

Foreign Influence Transparency Scheme Legislation Amendment Act 2018

No. 152, 2018

An Act to amend the law in relation to foreign influence transparency, and for related purposes

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An Act to amend the law in relation to foreign influence transparency, and for related purposes

[*Assented to 10 December 2018*]

The Parliament of Australia enacts:

1 Short title

This Act is the *Foreign Influence Transparency Scheme Legislation Amendment Act 2018*.

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.

| Commencement information | | |
| --- | --- | --- |
| Column 1 | Column 2 | Column 3 |
| Provisions | Commencement | Date/Details |
| 1. The whole of this Act | The later of:  (a) the day this Act receives the Royal Assent; and  (b) immediately after the commencement of the *Foreign Influence Transparency Scheme Act 2018*. | 10 December 2018  (paragraph (b) applies) |

Note: This table relates only to the provisions of this Act as originally enacted. It will not be amended to deal with any later amendments of this Act.

(2) Any information in column 3 of the table is not part of this Act. Information may be inserted in this column, or information in it may be edited, in any published version of this Act.

3 Schedules

Legislation that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.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

Foreign Influence Transparency Scheme Act 2018

1 Section 41

After “registrants”, insert “, former registrants”.

2 Subsection 43(1)

Omit “each person registered”, substitute “each person who is, or has at any time been, registered”.

3 Paragraph 43(1)(b)

After “undertakes”, insert “or undertook”.

4 Section 44

Omit “in the register”, substitute “on the register or made publicly available under section 43”.

5 Application

The amendments of the *Foreign Influence Transparency Scheme Act 2018* made by this Schedule apply in relation to a person who is, or has at any time been, registered in relation to a foreign principal:

(a) whether the person became registered before or after this Schedule commences; and

(b) even if the person ceased to be registered before this Schedule commences.

National Security Legislation Amendment (Espionage and Foreign Interference) Act 2018

6 Item 1 of Schedule 5

Repeal the item, substitute:

1 Requirement to register in relation to pre‑existing arrangements

If, at the time the *Foreign Influence Transparency Scheme Act 2018* commences, a registrable arrangement is in existence between a person and a foreign principal, the person must register under the scheme no later than whichever of the following days occurs first:

(a) the day that is 3 months after the day that Act commences;

(b) the day that is 14 days after the day, or the earlier of the days, on which writs are issued for a general election or a Senate election (within the meaning of the *Commonwealth Electoral Act 1918*).

[*Minister’s second reading speech made in—*

*House of Representatives on 28 November 2018*

*Senate on 5 December 2018*]

(234/18)