

**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.

**(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.”.

**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

(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.

**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*]