



Abolition of Compulsory Age Retirement (Statutory Officeholders) Act 2001

No. 159, 2001



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**An Act to abolish compulsory age retirement for
certain statutory officeholders, and for other
purposes**

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Abolition of Compulsory Age Retirement (Statutory Officeholders) Act 2001

No. 159, 2001

An Act to abolish compulsory age retirement for certain statutory officeholders, and for other purposes

[Assented to 1 October 2001]

The Parliament of Australia enacts:

1 Short title

This Act may be cited as the *Abolition of Compulsory Age Retirement (Statutory Officeholders) Act 2001*.

2 Commencement

- (1) Subject to this section, this Act commences on the 28th day after the day on which it receives the Royal Assent.
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- (2) If section 4 of the *Administrative Review Tribunal (Consequential and Transitional Provisions) Act 2001* has commenced before the 28th day after the day on which this Act receives the Royal Assent, items 6, 7 and 8 of Schedule 1 to this Act do not commence at all.
- (3) If section 59 of the *Snowy Hydro Corporatisation Act 1997* has commenced before the 28th day after the day on which this Act receives the Royal Assent, item 86 of Schedule 1 to this Act does not commence at all.

3 Schedule(s)

Subject to section 2, each Act that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

Schedule 1—Abolition of compulsory age retirement

Part 1—Amendments

Aboriginal and Torres Strait Islander Commission Act 1989

1 Subsection 47(3)

Repeal the subsection.

2 Subsection 77A(3)

Repeal the subsection.

3 Subsection 144H(3)

Repeal the subsection.

4 Subsection 159(2)

Repeal the subsection.

5 Subsection 169(2)

Repeal the subsection.

Administrative Appeals Tribunal Act 1975

6 Subsection 8(4)

Repeal the subsection.

7 Subsection 8(6)

Repeal the subsection.

8 Subsections 24F(2) and (3)

Repeal the subsections.

Australia Council Act 1975

9 Subsection 11(4A)

Repeal the subsection.

10 Subsection 19B(2)

Repeal the subsection.

Australian Bureau of Statistics Act 1975

11 Subsection 7(2)

Repeal the subsection.

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

12 Subsection 36(3)

Repeal the subsection.

*Australian Centre for International Agricultural Research
Act 1982*

13 Subsection 25(2)

Repeal the subsection.

Australian Film, Television and Radio School Act 1973

14 Section 32

Repeal the section.

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

15 Subsection 25(2)

Repeal the subsection.

Australian Institute of Health and Welfare Act 1987

16 Subsection 8(6)

Repeal the subsection.

Australian Institute of Marine Science Act 1972

17 Subsection 22(2)

Repeal the subsection.

18 Subsection 30(1)

Omit “who has not attained the age of 65 years”.

19 Subsection 30(5)

Omit “attains the age of 65 years or”.

Australian National Maritime Museum Act 1990

20 Subsection 30(2)

Repeal the subsection.

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

21 Subsection 9(4)

Repeal the subsection.

22 Subsection 18(2)

Repeal the subsection.

Australian Securities and Investments Commission Act 2001

23 Subsections 108(2) and (3)

Repeal the subsections.

24 Subsections 175(2) and (3)

Repeal the subsections.

Australian Security Intelligence Organisation Act 1979

25 Subsection 9(1)

Omit “to this section and”.

26 Subsection 9(2)

Repeal the subsection.

Australian Sports Commission Act 1989

27 Subsection 28(2)

Repeal the subsection.

28 Subsection 30(2)

Repeal the subsection.

Australian Sports Drug Agency Act 1990

29 Subsection 20(3)

Repeal the subsection.

Australian Tourist Commission Act 1987

30 Subsection 32(3)

Repeal the subsection.

31 Subsection 33(2)

Repeal the subsection.

Australian Trade Commission Act 1985

32 Subsection 51(4)

Repeal the subsection.

Australian War Memorial Act 1980

33 Subsection 21(2)

Repeal the subsection.

Australian Wine and Brandy Corporation Act 1980

34 Subsections 14(3) and (4)

Repeal the subsections.

Commonwealth Electoral Act 1918

35 Subsection 21(3)

Repeal the subsection.

Criminology Research Act 1971

36 Subsections 17(2) and (3)

Repeal the subsections.

Customs Administration Act 1985

37 Subsection 6(2)

Repeal the subsection.

Defence Force Discipline Act 1982

38 Subsection 183(2)

Repeal the subsection.

Defence Force Retirement and Death Benefits Act 1973

39 Subsection 8(4)

Repeal the subsection.

40 Subsection 9(6)

Repeal the subsection.

Defence Housing Authority Act 1987

41 Subsection 14(3)

Repeal the subsection.

42 Subsection 15(3)

Repeal the subsection.

43 Subsection 47(2)

Repeal the subsection.

44 Subsection 48(2)

Repeal the subsection.

Development Allowance Authority Act 1992

45 Section 100

Repeal the section.

Director of Public Prosecutions Act 1983

46 Subsection 18(4)

Repeal the subsection.

47 Subsection 18A(4)

Repeal the subsection.

Equal Opportunity for Women in the Workplace Act 1999

48 Subsection 20(2)

Repeal the subsection.

Export Finance and Insurance Corporation Act 1991

49 Subsection 35(2)

Omit “Subject to subsection 36(2), the”, substitute “The”.

50 Subsections 36(1) and (2)

Repeal the subsections.

Note: The heading to section 36 is replaced by the heading “**Terms and conditions of appointment**”.

51 Section 76

Repeal the section.

Family Law Act 1975

52 Subsection 26H(2)

Repeal the subsection.

53 Subparagraph 26I(1)(b)(ii)

Omit “on a part time basis”.

54 Subsection 26I(2)

Repeal the subsection.

55 Subsections 38F(2) and (3)

Repeal the subsections.

56 Subsection 114E(2)

Repeal the subsection.

Federal Court of Australia Act 1976

57 Subsections 18F(2) and (3)

Repeal the subsections.

58 Subsection 37D(2)

Repeal the subsection.

Great Barrier Reef Marine Park Act 1975

59 Subsection 11(1)

Omit “Subject to subsection (2), a”, substitute “A”.

60 Subsection 11(2)

Repeal the subsection.

Health Insurance Commission Act 1973

61 Subsection 21(4)

Repeal the subsection.

High Court of Australia Act 1979

62 Subsection 20(2)

Repeal the subsection.

Industrial Chemicals (Notification and Assessment) Act 1989

63 Subsection 92(2)

Repeal the subsection.

Inspector-General of Intelligence and Security Act 1986

64 Subsection 26(5)

Repeal the subsection.

Maritime College Act 1978

65 Subsection 26(4)

Omit “Subject to subsection (5), the”, substitute “The”.

66 Subsection 26(5)

Repeal the subsection.

National Crime Authority Act 1984

67 Subsections 37(2) and (3)

Repeal the subsections.

National Gallery Act 1975

68 Subsection 26(3)

Repeal the subsection.

National Health Act 1953

69 Section 82PH(4)

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

70 Subsections 82PH(5) and (6)

Repeal the subsections.

National Library Act 1960

71 Subsection 17A(2)

Repeal the subsection.

National Measurement Act 1960

72 Subsection 18AI(2)

Repeal the subsection.

National Museum of Australia Act 1980

73 Subsection 24(2)

Repeal the subsection.

*National Occupational Health and Safety Commission Act
1985*

74 Subsection 10(6)

Repeal the subsection.

75 Subsection 31(3)

Repeal the subsection.

Native Title Act 1993

76 Subsection 101(2)

Repeal the subsection.

Nuclear Non-Proliferation (Safeguards) Act 1987

77 Subsection 42(4)

Repeal the subsection.

Office of National Assessments Act 1977

78 Subsection 11(1)

Omit “to this section and”.

79 Subsection 11(2)

Repeal the subsection.

Ombudsman Act 1976

80 Subsection 22(2)

Repeal the subsection.

Parliamentary Counsel Act 1970

81 Subsection 5(2)

Repeal the subsection.

Privacy Act 1988

82 Subsection 20(1)

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

83 Subsection 20(2)

Repeal the subsection.

84 Subsections 82(8) and (9)

Repeal the subsections.

Science and Industry Research Act 1949

85 Subsection 10B(3)

Repeal the subsection.

Snowy Mountains Hydro-Electric Power Act 1949

86 Subsection 9(4)

Repeal the subsection.

Special Prosecutors Act 1982

87 Subsection 10(1)

Omit “Subject to this section, a”, substitute “A”.

88 Subsection 10(2)

Repeal the subsection.

Superannuation Act 1976

89 Subsection 18(4)

Repeal the subsection.

Taxation Administration Act 1953

90 Subsection 5(1)

Omit “, subject to subsection (2),”.

91 Subsection 5(2)

Repeal the subsection.

Veterans’ Entitlements Act 1986

92 Subsection 159(2)

Repeal the subsection.

93 Subsection 159(2A)

Repeal the subsection.

94 Subsection 182(6)

Repeal the subsection.

War Graves Act 1980

95 Subsection 5(3)

Schedule 1 Abolition of compulsory age retirement
Part 1 Amendments

Repeal the subsection.

Workplace Relations Act 1996

96 Subsection 68(2)

Repeal the subsection.

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Part 2—Application of amendments

97 Application of amendments

The amendments made by this Schedule do not apply to an appointment if the term of the appointment began before the commencement of this item.

*[Minister's second reading speech made in—
House of Representatives on 29 August 2001
Senate on 26 September 2001]*

(167/01)