

# **Electronic Transactions Amendment Regulations 2004 (No. 1) 2004 No. 171**

## **EXPLANATORY STATEMENT**

Statutory Rules 2004 No. 171

### **ELECTRONIC TRANSACTIONS AMENDMENT REGULATIONS 2004 (No. 1)**

The *Electronic Transactions Act 1999* (the Act) facilitates the use of electronic transactions by enabling business and the community to use electronic communications in their dealings with government. The *Electronic Transactions Regulations 2000* (the Principal Regulations) exempt the provisions of specified Commonwealth legislation and subordinate legislation from the Act where it would not be appropriate to permit the use of electronic communications. For example, agencies may need to see original paper documents or require a person's handwritten signature as fraud or identity control measures.

The *Military Rehabilitation and Compensation Act 2004* (the MRCA) is a rehabilitation and compensation scheme specifically for members of the Australian Defence Force and their families that will commence on 1 July 2004. The MRCA will replace the *Veterans' Entitlements Act 1986* (the VEA) and the *Safety, Rehabilitation and Compensation Act 1988* (the SRCA) in relation to an injury, disease or death that relates to defence service rendered by a person on or after 1 July 2004.

Section 16 of the Act provides that the Governor-General may make regulations prescribing matters required or permitted by the Act to be prescribed, or necessary or convenient to be prescribed for carrying out or giving effect to the Act.

The purpose of these Regulations is to exempt specified provisions of the MRCA from the provisions of the Act that permit the use of electronic communications to satisfy legal requirements for writing (section 9 of the Act), signature (section 10 of the Act) and the production of documents (section 11 of the Act). The exemptions will be consistent with the exemptions already provided for the VEA and the SRCA.

Details of the Regulations are set out in the [Attachment](#).

The Regulations commence on 1 July 2004.

Attachment

***ELECTRONIC TRANSACTIONS AMENDMENT REGULATIONS 2004 (No. 1)***

**Regulation 1** provides that the name of the Regulations is the *Electronic Transactions Amendment Regulations 2004 (No. 1)*.

**Regulation 2** provides that the Regulations commence on 1 July 2004.

**Regulation 3** provides that Schedule 1 amends the *Electronic Transactions Regulations 2000*.

**Schedule 1**

**Item 1** inserts a reference at clause 80A to sections 319, 323, 330, 34, 352, 405 and 406 of the *Military Rehabilitation and Compensation Act 2004*. This has the effect of exempting those provisions from the operation of sections 9, 10 and 11 of the *Electronic Transactions Act 1999*.