



# **Statute Law Revision Act 2005**

**No. 100, 2005**

**An Act to make various amendments of the statute law of the Commonwealth, and for related purposes**

Note: An electronic version of this Act is available in SCALEplus  
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# Statute Law Revision Act 2005

No. 100, 2005

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## **An Act to make various amendments of the statute law of the Commonwealth, and for related purposes**

[Assented to 6 July 2005]

The Parliament of Australia enacts:

### **1 Short title**

This Act may be cited as the *Statute Law Revision Act 2005*.

### **2 Commencement**

- (1) Each provision of this Act specified in column 1 of the table commences, or is taken to have commenced, in accordance with

column 2 of the table. Any other statement in column 2 has effect according to its terms.

<b>Commencement information</b>		
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provision(s)</b>	<b>Commencement</b>	<b>Date/Details</b>
1. Sections 1 to 3 and anything in this Act not elsewhere covered by this table	The day on which this Act receives the Royal Assent.	6 July 2005
2. Schedule 1, item 1	The day on which this Act receives the Royal Assent.	6 July 2005
3. Schedule 1, item 2	Immediately after the commencement of Subdivision 57B of the <i>Aged Care Act 1997</i> .	1 October 1997
4. Schedule 1, item 3	Immediately after the commencement of clause 1 of Schedule 1 to the <i>Aged Care Act 1997</i> .	1 October 1997
5. Schedule 1, item 4	Immediately after the commencement of Schedule 1 to the <i>Agricultural and Veterinary Chemicals Legislation Amendment Act 2003</i> .	8 October 2003
6. Schedule 1, items 5 to 10	The day on which this Act receives the Royal Assent.	6 July 2005
7. Schedule 1, item 11	Immediately after the commencement of items 1 to 5 of Schedule 3 to the <i>Anti-terrorism Act (No. 3) 2004</i> .	16 August 2004
8. Schedule 1, item 12	Immediately after the commencement of item 1 of Schedule 1 to the <i>Proceeds of Crime (Consequential Amendments and Transitional Provisions) Act 2002</i> .	1 January 2003
9. Schedule 1, item 13	Immediately after the commencement of paragraph 11(6)(a) of the <i>Electronic Transactions Act 1999</i> .	15 March 2000
10. Schedule 1, items 14 to 20	The day on which this Act receives the Royal Assent.	6 July 2005
11. Schedule 1, item 21	Immediately after the commencement of item 12 of Schedule 2 to the <i>Fisheries Legislation Amendment Act (No. 1) 2000</i> .	1 August 2000

<b>Commencement information</b>		
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provision(s)</b>	<b>Commencement</b>	<b>Date/Details</b>
12. Schedule 1, item 22	Immediately after the commencement of item 208 of Schedule 2 to the <i>Criminal Code Amendment (Theft, Fraud, Bribery and Related Offences) Act 2000</i> .	24 May 2001
13. Schedule 1, item 23	Immediately after the commencement of section 113 of the <i>Fisheries Management Act 1991</i> .	3 February 1992
14. Schedule 1, item 24	Immediately after the commencement of section 166 of the <i>Fisheries Management Act 1991</i> .	3 February 1992
15. Schedule 1, item 25	Immediately after the commencement of item 6 of Schedule 2 to the <i>Fisheries Legislation Amendment (High Seas Fishing Activities and Other Matters) Act 2004</i> .	20 August 2004
16. Schedule 1, item 26	The day on which this Act receives the Royal Assent.	6 July 2005
17. Schedule 1, item 27	After the commencement of both Schedule 1 to the <i>General Insurance Reform Act 2001</i> and Schedule 2 to the <i>Financial Sector (Collection of Data—Consequential and Transitional Provisions) Act 2001</i> .	1 July 2002
18. Schedule 1, items 28 and 29	The day on which this Act receives the Royal Assent.	6 July 2005
19. Schedule 1, item 30	Immediately after the commencement of the <i>Land Fund and Indigenous Land Corporation (ATSIC Amendment) Act 1995</i> .	1 June 1995
20. Schedule 1, items 31 to 37	Immediately after the commencement of the <i>Patents Amendment (Innovation Patents) Act 2000</i> .	24 May 2001
21. Schedule 1, item 38	The day on which this Act receives the Royal Assent.	6 July 2005
22. Schedule 1, item 39	Immediately after the commencement of section 8 of the <i>Prohibition of Human Cloning Act 2002</i> .	16 January 2003
23. Schedule 1, items 40 to 83	The day on which this Act receives the Royal Assent.	6 July 2005

<b>Commencement information</b>		
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provision(s)</b>	<b>Commencement</b>	<b>Date/Details</b>
24. Schedule 1, items 84 and 85	Immediately after the commencement of item 1 of Schedule 1 to the <i>Workplace Relations Amendment (Fair Termination) Act 2003</i> .	27 November 2003
25. Schedule 2, items 1 and 2	Immediately after the time specified in the <i>Aged Care (Consequential Provisions) Act 1997</i> for the commencement of item 42 of Schedule 3 to that Act.	1 October 1997
26. Schedule 2, item 3	Immediately after the time specified in the <i>Agricultural and Veterinary Chemicals Legislation Amendment Act 2003</i> for the commencement of item 22 of Schedule 1 to that Act.	8 October 2003
27. Schedule 2, items 4 to 6	Immediately after the time specified in the <i>Audit (Transitional and Miscellaneous) Amendment Act 1997</i> for the commencement of Schedule 2 to that Act.	1 January 1998
28. Schedule 2, item 7	Immediately after the time specified in the <i>Australian Federal Police and Other Legislation Amendment Act 2004</i> for the commencement of item 16 of Schedule 3 to that Act.	22 December 2004
29. Schedule 2, item 8	Immediately after the time specified in the <i>Australian Film Commission Amendment Act 2003</i> for the commencement of item 12 of Schedule 1 to that Act.	1 July 2003
30. Schedule 2, item 9	Immediately after the time specified in the <i>Bankruptcy Legislation Amendment Act 2004</i> for the commencement of item 167 of Schedule 1 to that Act.	1 December 2004
31. Schedule 2, items 10 and 11	Immediately after the time specified in the <i>Criminal Code Amendment (Espionage and Related Matters) Act 2002</i> for the commencement of section 2 of that Act.	31 October 2002
32. Schedule 2, item 12	Immediately after the time specified in the <i>Financial Sector Legislation Amendment Act (No. 1) 2003</i> for the commencement of Schedule 5 to that Act.	28 November 2003



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<b>Commencement information</b>		
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provision(s)</b>	<b>Commencement</b>	<b>Date/Details</b>
33. Schedule 2, item 13	Immediately after the time specified in the <i>Financial Services Reform Act 2001</i> for the commencement of item 334 of Schedule 1 to that Act.	11 March 2002
34. Schedule 2, items 14 and 15	Immediately after the time specified in the <i>Financial Services Reform (Consequential Provisions) Act 2001</i> for the commencement of items 57 and 126 of Schedule 1 to that Act.	11 March 2002
35. Schedule 2, item 16	Immediately after the time specified in the <i>Financial Services Reform (Consequential Provisions) Act 2002</i> for the commencement of item 7 of Schedule 2 to that Act.	11 March 2002
36. Schedule 2, items 17 and 18	Immediately after the time specified in the <i>Fisheries Legislation Amendment (High Seas Fishing Activities and Other Matters) Act 2004</i> for the commencement of item 9 of Schedule 2 to that Act.	20 August 2004
37. Schedule 2, item 19	Immediately after the time specified in the <i>General Insurance Reform Act 2001</i> for the commencement of Schedule 1 to that Act.	1 July 2002
38. Schedule 2, item 20	Immediately after the time specified in the <i>Hearing Services and AGHS Reform Act 1997</i> for the commencement of item 6 of Schedule 4 to that Act.	18 June 1997
39. Schedule 2, item 21	Immediately after the time specified in the <i>Jurisdiction of Courts Legislation Amendment Act 2000</i> for the commencement of section 2 of that Act.	30 May 2000
40. Schedule 2, item 22	Immediately after the time specified in the <i>Military Rehabilitation and Compensation (Consequential and Transitional Provisions) Act 2004</i> for the commencement of item 95 of Schedule 3 to that Act.	1 July 2004

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<b>Commencement information</b>		
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provision(s)</b>	<b>Commencement</b>	<b>Date/Details</b>
41. Schedule 2, item 23	Immediately after the time specified in the <i>Social Security and Veterans' Affairs Legislation Amendment Act 1995</i> for the commencement of item 114 of Schedule 5 to that Act.	20 September 1996
42. Schedule 2, item 24	Immediately after the time specified in the <i>Social Security and Veterans' Entitlements Legislation Amendment (Miscellaneous Matters) Act 2000</i> for the commencement of item 138 of Schedule 1 to that Act.	20 September 2000
43. Schedule 2, item 25	Immediately after the time specified in the <i>Social Security and Veterans' Entitlements Legislation Amendment (Private Trusts and Private Companies—Integrity of Means Testing) Act 2000</i> for the commencement of item 23 of Schedule 1 to that Act.	13 November 2000
44. Schedule 2, item 26	Immediately after the time specified in the <i>Social Security Legislation Amendment (Budget and Other Measures) Act 1996</i> for the commencement of item 27 of Schedule 5 to that Act.	20 March 1997
45. Schedule 2, item 27	Immediately after the time specified in the <i>Social Security Legislation Amendment (Further Budget and Other Measures) Act 1996</i> for the commencement of section 2 of that Act.	23 December 1996
46. Schedule 2, item 28	Immediately after the time specified in the <i>Social Security Legislation Amendment (Youth Allowance Consequential and Related Measures) Act 1998</i> for the commencement of item 41 of Schedule 9 to that Act.	1 July 1998
47. Schedule 2, item 29	Immediately after the time specified in the <i>Social Security Legislation Amendment (Youth Allowance Consequential and Related Measures) Act 1998</i> for the commencement of item 169 of Schedule 9 to that Act.	1 July 1998

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<b>Commencement information</b>		
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provision(s)</b>	<b>Commencement</b>	<b>Date/Details</b>
48. Schedule 2, items 30 and 31	Immediately after the time specified in the <i>Statute Law Revision Act 2002</i> for the commencement of item 14 of Schedule 1 to that Act.	1 July 1999
49. Schedule 2, item 32	Immediately after the time specified in the <i>Veterans' Affairs Legislation Amendment Act (No. 1) 2002</i> for the commencement of item 96 of Schedule 1 to that Act.	6 September 2002

Note: This table relates only to the provisions of this Act as originally passed by the Parliament and assented to. It will not be expanded to deal with provisions inserted in this Act after assent.

- (2) Column 3 of the table contains additional information that is not part of this Act. Information in this column may be added to or edited in any published version of this Act.

### **3 Schedule(s)**

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

## **Schedule 1—Amendment of Principal Acts**

### *Administrative Decisions (Judicial Review) Act 1977*

#### **1 Paragraph (z) of Schedule 1**

Renumber as paragraph (zb).

### *Aged Care Act 1997*

#### **2 Subdivision 57B (heading)**

Repeal the heading, substitute:

#### **Subdivision 57-B—Prudential requirements**

#### **3 Clause 1 of Schedule 1 (definition of *relinquish*)**

Omit “means:\*”, substitute “means:”.

### *Agricultural and Veterinary Chemicals Code Act 1994*

#### **4 After the second subsection in section 20 of the Schedule**

Insert:

#### **21 How approval of label is effected**

Note: This item inserts a section heading that was overlooked in prior amendment of the Principal Act.

#### **5 Subsection 99(3) of the Schedule**

Omit “or or” (wherever occurring), substitute “or”.

### *A New Tax System (Family Assistance) Act 1999*

#### **6 Paragraph 7(ha) of Schedule 3 (the paragraph (ha) inserted by item 30 of Schedule 2 to the *Veterans’ Entitlements (Clarke Review) Act 2004*)**

Renumber as paragraph (haa).

***Australian Sports Drug Agency Act 1990***

**7 Paragraph 67A(b)**

Omit “sporting sporting”, substitute “sporting”.

***Crimes Act 1914***

**8 Subsection 15XA(1) (subparagraph (b)(ii) of the definition of *State or Territory participating agency*)**

Repeal the subparagraph, substitute:

(ii) the Crime and Misconduct Commission of Queensland;

Note: This item removes a reference to a body that no longer exists and substitutes a reference to the body that succeeded it.

**9 Subsection 15XA(1) (subparagraph (b)(iii) of the definition of *State or Territory participating agency*)**

Repeal the subparagraph.

Note: This item removes a reference to a body that no longer exists.

**10 Subsection 15XA(1) (subparagraph (c)(ii) of the definition of *State or Territory participating agency*)**

Repeal the subparagraph.

Note: This item removes a reference to a body that no longer exists.

**11 Subsection 23YUF(2B)**

Omit “paragraph (1)(b)”, substitute “paragraph (2A)(b)”.

Note: This item fixes an incorrect cross-reference.

***Criminal Code Act 1995***

**12 Subparagraph 400.2(2)(b)(ii) of the *Criminal Code***

Omit “paragraph 51(xx)”, substitute “paragraph 51(v)”.

Note: This item fixes an incorrect cross-reference.

***Electronic Transactions Act 1999***

**13 Paragraph 11(6)(a)**

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Omit “document.”, substitute “document;”.

Note: This item corrects the punctuation at the end of the paragraph.

### ***Evidence Act 1995***

#### **14 Chapter 1 (introductory note)**

Omit “Evidence Act 1994”, substitute “*Evidence Act 1995*”.

### ***Financial Transaction Reports Act 1988***

#### **15 Subparagraph 16(1)(b)(iii)**

Omit “*Crimes*”, substitute “*Crime*”.

#### **16 Paragraphs 27(1B)(b) and (c)**

Repeal the paragraphs, substitute:

(b) the Corruption and Crime Commission of Western Australia.

Note: This item removes references to bodies that no longer exist and substitutes a reference to the body that succeeded them.

#### **17 Paragraphs 27(16)(i) and (j)**

Repeal the paragraphs.

Note: This item removes references to bodies that no longer exist.

#### **18 Paragraphs 27(17)(v) and (w)**

Repeal the paragraphs.

Note: This item removes references to members of, or employees of, bodies that no longer exist.

#### **19 Paragraphs 27(17)(x) and (y) (twice occurring)**

Repeal the paragraphs, substitute:

(x) the Commissioner of the Corruption and Crime Commission of Western Australia; and

(y) a member of the staff of the Corruption and Crime Commission of Western Australia; and

Note: This item removes references to members of, or employees of, bodies that no longer exist and substitutes references to members and employees of the body that succeeded those bodies.

#### **20 Paragraph 27(17)(z)**

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Repeal the paragraph.

***Fisheries Management Act 1991***

**21 Paragraph 95(1)(e)**

Omit “holder of a fishing concession”, substitute “holder of a fishing concession,”.

**22 Subdivision D of Division 6 of Part 6 (heading)**

Repeal the heading.

**23 Subsection 113(1)**

Omit “Commonweath”, substitute “Commonwealth”.

**24 Paragraph 166(7)(b)**

Omit “menioned”, substitute “mentioned”.

**25 Subsection 167(1A)**

Omit “AMFA”, substitute “AFMA”.

***Human Rights and Equal Opportunity Commission Act 1986***

**26 Paragraph 31(j)**

Omit “imposd”, substitute “imposed”.

***Insurance Act 1973***

**27 Subsection 52(1)**

Repeal the subsection, substitute:

(1) Where:

(aa) it appears to APRA that a body corporate that is a general insurer or authorised NOHC:

(i) is, or is likely to become, unable to meet its liabilities;  
or

(ii) has contravened or failed to comply with a provision of this Act or the *Financial Sector (Collection of Data) Act 2001* or a condition or direction applicable to it under this Act or that Act; or

- (ab) it appears to APRA that there is, or there may be, a risk to the security of a general insurer's or authorised NOHC's assets; or
- (a) it appears to APRA that there is, or there may be, a sudden deterioration in a general insurer's or authorised NOHC's financial condition; or
- (b) the Treasurer agrees, in writing, to the giving of a notice under this subsection;

APRA may, by notice in writing served on the body corporate, require it to show cause within such period after service of the notice, being not less than 14 days, as APRA specifies in the notice, why APRA should not:

- (c) investigate the whole or any part of the business of the body corporate; or
- (d) appoint a person to make such an investigation and report to APRA the results of his or her investigation.

Note: This amendment restates a provision of the Principal Act to incorporate the substance of two amendments of that provision that start on the same day and that interact. The amendments were made by item 36 of Schedule 1 to the *General Insurance Reform Act 2001* and item 29 of Schedule 2 to the *Financial Sector (Collection of Data—Consequential and Transitional Provisions) Act 2001*.

### ***Judiciary Act 1903***

#### **28 Section 2 (definitions)**

Arrange the definitions in their appropriate alphabetical positions, determined on a letter-by-letter basis.

### ***Life Insurance Act 1995***

#### **29 Section 230E (the section 230E inserted by item 2 of Schedule 1 to the *Taxation Laws Amendment (Structured Settlements and Structured Orders) Act 2002*)**

Renumber as section 203E.

### ***Native Title Act 1993***

#### **30 Subparagraph 206(1)(d)(v)**

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Repeal the subparagraph.

Note 1: This item removes a subparagraph made redundant by the repeal of Part 10 of the *Native Title Act 1993*.

Note 2: The heading to subsection 32(5) is altered by omitting “*expected*” and substituting “*expedited*”.

## ***Patents Act 1990***

### **31 Subsection 70(4)**

Omit “this Division”, substitute “this Part”.

Note: This item corrects a reference made incorrect by the repeal of Divisions within a Part.

### **32 Section 79A**

Omit “this Division”, substitute “this Part”.

Note: This item corrects a reference made incorrect by the repeal of Divisions within a Part.

### **33 Subsection 83(2)**

Omit “Division 2 of”.

Note: This item corrects a reference made incorrect by the repeal of Divisions within a Part.

### **34 Subsection 83(2)**

Omit “that Division”, substitute “that Part”.

Note: This item corrects a reference made incorrect by the repeal of Divisions within a Part.

### **35 Subsection 83(3)**

Omit “Division 2 of”.

Note: This item corrects a reference made incorrect by the repeal of Divisions within a Part.

### **36 Paragraph 83(4)(a)**

Omit “Division 2 of”.

Note: This item corrects a reference made incorrect by the repeal of Divisions within a Part.

### **37 Paragraph 83(4)(b)**

Omit “that Division”, substitute “that Part”.

Note: This item corrects a reference made incorrect by the repeal of Divisions within a Part.

## ***Privacy Act 1988***

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**38 Subsection 6(1) (paragraph (l) of the definition of enforcement body)**

Repeal the paragraph, substitute:

(l) the Crime and Misconduct Commission of Queensland; or

Note: This item removes a reference to a body that no longer exists and substitutes a reference to the body that succeeded it.

***Prohibition of Human Cloning Act 2002***

**39 Subsection 8(1) (paragraph (a) of the definition of excess ART embryo)**

After “technology” (second occurring), insert “treatment”.

Note: This item corrects a misstatement of a defined expression.

***Social Security Act 1991***

**40 Paragraph 8(8)(zca)**

Repeal the paragraph.

Note: This item repeals a paragraph made redundant by amendment of the *Student and Youth Assistance Act 1973*.

**41 Subsection 23(1) (definition of activity test breach)**

Repeal the definition, substitute:

***activity test breach*** means a failure, misconduct or any other act to which any of the following provisions, as in force on or after the commencement of this definition, apply, namely section 550A or 576A, subsection 624(1), 625(1) or 626(1), section 628 or 629, subsection 630(1), 630AA(1), 740(1), 741(1) or 742(1), section 743 or 744 or subsection 745(1) or 754A(1).

Note: This item amends a definition to reflect amendment of the *Student and Youth Assistance Act 1973*.

**42 Subsection 23(1) (definition of activity test breach rate reduction period)**

Repeal the definition, substitute:

***activity test breach rate reduction period*** means a period that applies under section 557, 582, 644AA or 748.

Note: This item amends a definition to reflect amendment of the *Student and Youth Assistance Act 1973*.

**43 Subsection 23(1) (definition of *activity test non-payment period*)**

Repeal the definition, substitute:

*activity test non-payment period* means a period worked out under section 550, 576, 630A or 745B.

Note: This item amends a definition to reflect amendment of the *Student and Youth Assistance Act 1973*.

**44 Subsection 23(1) (definition of *administrative breach rate reduction period*)**

Repeal the definition, substitute:

*administrative breach rate reduction period* means a period that applies under section 558, 583 or 644B.

Note: This item amends a definition to reflect amendment of the *Student and Youth Assistance Act 1973*.

**45 Subsection 23(1) (definition of *educational institution*)**

Omit “*and Youth*”.

Note: This item amends a definition to reflect amendment of the *Student and Youth Assistance Act 1973*.

**46 Subsection 23(1) (paragraph (l) of the definition of *newly arrived resident’s waiting period*)**

Repeal the paragraph.

Note: This item amends a definition to reflect amendment of the *Student and Youth Assistance Act 1973*.

**47 Subsection 23(1) (paragraph (ba) of the definition of *ordinary waiting period*)**

Repeal the paragraph.

Note: This item amends a definition to reflect amendment of the *Student and Youth Assistance Act 1973*.

**48 Subsection 23(1) (definition of *student assistance benefit decision*)**

Repeal the definition.

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Note: This item repeals a definition made redundant by amendment of the *Student and Youth Assistance Act 1973*.

**49 Subsection 23(1) (paragraphs (fc) and (fe) of the definition of *waiting period*)**

Repeal the paragraphs.

Note: This item amends a definition to reflect amendment of the *Student and Youth Assistance Act 1973*.

**50 Subsection 23(1) (definition of *Youth Training Activity Agreement*)**

Repeal the definition.

Note: This item repeals a definition made redundant by amendment of the *Student and Youth Assistance Act 1973*.

**51 Subsection 23(1) (definition of *youth training allowance*)**

Omit “*and Youth*”.

**52 Subparagraph 38B(6)(a)(ii)**

Repeal the subparagraph, substitute:

- (ii) section 595 of this Act (disregard a period of employment);

Note: This item amends a subparagraph to reflect amendment of the *Student and Youth Assistance Act 1973*.

**53 Subsection 542F(3) (definition of *approved full-time unpaid voluntary work*)**

Repeal the definition, substitute:

***approved full-time unpaid voluntary work*** means work that has been approved by the Secretary for the purposes of this section.

Note: This item amends a definition to reflect amendment of the *Student and Youth Assistance Act 1973*.

**54 Subsection 542F(3) (definition of *approved organisation*)**

Repeal the definition, substitute:

***approved organisation*** means an organisation that has been approved by the Secretary for the purposes of this section.

Note: This item amends a definition to reflect amendment of the *Student and Youth Assistance Act 1973*.

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**55 Subparagraph 546(1)(c)(ii)**

Omit “*and Youth*”.

**56 Paragraph 549A(2)(d)**

Omit “or”.

**57 Paragraph 549A(2)(e)**

Repeal the paragraph.

Note: This item repeals a paragraph made redundant by amendment of the *Student and Youth Assistance Act 1973*.

**58 Paragraph 549D(3)(a)**

Repeal the paragraph, substitute:

- (a) the person has been subject to a newly arrived resident’s waiting period; and

Note: This item amends a paragraph to reflect amendment of the *Student and Youth Assistance Act 1973*.

**59 Paragraphs 549D(4)(a) and (b)**

Repeal the paragraphs, substitute:

- (a) the person would, if the person had made a claim under this Act for a social security payment other than youth allowance, have been subject to a newly arrived resident’s waiting period, and that period would have ended; or
- (b) the person has had a qualifying residence exemption for a newstart allowance or a sickness allowance under this Act; or

Note: This item amends the paragraphs to reflect amendment of the *Student and Youth Assistance Act 1973*.

**60 Section 550A (note)**

Repeal the note.

**61 Section 660LG**

Relocate the section to the end of Subdivision AA of Division 9 of Part 2.12.

**62 Subsection 1228(2A)**

Omit “*and Youth*”.

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**63 Paragraph 1234A(1)(a)**

Omit “*and Youth Assistance Act 1973*”, substitute “*Assistance Act 1973* as in force before 1 July 1998”.

***Taxation Administration Act 1953***

**64 Subsection 2(1) (paragraph (dad) of the definition of *head*)**

Repeal the paragraph, substitute:

(dad) in the case of the Crime and Misconduct Commission—the Chairperson of that Commission;

Note: This item removes a reference to a body that no longer exists and substitutes a reference to the body that succeeded it.

**65 Subsection 2(1) (paragraph (daf) of the definition of *head*)**

Repeal the paragraph.

Note: This item removes a reference to a body that no longer exists.

***Telecommunications (Interception) Act 1979***

**66 Subsection 5(1) (definition of *Anti-Corruption Commission*)**

Repeal the definition.

Note: This item repeals the definition of a body that no longer exists.

**67 Subsection 5(1) (definition of *Anti-Corruption Commission Act*)**

Repeal the definition.

Note: This item repeals a redundant definition.

**68 Subsection 5(1) (paragraph (h) of the definition of *certifying officer*)**

Repeal the paragraph.

Note: This item removes references to members of, or employees of, a body that no longer exists.

**69 Subsection 5(1) (paragraphs (i) and (j) of the definition of *chief officer*)**

Repeal the paragraphs.

Note: This item removes references to members of, or constituting, bodies that no longer exist.

**70 Subsection 5(1) (paragraph (d) of the definition of *eligible authority*)**

Omit “the Anti-Corruption Commission, the Royal Commission into Police Corruption,”.

Note: This item removes references to bodies that no longer exist.

**71 Subsection 5(1) (definition of *member of the Anti-Corruption Commission*)**

Repeal the definition.

Note: This item repeals a redundant definition.

**72 Subsection 5(1) (definition of *member of the staff of the Anti-Corruption Commission*)**

Repeal the definition.

Note: This item repeals a redundant definition.

**73 Subsection 5(1) (paragraphs (i) and (j) of the definition of *officer*)**

Repeal the paragraphs.

Note: This item removes references to members of, or employees of, bodies that no longer exist.

**74 Subsection 5(1) (paragraph (f) of the definition of *permitted purpose*)**

Repeal the paragraph.

Note: This item removes a reference to purposes in respect of a body that no longer exists.

**75 Subsection 5(1) (paragraphs (g) and (h) of the definition of *prescribed investigation*)**

Repeal the paragraphs.

Note: This item removes references to investigations by bodies that no longer exist.

**76 Subsection 5(1) (paragraphs (i) and (j) of the definition of *relevant offence*)**

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Repeal the paragraphs.

Note: This item is consequential on item 75 of this Schedule.

**77 Subsection 5(1) (definition of *Royal Commission into Police Corruption*)**

Repeal the definition.

Note: This item repeals a redundant definition.

**78 Paragraph 5B(i)**

Repeal the paragraph.

Note: This item removes a reference to proceedings conducted by a body that no longer exists.

**79 Subparagraphs 6A(1)(c)(viii) and (ix)**

Repeal the subparagraphs.

Note: This item is consequential on item 75 of this Schedule.

**80 Paragraph 6L(2)(d)**

Omit “the Anti-Corruption Commission, the Royal Commission into Police Corruption,”.

Note: This item removes references to bodies that no longer exist.

**81 Paragraph 39(2)(h)**

Repeal the paragraph.

Note: This item removes a reference to proceedings conducted by a body that no longer exists.

**82 Paragraphs 68(g) and (i)**

Repeal the paragraphs.

Note: This item removes references to information obtained by bodies that no longer exist.

***Veterans’ Entitlements Act 1986***

**83 Subclause 10(2A) of Schedule 5 (the subclause (2A) inserted by item 85 of Schedule 6 to the *Veterans’ Affairs Legislation Amendment Act (No. 1) 2002*)**

Renumber as subclause (2B).

***Workplace Relations Act 1996***

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**84 Paragraph 170CBA(3A)(a)**

Omit “first period of employment”, substitute “*first period of employment*”.

**85 Paragraph 170CBA(3A)(c)**

Omit “second period of employment”, substitute “*second period of employment*”.

## Schedule 2—Amendment of amending Acts

### *Aged Care (Consequential Provisions) Act 1997*

#### **1 Item 42 of Schedule 3 (heading)**

Omit “Paragraphs 1207(1)(c) and (d)”, substitute “Paragraph 1207(1)(c)”.

#### **2 After item 42 of Schedule 3**

Insert:

#### **42A Paragraph 1207(1)(d)**

Omit “or Part 3.12B (residential care allowance)”.

Note: Items 1 and 2 correct an item that did not accurately represent a phrase from the *Social Security Act 1991*.

### *Agricultural and Veterinary Chemicals Legislation Amendment Act 2003*

#### **3 Item 22 of Schedule 1 (heading)**

After “Division 2”, insert “of Part 2”.

Note: This item makes clear the location of an amendment of the Principal Act.

### *Audit (Transitional and Miscellaneous) Amendment Act 1997*

#### **4 Item 394 of Schedule 2**

Repeal the item.

Note: This item repeals an item that amends a provision that does not exist.

#### **5 Item 398 of Schedule 2 (heading)**

Omit “(6), 25(3) and (4)”, substitute “(6)”.

Note: This item corrects an item that amends a provision that does not exist.

#### **6 Item 398 of Schedule 2 (heading)**

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Omit “**paragraphs 31(1)(b) and 32(2)(b) and (c)**”, substitute “**paragraph 31(1)(b)**”.

Note: This item corrects an item that amends a provision that does not exist.

***Australian Federal Police and Other Legislation Amendment Act 2004***

**7 Item 16 of Schedule 3 (heading)**

Omit “**Part 1D**”, substitute “**Part ID**”.

***Australian Film Commission Amendment Act 2003***

**8 Item 12 of Schedule 1**

Omit “member of staff” (wherever occurring), substitute “member of the staff”.

***Bankruptcy Legislation Amendment Act 2004***

**9 Item 167 of Schedule 1 (heading)**

Omit “, (d)”.

***Criminal Code Amendment (Espionage and Related Matters) Act 2002***

**10 Subsection 2(4)**

Omit “Schedule 2” (first occurring), substitute “Schedule 1”.

**11 Subsection 2(5)**

Omit “Schedule 2” (first occurring), substitute “Schedule 1”.

***Financial Sector Legislation Amendment Act (No. 1) 2003***

**12 Item 16 of Schedule 5 (heading)**

Repeal the heading, substitute:

**16 At the end of Division 1 of Part IIIA**

***Financial Services Reform Act 2001***

**13 Item 334 of Schedule 1 (heading)**

Omit “170(3)”, substitute “170(3B)”.

***Financial Services Reform (Consequential Provisions) Act  
2001***

**14 Item 57 of Schedule 1**

Omit “her or she”, substitute “he or she”.

**15 Item 126 of Schedule 1 (heading)**

Omit “12HB(1)(a)”, substitute “12HB(1)(b)”.

***Financial Services Reform (Consequential Provisions) Act  
2002***

**16 Item 7 of Schedule 2**

Omit “the other person”, substitute “the third person”.

***Fisheries Legislation Amendment (High Seas Fishing  
Activities and Other Matters) Act 2004***

**17 Item 9 of Schedule 2**

After “owner or”, insert “the”.

Note: This item corrects an item that did not accurately represent a phrase from the *Fisheries Management Act 1991*.

**18 Item 9 of Schedule 2**

Omit “, and”, substitute “and”.

***General Insurance Reform Act 2001***

**19 Item 41B of Schedule 1**

After “the whole or”, insert “a”.

***Hearing Services and AGHS Reform Act 1997***

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**20 Item 6 of Schedule 4**

Repeal the item, substitute:

**6 Paragraph 7(1)(a)**

After “other than” (first occurring), insert “an eligible hearing service provider or”.

Note: This item remakes an amending item so that the location of an amendment becomes certain.

***Jurisdiction of Courts Legislation Amendment Act 2000***

**21 Subsection 2(4)**

After “items in “, insert “Parts 1, 2 and 4 of”.

***Military Rehabilitation and Compensation (Consequential and Transitional Provisions) Act 2004***

**22 Item 95 of Schedule 3 (note)**

Omit “1069-D9”, substitute “1068-D9”.

***Social Security and Veterans’ Affairs Legislation Amendment Act 1995***

**23 Item 114 of Schedule 5**

Omit “allowance or”, substitute “allowance,”.

***Social Security and Veterans’ Entitlements Legislation Amendment (Miscellaneous Matters) Act 2000***

**24 Item 138 of Schedule 1 (heading)**

Omit “(a)”, substitute “(b)”.

***Social Security and Veterans’ Entitlements Legislation Amendment (Private Trusts and Private Companies—Integrity of Means Testing) Act 2000***

**25 Item 23 of Schedule 1 (heading)**

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Omit “3.16A”, substitute “3.16B”.

***Social Security Legislation Amendment (Budget and Other Measures) Act 1996***

**26 Item 27 of Schedule 5 (heading)**

Omit “*period*”, substitute “*provision*”.

Note: This item corrects an item that incorrectly identifies a definition that is to be repealed.

***Social Security Legislation Amendment (Further Budget and Other Measures) Act 1996***

**27 Subsection 2(4)**

Omit “24”, substitute “21”.

***Social Security Legislation Amendment (Youth Allowance Consequential and Related Measures) Act 1998***

**28 Item 41 of Schedule 9 (heading)**

Omit “(h)”, substitute “(g)”.

**29 Item 169 of Schedule 9**

Before “youth”, insert “a”.

***Statute Law Revision Act 2002***

**30 Item 14 of Schedule 1 (heading)**

Omit “Notes 1(b) and (c)”, substitute “Note 1(b)”.

**31 After Item 14 of Schedule 1**

Insert:

**14A Section XI of Schedule 3 (Additional Note 1(c))**

Omit “Standards Association of Australia”, substitute “Standards Australia International Limited”.

Note: Items 30 and 31 split one amendment in a previous Statute Law Revision Act into 2 amendments because slightly different wording was required for each.

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***Veterans' Affairs Legislation Amendment Act (No. 1) 2002***

**32 Item 96 of Schedule 1 (heading)**

After “**note**”, insert “**1**”.

Note: This item fixes an incorrect cross-reference.

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*[Minister's second reading speech made in—  
Senate on 16 March 2005  
House of Representatives on 23 June 2005]*

(39/05)

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