1982; No. 146, 1999 |
| s. 42D  | ad. No. 24, 1968 |
|  | rep. No. 216, 1973 |
|  | ad. No. 101, 1988 |
|  | am. SLI 2006 No. 50; No. 54, 2009 |
| s. 42E  | ad. No. 24, 1968 |
|  | am. No. 96, 1975 |
|  | rep. No. 39, 1983 |
| s. 43  | rs. No. 93, 1964 |
|  | am. No. 96, 1975; No. 133, 1979 |
|  | rep. No. 65, 1987 |
| s. 44  | rs. No. 93, 1964 |
|  | am. No. 96, 1975 |
|  | rep. No. 153, 1982 |
| s. 44A  | ad. No. 16, 1911 |
|  | rs. No. 93, 1964 |
|  | rep. No. 153, 1982 |
| **Part VII** |  |
| Subhead. to s. 44B(3)  | ad. No. 183, 2011 |
| Subheads. to s. 44B(4), (5)  | ad. No. 183, 2011 |
| Subhead. to s. 44B(10)  | ad. No. 183, 2011 |
| s. 44B  | ad. No. 16, 1911 |
|  | am. No. 21, 1912 |
|  | rep. No. 93, 1964 |
|  | ad. No. 39, 1983 |
|  | am. No. 164, 1984; No. 76, 1986; No. 65, 1987; No. 1, 1997; No. 116, 1999; No. 10, 2001; No. 183, 2011; No 120, 2015 |
| s. 44C  | ad. No. 72, 1949 |
|  | rep. No. 216, 1973 |
| s. 44D  | ad. No. 14, 1952 |
|  | am. No. 93, 1966; No. 216, 1973 |
|  | rs. No. 96, 1975 |
|  | rep. No. 165, 1984 |
| Heading to s. 44E  | am. No. 135, 2003 |
| s. 44E  | ad. No. 14, 1952 |
|  | am. No. 93, 1966; No. 96, 1975; No. 133, 1979 |
|  | rs. No. 141, 2001 |
|  | am. No. 135, 2003; No 4, 2016 |
| s. 45  | am. No. 72, 1949; No. 14, 1952; No. 93, 1966; No. 216, 1973; No. 96, 1975; No. 153, 1982; No. 39, 1983; No. 165, 1984 |
| The First and Second Schedules | rep. No. 93, 1964 |
| The Schedule  | ad. No. 93, 1964 |
|  | am. No. 216, 1973 |
|  | rep. No. 65, 1987 |