



Human Services (Spent and Redundant Instruments) Repeal Regulation 2013

Select Legislative Instrument No. 171, 2013

I, Quentin Bryce AC CVO, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulation under the *Legislative Instruments Act 2003*.

Dated 11 July 2013

Quentin Bryce
Governor-General

By Her Excellency's Command

Mark Dreyfus QC
Attorney-General

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1 Name of regulation

This regulation is the *Human Services (Spent and Redundant Instruments) Repeal Regulation 2013*.

2 Commencement

This regulation commences on the day after it is registered.

3 Authority

This regulation is made under the *Legislative Instruments Act 2003*.

4 Guide to this regulation

This regulation repeals legislative instruments that are spent or no longer required, as authorised by section 48E of the *Legislative Instruments Act 2003*.

To assist the reader, the instruments repealed by this regulation are listed in 4 Schedules.

Schedule 1 deals with solely amending and repealing instruments.

Schedule 2 deals with commencement instruments.

Schedule 3 deals with amending and repealing instruments that contain application, saving or transitional provisions.

Schedule 4 deals with other instruments that are spent or no longer required.

This regulation contains saving provisions that apply to the repeals, in addition to the provision made by section 7 of the *Acts Interpretation Act 1901*. That section applies to this regulation because of section 13 of the *Legislative Instruments Act 2003*.

5 Repeal of amending and repealing instruments

- (1) Each instrument mentioned in Schedule 1 is repealed.
- (2) The repeal of an instrument by this section does not affect any amendment or repeal (however described) made by the instrument.
- (3) Subsection (2) does not limit the effect of section 7 of the *Acts Interpretation Act 1901* as it applies to the repeal of an instrument by this section.

6 Repeal of commencement instruments

- (1) Each instrument mentioned in Schedule 2 is repealed.
- (2) The repeal of an instrument by this section does not affect any commencement provided by the instrument.
- (3) Subsection (2) does not limit the effect of section 7 of the *Acts Interpretation Act 1901* as it applies to the repeal of an instrument by this section.

7 Repeal of amending and repealing instruments containing other provisions

- (1) Each instrument mentioned in Schedule 3 is repealed.
- (2) The repeal of an instrument by this section does not affect:
 - (a) any amendment or repeal (however described) made by the instrument; or
 - (b) the continuing operation of any provision of the instrument made or expressed to be made for an application, saving or transitional purpose (or that makes provision consequential or related to such a provision).
- (3) Subsection (2) does not limit the effect of section 7 of the *Acts Interpretation Act 1901* as it applies to the repeal of an instrument by this section.

8 Repeal of other redundant instruments

- (1) Each instrument mentioned in Schedule 4 is repealed.
- (2) The repeal of an instrument by this section does not affect:
 - (a) any amendment or repeal (however described) made by the instrument; or
 - (b) the continuing operation of any provision of the instrument made or expressed to be made for an application, saving or transitional purpose (or that makes provision consequential or related to such a provision).
- (3) Subsection (2) does not limit the effect of section 7 of the *Acts Interpretation Act 1901* as it applies to the repeal of an instrument by this section.

9 Expiry of regulation

This regulation expires on the day after it commences, as if it had been repealed by another regulation.

Schedule 1—Repeal of amending and repealing instruments

Guide to this Schedule

This Schedule repeals amending and repealing legislative instruments that are spent, and that would have been repealed automatically under section 48A of the *Legislative Instruments Act 2003* if they had been made after the commencement of that section. This Schedule does not include instruments with an application, saving or transitional provision: see Schedule 3.

The repeal of an instrument by this Schedule does not affect any amendment or repeal made by the instrument: see subsection 5(2).

Repeal of amending and repealing instruments

Item	Instrument name and series number (if any)	FRLI identifier
1	<i>Australian Hearing Services Amendment Regulations 1999 (No. 1)</i> , SR 1999 No. 139	F1999B00134
2	<i>Australian Hearing Services Amendment Regulations 2000 (No. 1)</i> , SR 2000 No. 191	F2000B00198
3	<i>Australian Hearing Services Amendment Regulations 2011 (No. 1)</i> , SLI 2011 No. 249	F2011L02606
4	<i>Commonwealth Services Delivery Agency (Functions of Chief Executive Officer—Repeal) Direction 2011</i>	F2011L01325
5	<i>Health Insurance Commission Amendment Regulations 2001 (No. 1)</i> , SR 2001 No. 276	F2001B00366
6	<i>Health Insurance Commission Amendment Regulations 2001 (No. 2)</i> , SR 2001 No. 277	F2001B00367
7	<i>Health Insurance Commission Amendment Regulations 2002 (No. 1)</i> , SR 2002 No. 142	F2002B00136
8	<i>Health Insurance Commission Amendment Regulations 2002 (No. 2)</i> , SR 2002 No. 253	F2002B00254
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Repeal of amending and repealing instruments		
Item	Instrument name and series number (if any)	FRLI identifier
9	<i>Health Insurance Commission Amendment Regulations 2003 (No. 1)</i> , SR 2003 No. 161	<u>F2003B00174</u>
10	<i>Health Insurance Commission Amendment Regulations 2004 (No. 1)</i> , SR 2004 No. 182	<u>F2004B00205</u>
11	Health Insurance Commission Regulations (Amendment), SR 1976 No. 21	<u>F1996B01022</u>
12	Health Insurance Commission Regulations (Amendment), SR 1976 No. 146	<u>F1996B01023</u>
13	Health Insurance Commission Regulations (Amendment), SR 1982 No. 249	<u>F1996B01024</u>
14	Health Insurance Commission Regulations (Amendment), SR 1983 No. 88	<u>F1996B01025</u>
15	Health Insurance Commission Regulations (Amendment), SR 1983 No. 152	<u>F1996B01026</u>
16	Health Insurance Commission Regulations (Amendment), SR 1984 No. 321	<u>F1996B01027</u>
17	Health Insurance Commission Regulations (Amendment), SR 1985 No. 41	<u>F1996B01028</u>
18	Health Insurance Commission Regulations (Amendment), SR 1985 No. 70	<u>F1996B01029</u>
19	Health Insurance Commission Regulations (Amendment), SR 1986 No. 127	<u>F1996B01030</u>
20	Health Insurance Commission Regulations (Amendment), SR 1987 No. 165	<u>F1996B01031</u>
21	Health Insurance Commission Regulations (Amendment), SR 1989 No. 55	<u>F1996B01032</u>
22	Health Insurance Commission Regulations (Amendment), SR 1989 No. 195	<u>F1996B01034</u>
23	Health Insurance Commission Regulations (Amendment), SR 1991 No. 443	<u>F1996B01035</u>
24	Health Insurance Commission Regulations (Amendment), SR 1992 No. 241	<u>F1996B01036</u>

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Schedule 1 Repeal of amending and repealing instruments

Repeal of amending and repealing instruments		
Item	Instrument name and series number (if any)	FRLI identifier
25	Health Insurance Commission Regulations (Amendment), SR 1993 No. 81	<u>F1996B01037</u>
26	Health Insurance Commission Regulations (Amendment), SR 1993 No. 89	<u>F1996B01038</u>
27	Health Insurance Commission Regulations (Amendment), SR 1993 No. 197	<u>F1996B01039</u>
28	Health Insurance Commission Regulations (Amendment), SR 1993 No. 217	<u>F1996B01040</u>
29	Health Insurance Commission Regulations (Amendment), SR 1994 No. 102	<u>F1996B01041</u>
30	Health Insurance Commission Regulations (Amendment), SR 1994 No. 404	<u>F1996B01043</u>
31	Health Insurance Commission Regulations (Amendment), SR 1994 No. 450	<u>F1996B01044</u>
32	Health Insurance Commission Regulations (Amendment), SR 1995 No. 24	<u>F1996B01045</u>
33	Health Insurance Commission Regulations (Amendment), SR 1995 No. 286	<u>F1996B01046</u>
34	Health Insurance Commission Regulations (Amendment), SR 1995 No. 375	<u>F1996B01047</u>
35	Health Insurance Commission Regulations (Amendment), SR 1995 No. 440	<u>F1996B01048</u>
36	Health Insurance Commission Regulations (Amendment), SR 1996 No. 159	<u>F1996B01049</u>
37	Health Insurance Commission Regulations (Amendment), SR 1996 No. 322	<u>F1997B00996</u>
38	Health Insurance Commission Regulations (Amendment), SR 1997 No. 286	<u>F1997B02777</u>
39	Health Insurance Commission Regulations (Amendment), SR 1997 No. 332	<u>F1997B02820</u>
40	Health Insurance Commission Regulations (Amendment), SR 1997 No. 396	<u>F1997B02885</u>

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Repeal of amending and repealing instruments		
Item	Instrument name and series number (if any)	FRLI identifier
41	Health Insurance Commission Regulations (Amendment), SR 1998 No. 67	<u>F1998B00062</u>
42	Health Insurance Commission Regulations (Amendment), SR 1998 No. 103	<u>F1998B00095</u>
43	Health Insurance Commission Regulations (Amendment), SR 1998 No. 124	<u>F1998B00115</u>
44	Hearing Services Regulations (Amendment), SR 1992 No. 234	<u>F1996B00820</u>
45	Hearing Services Regulations (Amendment), SR 1997 No. 333	<u>F1997B02821</u>
46	<i>Medicare Australia Amendment Regulations 2005 (No. 1)</i> , SLI 2005 No. 220	<u>F2005L03040</u>
47	<i>Medicare Australia Amendment Regulations 2009 (No. 1)</i> , SLI 2009 No. 197	<u>F2009L02998</u>
48	<i>Medicare Australia (Functions of Chief Executive Officer—Repeal) Direction 2011</i>	<u>F2011L01317</u>

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Schedule 2—Repeal of commencement instruments

Guide to this Schedule

This Schedule repeals a commencement instrument that is spent, and that would have been repealed automatically under section 48B of the *Legislative Instruments Act 2003* if it had been made after the commencement of that section.

The repeal of the instrument by this Schedule does not affect any commencement the instrument provides for: see subsection 6(2).

Repeal of commencement instruments

Item	Instrument name and series number (if any)	FRLI identifier
1	Proclamation for the <i>Human Services Legislation Amendment Act 2005</i> (made on 15 September 2005)	<u>F2005L02671</u>

Schedule 3—Repeal of amending and repealing instruments containing other provisions

Guide to this Schedule

This Schedule repeals amending and repealing legislative instruments that also contain application, saving or transitional provisions. The amendments and repeals have happened, and the application, saving or transitional provisions are no longer required. The instruments do not contain any other substantive provisions.

To assist the reader, the location of each application, saving or transitional provision in an instrument is identified in brackets after its name, with “s” used to indicate the provision (e.g. “s. 4” may refer to section 4, regulation 4, clause 4 or the fourth provision of some other type as appropriate).

The repeal of an instrument by this Schedule does not affect any amendment or repeal made by the instrument: see paragraph 7(2)(a). Also, to ensure that the repeal of the application, saving or transitional provisions does not have any unforeseen effect, and to remove any doubt that may otherwise exist, any continuing operation they may have is preserved: see paragraph 7(2)(b).

Repeal of amending and repealing instruments containing other provisions

Item	Instrument name and series number (if any)	FRLI identifier
1	Health Insurance Commission Regulations (Amendment) (s. 5), SR 1989 No. 96	<u>F1996B01033</u>
2	Health Insurance Commission Regulations (Amendment) (s. 4), SR 1994 No. 257	<u>F1996B01042</u>

Schedule 3 Repeal of amending and repealing instruments containing other provisions

Repeal of amending and repealing instruments containing other provisions

Item	Instrument name and series number (if any)	FRLI identifier
3	Hearing Services Regulations (Amendment) (s. 8), SR 1996 No. 149	<u>F1996B00821</u>

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Schedule 4—Repeal of other redundant instruments

Guide to this Schedule

This Schedule repeals a legislative instrument that is spent or no longer required, and that is not covered by the previous Schedules.

More information about why the instrument is spent or no longer required is provided in the explanatory statement accompanying this regulation.

The repeal of the instrument by this Schedule does not affect any amendment or repeal made by the instrument: see paragraph 8(2)(a). Also, to ensure that the repeal of any application, saving or transitional provision does not have any unforeseen effect, and to remove any doubt that may otherwise exist, any continuing operation it may have is preserved: see paragraph 8(2)(b).

Repeal of other redundant instruments

Item	Instrument name and series number (if any)	FRLI identifier
1	<i>Medicare Australia (Function of Chief Executive Officer—Teen Dental Plan) Direction 2008</i>	<u>F2008L01300</u>