



Foreign Acquisitions and Takeovers Amendment Regulations 2010 (No. 1)¹

Select Legislative Instrument 2010 No. 30

I, QUENTIN BRYCE, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Foreign Acquisitions and Takeovers Act 1975*.

Dated 25 February 2010

QUENTIN BRYCE
Governor-General

By Her Excellency's Command

WAYNE SWAN
Treasurer

1 Name of Regulations

These Regulations are the *Foreign Acquisitions and Takeovers Amendment Regulations 2010 (No. 1)*.

2 Commencement

These Regulations are taken to have commenced on 12 February 2009.

3 Amendment of *Foreign Acquisitions and Takeovers Regulations 1989*

Schedule 1 amends the *Foreign Acquisitions and Takeovers Regulations 1989*.

Schedule 1 Amendments

(regulation 3)

[1] Regulation 2A

omit

For paragraph 11 (5) (c)

insert

- (1) For paragraph 11 (5) (c)

[2] Regulation 2A

insert

- (2) For subsection 11 (5A) of the Act, the following provisions are prescribed:
- (a) the definition of *foreign person* in subsection 21A (1) of the Act;
 - (b) the definition of *person to whom this section applies* in subsection 26 (1) of the Act;

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- (c) the definition of *person to whom this section applies* in subsection 26A (1) of the Act.
- (3) For subsection 11 (5A) of the Act, and the provisions mentioned in paragraphs (2) (a) to (c), a kind of interest is an interest in a share that is part of:
- (a) a substantial interest in a corporation within the meaning of paragraph 9 (1) (b) or (d) of the Act; or
 - (b) an aggregate substantial interest in a corporation within the meaning of paragraph 9 (1A) (b) or (d) of the Act.

Note Under subsection 11 (5A) of the Act, an interest in a share is to be disregarded for the purposes of a prescribed provision of the Act if the interest is of a kind prescribed in respect of that provision.

[3] Regulation 2B

omit

paragraph 2A (a)

insert

paragraph 2A (1) (a)

Note

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See <http://www.frli.gov.au>.