



Industry, Science and Technology Legislation Amendment Act 1994

No. 108 of 1994

TABLE OF PROVISIONS

PART 1—PRELIMINARY

Section

1. Short title
2. Commencement

PART 2—AMENDMENT OF THE NATIONAL MEASUREMENT ACT 1960

Division 1—Principal Act

3. Principal Act

Division 2—Membership of Commission

4. Object of Division
5. Membership of Commission
6. Meetings

Division 3—Contracts

7. Object of Division
8. Contracts

TABLE OF PROVISIONS—*continued*

Section

Division 4—Investments

- 9. Object of Division
- 10. Application of money
- 11. Insertion of new section:
18DA. Investment of money
- 12. Contracts

Division 5—Grants, loans, scholarships etc.

- 13. Object of Division
- 14. Functions of the Commission
- 15. Application of money

PART 3—AMENDMENT OF THE PATENTS ACT 1990

- 16. Object of Part
- 17. Principal Act
- 18. Definitions
- 19. Schedule 1

PART 4—AMENDMENT OF THE POOLED DEVELOPMENT FUNDS
ACT 1992

- 20. Object of Part
- 21. Principal Act
- 22. Limit on size of investee company



Industry, Science and Technology Legislation Amendment Act 1994

No. 108 of 1994

**An Act to amend various Acts relating to matters dealt with
by the Department of Industry, Science and Technology,
and for related purposes**

[Assented to 12 July 1994]

The Parliament of Australia enacts:

PART 1—PRELIMINARY

Short title

1. This Act may be cited as the *Industry, Science and Technology Legislation Amendment Act 1994*.

Commencement

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

(2) Division 2 of Part 2 commences on the 28th day after the day on which this Act receives the Royal Assent.

*Industry, Science and Technology
Legislation Amendment No. 108, 1994*

(3) Division 5 of Part 2 commences on the day after the day on which this Act receives the Royal Assent.

**PART 2—AMENDMENT OF THE NATIONAL MEASUREMENT
ACT 1960**

Division 1—Principal Act

Principal Act

3. In this Part, “**Principal Act**” means the *National Measurement Act 1960*¹.

Division 2—Membership of Commission

Object of Division

4. The object of this Division is to increase the number of members of the National Standards Commission from 8 to 10.

Membership of Commission

5. Section 17 of the Principal Act is amended by omitting from subsection (1) “6 other” and substituting “8 other”.

Meetings

6. Section 18AE of the Principal Act is amended by omitting from subsection (3) “5” and substituting “6”.

Division 3—Contracts

Object of Division

7. The object of this Division is to increase the limit on contracts which the National Standards Commission may make without Ministerial approval from \$100,000 to \$250,000.

Contracts

8. Section 18F of the Principal Act is amended by omitting “\$100,000” and substituting “\$250,000”.

Division 4—Investments

Object of Division

9. The object of this Division is to give the National Standards Commission the power to invest its money.

Application of money

10. Section 18D of the Principal Act is amended by adding at the end the following word and paragraph:

“; and (c) in making investments under section 18DA.”.

*Industry, Science and Technology
Legislation Amendment No. 108, 1994*

Insertion of new section

11. After section 18D of the Principal Act the following section is inserted:

Investment of money

“18DA.(1) Money of the Commission not immediately required for the purposes of the Commission may be invested:

- (a) on deposit with an approved bank; or
- (b) in Commonwealth securities; or
- (c) in any other manner approved by the Treasurer.

“(2) In subsection (1):

‘approved bank’ means:

- (a) a bank as defined in subsection 5(1) of the *Banking Act 1959*; or
- (b) another bank approved by the Treasurer, or by a person authorised by the Treasurer to give approvals under section 63E of the *Audit Act 1901*.”.

Contracts

12. Section 18F of the Principal Act is amended by adding at the end the following subsection:

“(2) Subsection (1) does not apply to investments under section 18DA.”.

Division 5—Grants, loans, scholarships etc.

Object of Division

13. The object of this Division is to give the National Standards Commission the power:

- (a) to make grants of financial assistance; and
- (b) to make and guarantee loans; and
- (c) to establish and award fellowships and scholarships.

Functions of the Commission

14. Section 18 of the Principal Act is amended:

- (a) by omitting from paragraph (1)(g) “and” (last occurring);
- (b) by adding at the end of subsection (1) the following paragraphs:
 - “; (i) to make grants of financial assistance for purposes relating to metrology;
 - (j) to make loans for purposes relating to metrology;
 - (k) to guarantee loans made for purposes relating to metrology;and

*Industry, Science and Technology
Legislation Amendment No. 108, 1994*

- (l) to establish and award fellowships and scholarships for:
- (i) training in the knowledge and skills relevant to metrology; or
 - (ii) metrology research.”.

Application of money

15. Section 18D of the Principal Act is amended by adding at the end the following word and paragraph:

“; and (d) in making any other payments which the Commission is authorised or required to make under this Act or any other law.”.

PART 3—AMENDMENT OF THE PATENTS ACT 1990

Object of Part

16. The object of this Part is to make minor technical amendments to the *Patents Act 1990*. The amendments define the Australian continental shelf by reference to the *Seas and Submerged Lands Act 1973*.

Principal Act

17. In this Part, “**Principal Act**” means the *Patents Act 1990*².

Definitions

18. Section 3 of the Principal Act is amended by omitting “Continental Shelf Convention”.

Schedule 1

19. Schedule 1 to the Principal Act is amended:

- (a) by omitting “Continental Shelf Convention” from the definition of “Australian continental shelf” and substituting “*Seas and Submerged Lands Act 1973*”;
- (b) by omitting the definition of “Continental Shelf Convention”.

PART 4—AMENDMENT OF THE POOLED DEVELOPMENT FUNDS ACT 1992

Object of Part

20. The object of this Part is to make a minor technical change to the rules relating to the investment in companies by pooled development funds in cases where the investee company’s audited accounts relate to a period that ended less than 18 months before the investment is made.

Principal Act

21. In this Part, “**Principal Act**” means the *Pooled Development Funds Act 1992*³.

*Industry, Science and Technology
Legislation Amendment No. 108, 1994*

Limit on size of investee company

22. Section 24 of the Principal Act is amended by omitting from paragraph (5)(b) “12” and substituting “18”.

NOTES

National Measurement Act 1960

1. No. 64, 1960, as amended. For previous amendments, see No. 6, 1964; No. 93, 1966; No. 216, 1973 (as amended by No. 20, 1974); No. 158, 1978; No. 77, 1984; No. 65, 1985; No. 76, 1986; No. 141, 1987; No. 91, 1989; Nos. 66 and 199, 1991; and No. 168, 1992.

Patents Act 1990

2. No. 83, 1990, as amended. For previous amendments, see No. 66, 1991.

Pooled Development Funds Act 1992

3. No. 100, 1992, as amended. For previous amendments, see No. 102, 1994.

[*Minister's second reading speech made in—
Senate on 24 March 1994
House of Representatives on 9 June 1994*]