****

**Statute Law Revision Act 1981**

**No. 61 of 1981**

**TABLE OF PROVISIONS**

**PART I—PRELIMINARY**

Section

1. Short title

2. Commencement

**PART II—AMENDMENT OF THE ADMINISTRATIVE APPEALS TRIBUNAL ACT 1975**

3. Principal Act

4. Schedule

**PART III—AMENDMENTS OF THE AIR FORCE ACT 1923**

5. Principal Act

6. Australian Air Force

7. Permanent Air Force

8. Air Force Emergency Force

9. Repeal of section 4d and substitution of new section—

4d. Australian Air Force Reserve

10. Service of the Permanent Air Force

11. Service of the Air Force Emergency Force

12. Service of the Australian Air Force Reserve

13. Transitional and savings

**PART IV—AMENDMENT OF THE AUSTRALIAN CAPITAL TERRITORY TAXATION (ADMINISTRATION) ACT 1969**

14. Principal Act

15. Repeal of section 21 and substitution of new section —

21. Review of revocation of authority

**TABLE OF PROVISIONS—*continued***

Section

**PART V—AMENDMENT OF THE AUSTRALIAN FILM COMMISSION ACT 1975**

16. Principal Act

17. Requirement with respect to the exhibition of Australian short films

**PART VI—AMENDMENT OF THE AUSTRALIAN NATIONAL UNIVERSITY ACT 1946**

18. Principal Act

19. Constitution of Council

**PART VII—AMENDMENT OF THE CANBERRA WATER SUPPLY (GOOGONG DAM) ACT 1974**

20. Principal Act

21. Exemption of certain persons

**PART VIII—AMENDMENT OF THE COMMERCE (TRADE DESCRIPTIONS) ACT 1905**

22. Principal Act

23. Insertion of new section—

15. Review of decisions

**PART IX—AMENDMENT OF THE COURTS-MARTIAL APPEALS ACT 1955**

24. Principal Act

25. Arrest of witness for failing to appear

**PART X—AMENDMENTS OF THE DEFENCE ACT 1903**

26. Principal Act

27. Interpretation

28. Term of appointment

29. Repeal of sections 24 and 25

30. Retired lists

31. Division of Australian Army

32. Permanent Military Forces

33. Repeal of section 32a and substitution of new section—

32a. Australian Army Reserve

34. Discharge upon expiration of period of engagement

35. Discharge of members of Australian Army Reserve

36. Discharge of members of Regular Army Emergency Reserve

37. Enlistment in Reserve Force

38. Service of the Permanent Military Forces

39. Calling out of the Regular Army Emergency Reserve for continuous full-time military service

40. Calling out of the Regular Army Reserve for continuous service

41. Direction by prescribed authority

42. Application of certain regulations to the Regular Army Emergency Reserve

43. Service of the Australian Army Reserve

44. Calling out of the Reserve Forces in time of war or defence emergency

45. Service of Reserve Forces after call out

46. Citizen Military Forces to be returned to districts

47. Protection of States from domestic violence

48. Absence for more than 7 days deemed to be desertion

49. Power to discharge or disrate members of Reserve Forces

50. Power to arrest and detain in military custody

51. Transitional and savings

**PART XI—AMENDMENT OF THE DISTILLATION ACT 1901**

52. Principal Act

53. Insertion of new section—

82b. Review of decisions

**TABLE OF PROVISIONS—*continued***

Section

**PART XII—AMENDMENT OF THE EXCISE ACT 1901**

54. Principal Act

55. Insertion of new section—

162c. Review of decisions

**PART XIII—AMENDMENT OF THE HISTORIC SHIPWRECKS ACT 1976**

56. Principal Act

57. Interpretation

**PART XIV—AMENDMENTS OF THE MIGRATION ACT 1958**

58. Principal Act

59. Persons entering Australia in certain circumstances to be prohibited immigrants

60. Insertion of new section—

66e. Review of decisions

**PART XV—AMENDMENTS OF THE NAVAL DEFENCE ACT 1910**

61. Principal Act

62. Terms of appointment

63. Retired lists

64. Australian Navy

65. Naval Emergency Reserve Forces

66. Repeal of section 22 and substitution of new section—

22. Australian Naval Reserve

67. Discharge on expiration of period of engagement

68. Discharge prior to expiration of period of engagement

69. Repeal of section 31 and substitution of new section—

31. Service of the Permanent Naval Forces

70. Service of the Naval Emergency Reserve Forces

71. Service of the Australian Naval Reserve

72. Transitional and savings

**PART XVI—AMENDMENTS OF THE PIG INDUSTRY RESEARCH ACT 1971**

73. Principal Act

74. Interpretation

75. Australian Pig Industry Research Committee

76. Transitional

**PART XVII—AMENDMENTS OF THE PUBLIC SERVICE ACT 1922**

77. Principal Act

78. Suspension of officers included in Second, Third or Fourth Division

79. Temporary employment

80. Application for reinstatement as person to whom Division applies

**PART XVIII—AMENDMENTS OF THE SCHOOLS COMMISSION ACT 1973**

81. Principal Act

82. Title

83. Short title

84. Interpretation

85. Establishment of Commission

86. Functions of Commission

87. State and Territory Commonwealth Schools Commission Advisory Boards

88. Transitional

**PART XIX—AMENDMENT OF THE SOCIAL SERVICES ACT 1947**

89. Principal Act

90. Insertion of new section—

15a. Review by Administrative Appeals Tribunal

**TABLE OF PROVISIONS—*continued***

Section

**PART XX—AMENDMENT OF THE SPIRITS ACT 1906**

91. Principal Act

92. Licences to make and sell methylated spirits

**PART XXI—AMENDMENTS OF THE TERTIARY EDUCATION COMMISSION ACT 1977**

93. Principal Act

94. Title

95. Short title

96. Interpretation

97. Commonwealth Tertiary Education Commission

98. Functions of Commission

99. Performance of functions of Commission

100. Transitional references

101. Transitional delegations

102. Transitional

**PART XXII—AMENDMENT OF THE TRADE MARKS ACT 1955**

103. Principal Act

104. Matters to be considered before acceptance

**PART XXIII—AMENDMENTS OF THE TRADE UNION TRAINING AUTHORITY ACT 1975**

***Division* 1—*Principal Act***

105. Principal Act

***Division* 2—*Amendments relating to the Australian Council***

106. Constitution of Executive Board

107. Constitution of the Australian Council

108. Method of appointment of certain members

109. Deputy members of the Australian Council

110. Tenure of Office

111. Termination of Appointment

***Division 3*—*Amendments relating to State Councils***

112. Constitution of State Councils

113. Deputy members of State Councils

114. Tenure of office of members of State Councils

**PART XXIV—AMENDMENTS OF OTHER ACTS**

115. Amendments of other Acts

116. Amendments of Acts consequential upon the amendments made by Parts III, X and XV

117. Amendments of Acts consequential upon the amendments made by Parts XVIII and XXI

**PART XXV—REPEAL OF ACTS**

118. Repeal of Acts

119. Repeal of certain incorporating Acts

120. Saving

121. Operation of Acts Interpretation Act

122. Effect of repeals

**SCHEDULE 1**

**AMENDMENTS OF OTHER ACTS**

**SCHEDULE 2**

**AMENDMENTS OF ACTS CONSEQUENTIAL UPON THE AMENDMENTS MADE BY PARTS III, X AND XV**

**TABLE OF PROVISIONS—*continued***

Section

**SCHEDULE 3**

**AMENDMENTS OF ACTS CONSEQUENTIAL UPON THE AMENDMENTS MADE BY PARTS XVIII AND XXI**

**SCHEDULE 4**

**REPEAL OF ACTS**

Part I—Supply Acts

Part II—Appropriation Acts

Part III—Validating Acts

Part IV—Grants Acts

Part V—Loan Acts

Part VI—Bounty Acts

Part VII—Miscellaneous Acts

**SCHEDULE 5**

**REPEAL OF CERTAIN INCORPORATING ACTS**

Part I—Tax Acts and Health Insurance Levy Acts

***Division* 1—*Tax Acts***

*Division* 2—*Health Insurance Levy Acts*

Part II—Senate Elections Acts

****

**Statute Law Revision Act 1981**

**No. 61 of 1981**

**An Act for the purposes of statute law revision, and for other purposes**

[*Assented to 12 June 1981*]

BE IT ENACTED by the Queen, and the Senate and the House of Representatives of the Commonwealth of Australia, as follows:

**PART I—PRELIMINARY**

**Short title**

**1.** This Act may be cited as the *Statute Law Revision Act* 1981.

**Commencement**

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

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

**(3)** Part VI shall be deemed to have come into operation on 31 August 1980.

**(4)** Part VII shall be deemed to have come into operation on 28 May 1980.

**(5)** Part IX shall be deemed to have come into operation on 19 October 1979.

**(6)** Part XIII shall come into operation, or shall be deemed to have come into operation, as the case requires, on the day after the day on which Part II of the *Petroleum* (*Submerged Lands—Miscellaneous Amendments*) *Act* 1981 comes or came into operation.

**(7)** Sections 58 and 59 shall be deemed to have come into operation on 1 November 1979.

**(8)** Part XVII shall be deemed to have come into operation on 15 March 1981.

**(9)** Part XXII shall be deemed to have come into operation on 1 February 1977.

**(10)** Divisions 2 and 3 of Part XXIIIshall come into operation on such date as is, or on such respective dates as are, fixed by Proclamation.

**PART II—AMENDMENT OF THE ADMINISTRATIVE APPEALS TRIBUNAL ACT 1975**

**Principal Act**

**3.** The *Administrative Appeals Tribunal Act* 19751 is in this Part referred to as the Principal Act.

**Schedule**

**4.** **(1)** The Schedule to the Principal Act is amended by omitting Parts IV, V, VIII, X, XVI, XVII, XXI, XXII, XXIVa and XXV.

**(2)** The amendment made by sub-section (1) does not affect any application made to the Administrative Appeals Tribunal before the commencement of this section, or any matter or thing arising out of, or any proceeding incidental to or connected with, any such application.

**PART III—AMENDMENTS OF THE AIR FORCE ACT 1923**

**Principal Act**

**5.** The *Air Force Act* 19232 is in this Part referred to as the Principal Act.

**Australian Air Force**

**6.** Section 4a of the Principal Act is amended by omitting “Citizen Air Force” and substituting “Australian Air Force Reserve”.

**Permanent Air Force**

**7.** Section 4b of the Principal Act is amended by omitting “Citizen Air Force” and substituting “Australian Air Force Reserve”.

**Air Force Emergency Force**

**8.** Section 4c is amended by omitting “Citizen Air Force” and substituting “Australian Air Force Reserve”.

**9.** Section 4d of the Principal Act is repealed and the following section substituted:

**Australian Air Force Reserve**

“4d. (1) The Australian Air Force Reserve consists of the Air Force Active Reserve, the Air Force General Reserve and the Air Force Specialist Reserve.

“(2) The Active Citizen. Air Force in existence immediately before the commencement of this section continues in existence as a force forming part of the Australian Air Force Reserve, under the name Air Force Active Reserve, but so that the identity and membership of the force is not affected.

“(3) The Air Force Reserve in existence immediately before the commencement of this section continues in existence as a force forming part of the Australian Air Force Reserve, under the name Air Force General Reserve, but so that the identity and membership of the force is not affected.

“(4) The Air Force Active Reserve consists of officers appointed to, and airmen enlisted in, that Reserve and of such officers as are transferred to that Reserve from the Permanent Air Force, the Air Force Emergency Force or another part of the Australian Air Force Reserve.

“(5) The Air Force General Reserve consists of officers appointed to, and airmen enlisted in, that Reserve and of such officers as are transferred to that Reserve from the Permanent Air Force, the Air Force Emergency Force or another part of the Australian Air Force Reserve.

“(6) The Air Force Specialist Reserve consists of officers appointed to, and airmen enlisted in, that Reserve and of such officers as are transferred to that Reserve from the Permanent Air Force, the Air Force Emergency Force or another part of the Australian Air Force Reserve.”.

**Service of the Permanent Air Force**

**10.** Section 4g of the Principal Act is amended—

(a) by omitting sub-section (1) and substituting the following sub-section:

“(1) Members of the Permanent Air Force are bound to render continuous full time air-force service.”; and

(b) by inserting in sub-section (2) “full time air-force” after “continuous”.

**Service of the Air Force Emergency Force**

**11.** Section 4h of the Principal Act is amended—

(a) by omitting from sub-section (1) “serve continuously” and substituting “render continuous full time air-force service”;

(b) by inserting in sub-section (2) “full time air-force” after “continuous”; and

(c) by inserting in sub-section (3) “full time air-force” after “continuous” (first occurring).

**Service of the Australian Air Force Reserve**

**12.** Section 4j of the Principal Act is amended —

(a) by omitting sub-sections (1) and (2) and substituting the following sub-sections:

“(1) Subject to this section, members of the Australian Air Force Reserve are not bound to render continuous full time air-force service.

“(2) The regulations shall fix, or make provision for fixing, training periods in respect of the Air Force Active Reserve and the Air Force Specialist Reserve, or different training periods in respect of different parts, or different classes of members, of those Reserves.

“(2a) Members of the Air Force Active Reserve or the Air Force Specialist Reserve are bound to render, in each training period, air-force service, other than continuous full time air-force service, for such periods as are fixed by or in accordance with the regulations, unless exempted by or in accordance with the regulations from the obligation to render the whole or a part of that service.

“(2b) The regulations—

(a) may make provision for different periods of air-force service with respect to different parts, or different classes of members, of the Air Force Active Reserve or the Air Force Specialist Reserve; and

(b) may make provision for exempting—

(i) a particular member of the Air Force Active Reserve or the Air Force Specialist Reserve; or

(ii) members within a specified class of members of the Air Force Active Reserve or the Air Force Specialist Reserve,

from the obligation to render, during a training period, the whole or part of the air-force service that he or they would otherwise be bound to render during that period.”;

(b) by omitting from sub-section (3) “Citizen Air Force” and substituting “Australian Air Force Reserve”; and

(c) by omitting sub-section (4) and substituting the following sub-sections:

“(4) A member of the Australian Air Force Reserve may at any time voluntarily undertake to render air-force service, other than continuous full time air-force service, for a period or periods specified by him, and, if that undertaking is accepted, the member is bound to render air-force 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 prescribed authority directs.

“(5) Where a period is fixed, for the purposes of this sub-section, by or in accordance with the regulations, in respect of a part, or a class of members, of the Air Force Active Reserve or the Air Force Specialist Reserve, a member of that Reserve included in that part or class may, in addition to rendering air-force service that he is bound to render in pursuance of sub-section (2a) or (4), render voluntarily, in a training period, air-force service for a period not exceeding, or for periods not exceeding in the aggregate, the period so fixed.

“(6) Where a kind or kinds of air-force service is or are fixed, for the purposes of this sub-section, by or in accordance with the regulations in respect of a part, or a class of members, of the Air Force Active

Reserve or the Air Force Specialist Reserve, being a part or class in respect of which a period is fixed for the purposes of sub-section (5), that sub-section does not authorize a member of that Reserve included in that part or class to render voluntarily air-force service of a kind other than a kind so fixed.

“(7) Nothing in this section affects the liability of a member of the Australian Air Force Reserve to be employed on continuous full time air-force service while he is a member of a part of that Reserve called out for such service under section 50a or 51 of the Defence Act.”.

**Transitional and savings**

**13.** **(1)** The Australian Air Force Reserve is, for all purposes, a continuation, under that name, of the part of the Air Force previously known as the Citizen Air Force.

**(2)** Where, immediately before the proclaimed date, a period of air-force service that was to be rendered during a period (in this sub-section referred to as “the relevant period”) that commenced before, and ends after, that date was fixed for the purposes of section 4j of the Principal Act with respect to a part, or a class of members, of the Citizen Air Force that is continued in existence on and after that date under the name Australian Air Force Reserve—

(a) the amendments of section 4j of the Principal Act made by this Act do not apply to or in relation to members of that part or class of the Australian Air Force Reserve (including persons who become members of that part or class after that date) until the expiration of the relevant period; and

(b) section 4j of the Principal Act and the regulations in force for the purposes of that section immediately before that date continue to apply, notwithstanding those amendments, to and in relation to those members as if those amendments had not been made.

**(3)** All regulations in force under the Principal Act immediately before the proclaimed date continue in force except insofar as they are inconsistent with the Principal Act as amended by this Act, but any such regulations may be amended or repealed by regulations made under the Principal Act as amended by this Act.

**(4)** In this section, “proclaimed date” means the date that is fixed by Proclamation under sub-section 2 (2).

**PART IV—AMENDMENT OF THE AUSTRALIAN CAPITAL TERRITORY TAXATION (ADMINISTRATION) ACT 1969**

**Principal Act**

**14.** The *Australian Capital Territory Taxation* (*Administration*) *Act* 19693 is in this Part referred to as the Principal Act.

**15.** **(1)** Section 21 of the Principal Act is repealed and the following section is substituted:

**Review of revocation of authority**

“21. An application may be made to the Administrative Appeals Tribunal for review of a revocation by the Commissioner of Taxation under section 20 of an authority granted to a banker under this Division.”.

**(2)** The amendment made by sub-section (1) applies in relation to a revocation by the Commissioner of Taxation under section 20 of the *Australian Capital Territory Taxation* (*Administration*) *Act* 1969 effected before or after the commencement of this section.

**PART V—AMENDMENT OF THE AUSTRALIAN FILM COMMISSION ACT 1975**

**Principal Act**

**16.** The *Australian Film Commission Act* 19754 is in this Part referred to as the Principal Act.

**Requirement with respect to the exhibition of Australian short films**

**17.** **(1)** Section 10 of the Principal Act is amended by adding at the end thereof the following sub-section:

“(8) An application may be made to the Administrative Appeals Tribunal for review of a requirement made under this section.”.

**(2)** The amendment made by sub-section (1) applies in relation to a requirement made under section 10 of the *Australian Film Commission Act* 1975 made before or after the commencement of this section.

**PART VI—AMENDMENT OF THE AUSTRALIAN NATIONAL UNIVERSITY ACT 1946**

**Principal Act**

**18.** The *Australian National University Act* 19465 is in this Part referred to as the Principal Act.

**Constitution of Council**

**19.** Section 11 of the Principal Act is amended by omitting from paragraph (1) (f) “Deans of Faculties in the School” and substituting “deans of faculties within The Faculties”.

**PART VII—AMENDMENT OF THE CANBERRA WATER SUPPLY (GOOGONG DAM) ACT 1974**

**Principal Act**

**20.** The *Canberra Water Supply* (*Googong Dam*) *Act* 19746 is in this Part referred to as the Principal Act.

**Exemption of certain persons**

**21.** Section 23 of the Principal Act is amended by inserting in paragraph (d) “or special member” after “member”.

**PART VIII—AMENDMENT OF THE COMMERCE (TRADE DESCRIPTIONS) ACT 1905**

**Principal Act**

**22.** The *Commerce* (*Trade Descriptions*) *Act* 19057 is in this Part referred to as the Principal Act.

**23.** **(1)** After section 14 of the Principal Act the following section is inserted in Part V:

**Review of decisions**

“15. (1) Applications may be made to the Administrative Appeals Tribunal for review of—

(a) decisions of the Comptroller-General of Customs under sub-section (3) of section 7 or section 10 other than a decision in respect of which an appeal has been made to the Minister for Business and Consumer Affairs under that sub-section or section, as the case may be; and

(b) decisions of the Secretary to the Department of Primary Industry under sub-section (3) of section 11 or section 13 other than a decision in respect of which an appeal has been made to the Minister for Primary Industry under that sub-section or section, as the case may be.

“(2) A person is not entitled—

(a) to appeal to the Minister for Business and Consumer Affairs under sub-section (3) of section 7 or section 10 against a decision of the Comptroller-General of Customs under that sub-section or section, as the case may be; or

(b) to appeal to the Minister for Primary Industry under sub-section (3) of section 11 or section 13 against a decision of the Secretary to the Department of Primary Industry under that sub-section or section, as the case may be,

if an application has been made under sub-section (1) for review of that decision.

“(3) In this section, ‘decision’ has the same meaning as in the *Administrative Appeals Tribunal Act* 1975.”.

**(2)** The amendment made by sub-section (1) applies in relation to—

(a) decisions of the Comptroller-General of Customs under sub-section 7 (3) or section 10 of the *Commerce* (*Trade Descriptions*) *Act* 1905; and

(b) decisions of the Secretary to the Department of Primary Industry under sub-section 11 (3) or section 13 of the *Commerce* (*Trade Descriptions*) *Act* 1905,

given before or after the commencement of this section.

**PART IX—AMENDMENT OF THE COURTS-MARTIAL APPEALS ACT 1955**

**Principal Act**

**24.** The*Courts-Martial Appeals Act* 19558 is in this Part referred to as the Principal Act.

**Arrest of witness for failing to appear**

**25.** Section 32 of the Principal Act is amended by omitting from sub-section (3) “Commonwealth Police Officer” and substituting “member or special member of the Australian Federal Police”.

**PART X—AMENDMENTS OF THE DEFENCE ACT 1903**

**Principal Act**

**26.** The *Defence Act* 19039 is in this Part referred to as the Principal Act.

**Interpretation**

**27.** Section 4 of the Principal Act is amended—

(a) by omitting the definition of “Active Forces” in sub-section (1);

(b) by omitting the definition of “The Citizen Forces” in sub-section (1) and substituting the following definition:

“ ‘The Emergency Forces’ means the Naval Emergency Reserve Forces, the Regular Army Emergency Reserve and the Air Force Emergency Force.”; and

(c) by omitting the definition of “The Reserve Forces” in sub-section (1) and substituting the following definitions:

“ ‘The Permanent Forces’ means the Permanent Naval Forces, the Australian Regular Army, the Regular Army Supplement and the Permanent Air Force.

“ ‘The Reserve Forces’ means the Australian Naval Reserve, the Australian Army Reserve and the Australian Air Force Reserve.”.

**Term of appointment**

**28.** Section 10a of the Principal Act is amended—

(a) by inserting in sub-section (4) “full time military” after “continuous”;

(b) by omitting from sub-section (5) “, in the Regular Army Reserve or in the Citizen Military Forces” and substituting “or in the Australian Army Reserve”; and

(c) by inserting in sub-section (5) “full time military” after “continuous”.

**Repeal of sections 24 and 25**

**29.** Sections 24 and 25 of the Principal Act are repealed.

**Retired lists**

**30.** Section 26 of the Principal Act is amended by inserting “the names of officers or former” after “place”.

**Division of Australian Army**

**31.** Section 31 of the Principal Act is amended by omitting “Citizen Military Forces” and substituting “Australian Army Reserve”.

**Permanent Military Forces**

**32.** Section 32 of the Principal Act is amended—

(a) by omitting sub-section (1) and substituting the following sub-section:

“(1) The Permanent Military Forces consist of 3 forces, namely, the Australian Regular Army, the Regular Army Supplement and the Regular Army Emergency Reserve.”;

(b) by omitting from paragraph (3) (c) “Citizen Military Forces” and substituting “Australian Army Reserve”;

(c) by omitting from sub-section (4) “Citizen Military Forces” and substituting “Australian Army Reserve”; and

(d) by omitting sub-section (5).

**33.** Section 32a of the Principal Act is repealed and the following section substituted:

**Australian Army Reserve**

“32a. (1) The Australian Army Reserve consists of 2 forces, namely, the Active Australian Army Reserve and the Inactive Australian Army Reserve.

“(2) The Active Citizen Military Forces in existence immediately before the commencement of this section continue in existence as a force forming part of the Australian Army Reserve, under the name Active Australian Army Reserve, but so that the identity and membership of the force is not affected.

“(3) The Reserve Citizen Military Forces in existence immediately before the commencement of this section continue in existence as a force forming part of the Australian Army Reserve, under the name Inactive Australian Army Reserve, but so that the identity and membership of the force is not affected.

“(4) The Active Australian Army Reserve consists of officers appointed to, and of soldiers enlisted in, that force and of officers transferred to that force from any part of the Permanent Military Forces or from the Inactive Australian Army Reserve.

“(5) The Inactive Australian Army Reserve consists of officers appointed to, and of soldiers enlisted in, that force and of officers transferred to that force from any part of the Permanent Military Forces or from the Active Australian Army Reserve.”.

**Discharge upon expiration of period of engagement**

**34.** Section 39 of the Principal Act is amended—

(a) by inserting in sub-section (3) “full time military” after “continuous”;

(b) by omitting from sub-section (4) “or a voluntarily enlisted soldier of the Regular Army Reserve”; and

(c) by inserting in sub-section (4) “full time military” after “continuous”.

**Discharge of members of Australian Army Reserve**

**35.** Section 40 of the Principal Act is amended—

(a) by omitting from sub-section (1) “Active Citizen Military Forces” and substituting “Australian Army Reserve”;

(b) by omitting from sub-section (2) “Active Citizen Military Forces” and substituting “Australian Army Reserve”; and

(c) by omitting from sub-section (2) “those Forces” and substituting “that Reserve”.

**Discharge of members of Regular Army Emergency Reserve**

**36.** Section 41 of the Principal Act is amended—

(a) by inserting in paragraph (1) (b) “full time military” after “continuous”;

(b) by omitting paragraph (1) (c) and substituting the following paragraph:

“(c) during any period for which he has volunteered to render continuous full time military service,”;

(c) by omitting from sub-section (1) “or of the Regular Army Reserve”; and

(d) by omitting sub-section (2) and substituting the following sub-section:

“(2) Whenever a soldier of the Regular Army Emergency Reserve claims his discharge as provided by sub-section (1), he shall be discharged with all convenient speed, but until he is discharged he remains a soldier of the Regular Army Emergency Reserve.”.

**Enlistment in Reserve Force**

**37.** Section 42 of the Principal Act is repealed.

**Service of the Permanent Military Forces**

**38.** Section 45 of the Principal Act is amended by omitting sub-sections (1) and (3) and substituting the following sub-sections:

“(1) Members of the Australian Regular Army or of the Regular Army Supplement are bound to render continuous full time military service.

“(2) Members of the Regular Army Emergency Reserve are not bound to render continuous full time military service otherwise than—

(a) as provided by sub-section (4); or

(b) while they are members of a part of that Reserve called out for such service under section 46 or 51,

but are bound to render military service for such periods as are fixed by or in accordance with the regulations.”.

**Calling out of the Regular Army Emergency Reserve for continuous full time military service**

**39.** Section 46 of the Principal Act is amended—

(a) by inserting in sub-section (1) “full time military” after “continuous”; and

(b) by inserting in sub-section (2) “full time military” after “continuous” (first occurring).

**Calling out of the Regular Army Reserve for continuous service**

**40.** Section 47 of the Principal Act is repealed.

**Direction by prescribed authority**

**41.** Section 48 of the Principal Act is amended—

(a) by omitting “or 47”; and

(b) by omitting “or of the Regular Army Reserve, as the case requires”.

**Application of certain regulations to the Regular Army Emergency Reserve**

**42.** Section 49 of the Principal Act is amended by omitting “and members of the Regular Army Reserve”.

**Service of the Australian Army Reserve**

**43.** Section 50 of the Principal Act is amended—

(a) by omitting sub-sections (1) and (2) and substituting the following sub-sections:

“(1) Members of the Australian Army Reserve are not bound to render continuous full time military service otherwise than—

(a) as provided in this section; or

(b) while they are members of a part of that Reserve called out for such service under section 50aor 51.

“(2) The regulations shall fix, or make provision for fixing, training periods in respect of the Active Australian Army Reserve, or different training periods in respect of different parts, or different classes of members, of that Reserve.

“(2a) Members of the Active Australian Army Reserve are bound to render, in each training period, military service, other than continuous full time military service, for such periods as are fixed by or in accordance with the regulations, unless exempted by or in accordance with the regulations from the obligation to render the whole or a part of that service.

“(2b) The regulations—

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

(b) may make provision for exempting—

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

(ii) members within a specified class of members of the Active Australian Army Reserve,

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

(b) by omitting from sub-section (3) “Citizen Military Forces” and substituting “Australian Army Reserve”; and

(c) by adding at the end thereof the following sub-sections:

“(4) A member of the Australian Army Reserve, may at any time voluntarily undertake to render military service, other than continuous full time military service, for a period or periods specified by him, and, if that undertaking is accepted, the member is bound to render military 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 prescribed authority directs.

“(5) Where a period is fixed, for the purposes of this sub-section, by or in accordance with the regulations in respect of a part, or a class of members, of the Active Australian Army Reserve, a member of that Reserve included in that part or class may, in addition to rendering military service that he is bound to render in pursuance of sub-section (2a) or (4), render voluntarily, in a training period, military service for a period not exceeding, or for periods not exceeding in the aggregate, the period so fixed.

“(6) Where a kind or kinds of military service is or are fixed, for the purposes of this sub-section, by or in accordance with the regulations in respect of a part, or a class of members, of the Active Australian Army Reserve, being a part or class in respect of which a period is fixed for the purposes of sub-section (5), that sub-section does not authorize a member of that part, or included in that class, to render voluntarily military service of a kind other than a kind so fixed.”.

**Calling out of the Reserve Forces in time of war or defence emergency**

**44.** Section 50aof the Principal Act is amended by omitting from sub-section (1) “Citizen Forces” and substituting “Reserve Forces”.

**Service of Reserve Forces after call out**

**45.** Section 50bof the Principal Act is amended by omitting “Citizen Forces” (wherever occurring) and substituting “Reserve Forces”.

**Citizen Military Forces to be returned to districts**

**46.** Section 50dof the Principal Act is repealed.

**Protection of States from domestic violence**

**47.** Section 51 of the Principal Act is amended—

(a) by omitting “(other than Reserve Forces)”;

(b) by omitting “the Reserve Forces and the Citizen Forces” and substituting “the Emergency Forces and the Reserve Forces”; and

(c) by omitting “the Reserve Forces or the Citizen Forces” and substituting “the Emergency Forces or the Reserve Forces”.

**Absence for more than 7 days deemed to be desertion**

**48.** Section 78 of the Principal Act is amended—

(a) by omitting from paragraph (a) “a Reserve Force” and substituting “the Emergency Forces”; and

(b) by omitting from paragraph (b) “the Citizen Forces” and substituting “the Reserve Forces”.

**Power to discharge or disrate members of Reserve Forces**

**49.** Section 112 of the Principal Act is amended by omitting “the Citizen Forces” and substituting “the Reserve Forces”.

**Power to arrest and detain in military custody**

**50.** Section 113 of the Principal Act is amended by omitting “the Reserve Forces or of the Citizen Forces” and substituting “the Emergency Forces or of the Reserve Forces”.

**Transitional and savings**

**51.** **(1)** The Australian Army Reserve is, for all purposes, a continuation, under that name, of the part of the Army previously known as the Citizen Military Forces.

**(2)** The reserve of officers referred to in section 25 of the Principal Act shall be deemed to have been disbanded upon the proclaimed date.

**(3)** All officers whose names were, immediately before the proclaimed date, included on the reserve of officers list kept in accordance with section 25 of the Principal Act shall, on that date, be deemed to have been duly appointed to the Inactive Australian Army Reserve, and the provisions of the Principal Act as amended by this Act and the regulations in force under the Principal Act as so amended apply to and in relation to them accordingly.

**(4)** An officer serving in the Regular Army Reserve immediately before the proclaimed date shall, on that date, be deemed to have been duly appointed to the Inactive Australian Army Reserve, and the provisions of the Principal Act as amended by this Act and the regulations in force under the Principal Act as so amended apply to and in relation to him accordingly.

**(5)** A soldier serving in the Regular Army Reserve immediately before the proclaimed date shall, on that date, be deemed, for all purposes of this Act, to have been engaged to serve in the Inactive Australian Army Reserve for a period equal to the balance of the period for which he had been engaged to serve in the

Regular Army Reserve and, subject to sub-section (6), the provisions of the Principal Act as amended by this Act and the regulations in force under the Principal Act as so amended apply to and in relation to him accordingly.

**(6)** A soldier serving in the Regular Army Reserve immediately before the proclaimed date shall not, in relation to his being deemed to have been so engaged to serve in the Inactive Australian Army Reserve, take and subscribe a fresh oath or make a fresh affirmation but, upon his being deemed to have been so engaged, references to the Regular Army Reserve in the oath taken and subscribed by him, or in the affirmation made by him, at the time of his having been engaged to serve in the Regular Army Reserve shall be deemed to include references to the Inactive Australian Army Reserve.

**(7)** Where, immediately before the proclaimed date, a period of military service that was to be rendered during a period (in this sub-section referred to as “the relevant period”) that commenced before, and ends after, that date was fixed for the purposes of section 50 of the Principal Act with respect to a part, or a class of members, of the Citizen Military Forces that is continued in existence on and after that date under the name Australian Army Reserve—

(a) the amendments of section 50 of the Principal Act made by this Act do not apply to or in relation to members of that part or class of the Australian Army Reserve (including persons who become members of that part or class after that date) until the expiration of the relevant period; and

(b) section 50 of the Principal Act and the regulations in force for the purposes of that section immediately before that date continue to apply, notwithstanding those amendments, to and in relation to those members as if those amendments had not been made.

**(8)** All regulations in force under the Principal Act immediately before the proclaimed date continue in force except insofar as they are inconsistent with the Principal Act as amended by this Act, but any such regulations may be amended or repealed by regulations made under the Principal Act as amended by this Act.

**(9)** In this section, “proclaimed date” means the date that is fixed by Proclamation under sub-section 2 (2).

**PART XI—AMENDMENT OF THE DISTILLATION ACT 1901**

**Principal Act**

**52.** The *Distillation Act* 190110 is in this Part referred to as the Principal Act.

**53.** **(1)** After section 82aof the Principal Act the following section is inserted:

**Review of decisions**

“82b. (1) An application may be made to the Administrative Appeals Tribunal for review of—

(a) a decision of the Collector under section 20, 22 or 23; and

(b) a cancellation of a licence by the Minister under section 24.

“(2) In sub-section (1), ‘decision’ has the same meaning as in the *Administrative Appeals Tribunal Act* 1975.”.

**(2)** The amendment made by sub-section (1) applies in relation to—

(a) a decision of the Collector under section 20 of the *Distillation Act* 1901 given before or after the commencement of this section;

(b) a decision of the Collector under section 22 or 23 of the *Distillation Act* 1901 given after the commencement of this section; and

(c) a cancellation of a licence by the Minister under section 24 of the *Distillation Act* 1901 effected before or after the commencement of this section.

**PART XII—AMENDMENT OF THE EXCISE ACT 1901**

**Principal Act**

**54.** The *Excise Act* 190111 is in this Part referred to as the Principal Act.

**55.** **(1)** After section 162b of the Principal Act the following section is inserted:

**Review of decisions**

“162c. (1) An application may be made to the Administrative Appeals Tribunal for review of—

(a) a decision of a Collector under section 5a;

(b) a decision of the Collector under section 40;

(c) a cancellation by the Minister under section 43;

(d) quota orders, and variations of quota orders made by the Minister under section 59a or 59b; and

(e) a demand made by a Collector under section 60.

“(2) Where a dispute referred to in section 154 has arisen and the owner of the goods has, in accordance with that section, deposited the amount of duty demanded by the Collector, an application may be made to the Administrative Appeals Tribunal for review of the demand made by the Collector for that amount.

“(3) An application may not be made under sub-section (2) unless the application is made within a period of 6 months after the making of the deposit referred to in that sub-section.

“(4) Where the owner of goods has made an application under sub-section (2)—

(a) consequences referred to in paragraph 154 (2) shall not ensue and the owner of the goods is not entitled to institute against the Collector an action referred to in that paragraph; and

(b) the proper duty payable in respect of the goods shall be deemed to be—

(i) the amount determined to be the proper duty by, or ascertained to be the proper duty in accordance with—

(a) the decision of the Tribunal;

(b) an order of a Court on appeal from that decision; or

(ii) the amount of the deposit,

whichever is the less, and where the amount of the deposit exceeds the amount referred to in sub-paragraph (i), the excess shall be refunded by the Collector to the owner with interest at the rate of 5% per annum.

“(5) In this section, ‘decision’ has the same meaning as in the *Administrative Appeals Tribunal Act* 1975.”.

**(2)** The amendment made by sub-section (1) applies in relation to—

(a) a decision of a Collector under section 5aof the *Excise Act* 1901;

(b) a decision of the Collector under section 40 of the *Excise Act* 1901;

(c) a cancellation by the Minister under section 43 of the *Excise Act* 1901;

(d) quota orders, and variations of quota orders made by the Minister under sections 59aand 59bof the *Excise Act* 1901;

(e) a demand by a Collector under section 60 of the *Excise Act* 1901; and

(f) a demand by the Collector under section 154 of the *Excise Act* 1901, given, effected or made before or after the commencement of this section.

**PART XIII—AMENDMENT OF THE HISTORIC SHIPWRECKS ACT 1976**

**Principal Act**

**56.** The *Historic Shipwrecks Act* 197612 is in this Part referred to as the Principal Act.

**Interpretation**

**57.** Section 3 of the Principal Act is amended by omitting from sub-section (5) “as in force immediately before the commencement of this sub-section” and substituting “as in force immediately after the commencement of Part II of the *Petroleum* (*Submerged Lands—Miscellaneous Amendments*) *Act* 1981”.

**PART XIV—AMENDMENTS OF THE MIGRATION ACT 1958**

**Principal Act**

**58.** The *Migration Act* 195813 is in this Part referred to as the Principal Act.

**Persons entering Australia in certain circumstances to be prohibited immigrants**

**59.** Section 16 of the Principal Act is amended by inserting after sub-section (1b) the following sub-section:

“(1c) In sub-section (1)—

(a) references to a visa shall be read as including references to a visa or similar notation, or a form of provisional authority to enter Australia,

that was issued on behalf of the Commonwealth before 1 November 1979; and

(b) references to a return endorsement shall be read as including references to a document or notation that was issued on behalf of the Commonwealth before 1 November 1979 in respect of the return of a person to Australia.”.

**60.** **(1)** After section 66dof the Principal Act the following section is inserted:

**Review of decisions**

“66e. (1) Applications may be made to the Administrative Appeals Tribunal for review of decisions of the Minister under section 12, 13 or 48 other than a decision made on a matter remitted by the Tribunal for reconsideration in accordance with sub-section (3).

“(2) A person is not entitled to make an application under sub-section (1) in relation to a decision under section 12 or 13 unless—

(a) the person is an Australian citizen; or

(b) the continued presence of the person in Australia is not subject to any limitation as to time imposed by law.

“(3) After reviewing a decision referred to in sub-section (1), the Tribunal shall either affirm the decision or remit the matter for reconsideration in accordance with any recommendations of the Tribunal.

“(4) For the purpose of reviewing a decision referred to in sub-section (1), the Tribunal shall be constituted by a presidential member alone.

“(5) Where an application has been made to the Tribunal for the review of a decision under section 12 or 13 ordering the deportation of a person, the order for the deportation of the person shall not be taken for the purposes of section 39 to have ceased or to cease to be in force by reason only of any order that has been made by the Tribunal or a presidential member under section 41 of the *Administrative Appeals Tribunal Act* 1975 or by the Federal Court of Australia or a Judge of that Court under section 44aof that Act.

“(6) In this section, ‘decision’ has the same meaning as in the *Administrative Appeals Tribunal Act* 1975.”.

**(2)** The amendment made by sub-section (1) applies in relation to a decision of the Minister under section 12, 13 or 48 of the *Migration Act* 1958 given before or after the commencement of this section.

**PART XV—AMENDMENTS OF THE NAVAL DEFENCE ACT 1910**

**Principal Act**

**61.** The*Naval Defence Act* 191014 is in this Part referred to as the Principal Act.

**Terms of appointment**

**62.** Section 9 of the Principal Act is amended—

(a) by inserting in sub-section (4) “full time naval” after “continuous”;

(b) by omitting from sub-section (5) “Citizen Naval Forces” and substituting “Australian Naval Reserve”; and

(c) by inserting in sub-section (5) “full time naval” after “continuous”.

**Retired lists**

**63.** Section 17aof the Principal Act is amended by inserting “or former officers” after “officers”.

**Australian Navy**

**64.** Section 19 of the Principal Act is amended by omitting “Citizen Naval Forces” and substituting “Australian Naval Reserve”.

**Naval Emergency Reserve Forces**

**65.** Section 21 of the Principal Act is amended by omitting “Citizen Naval Forces” and substituting “Australian Naval Reserve”.

**66.** Section 22 of the Principal Act is repealed and the following section substituted:

**Australian Naval Reserve**

“22. The Australian Naval Reserve consists of officers appointed to, and of sailors enlisted in, that Reserve and of such officers as are transferred to that Reserve from the Permanent Naval Forces or the Naval Emergency Reserve Forces.”.

**Discharge on expiration of period of engagement**

**67.** Section 28 of the Principal Act is amended—

(a) by inserting in sub-section (3) “full time naval” after “continuous”; and

(b) by inserting in sub-section (4) “full time naval” after “continuous”.

**Discharge prior to expiration of period of engagement**

**68.** Section 29 of the Principal Act is amended—

(a) by omitting from sub-section (1) “Citizen Naval Forces” and substituting “Australian Naval Reserve”;

(b) by inserting in paragraph (1) (c) “full time naval” after “continuous”; and

(c) by omitting from sub-section (2) “Citizen Naval Forces” and substituting “Australian Naval Reserve”.

**69.** Section 31 of the Principal Act is repealed and the following section substituted:

**Service of the Permanent Naval Forces**

“31. Members of the Permanent Naval Forces are bound to render continuous full time naval service.”.

**Service of the Naval Emergency Reserve Forces**

**70.** Section 32 of the Principal Act is amended—

(a) by omitting from sub-section (1) “serve continuously” and substituting “render continuous full time naval service”;

(b) by inserting in sub-section (2) “full time naval” after “continuous”; and

(c) by inserting in sub-section (3) “full time naval” after “continuous” (first occurring).

**Service of the Australian Naval Reserve**

**71.** Section 32aof the Principal Act is amended—

(a) by omitting sub-sections (1) and (2) and substituting the following sub-sections:

“(1) Subject to this, section, members of the Australian Naval Reserve are not bound to render continuous full time naval service.

“(2) The regulations shall fix, or make provision for fixing, training periods in respect of the Australian Naval Reserve, or different training periods in respect of different parts, or different classes of members, of that Reserve.

“(2a) Members of the Australian Naval Reserve are bound to render, in each training period, naval service, other than continuous full time naval service, for such periods as are fixed by or in accordance with the regulations, unless exempted by or in accordance with the regulations from the obligation to render the whole or a part of that service.

“(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.”;

(b) by omitting from sub-section (3) “Citizen Naval Forces” and substituting “Australian Naval Reserve”; and

(c) by omitting sub-section (4) and substituting the following sub-sections:

“(4) A member of the Australian 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 prescribed authority directs.

“(5) Where a period is fixed, for the purposes of this sub-section, by or in accordance with the regulations in respect of a part, or a class of members, of the Australian Naval Reserve, a member of that Reserve included in that part or class may, in addition to rendering naval service that he is bound to render in pursuance of sub-section (2a) or (4), render voluntarily, in a training period, naval service for a period not exceeding, or for periods not exceeding in the aggregate, the period so fixed.

“(6) Where a kind or kinds of naval service is or are fixed, for the purposes of this sub-section, by or in accordance with the regulations in respect of a part, or a class of members, of the Australian Naval Reserve, being a part or class in respect of which a period is fixed for the purposes of sub-section (5), that sub-section does not authorize a member of the Reserve included in that part or class to render voluntarily naval service of a kind other than a kind so fixed.

“(7) Nothing in this section affects the liability of a member of the Australian Naval Reserve to be employed on continuous full time naval service while he is a member of a part of that Reserve called out for such service under section 50aor 51 of the Defence Act.”.

**Transitional and savings**

**72.** **(1)** The Australian Naval Reserve is, for all purposes, a continuation, under that name, of the part of the Navy previously known as the Citizen Naval Forces.

**(2)** Where, immediately before the proclaimed date, a period of naval service that was to be rendered during a period (in this sub-section referred to as “the relevant period”) that commenced before, and ends after, that date was fixed for the purposes of section 32aof the Principal Act with respect to a part, or a class of members, of the Citizen Naval Forces that is continued in existence on and after that date under the name Australian Naval Reserve—

(a) the amendments of section 32aof the Principal Act made by this Act do not apply to or in relation to members of that part or class of the Australian Naval Reserve (including persons who become members of that part or class after that date) until the expiration of the relevant period; and

(b) section 32aof the Principal Act and the regulations in force for the purposes of that section immediately before that date continue to apply, notwithstanding those amendments, to and in relation to those members as if those amendments had not been made.

**(3)** All regulations in force under the Principal Act immediately before the proclaimed date continue in force except in so far as they are inconsistent with the Principal Act as amended by this Act, but any such regulations may be amended or repealed by regulations made under the Principal Act as amended by this Act.

**(4)** In this section, “proclaimed date” means the date that is fixed by Proclamation under sub-section 2 (2).

**PART XVI—AMENDMENTS OF THE PIG INDUSTRY RESEARCH ACT 1971**

**Principal Act**

**73.** The *Pig Industry Research Act* 197115 is in this Part referred to as the Principal Act.

**Interpretation**

**74.** Section 3 of the Principal Act is amended by omitting “Pig Industry Research Committee” from the definition of “the Committee” and substituting “Australian Pig Industry Research Committee”.

**Australian Pig Industry Research Committee**

**75.** Section 8 of the Principal Act is amended by omitting from sub-section (1) “Pig Industry Research Committee” and substituting “Australian Pig Industry Research Committee”.

**Transitional**

**76.** The Australian Pig Industry Research Committee is, for all purposes, the continuation, under that name, of the body by the name of the Pig Industry Research Committee constituted under the Principal Act.

**PART XVII—AMENDMENTS OF THE PUBLIC SERVICE ACT 1922**

**Principal Act**

**77.** The *Public Service Act* 192216 is in this Part referred to as the Principal Act.

**Suspension of officers included in Second, Third or Fourth Division**

**78.** Section 63b of the Principal Act is amended by omitting from paragraph (3) (a) “sub-section 62 (2)” and substituting “sub-section 61 (2)”.

**Temporary employment**

**79.** Section 82 of the Principal Act is amended by omitting sub-section (6b) and substituting the following sub-section:

“(6b) The services of an employee to whom the *Commonwealth Employees* (*Redeployment and Retirement*) *Act* 1979 applies shall not be dispensed with under sub-section (6) except on—

(a) the ground that the person has wilfully disobeyed, or wilfully disregarded, a direction given by a person having authority to give the direction, being a direction with which it is his duty as an employee to comply;

(b) the ground that he is inefficient or incompetent for reasons or causes within his own control;

(c) the ground that he is negligent or careless in the discharge of his duties as an employee;

(d) the ground that he has engaged in improper conduct as an employee;

(e) the ground that he has engaged in improper conduct otherwise than as an employee, being conduct that affects adversely the performance of his duties as an employee or brings the Service into disrepute;

(f) the ground that he has contravened or failed to comply with—

(i) a provision of this Act, of the regulations or of a determination in force under sub-section 9 (7a) or section 82d, being a provision that is applicable to him; or

(ii) the terms and conditions upon which he is employed;

(g) the ground that he has, whether before or after becoming an employee, wilfully supplied to an officer or another person acting on behalf of the Commonwealth incorrect or misleading information in connection with his being accepted as an employee in the Service; or

(h) the ground that—

(i) a court has, after 15 September 1980, convicted him of a criminal offence or found, without recording a conviction, that he has committed such an offence; and

(ii) the nature and seriousness of that offence, the circumstances in which that offence was committed and the nature of his duties, are such that it is in the interests of the Service that his services should be dispensed with.”.

**Application for reinstatement as person to whom Division applies**

**80.** Section 87p of the Principal Act is amended by omitting from sub-sections (5), (6) and (7) “sub-section (1)” and substituting “sub-section (2)”.

**PART XVIII—AMENDMENTS OF THE SCHOOLS COMMISSION ACT 1973**

**Principal Act**

**81.** The *Schools Commission Act* 197317 is in this Part referred to as the Principal Act.

**Title**

**82.** The title of the Principal Act is amended by omitting “Schools Commission” and substituting “Commonwealth Schools Commission”.

**Short title**

**83.** Section 1 of the Principal Act is amended by omitting *“Schools Commission Act* 1973” and substituting *“Commonwealth Schools Commission Act* 1973”.

**Interpretation**

**84.** Section 3 of the Principal Act is amended by omitting “Schools Commission” from the definition of “Commission” in sub-section (1) and substituting “Commonwealth Schools Commission”.

**Establishment of Commission**

**85.** Section 4 of the Principal Act is amended by omitting from sub-section (1) “Schools Commission” and substituting “Commonwealth Schools Commission”.

**Functions of Commission**

**86.** Section 13 of the Principal Act is amended—

(a) by omitting from sub-section (1) “States, with authorities in the Australian Capital Territory and the Northern Territory responsible for primary or secondary education in either or both of those Territories” and substituting “States and the Northern Territory, with authorities in the Australian Capital Territory responsible for primary or secondary education in that Territory”; and

(b) by omitting from paragraph (2) (c) “States for and in respect of schools and school systems and to schools in the Australian Capital Territory and the Northern Territory” and substituting “States and the Northern Territory for and in respect of schools and school systems and to schools in the Australian Capital Territory”.

**State and Territory Commonwealth Schools Commission Advisory Boards**

**87.** Section 16 of the Principal Act is amended—

(a) by omitting from sub-section (1) “Schools Commission Advisory Board, or the Schools Commission Advisory Boards” and substituting “Commonwealth Schools Commission Advisory Board, or the Commonwealth Schools Commission Advisory Boards”; and

(b) by omitting from sub-section (5) “Schools Commission Advisory Board” and substituting “Commonwealth Schools Commission Advisory Board”.

**Transitional**

**88.** **(1)** The Commonwealth Schools Commission is, for all purposes, a continuation, under that name, of the body known as the Schools Commission established by the Principal Act and a reference in any law of the Commonwealth other than this Act to the Schools Commission shall be construed as a reference to the Commonwealth Schools Commission.

**(2)** A Commonwealth Schools Commission Advisory Board is, for all purposes, a continuation, under that name, of the body having the same membership that was known as a Schools Commission Advisory Board and was established under section 16 of the Principal Act.

**PART XIX—AMENDMENT OF THE SOCIAL SERVICES ACT 1947**

**Principal Act**

**89.** The *Social Services Act* 194718 is in this Part referred to as the Principal Act.

**90.** After section 15 of the Principal Act the following section is inserted:

**Review by Administrative Appeals Tribunal**

“15a. (1) Where the Director-General has, on or after 9 September 1980 in pursuance of section 14 or 15, made a decision affirming, varying or annulling a determination, direction, decision or approval of an officer, being a determination, direction, decision or approval that has been reviewed by a Social Security Appeals Tribunal, then, subject to section 29 of the *Administrative Appeals Tribunal Act* 1975, an application may be made to the Administrative Appeals Tribunal for review of the decision of the Director-General.

“(2) Where—

(a) the Director-General has, on or after 9 September 1980, in pursuance of section 14 or 15, made a decision affirming, varying or annulling a determination, direction, decision or approval of an officer, being a determination, direction, decision or approval that has not been reviewed by a Social Security Appeals Tribunal; and

(b) the decision of the Director-General is one in respect of which the Director-General has, at the request of a person, certified in writing that an important principle of general application is involved with respect to entitlement to, or assessment of, a pension, allowance, entitlement or benefit under this Act or with respect to the operation of those provisions of the *Health Insurance Act* 1973 that relate to disadvantaged persons,

an application may be made to the Administrative Appeals Tribunal for review of the decision of the Director-General.

“(3) A reference in sub-sections (1) and (2) to a decision of an officer shall be read as including a reference to a decision referred to in section 5f of the *Health Insurance Act* 1973.

“(4) Where, immediately before the date of commencement of this section, aperson was entitled by virtue of sub-clause 24a(3) of the Schedule to the *Administrative Appeals Tribunal Act* 1975 to make an application to the Administrative Appeals Tribunal for a review of a decision by the Director-General, then, subject to section 29 of the *Administrative Appeals Tribunal Act* 1975, that person may, on or after that date, apply to the Tribunal for review of that decision.

“(5) The operation of sub-section 29 (2) of the *Administrative Appeals Tribunal Act* 1975 in relation to an application under sub-section (2) of this section for review of a decision is modified so that the prescribed time for the

purposes of paragraph 29 (1) (d) of that Act is the period commencing on the day on which the decision was or is made and ending on the twenty-eighth day after—

(a) if the decision sets out the findings on material questions of fact and the reasons for the decision—the day (in this sub-section referred to as the ‘certificate day’) on which the certificate of the Director-General was or is furnished to the applicant; and

(b) if the decision does not set out those findings and reasons—

(i) if a statement in writing setting out those findings and reasons was or is furnished to the applicant otherwise than in pursuance of a request under sub-section 28 (1) of the *Administrative Appeals Tribunal Act* 1975 not later than the twenty-eighth day after the certificate day—the day on which the statement was or is furnished to the applicant or the certificate day, whichever is the later;

(ii) if the applicant, in accordance with sub-section 28 (1) of the *Administrative Appeals Tribunal Act* 1975 requests the person who made the decision to furnish a statement as mentioned in that sub-section—the day on which the statement was or is furnished, or the applicant was or is notified that the statement would not or will not be furnished, as the case may be, or the certificate day, whichever is the later; or

(iii) in any other case—the certificate day.”.

**PART XX—AMENDMENT OF THE SPIRITS ACT 1906**

**Principal Act**

**91.** The *Spirits Act* 190619 is in this Part referred to as the Principal Act.

**Licences to make and sell methylated spirits**

**92.** **(1)** Section 20 of the Principal Act is amended by adding at the end thereof the following sub-sections:

“(2) An application may be made to the Administrative Appeals Tribunal for review of a decision of a Collector of Customs under sub-section (1).

“(3) In sub-section (2), ‘decision’ has the same meaning as in the *Administrative Appeals Tribunal Act* 1975.”.

**(2)** The amendment made by sub-section (1) applies in relation to a decision of a Collector of Customs under section 20 of the *Spirits Act* 1906 given before or after the commencement of this section.

**PART XXI—AMENDMENTS OF THE TERTIARY EDUCATION COMMISSION ACT 1977**

**Principal Act**

**93.** The *Tertiary Education Commission Act* 197720 is in this Part referred to as the Principal Act.

**Title**

**94.** The title of the Principal Act is amended by omitting “Tertiary Education Commission” and substituting “Commonwealth Tertiary Education Commission”.

**Short title**

**95.** Section 1 of the Principal Act is amended by omitting *“Tertiary Education Commission Act* 1977” and substituting *“Commonwealth Tertiary Education Commission Act* 1977”.

**Interpretation**

**96.** Section 4 of the Principal Act is amended by omitting “Tertiary Education Commission” from the definition of “Commission” in sub-section (1) and substituting “Commonwealth Tertiary Education Commission”.

**Commonwealth Tertiary Education Commission**

**97.** Section 6 of the Principal Act is amended by omitting “Tertiary Education Commission” and substituting “Commonwealth Tertiary Education Commission”.

**Functions of Commission**

**98.** Section 7 of the Principal Act is amended—

(a) by omitting sub-paragraph (1) (a) (i) and substituting the following sub-paragraph:

“(i) matters in connexion with the grant by the Commonwealth of financial assistance to a State or the Northern Territory for and in respect of universities, colleges of advanced education and technical and further education institutions in the State or the Northern Territory, as the case may be;”; and

(b) by inserting in sub-paragraph (1) (a) (ii) “, other than the Northern Territory,” after “Territories”.

**Performance of functions of Commission**

**99.** Section 8 of the Principal Act is amended by inserting in sub-section (1) “or the Northern Territory” after “State” (wherever occurring).

**Transitional references**

**100.** Section 41 of the Principal Act is amended by omitting “Tertiary Education Commission” and substituting “Commonwealth Tertiary Education Commission”.

**Transitional delegations**

**101.** Section 42 of the Principal Act is amended by omitting from sub-sections (1) and (2) “Tertiary Education Commission” (wherever occurring) and substituting “Commonwealth Tertiary Education Commission”.

**Transitional**

**102.** The Commonwealth Tertiary Education Commission is, for all purposes, a continuation, under that name, of the body known as the Tertiary Education Commission established by the Principal Act and a reference in any law of the Commonwealth other than this Act to the Tertiary Education Commission shall be construed as a reference to the Commonwealth Tertiary Education Commission.

**PART XXII—AMENDMENT OF THE TRADE MARKS ACT 1955**

**Principal Act**

**103.** The *Trade Marks Act* 195521 is in this Part referred to as the Principal Act.

**Matters to be considered before acceptance**

**104.** Section 86 of the Principal Act is amended by omitting from sub-section (3) “an Appeal Tribunal” and substituting “a prescribed court”.

**PART XXIII**—**AMENDMENTS OF THE TRADE UNION TRAINING AUTHORITY ACT 1975**

***Division 1***—***Principal Act***

**Principal Act**

**105.** The *Trade Union Training Authority Act* 197522 is in this Part referred to as the Principal Act.

***Division*** *2***—*Amendments relating to the Australian Council***

**Constitution of Executive Board**

**106.** Section 8mof the Principal Act is amended by omitting from paragraph (1) (d) and sub-section (2) “, (e)”.

**Constitution of the Australian Council**

**107.** Section 14 of the Principal Act is amended—

(a) by omitting from sub-paragraph (1) (d) “5” and substituting “6”; and

(b) by omitting paragraph (1) (e).

**Method of appointment of certain members**

**108.** Section 15 of the Principal Act is amended by omitting paragraph (1) (b).

**Deputy members of the Australian Council**

**109.** Section 17 of the Principal Act is amended by omitting from sub-sections (2) and (3) “, (e)”.

**Tenure of office**

**110.** Section 18 of the Principal Act is amended by omitting from sub-sections (2) and (5) “, (e)”.

**Termination of appointment**

**111.** Section 28 of the Principal Act is amended by omitting from paragraph (1) (a) “, (e)”.

***Division 3*—*Amendments relating to State Councils***

**Constitution of State Councils**

**112.** Section 20 of the Principal Act is amended—

(a) by omitting from paragraph (1) (c) “3” and substituting “4”; and

(b) by omitting paragraph (1) (d).

**Deputy members of State Councils**

**113.** Section 22 of the Principal Act is amended by omitting from sub-section (2) “, (d)”.

**Tenure of office of members of State Councils**

**114.** Section 23 of the Principal Act is amended by omitting from sub-section (3) “, (d)”.

**PART XXIV—AMENDMENTS OF OTHER ACTS**

**Amendments of other Acts**

**115.** The Acts specified in Schedule 1 are amended as set out in that Schedule.

**Amendments of Acts consequential upon the amendments made by Parts III, X and XV**

**116.** The Acts specified in Schedule 2 are amended as set out in that Schedule.

**Amendments of Acts consequential upon the amendments made by Parts XVIII and XXI**

**117.** The Acts specified in Schedule 3 are amended as set out in that Schedule.

**PART XXV—REPEAL OF ACTS**

**Repeal of Acts**

**118.** The Acts specified in Schedule 4 are repealed.

**Repeal of certain incorporating Acts**

**119.** **(1)** Subject to this section, the Acts specified in Schedule 5 are repealed.

**(2)** The repeal of an Act by this section does not operate so as to repeal an Act incorporated with the repealed Act.

**(3)** An Act incorporated with an Act repealed by this section, being an Act specified in Part I of Schedule 5, applies in relation to the tax or levy that was imposed by the repealed Act as if the repealed Act were still in force.

**Saving**

**120.** An act or thing that, by an Act or portion of an Act repealed by this Part, was made, or was to be deemed to be, lawful, valid or effectual shall, to be the extent to which it was so made, or was so to be deemed to be, lawful, valid or effectual, continue to be, or to be deemed to be, lawful, valid or effectual.

**Operation of Acts Interpretation Act**

**121.** Nothing in this Part limits the application of section 8 of the *Acts Interpretation Act* 1901.

**Effect of repeals**

**122.** Where this Part provides that an Act is repealed and portion of the Act has previously been repealed, the repeal effected by this Part is of so much of the Act as has not previously been repealed.

–––––––––––

**SCHEDULE 1** Section 115

AMENDMENTS OF OTHER ACTS

|  |  |
| --- | --- |
| Act | Amendments |
| *Aboriginal Councils and Associations Act* 1976 | Paragraph 5 (1) (c)—  Omit “Corporation”, substitute “corporation”.  Sub-section 38 (4)—  Insert “and income and expenditure statement” after “balance sheet” (wherever occurring).  Sub-section 50 (2)—  Omit “convenant”, substitute “covenant”.  Sub-section 59 (4)—  Insert “and income and expenditure statement” after “balance sheet” (wherever occurring).  Sub-section 61 (1)—  Omit “Council”, substitute “Governing Committee”. |
| *Acts Interpretation Act* 1901 | After section 15a insert the following section:  **Regard to be had to purpose or object of Act**  “15aa. (1) In the interpretation of a provision of an Act, a construction that would promote the purpose or object underlying the Act (whether that purpose or object is expressly stated in the Act or not) shall be preferred to a construction that would not promote that purpose or object.  “(2) Nothing in sub-section (1) shall be construed as authorizing, in the interpretation of a provision of an Act, the consideration of any matter or document not forming part of the Act for any purpose for which that matter or document could not be considered apart from that sub-section.”. |
| *Administrative Appeals Tribunal Act* 1975 | Schedule—  Omit the heading to Part XXIV, substitute the following heading: |
| “PART XXIV—PATENT ATTORNEYS REGULATIONS”. | |
| *Aged or Disabled Persons Homes Act* 1954 | Sub-section 7 (2)—  Omit “time, or by such instalments and at such times, as are”, substitute “time as is, or by such instalments and at such times as are,”. |
| *Atomic Energy Act* 1953 | Paragraph 41 (2) (d)—  Omit “the last preceding paragraph”, substitute “paragraph (c)”. |
| *Australian Capital Territory Supreme Court Act* 1953 | Section 3—  Omit “the 1 January 1934”, substitute “1 January 1934”.  Paragraph 11 (a)—  Omit “the 1 January 1911”, substitute “1 January 1911”. |
| *Australian Citizenship Act* 1948 | Section 41—  Omit “16”, substitute “15”. |
| *Australian Heritage Commission Act* 1975 | Paragraph 26 (3) (c)—  Omit “section 25 (3)”, substitute “sub-section 25 (3)”. |
| *Australian Industry Development Corporation Act* 1970 | Sub-section 8 (4)—  Omit “Subject to the *National Investment Fund Act* 1974, the”, substitute “The”.  Section 26a—  Repeal the section.  Section 36a—  Omit from sub-sections (1) and (6) “or the *National Investment Fund Act* 1974”.  Section 37—  (1) Omit from sub-section (1a) “of this Act or sub-section (2) of section 21 of the *National Investment Fund Act* 1974”.  (2) Omit sub-section (2), substitute the following sub-section:  “(2) A report under sub-section (1) shall contain a copy of any certificate given by the Auditor-General for the purposes of sub-section 24 (5) during the year to which the report relates.”. |

**SCHEDULE 1**—continued

|  |  |
| --- | --- |
| Act | Amendments |
| *Australian Institute of Aboriginal Studies Act* 1961 | Sub-section 30 (3)—  Omit “fifteen days sitting”, substitute “fifteen sitting days”. |
| *Australian Meat and Live-stock Corporation Act* 1977 | Sub-section 17 (2)—  Omit “as fixed”, substitute “affixed”. |
| *Australian War Memorial Act* 1980 | Sub-section 27 (1)—  Omit “29”, substitute “28”. |
| *Bounty* (*Metal-working Machine Tools*) *Act* 1978 | Sub-section 3 (1)—  Omit “12” from the definition of “authorized person”, substitute “14”. |
| *Broadcasting and Television Act* 1942 | Sub-section 44 (11)—  Omit “period of service of employment”, substitute “period of service or employment”. |
| *Cities Commission* (*Repeal*) *Act* 1975 | Section 4—  Omit “Department of Environment, Housing and Community Development” from the definition of “authorized officer”, substitute “Department of National Development and Energy”.  Section 7—  Omit “Department of Environment, Housing and Community Development”, substitute “Department of National Development and Energy”. |
| *Commonwealth Employees* (*Redeployment and Retirement*) *Act* 1979 | Paragraph 12 (1) (e)—  Omit “under *Public Service Act* 1922”, substitute “under the *Public Service Act* 1922”. |
| *Commonwealth Teaching Service Act* 1972 | Sub-section 23a (11)—  Omit “period of service of employment”, substitute “period of service or employment”. |
| *Conciliation and Arbitration Act* 1904 | Sub-section 186 (2)—  Insert “profits or” after “trade secret or to the”. |
| *Copyright Act* 1968 | Paragraph 55 (3) (b)—  Omit “sub-paragraph (iii) or sub-paragraph (iv) of paragraph (a) of sub-section (1) of this section”, substitute “sub-paragraph (1) (a) (iii) or (iv)”.  Paragraph 206 (3) (e)—  Omit “of this sub-section”. |
| *Customs Act* 1901 | Section 132e—  Repeal the section.  Section 151a—  (1) Omit from sub-section (1) “Malawi, Southern Rhodesia, Zambia”.  (2) Omit sub-section (4).  Paragraph 196 (1)—  Insert “of Customs or of police” after “officer”. |
| *Defence Act* 1903 | Paragraph 124 (1) (r)—  Omit “of this Act”. |
| *Defence* (*Parliamentary Candidates*) *Act* 1969 | Sub-section 14 (1)—  Omit “the the”, substitute “the”. |
| *Environment Protection* (*Impact of Proposals*) *Act* 1974 | Paragraph 9 (b)—  Omit “prescribing”, substitute “prescribe”. |

**SCHEDULE 1**—continued

|  |  |
| --- | --- |
| Act | Amendments |
| *Excise Act* 1901 | Section 59d—  Repeal the section.  Sub-section 77m (2)—  Omit “sub-item (2) of item 17 (A) in the Schedule to the *Excise Tariff Act* 1921”, substitute “paragraph (2) of sub-item (A) of item 17 to the Schedule to the *Excise Tariff Act* 1921”. |
| *Federal Court of Australia Act* 1976 | Section 13—  Omit “attached” (wherever occurring) substitute “assigned”.  Sub-section 14 (2)—  Omit “attached”, substitute “assigned”.  Sub-section 45 (1)  Omit “or a Deputy Registrar”, substitute “, a Deputy Registrar, a District Registrar or a Deputy District Registrar”.  Sub-section 49 (1)—  Omit “any of them may be reduced to writing and may be made public by any other Judge at any subsequent sitting of a Full Court of the Court”, substitute “any one of them may be reduced to writing and may be made public by any other of them at any subsequent sitting of the Court”. |
| *Gift Duty Assessment Act* 1941 | Paragraph 39 (1) (a)—  Add at the end thereof “or”. |
| *Homes Savings Grant Act* 1964 | Sub-section 4 (1)—  Omit “Department of Environment, Housing and Community Development” from the definition of “Secretary”, substitute “Department of Housing and Construction”.  Section 7—  Omit “Department of Environment, Housing and Community Development” (wherever occurring), substitute “Department of Housing and Construction”.  Section 8—  Omit “Department of Environment, Housing and Community Development”, substitute “Department of Housing and Construction”.  Section 8a—  Repeal the section. |
| *Honey Industry Act* 1962 | Sub-section 17 (2)—  Omit “paragraphs (d) and (e) of the last preceding section”, substitute “paragraphs 16 (d) and (e)”. |
| *Judiciary Amendment Act* (*No.* 2) 1979 | Section 18—  Omit sub-section (6). |
| *Migration Act* 1958 | Paragraph 8 (1) (b)—  Add at the end thereof “, not being a person in respect of whom a declaration is in force under sub-section (2)”.  Sub-section 67 (1)—  Omit “(aa)” (second occurring), substitute “(ab)”. |
| *National Capital Development Commission Act* 1957 | Sub-section 13 (1)—  (1) Omit “Minister of State for Construction”, substitute “Minister for Housing and Construction”.  (2) Omit “Department of Construction”, substitute “Department of Housing and Construction”. |
| *National Service Act* 1951 | Section 4—  Omit “Department of Employment and Industrial Relations”, from the definitions of “the Department” and “the Secretary”, substitute “Department of Employment and Youth Affairs”. |

**SCHEDULE 1**—continued

|  |  |
| --- | --- |
| Act | Amendments |
| *Navigation Act* 1912 | Section 358—  Omit sub-section (2), substitute the following sub-section:  “(2) In sub-section (1), ‘Judge’, in relation to a Court of Marine  Inquiry, means—  (a) a Judge of the Federal Court of Australia; or  (b) a Judge of the Supreme Court of a State or Territory or of a County Court, District Court or Local Court of a State who is authorized by the Governor-General to sit as the member, or as a member, of the Court of Marine Inquiry.”. |
| *Ombudsman Act* 1976 | Sub-section 28 (5)—  Omit “had”, substitute “has”. |
| *Overseas Telecommunications Act* 1946 | Sub-section 33aa (11)—  Omit “period of service of employment”, substitute “period of service or employment”.  Paragraph 64 (2) (a)—  Omit “Justice”, substitute “Judge”. |
| *Parliamentary Counsel Act* 1970 | Section 2—  Omit from sub-section (3) “of this Act”.  Section 4—  Omit “five” substitute “5”.  Section 5—  (1) Omit from sub-section (1) “seven”, substitute “7”.  (2) Omit from sub-section (2) “sixty-five” (wherever occurring), substitute “65”.  Section 6—  Repeal the section, substitute the following section:  **Remuneration and allowances**  “6. (1) The First Parliamentary Counsel and the Second Parliamentary Counsel shall be paid such remuneration as is determined by the Remuneration Tribunal.  “(2) The First Parliamentary Counsel and the Second Parliamentary Counsel shall be paid such allowances as are prescribed.  “(3) This section has effect subject to the *Remuneration Tribunals Act* 1973.”.  Section 10—  Omit from sub-section (2), “fourteen”, “twenty-eight” and “twelve”, substitute “14”, “28” and “12”, respectively.  Sections 11 and 12—  Repeal the sections.  Section 14—  Omit “to this Act”.  Section 15—  Repeal the section, substitute the following section:  **Acting appointments**  “15. (1) The Governor-General may appoint a person who is eligible for appointment as the First Parliamentary Counsel to act in the office of First Parliamentary Counsel—  (a) during a vacancy in that office; or  (b) during any period, or during all periods, when the person holding that office is absent from duty or from Australia or is, for any other reason, unable to perform the functions of that office. |

**SCHEDULE 1**—continued

|  |  |
| --- | --- |
| Act | Amendments |
|  | “(2) The Governor-General may appoint a person who is eligible for appointment as a Second Parliamentary Counsel to act in an office of Second Parliamentary Counsel—  (a) during a vacancy in that office; or  (b) during any period, or during all periods, when the person holding an office of Second Parliamentary Counsel is absent from duty or from Australia, is acting in the office of First Parliamentary Counsel or is, for any other reason, unable to perform the functions of his office of Second Parliamentary Counsel.  “(3) An appointment of a person under sub-section (1) or (2) may be expressed to have effect only in such circumstances as are specified in the instrument of appointment.  “(4) The Governor-General may—  (a) determine the terms and conditions of appointment, including remuneration and allowances, of a person acting in the office of First Parliamentary Counsel or in an office of Second Parliamentary Counsel; and  (b) terminate such an appointment at any time.  “(5) Where a person is acting in the office of First Parliamentary Counsel in accordance with paragraph (1) (b) or in an office of Second Parliamentary Counsel in accordance with paragraph (2) (b) and the office becomes vacant while that person is so acting, that person may continue so to act until the Governor-General otherwise directs or the vacancy is filled, whichever first happens.  “(6) Sections 7, 8 and 14 apply in relation to a person appointed under this section to act in the office of First Parliamentary Counsel or in an office of Second Parliamentary Counsel in like manner as they apply in relation to the First Parliamentary Counsel or a Second Parliamentary Counsel, as the case may be.  “(7) While a person is acting in the office of First Parliamentary Counsel, he has and may exercise all the powers, and shall perform all the functions, of the First Parliamentary Counsel under this Act or any other law.  “(8) The validity of anything done (whether before or after the commencement of this section) by a person who purported to act in the office of First Parliamentary Counsel shall not be called in question on the ground that the occasion for his appointment had not arisen, that there was a defect or irregularity in or in connection with his appointment, that the appointment had ceased to have effect or that the occasion for him to act had not arisen or had ceased.”.  Section 16—  (1) Omit from sub-sections (1), (2) and (3) “1922-1968”, substitute “1922”.  (2) Omit from sub-section (2) “Public Service of the Commonwealth” (wherever occurring), substitute “Australian Public Service”.  (3) Omit from sub-section (3) “(5) and (6) of section 25” substitute “25 (5) and (6)”. |
| *Pig Industry Research Act* 1971 | Paragraph 5 (2) (b)—  Omit “purchased”, substitute “produced”. |
| *Pig Slaughter Levy Act* 1971 | Section 4—  Omit the definition of “Research Committee”, substitute the following definition:  “ ‘Research Committee’ means the Australian Pig Industry Research Committee constituted under the *Pig Industry Research Act* 1971;”. |

**SCHEDULE 1**—continued

|  |  |
| --- | --- |
| Act | Amendments |
| *Postal Services Act* 1975 | Sub-section 46a (11)—  Omit “period of service of employment”, substitute “period of service or employment”. |
| *Public Service Act* 1922 | Sub-section 32a (11)—  Omit “period of service of employment”, substitute “period of service or employment”.  Paragraph 63 (1) (a)—  Omit “within the period of 6 months immediately preceding, or succeeding, the commencement of this section”, substitute “after 15 September 1980”. |
| *Re-establishment and Employment Act* 1945 | Division 2 of Part II—  Repeal the Division. |
| *Services Trust Funds Act* 1947 | Section 34—  Omit “Minister for Finance” (wherever occurring), substitute “Minister”.  Sub-section 35 (2)—  Omit “Minister for Finance”, substitute “Minister”. |
| *Ship Construction Bounty Act* 1975 | Sub-section 17 (3)—  Omit “respect of”, substitute “respect to”. |
| *Social Services Act* 1947 | Section 18—  (1) Omit “V,” from paragraph (e) of the definition of “income”.  (2) Omit paragraph (jc) of the definition of “income”.  Paragraph 37 (c)—  Omit “the Registrar whose office is nearest to the place of residence of the claimant”, substitute “a Registrar”.  Paragraph 66 (c)—  Omit “the Registrar whose office is nearest to the place of residence of the claimant”, substitute “a Registrar”.  Sub-section 83ad (2)—  Omit “that paragraph” (wherever occurring), substitute “paragraph (b)”.  Sub-section 106 (1)—  Omit “V,” from paragraph (b) of the definition of “income”.  Section 133b—  Omit “Commonwealth Hostels Limited” (wherever occurring), substitute “Commonwealth Accommodation and Catering Services Limited”.  Paragraph 133f (2) (b)—  Omit “the Registrar whose office is nearest to the person’s place of residence”, substitute “a Registrar”.  Section 133q—  Omit “section 48, 52, 77”, substitute “section 52”. |
| *Statistics* (*Arrangements with States*) *Act* 1956 | Section 9—  Repeal the section. |
| *Telecommunications Act* 1975 | Sub-section 43a (11)—  Omit “period of service of employment”, substitute “period of service or employment”. |
| *Trade Practices Act* 1974 | Sub-section 35 (7)—  Omit “a person referred to in paragraph 31 (1) (a) or (b)”, substitute “a Judge of a Federal Court, not being the High Court or a court of an external Territory”.  Sub-section 170 (2)—  Omit “such legal”, substitute “of such legal”. |

**SCHEDULE 1**—continued

|  |  |
| --- | --- |
| Act | Amendments |
| *Trade Union Training Authority Act* 1975 | Section 3—  Omit “Department of Employment and Industrial Relations” from the definitions of “Department” and “Secretary”, substitute “Department of Industrial Relations”. |
| *Tradesmen’s Rights Regulation Act* 1946 | Section 6—  Omit “Department of Employment and Industrial Relations” from the definition of “the Department”, substitute “Department of Industrial Relations”. |
| *Wool Tax* (*Administration*) *Act* 1964 | Section 23—  (1) Omit from sub-section (5) “sub-section (1) of section twenty of this Act”, substitute “sub-section 20 (1)”.  (2) Omit the penalty set out at the foot thereof, substitute the following penalty:  “Penalty: $400.”. |

**SCHEDULE 2**

Section 116

AMENDMENTS OF ACTS CONSEQUENTIAL UPON THE AMENDMENTS MADE BY PARTS III, X AND XV

|  |  |
| --- | --- |
| Act | Amendments |
| *Defence Force Retirement and Death Benefits Act* 1973 | Section 3—  (1) Omit sub-paragraph (b) (ii) of the definition of “eligible member of the Defence Force” in sub-section (1), substitute the following sub-paragraph:  “(ii) who is serving on continuous full time service; and”.  (2) Omit paragraphs (b) and (c) of the definition of “Reserve” in sub-section (1), substitute the following paragraphs:  “(b) in relation to a member of the Army—the Inactive Australian Army Reserve; and  (c) in relation to a member of the Air Force—the Air Force General Reserve;”. |
| *Defence* (*Parliamentary Candidates*) *Act* 1969 | Section 5—  Omit paragraphs (b) and (c) of the definition of “Reserve” in subsection (1), substitute the following paragraphs:  “(b) the Inactive Australian Army Reserve; or  (c) the Air Force General Reserve;”.  Section 9—  Omit from paragraph (a) “the Citizen Naval Forces, the Regular Army Emergency Reserve, the Citizen Military Forces, the Citizen Air Force”, substitute “the Australian Naval Reserve, the Regular Army Emergency Reserve, the Australian Army Reserve, the Australian Air Force Reserve”. |
| *Defence* (*Re-establishment*) *Act* 1965 | Section 6—  (1) Omit from the definition of “Defence service” in sub-section (1) “a part of the Reserve Forces or of the Citizen Forces” (twice occurring), substitute “a part of the Emergency Forces or of the Reserve Forces”.  (2) Omit from paragraph (a) of the definition of “member” in sub-section (1) “a part of the Reserve Forces or of the Citizen Forces”, substitute “a part of the Emergency Forces or of the Reserve Forces”.  (3) Omit the definition of “the Citizen Forces” in sub-section (1), substitute the following definition:  “‘the Emergency Forces’ has the same meaning as in the *Defence Act* 1903;”.  Section 8—  Omit “a part of the Reserve Forces or of the Citizen Forces”, substitute “a part of the Emergency Forces or of the Reserve Forces”.  Section 9—  Omit from sub-section (1) “a part of the Reserve Forces or of the Citizen Forces”, substitute “a part of the Emergency Forces or of the Reserve Forces”. |
| *Income Tax Assessment Act* 1936 | Section 23—  Omit from paragraph (s) “the Citizen Naval Forces, the Citizen Military Forces or the Citizen Air Force”, substitute “the Australian Naval Reserve, the Australian Army Reserve or the Australian Air Force Reserve”. |
| *Jury Exemption Act* 1965 | The Schedule—  (1) Omit—  “Members of the Defence Force other than members of the Regular Army Reserve and members of the Citizen Forces”,  substitute—  “Members of the Defence Force other than members of the Reserve Forces”. |

**SCHEDULE 2**—continued

|  |  |
| --- | --- |
| Act | Amendments |
|  | (2) Omit—  “Members of the Regular Army Reserve or of the Citizen Forces who are rendering continuous service”,  substitute—  “Members of the Reserve Forces who are rendering continuous full time service”. |
| *Long Service Leave* (*Commonwealth Employees*) *Act* 1976 | Section 12—  Omit from paragraph (10) (a) “a part of the Reserve Forces or of the Citizen Forces”, substitute “a part of the Emergency Forces (within the meaning of the *Defence Act* 1903) or of the Reserve Forces (within the meaning of that Act)”. |
| *Public Service Act* 1922 | Section 7—  (1) Omit paragraph (a) of the definition of “specified defence service” in sub-section (1), substitute the following paragraph:  “(a) continuous full time service in a part of the Emergency Forces or of the Reserve Forces;”.  (2) Omit from the definition of “specified defence service” in sub-section (1) “a part of the Reserve Forces or of a part of the Citizen Forces”, substitute “a part of the Emergency Forces or of the Reserve Forces”.  (3) Omit the definition of “the Citizen Forces” in sub-section (1), substitute the following definition:  “ ‘the Emergency Forces’ has the same meaning as in the *Defence Act* 1903;”. |
| *Repatriation Act* 1920 | Section 83—  Omit sub-paragraphs (ga) (i), (ii), (iii) and (iv) of the definition of “Income” in sub-section (1), substitute the following sub-paragraphs:  “(i) the Australian Naval Reserve;  (ii) the Naval Emergency Reserve Forces;  (iii) the Australian Army Reserve;  (iv) the Australian Air Force Reserve;”. |
| *Social Services Act* 1947 | Section 6—  Omit paragraphs (a), (b), (c) and (d) of the definition of “Reserve Forces” in sub-section (1), substitute the following paragraphs:  “(a) the Australian Naval Reserve;  (b) the Naval Emergency Reserve Forces;  (c) the Australian Army Reserve;  (d) the Australian Air Force Reserve;”. |

**SCHEDULE 3**

Section 117

**AMENDMENTS OF ACTS CONSEQUENTIAL UPON THE AMENDMENTS MADE BY PARTS XVIII AND XXI**

|  |  |
| --- | --- |
| Act | Amendments |
| *Bounty* (*Books*) *Act* 1969 | Sub-section 3 (1)—  Omit *“Schools Commission Act* 1973” from paragraph (b) of the definition of “recognised educational institution”, substitute *“Commonwealth Schools Commission Act* 1973”. |
| *Curriculum Development Centre Act* 1975 | Section 3—  (1) Insert after the definition of “Chairman” the following definition:  “ ‘Commonwealth Schools Commission’ means the Commonwealth Schools Commission established by the *Commonwealth Schools Commission Act* 1973;”.  (2) Omit the definition of “Schools Commission”.  Paragraph 11 (1) (d)—  Omit “Schools Commission”, substitute “Commonwealth Schools Commission”.  Section 47—  Omit “Schools Commission”, substitute “Commonwealth Schools Commission”. |
| *Income Tax Assessment Act* 1936 | Section 78—  Omit from sub-paragraphs (1) (a) (liv), (lv) and (lvi) *“Tertiary Education Commission Act* 1977”, substitute *“Commonwealth Tertiary Education Commission Act* 1977”. |
| *Non-government Schools* (*Loans Guarantee*) *Act* 1977 | Section 3—  Insert after the definition of “Commonwealth Education Minister” the following definition:  “ ‘Commonwealth Schools Commission’ means the Commonwealth Schools Commission established by the *Commonwealth Schools Commission Act* 1973;”.  Sub-section 4 (1)—  Omit “Schools Commission”, substitute “Commonwealth Schools Commission”.  Section 10—  Omit “Schools Commission” (wherever occurring), substitute “Commonwealth Schools Commission”. |
| *Overseas Students Charge Act* 1979 | Sub-section 4 (1)—  Omit *“Tertiary Education Commission Act* 1977” from the definition of “prescribed educational institution”, substitute *“Commonwealth Tertiary Education Commission Act* 1977”. |
| *Remuneration Act* 1974 | Schedule—  Omit “Schools Commission” (wherever occurring), substitute “Commonwealth Schools Commission”. |
| *Remuneration Tribunals Act* 1973 | Sub-section 12a (1)—  (1) Omit *“Tertiary Education Commission Act* 1977” from the definition of “college of advanced education”, substitute *“Commonwealth Tertiary Education Commission Act* 1977”.  (2) Omit *“Tertiary Education Commission Act* 1977” from the definition of “university”, substitute *“Commonwealth Tertiary Education Commission Act* 1977”. |
| *Social Services Act* 1947 | Sub-section 120a (4)—  Omit *“Tertiary Education Commission Act* 1977”, substitute *“Commonwealth Tertiary Education Commission Act* 1977”. |

**SCHEDULE** **3—continued**

|  |  |
| --- | --- |
| Act | Amendments |
| *States Grants* (*Schools*) *Act* 1972 | Section 7—  (1) Omit from sub-section (3) “Schools Commission”, substitute “Commonwealth Schools Commission”.  (2) Omit sub-section (6), substitute the following sub-section:  “(6) In this section, “Commonwealth Schools Commission” means the Commonwealth Schools Commission established by the *Commonwealth Schools Commission Act* 1973.”. |
| *States Grants* (*Schools*) *Act* 1973 | Sub-section 3 (1)—  (1) Insert after the definition of “certificate by a qualified accountant” the following definition:  “ ‘Commonwealth Schools Commission’ means the Commonwealth Schools Commission established by the *Commonwealth Schools Commission Act* 1973;”.  (2) Omit the definition of “Schools Commission”.  Section 6—  Omit from sub-sections (4) and (5) “Schools Commission”, substitute “Commonwealth Schools Commission”.  Paragraph 12 (1) (c)—  Omit “Schools Commission”, substitute “Commonwealth Schools Commission”.  Sub-paragraph 14 (1) (b) (iv)—  Omit “Schools Commission”, substitute “Commonwealth Schools Commission”.  Sub-paragraph 16 (1) (b) (iv)—  Omit “Schools Commission”, substitute “Commonwealth Schools Commission”.  Section 19—  Omit from sub-sections (3) and (4) “Schools Commission”, substitute “Commonwealth Schools Commission”.  Section 28—  Omit from sub-sections (3) and (4) “Schools Commission”, substitute “Commonwealth Schools Commission”.  Sub-paragraph 40 (1) (b) (iv)—  Omit “Schools Commission”, substitute “Commonwealth Schools Commission”.  Section 46—  Omit from sub-sections (2) and (3) “Schools Commission”, substitute “Commonwealth Schools Commission”.  Sub-paragraph 50 (1) (b) (iv)—  Omit “Schools Commission”, substitute “Commonwealth Schools Commission”.  Section 52—  Omit “Schools Commission” (wherever occurring), substitute “Commonwealth Schools Commission”. |
| *States Grants* (*Schools*) *Act* 1976 | Sub-section 3 (1)—  (1) Insert after the definition of “Commonwealth Education Minister” the following definition:  “ ‘Commonwealth Schools Commission’ means the Commonwealth Schools Commission established by the *Commonwealth Schools Commission Act* 1973;”.  (2) Omit the definition of “Schools Commission”.  Sub-section 65 (1)—  Omit “Schools Commission”, substitute “Commonwealth Schools Commission”. |

**SCHEDULE 3**—continued

|  |  |
| --- | --- |
| Act | Amendments |
| *States Grants* (*Schools Assistance*) *Act* 1976 | Sub-section 3 (1)—  (1) Insert after the definition of “Commonwealth Education Minister” the following definition:  “ ‘Commonwealth Schools Commission’ means the Commonwealth Schools Commission established by the *Commonwealth Schools Commission Act* 1973;”.  (2) Omit the definition of “Schools Commission”.  Sub-section 51 (1)—  Omit “Schools Commission”, substitute “Commonwealth Schools Commission”. |
| *States Grants* (*Schools Assistance*) *Act* 1977 | Sub-section 3 (1)—  (1) Insert after the definition of “Commonwealth Education Minister” the following definition:  “ ‘Commonwealth Schools Commission’ means the Commonwealth Schools Commission established by the *Commonwealth Schools Commission Act* 1973;”.  (2) Omit the definition of “Schools Commission”.  Sub-section 48 (1)—  Omit “Schools Commission”, substitute “Commonwealth Schools Commission”. |
| *States Grants* (*Schools Assistance*) *Act* 1978 | Sub-section 3 (1)—  (1) Insert after the definition of “Commonwealth Education Minister” the following definition:  “ ‘Commonwealth Schools Commission’ means the Commonwealth Schools Commission established by the *Commonwealth Schools Commission Act* 1973;”.  (2) Omit the definition of “Schools Commission”.  Sub-section 55 (1)—  Omit “Schools Commission”, substitute “Commonwealth Schools Commission”. |
| *States Grants* (*Schools Assistance*) *Act* 1979 | Sub-section 3 (1)—  (1) Insert after the definition of “Commonwealth Education Minister” the following definition:  “ ‘Commonwealth Schools Commission’ means the Commonwealth Schools Commission established by the *Commonwealth Schools Commission Act* 1973;”.  (2) Omit the definition of “Schools Commission”.  Sub-section 54 (1)—  Omit “Schools Commission”, substitute “Commonwealth Schools Commission”. |
| *States Grants* (*Schools Assistance*) *Act* 1980 | Sub-section 3 (1)—  (1) Insert after the definition of “Commonwealth Education Minister” the following definition:  “‘Commonwealth Schools Commission’ means the Commonwealth Schools Commission established by the *Commonwealth Schools Commission Act* 1973;”.  (2) Omit the definition of “Schools Commission”.  Sub-section 60 (1)—  Omit “Schools Commission”, substitute “Commonwealth Schools Commission”. |
| *States Grants* (*Tertiary Education Assistance*) *Act* 1977 | Sub-section 3 (1)—  (1) Omit *“Tertiary Education Commission Act* 1977” from paragraph (a) of the definition of “college of advanced education”, substitute *“Commonwealth Tertiary Education Commission Act* 1977”. |

**SCHEDULE 3**—continued

|  |  |
| --- | --- |
| Act | Amendments |
|  | (2) Omit the definition of “Commission”, substitute the following definition:  “ ‘Commission’ means the Commonwealth Tertiary Education Commission established by the *Commonwealth Tertiary Education Act* 1977;”.  (3) Omit *“Tertiary Education Commission Act* 1977” from paragraph (b) of the definition of “technical and further education institution”, substitute *“Commonwealth Tertiary Education Commission Act* 1977”.  (4) Omit *“Tertiary Education Commission Act* 1977” from the definition of “University”, substitute *“Commonwealth Tertiary Education Commission Act* 1977”.  Section 31—  Omit *“Tertiary Education Commission Act* 1977” (wherever occurring), substitute *“Commonwealth Tertiary Education Commission Act* 1977”. |
| *States Grants* (*Tertiary Education Assistance*) *Act* 1978 | Sub-section 3 (1)—  (1) Omit *“Tertiary Education Commission Act* 1977” from paragraph (a) of the definition of “college of advanced education”, substitute *“Commonwealth Tertiary Education Commission Act* 1977”.  (2) Omit the definition of “Commission”, substitute the following definition:  “ ‘Commission’ means the Commonwealth Tertiary Education Commission established by the *Commonwealth Tertiary Education Act* 1977;”.  (3) Omit *“Tertiary Education Commission Act* 1977” from paragraph (b) of the definition of “technical and further education institution”, substitute *“Commonwealth Tertiary Education Commission Act* 1977”.  (4) Omit *“Tertiary Education Commission Act* 1977” from the definition of “university”, substitute *“Commonwealth Tertiary Education Commission Act* 1977”.  Section 34—  Omit *“Tertiary Education Commission Act* 1977” (wherever occurring), substitute *“Commonwealth Tertiary Education Commission Act* 1977”. |
| *Tertiary Education Commission Act* 1977 | Sub-section 4 (1)—  Omit *“Schools Commission Act* 1973” from the definition of “school”, substitute *“Commonwealth Schools Commission Act* 1973”. |
| *Trade Union Training Authority Act* 1975 | Sub-section 14 (1)—  Omit from paragraph (h) “Tertiary Education Commission”, substitute “Commonwealth Tertiary Education Commission”.  Sub-section 17 (5)—  Omit “Tertiary Education Commission”, substitute “Commonwealth Tertiary Education Commission”. |

**SCHEDULE 4** Section 118

**REPEAL OF ACTS**

**PART I—SUPPLY ACTS**

*Supply Act* (*No.* 1) 1973-74

*Supply Act* (*No.* 2) 1973-74

*Supply Act* (*No.* 3) 1973-74

*Supply Act* (*No.* 1) 1974-75

*Supply Act* (*No.* 2) 1974-75

*Supply Act* (*No.* 1) 1975-76

*Supply Act* (*No.* 2) 1975-76

*Supply Act* (*No.* 1) 1976-77

*Supply Act* (*No.* 2) 1976-77

*Supply Act* (*No.* 1) 1977-78

*Supply Act* (*No.* 2) 1977-78

*Supply Act* (*No.* 1) 1978-79

*Supply Act* (*No.* 2) 1978-79

*Supply Act* (*No.* 1) 1979-80

*Supply Act* (*No.* 2) 1979-80

**PART II—APPROPRIATION ACTS**

*Appropriation Act* (*No.* 1) 1973-74

*Appropriation Act* (*No.* 2) 1973-74

*Appropriation Act* (*No.* 3) 1973-74

*Appropriation Act* (*No.* 4) 1973-74

*Appropriation Act* (*No.* 5) 1973-74

*Appropriation Act* (*No.* 1) 1974-75

*Appropriation Act* (*No.* 2) 1974-75

*Appropriation Act* (*No.* 3) 1974-75

*Appropriation Act* (*No.* 4) 1974-75

*Appropriation Act* (*No.* 5) 1974-75

*Appropriation Act* (*No.* 6) 1974-75

*Appropriation Act* (*No.* 1) 1975-76

*Appropriation Act* (*No.* 2) 1975-76

*Appropriation Act* (*No.* 3) 1975-76

*Appropriation Act* (*No.* 4) 1975-76

*Appropriation Act* (*No.* 1) 1976-77

*Appropriation Act* (*No.* 2) 1976-77

*Appropriation Act* (*No.* 3) 1976-77

*Appropriation Act* (*No.* 4) 1976-77

*Appropriation Act* (*No.* 1) 1977-78

*Appropriation Act* (*No.* 2) 1977-78

*Appropriation Act* (*No.* 3) 1977-78

*Appropriation Act* (*No.* 4) 1977-78

*Appropriation Act* (*No.* 1) 1978-79

*Appropriation Act* (*No.* 2) 1978-79

*Appropriation Act* (*No.* 3) 1978-79

*Appropriation Act* (*No.* 4) 1978-79

*Appropriation Act* (*No.* 1) 1979-80

*Appropriation Act* (*No.* 2) 1979-80

*Appropriation Act* (*No.* 3) 1979-80

**PART III—VALIDATING ACTS**

*Customs Tariff Validation Act* 1973

*Customs Tariff Validation Act* (*No.* 2) 1973

*Customs Tariff Validation Act* 1974

*Customs Tariff Validation Act* (*No.* 2) 1974

*Customs Tariff Validation Act* (*No.* 3) 1974

*Customs Tariff Validation Act* 1975

*Customs Tariff Validation Act* 1976

*Customs Tariff Validation Act* (*No.* 2) 1976

*Customs Tariff Validation Act* 1977

**SCHEDULE 4**—continued

*Customs Tariff Validation Act* (*No.* 2) 1977

*Customs Tariff Validation Act* (*No.* 3) 1977

*Customs Tariff Validation Act* 1978

*Customs Tariff Validation Act* 1979

*Customs Tariff Validation Act* (*No.* 2) 1979

*Customs Tariff Validation Act* 1980

*Excise Tariff Validation Act* 1979

**PART IV—GRANTS ACTS**

*Local Government Grants Act* 1974

*Local Government Grants Act* 1975

*New South Wales Grant* (*Flood Mitigation*) *Act* 1971

*New South Wales Grant* (*Flood Mitigation*) *Act* 1973

*New South Wales Grant* (*Gwydir River Dam*) *Act* 1969

*New South Wales Grant* (*Namoi River Weirs*) *Act* 1976

*Queensland Grant* (*Bundaberg Irrigation Works*) *Act* 1970

*Queensland Grant* (*Bundaberg Irrigation Works*) *Act* 1974

*Queensland Grant* (*Clare Weir*) *Act* 1974

*Queensland Grant* (*Dawson River Weirs*) *Act* 1973

*Queensland Grant* (*Kinchant Dam*) *Act* 1973

*Queensland Grant* (*Maraboon Dam*) *Act* 1968

*Queensland Grant* (*Ross River Dam*) *Act* 1974

*Queensland Grant* (*Special Assistance*) *Act* 1976

*Queensland Grant* (*Special Assistance*) *Act* 1977

*Queensland Grant* (*Special Assistance*) *Act* 1978

*South Australia Grant* (*Lock to Kimba Pipeline*) *Act* 1973

*South Australia Grant* (*Tailem Bend to Keith Pipeline*) *Act* 1969

*States Grants* (*Capital Assistance*) *Act* 1973

*States Grants* (*Capital Assistance*) *Act* 1974

*States Grants* (*Capital Assistance*) *Act* 1976

*States Grants* (*Capital Assistance*) *Act* (*No.* 2) 1976

*States Grants* (*Capital Assistance*) *Act* 1977

*States Grants* (*Capital Assistance*) *Act* 1978

*States Grants* (*Debt Charges Assistance*) *Act* 1970

*States Grants* (*Drought Reimbursement*) *Act* 1968

*States Grants* (*Housing Assistance*) *Act* 1977

*States Grants* (*Milk for School Children*) *Act* 1950

*States Grants* (*Nursing Homes*) *Act* 1969

*States Grants* (*Research*) *Act* 1965

*States Grants* (*Research*) *Act* 1966

*States Grants* (*Special Assistance*) *Act* 1972

*States Grants* (*Special Assistance*) *Act* 1973

*States Grants* (*Special Assistance*) *Act* 1974

*States Grants* (*Special Assistance*) *Act* 1975

*States Grants* (*Water Resources Assessment*) *Act* 1973

*States Grants* (*Water Resources Assessment*) *Act* 1974

*Tasmania Grant* (*Cressy-Longford Irrigation Works*) *Act* 1969

*Tasmania Grant* (*Associated Pulp and Paper Mills Limited*) *Act* 1975

*Tasmania Grant* (*The Mount Lyell Mining and Railway Company Limited*) *Act* 1977

*Tasmania Grant* (*The Mount Lyell Mining and Railway Company Limited*) *Amendment Act* 1978

*Tasmania Grant* (*The Mount Lyell Mining and Railway Company Limited*) *Amendment Act* (*No.* 2) 1978

*Victoria Grant* (*King River Dam*) *Act* 1969

*Victoria Grant* (*Millewa Pipelines*) *Act* 1972

*Victoria Grant* (*River Murray Salinity*) *Act* 1968

*Victoria Grant* (*Seymour Flood Mitigation*) *Act* 1975

**PART V—LOAN ACTS**

*Australian National Airlines Commission Equipment Act* 1967

*Loan* (*Airlines Equipment*) *Act* 1964

*Loan* (*Airlines Equipment*) *Act* 1966

*Loan* (*Airlines Equipment*) *Act* 1967

**SCHEDULE 4—continued**

*Loan* (*Airlines Equipment*) *Act* 1968

*Loan* (*Australian Wheat Board*) *Act* 1971

*Loan* (*Australian Wheat Board*) *Act* 1972

*Loan* (*Defence*) *Act* 1966

*Loan* (*Defence*) *Act* 1968

*Loan* (*Defence*) *Act* 1970

*Loan* (*Defence*) *Act* (*No.* 2) 1970

*Loan* (*Defence*) *Act* 1971

*Loan* (*Emergency Wheat Storage*) *Act* 1955

*Loan* (*Housing*) *Act* 1970

*Loan* (*Qantas Airways Limited*) *Act* 1967

*Loan* (*Qantas Airways Limited*) *Act* 1968

*Loan* (*Short-Term Borrowings*) *Act* 1959

*Loans* (*Australian National Airlines Commission*) *Act* 1968

*Loans* (*Australian National Airlines Commission*) *Act* 1969

*Loans* (*Australian National Airlines Commission*) *Act* 1974

*Loans* (*Qantas Airways Limited*) *Act* 1971

**PART VI—BOUNTY ACTS**

*Bounty* (*Dental Alloys*) *Act* 1979

*Bounty* (*Drilling Machines*) *Act* 1978

*Bounty* (*Drilling Machines*) *Amendment Act* 1978

*Cellulose Acetate Flake Bounty Act* 1956

*Cellulose Acetate Flake Bounty Act* 1958

*Cellulose Acetate Flake Bounty Act* 1959

*Cellulose Acetate Flake Bounty Act* 1961

*Cellulose Acetate Flake Bounty Act* (*No.* 2) 1961

*Cellulose Acetate Flake Bounty Act* 1964

*Cellulose Acetate Flake Bounty Act* (*No.* 2) 1964

*Cellulose Acetate Flake Bounty Act* 1965

*Cellulose Acetate Flake Bounty Act* 1966

*Cellulose Acetate Flake Bounty Act* 1969

*Cellulose Acetate Flake Bounty Act* 1970

*Cellulose Acetate Flake Bounty Act* 1971

*Cellulose Acetate Flake Bounty Act* 1973

*Copper Bounty Act* 1958

*Copper Bounty Act* 1960

*Copper Bounty Act* (*No.* 2) 1960

*Copper Bounty Act* 1963

*Copper Bounty Act* 1965

*Metal Working Machine Tools Bounty Act* 1972

*Metal Working Machine Tools Bounty Amendment Act* 1978

*Processed Milk Products Bounty Act* 1962

*Processed Milk Products Bounty Act* 1963

*Processed Milk Products Bounty Act* 1965

*Processed Milk Products Bounty Act* 1967

*Processed Milk Products Bounty Act* 1968

*Processed Milk Products Bounty Act* 1970

*Processed Milk Products Bounty Act* (*No.* 2) 1970

*Processed Milk Products Bounty Act* 1972

*Refrigeration Compressors Bounty Act* 1975

**PART VII—MISCELLANEOUS ACTS**

*Airline Equipment* (*Loan Guarantee*) *Act* 1968

*Airline Equipment* (*Loan Guarantee*) *Act* 1969

*Australian Coastal Shipping Agreement Act* 1956

*Coal Industry Act* 1957

*Coal Loading Works Agreement* (*Queensland*) *Act* 1962

*Coal Loading Works Agreement* (*New South Wales*) *Act* 1961

*Children’s Commission Act* 1975

*Commonwealth Bureau of Roads* (*Repeal*) *Act* 1977

**SCHEDULE 4—continued**

*Currency Act* 1963

*Dairy Produce Export Charge Repeal Act* 1965

*Dairy Produce Levy Repeal Act* 1965

*Decimal Currency Board Act* 1965

*Decimal Currency Board* (*Abolition*) *Act* 1969

*Fisheries* (*Papua New Guinea Boats*) *Act* 1974

*Gold Mines Development Assistance Act* 1962

*Gold Mining Industry Assistance Act* 1954

*Gold Mining Industry Assistance Act* 1956

*Gold Mining Industry Assistance Act* 1957

*Gold Mining Industry Assistance Act* 1959

*Gold Mining Industry Assistance Act* 1961

*Gold Mining Industry Assistance Act* 1962

*Gold Mining Industry Assistance Act* 1965

*Gold Mining Industry Assistance Act* 1968

*Gold Mining Industry Assistance Act* 1970

*Gold Mining Industry Assistance Act* 1972

*High Commissioner* (*United Kingdom*) *Act Repeal Act* 1973

*International Sugar Agreement Act* 1969

*International Tin Agreement Act* 1971

*Legislative Assembly of the Northern Territory* (*Remuneration and Allowances*) *Act* 1978

*Liquefied Gas* (*Road Vehicle Use*) *Tax* (*Repeal*) *Act* 1980

*Loan* (*Farmers Debt Adjustment*) *Repeal Act* 1979

*Meat Export Charge Act* 1973

*Meat Export Charge Amendment Act* 1976

*Meat Export Charge Collection Act* 1973

*Meat Legislation Repeal Act* 1968

*Mental Institution Benefits Act* 1948

*Nationality and Citizenship* (*Burmese*) *Act* 1950

*Natural Gas Pipeline* (*South Australia*) *Agreement Act* 1967

*New Zealand Re-exports* (*Repeal*) *Act* 1977

*Officers’ Rights Declaration Act* 1968

*Public Service* (*Permanent Head—Dual Appointment*) *Act* 1977

*Referendum* (*Constitution Alteration*) *Modification Act* 1977

*Road Safety and Standards Authority* (*Repeal*) *Act* 1976

*Sugar Industry Assistance Act* 1967

*Sugar Marketing Assistance Agreement Act* 1967

*Trade Agreement* (*Brazil*) *Act* 1939

*Trade Agreement* (*Czechoslovakia*) *Act* 1936

*Trade Agreement* (*France*) *Act* 1936

*Trade Agreement* (*Greece*) *Act* 1940

*Trade Agreement* (*South Africa*) *Act* 1936

*Trade Agreement* (*Switzerland*) *Act* 1938

*War Service Land Settlement Agreements Act* 1945

*Wool* (*Deficiency Payments*) *Act* 1971

*Wool* (*Deficiency Payments*) *Act* 1972

*Wool Reserve Prices Plan Referendum Act* 1965

**SCHEDULE 5**

Section 119

**REPEAL OF CERTAIN INCORPORATING ACTS**

**PART I—TAX ACTS AND HEALTH INSURANCE LEVY ACTS**

**Division 1—Tax Acts**

*Income Tax Act* 1972

*Income Tax Act* 1973

*Income Tax Act* 1974

*Income Tax Act* 1975

*Income Tax* (*Individuals*) *Act* 1976

*Income Tax* (*Companies and Superannuation Funds*) *Act* 1976

*Income Tax* (*Individuals*) *Act* 1977

*Income Tax* (*Companies and Superannuation Funds*) *Act* 1977

*Income Tax* (*Companies and Superannuation Funds*) *Amendment Act* 1977

*Income Tax* (*Individuals*) *Act* 1978

*Income Tax* (*Companies and Superannuation Funds*) *Act* 1978

*Income Tax* (*Companies and Superannuation Funds*) *Amendment Act* 1978

*Income Tax* (*Individuals*) *Act* 1979

*Income Tax* (*Companies and Superannuation Funds*) *Act* 1979

**Division 2—Health Insurance Levy Acts**

*Health Insurance Levy Act* (*No. 2*)1976

*Health Insurance Levy Act* 1977

*Health Insurance Levy Act* 1978

**PART II—SENATE ELECTIONS ACTS**

*Senate Elections Act* 1903

*Senate Elections Act* 1922

*Senate Elections Act* 1966

**NOTES**

1. No. 91, 1975, as amended. For previous amendments, see Nos. 60, 89, 91, 157, 162, 163 and 209, 1976; Nos. 30, 57, 58 and 111, 1977; Nos. 65 and 109, 1978; Nos. 19 and 143, 1979; No. 110, 1980; and No. 19, 1981.

2. No. 33, 1923, as amended. For previous amendments, see No. 74, 1939; No. 12, 1941; No. 80, 1950; No. 15, 1952; No. 75, 1956; No. 94, 1964; No. 50, 1965; No. 216, 1973 (as amended by No. 20, 1974); No. 96, 1975: No. 138, 1976; and No. 134, 1979.

3. No. 42, 1969, as amended. For previous amendments, see No. 216, 1973.

4. No. 6, 1975, as amended. For previous amendments, see No. 107, 1976; No. 36, 1978; and No. 71, 1980.

5. No. 22, 1946, as amended. For previous amendments, see No. 21, 1947; No. 56, 1947; No. 3, 1960; No. 9, 1963; No. 108, 1965; No. 93, 1966; No. 65, 1967; No. 1, 1971; No. 96, 1973; No. 216, 1973; No. 94, 1975; No. 37, 1976; No. 36, 1978; and No. 190, 1979.

6. No. 34, 1974, as amended. For previous amendments, see No.155, 1979; and No. 70, 1980.

7. No. 16, 1905, as amended. For previous amendments, see No. 37, 1926; No. 15, 1930; No. 13, 1933; No. 80, 1950; No. 93, 1966; and No. 216, 1973.

8. No. 16, 1955, as amended. For previous amendments, see No. 93, 1966; No. 216, 1973; No. 96, 1975; No. 37, 1976; No. 36, 1978; No. 19, 1979: and No. 155, 1979.

9. No. 20, 1903, as amended. For previous amendments, see No. 12, 1904; No. 15, 1909; Nos. 30 and 37, 1910; No. 15, 1911; No. 5, 1912; No. 36, 1914; No. 3, 1915; No. 36, 1917; Nos. 16 and 47, 1918; No. 1, 1927; No. 50, 1932; No. 45, 1934; Nos. 13, 38, 70 and 74, 1939; No. 4, 1941; No. 11, 1945; No. 78, 1947; No. 35, 1948; No. 71, 1949; No. 80, 1950; Nos. 19 and 59, 1951; No. 98, 1952; No. 20, 1953; No. 72, 1956; No. 92, 1964; No. 51, 1965; No. 93, 1966; No. 33, 1970; No. 216, 1973 (as amended by No. 20, 1974); No. 96, 1975; Nos. 4 and 20, 1977; Nos. 19, 132 and 155, 1979; and No. 70, 1980.

10. No. 8, 1901, as amended. For previous amendments, see No. 21, 1906; No. 34, 1918; No. 9, 1923; No. 13, 1925; No. 3, 1931; No. 8, 1934; No. 86, 1947; No. 80, 1950; No. 54, 1952; No. 55, 1954; No. 74, 1956; No. 93, 1966; Nos. 16 and 106, 1968; No. 24, 1972; No. 216, 1973; No. 36, 1978; and No. 56, 1980.

11. No. 9, 1901, as amended. For previous amendments, see No. 26, 1918; No. 8, 1923; No. 44, 1934; No. 16, 1942; No. 88, 1947; No. 46, 1949; No. 55, 1952; No. 10, 1957; No. 49, 1958; No. 37, 1962; No. 49, 1963; No. 138, 1965; No. 93, 1966; Nos. 15 and 105, 1968; No. 23, 1972; Nos. 24 and 145, 1973; No. 216, 1973 (as amended by No. 20, 1974); No. 29, 1974; No. 91, 1976; No. 110, 1978; Nos. 11 and 50, 1979; and Nos. 42 and 70, 1980.

12. No. 190, 1976, as amended. For previous amendments, see No. 19, 1979; and No. 88, 1980.

13. No. 62, 1958, as amended. For previous amendments, see No. 87, 1964; No. 10, 1966; Nos. 16 and 216, 1973; No. 91, 1976; Nos. 117 and 118, 1979; and Nos. 89 and 175, 1980.

14. No. 30, 1910, as amended. For previous amendments, see No. 16, 1911; No. 21, 1912; No. 45, 1918; No. 45, 1934; No. 35, 1948; No. 72, 1949; No. 14, 1952; No. 93, 1964; No. 53, 1965; No. 93, 1966; No. 24, 1968; No. 14, 1971; No. 216, 1973 (as amended by No. 20, 1974); No. 96, 1975; and No. 133, 1979.

15. No. 30, 1971. For previous amendments, see No. 216, 1973; and No. 47, 1975.

16. No. 21, 1922, as amended. For previous amendments, see No. 46, 1924; No. 41, 1928; No. 19, 1930; No. 21, 1931; No. 72, 1932; No. 38, 1933; Nos. 45 and 46, 1934; No. 72, 1936; No. 41, 1937; No. 72, 1939; No. 88, 1940; No. 5, 1941; No. 19, 1943; Nos. 11, 29 and 43, 1945; No. 16, 1946; Nos. 1, 38, 52 and 84, 1947; Nos. 35 and 75, 1948; Nos. 51 and 80, 1950; Nos. 46 and 48, 1951; No. 22, 1953; No. 63, 1954; No. 18, 1955; Nos. 13 and 39, 1957; No. 11, 1958; Nos. 17 and 105, 1960; Nos. 2 and 75, 1964; Nos. 47 and 85, 1966; Nos. 2 and 115, 1967; Nos. 59, 114 and 120, 1968; No. 6, 1972; Nos. 21, 71, 73 and 209, 1973; No. 59, 1974; No. 40, 1975; Nos. 193 and 194, 1976; Nos. 6 and 80, 1977; No. 170, 1978; Nos. 52 and 155, 1979; and No. 177, 1980.

17. No. 213, 1973.

18. No. 26, 1947, as amended. For previous amendments, see Nos. 38 and 69, 1948; No. 16, 1949; Nos. 6 and 26, 1950; No. 22, 1951; Nos. 41 and 107, 1952; No. 51, 1953; No. 30, 1954; Nos. 15 and 38, 1955; Nos. 67 and 98, 1956; No. 46, 1957; No. 44, 1958; No. 57, 1959; No. 45, 1960; No. 45, 1961; Nos. 1 and 95, 1962; No. 46, 1963; Nos. 3 and 63, 1964; Nos. 57 and 152, 1965; No. 41, 1966; Nos. 10 and 61, 1967; No. 65, 1968; No. 94, 1969; Nos. 2 and 59, 1970; Nos. 16 and 67, 1971; Nos. 1, 14, 53 and 79, 1972; Nos. 1, 26, 48 and 103, 1973; No. 216, 1973 (as amended by No. 20, 1974); Nos. 2, 23 and 91, 1974; Nos. 34, 56, 101 and 110, 1975; Nos. 26, 37, 62 and 111, 1976; No. 159, 1977; No. 128, 1978; No. 121, 1979; and No. 130, 1980.

19. No. 21, 1906, as amended. For previous amendments, see No. 14, 1915; No. 35, 1918; No. 6, 1923; No. 12, 1932; No. 24, 1935; No. 87, 1947; No. 10, 1952; No. 93, 1966; No. 110, 1968; No. 6, 1969; No. 25, 1972; and No. 216, 1973.

20. No. 25, 1977.

21. No. 20, 1955. For previous amendments, see No. 42, 1958; No. 93, 1966; No. 216, 1973; No. 91, 1976; No. 163, 1976; No. 130, 1978; No. 19, 1979; and No. 43, 1981.

22. No. 50, 1975. For previous amendments, see No. 91, 1975; No. 36, 1978; No. 92, 1978; and No. 209, 1978.