



Charter of the United Nations Amendment Act 2021

No. 106, 2021

An Act to amend the *Charter of the United Nations Act 1945*, and for related purposes

Note: An electronic version of this Act is available on the Federal Register of Legislation (<https://www.legislation.gov.au/>)

Contents

1	Short title.....	1
2	Commencement.....	2
3	Schedules.....	2
Schedule 1—Amendments		3
	<i>Charter of the United Nations Act 1945</i>	3



Charter of the United Nations Amendment Act 2021

No. 106, 2021

An Act to amend the *Charter of the United Nations Act 1945*, and for related purposes

[Assented to 13 September 2021]

The Parliament of Australia enacts:

1 Short title

This Act is the *Charter of the United Nations Amendment Act 2021*.

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 day after this Act receives the Royal Assent.	14 September 2021

Note: This table relates only to the provisions of this Act as originally enacted.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Legislation that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.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

Charter of the United Nations Act 1945

1 Subsection 15(1)

After “must”, insert “, by legislative instrument,”.

2 Subsection 15(3)

After “may”, insert “, by legislative instrument,”.

3 Subsections 15(6) and (7)

Repeal the subsections.

4 Subsection 16(1)

After “Minister may”, insert “, by legislative instrument,”.

5 Subsections 16(3) and (4)

Repeal the subsections.

6 Before section 39

Insert:

38A Effect of certain listings

(1) In this section:

listing:

(a) means one of the following as in force at any time before the commencement of this section:

- (i) a listing under subsection 15(1) of a person or entity;
- (ii) a listing under subsection 15(3) of an asset or class of asset; and

(b) to avoid doubt, includes a listing given effect by regulation 4 of the previous regulations.

previous regulations means the *Charter of the United Nations (Terrorism and Dealings with Assets) Regulations 2002*.

registered means registered on:

- (a) the Federal Register of Legislation (within the meaning of the *Legislation Act 2003*); or
 - (b) the Register (within the meaning of the *Legislative Instruments Act 2003* as in force before 5 March 2016).
- (2) Subsection (4) applies if, apart from this section, a listing would not have applied, or been enforceable, in relation to a person at a time before the commencement of this section only because the listing was not registered at the time.
- (3) Subsection (4) also applies if, apart from this section, a listing would not have applied in relation to a person at a time before the commencement of this section only because the listing was taken to be repealed by paragraph 32(2)(b) of the *Legislative Instruments Act 2003* (as in force before 5 March 2016) because the listing had not been registered by a particular time.
- (4) The listing is taken, for all purposes, to have been registered at the time.
- (5) To avoid doubt:
- (a) anything done or purported to have been done by a person that would have been invalid except for subsection (4) is taken always to have been valid, despite any effect that may have on the accrued rights of any person; and
 - (b) this section applies in relation to civil and criminal proceedings, including proceedings that are pending or concluded.

[Minister's second reading speech made in—
House of Representatives on 11 August 2021
Senate on 31 August 2021]

(92/21)
