



Legislative Instruments Amendment (Sunsetting Exemptions) Regulation 2013

Select Legislative Instrument No. 212, 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 05 August 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 *Legislative Instruments Amendment (Sunsetting Exemptions) 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 Schedule(s)

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Legislative Instruments Regulations 2004

1 Schedule 3

Repeal the Schedule, substitute:

Schedule 3—Legislative instruments not subject to sunseting

Note: See regulation 9.

1 Legislative instruments not subject to sunseting

The following table sets out legislative instruments that are not subject to sunseting.

Legislative instruments not subject to sunseting		
Item	Legislative instruments	
1	Regulations made under the <i>Aboriginal Land Rights (Northern Territory) Act 1976</i>	
2	Orders made under section 19B (Reference to Minister, Department etc. where no longer any such Minister, or Department abolished etc.) or 19BA (Reference to Minister, Department etc. inconsistent with changed administrative arrangements) of the <i>Acts Interpretation Act 1901</i>	
3	Instruments relating to aviation safety made under the <i>Airspace Regulations 2007</i>	
4	Rules made under section 229 (AML/CTF Rules) of the <i>Anti-Money Laundering and Counter-Terrorism Financing Act 2006</i>	
5	Regulations made under the <i>Aviation Transport Security Act 2004</i>	
6	Determinations made under subsection 70A(4) (determinations relating to recognised settlement systems) of the <i>Cheques Act 1986</i>	
7	Principles made under subsection 91(1B) (fee waiver principles) of the <i>Classification (Publications, Films and Computer Games) Act 1995</i>	
8	Instruments made under section 104 or 105 (safety standards) of	
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Legislative instruments not subject to sunseting

Item	Legislative instruments
	Schedule 2 (The Australian Consumer Law) to the <i>Competition and Consumer Act 2010</i> , including prescribed consumer product safety standards under section 65C of the <i>Trade Practices Act 1974</i> that were in force immediately before the commencement of item 4 of Schedule 7 to the <i>Trade Practices Amendment (Australian Consumer Law) Act (No. 2) 2010</i>
9	Instruments made under section 114 (permanent bans) of Schedule 2 (The Australian Consumer Law) to the <i>Competition and Consumer Act 2010</i> , including notices under subsection 65C(7) of the <i>Trade Practices Act 1974</i> that were in force immediately before the commencement of item 3 of Schedule 7 to the <i>Trade Practices Amendment (Australian Consumer Law) Act (No. 2) 2010</i>
10	Instruments made under section 134 or 135 (information standards) of Schedule 2 (The Australian Consumer Law) to the <i>Competition and Consumer Act 2010</i> , including prescribed consumer product information standards under section 65D of the <i>Trade Practices Act 1974</i> that were in force immediately before the commencement of item 5 of Schedule 7 to the <i>Trade Practices Amendment (Australian Consumer Law) Act (No. 2) 2010</i>
11	Proclamations made under section 3A (Proclamation of vessels as exempt vessels) or 3B (Proclamation of waters as naval waters) of the <i>Control of Naval Waters Act 1918</i>
12	Standards made under section 334 (Accounting standards) or 336 (Auditing standards) of the <i>Corporations Act 2001</i>
13	Rules made under section 798G (Market integrity rules) of the <i>Corporations Act 2001</i>
14	Instruments made under section 827D (Reserve Bank may determine financial stability standards) of the <i>Corporations Act 2001</i>
15	Regulations made under the <i>Cross-Border Insolvency Act 2008</i>
16	Regulations made solely for the purposes of section 50 (Prohibition of the importation of goods) or 112 (Prohibited exports) of the <i>Customs Act 1901</i>
17	Tariff concession orders made under Part XVA (Tariff concession orders) of the <i>Customs Act 1901</i>
18	Regulations made under the <i>Foreign Acquisitions and Takeovers Act 1975</i>
19	Approvals given under subsection 16-25(1) (approvals of higher education providers) of the <i>Higher Education Support Act 2003</i>
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Schedule 1 Amendments

Legislative instruments not subject to sunseting		
Item	Legislative instruments	
20	Approvals given under subclause 6(1) or (1A) (approvals of VET providers) of Schedule 1A (VET FEE-HELP Assistance Scheme) to the <i>Higher Education Support Act 2003</i>	
21	Regulations made under the <i>Judges' Pensions Act 1968</i>	
22	Regulations made under the <i>Maritime Transport and Offshore Facilities Security Act 2003</i>	
23	Determinations made under section 6 (Kinds of service to which this Act applies) or 8 (Ministerial determinations that other people are members) of the <i>Military Rehabilitation and Compensation Act 2004</i>	
24	Regulations made solely for the purposes of section 7 (Regulations setting out model legislation and road transport legislation) of the <i>National Transport Commission Act 2003</i>	
25	Determinations made under paragraph 26(3)(b) (determinations relating to excluded Acts) of the <i>Native Title Act 1993</i> as in force immediately before 30 September 1998	
26	Regulations made solely for the purposes of Division 6 (Native title functions of prescribed bodies corporate and holding of native title in trust) or Division 7 (Financial matters) of Part 2 (Native Title) of the <i>Native Title Act 1993</i>	
27	Regulations made under the <i>Papua New Guinea (Staffing Assistance) Act 1973</i>	
28	Regulations made under the <i>Parliamentary Contributory Superannuation Act 1948</i>	
29	Regulations made under the <i>Payment Systems and Netting Act 1998</i>	
30	Declarations made under subsection 9(3) (facilities not purchased payment facilities) of the <i>Payment Systems (Regulation) Act 1998</i>	
31	Regulations made under the <i>Payment Systems (Regulation) Act 1998</i>	
32	Notices given under section 36 (Designation of parts of the spectrum for spectrum licences) of the <i>Radiocommunications Act 1992</i>	
33	Declarations made under section 153B (Spectrum re-allocation declaration) of the <i>Radiocommunications Act 1992</i>	
34	Declarations made under subparagraph (c)(iii) (declaration that body corporate is Commonwealth authority) of the definition of Commonwealth authority in subsection 4(1) of the <i>Safety, Rehabilitation and Compensation Act 1988</i>	
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Legislative instruments not subject to sunseting

Item	Legislative instruments
35	Declarations made under section 4A (Declaration that ACT a Commonwealth authority) of the <i>Safety, Rehabilitation and Compensation Act 1988</i>
36	Instruments made under subsection 5(6) (notices declaring persons to be Commonwealth employees) of the <i>Safety, Rehabilitation and Compensation Act 1988</i>
37	Declarations made under subparagraph 6(1)(h)(ii) (declaration relating to places outside Australia), or (i)(ii) (declaration relating to classes of employees outside Australia), of the <i>Safety, Rehabilitation and Compensation Act 1988</i>
38	Declarations made under section 100 (Minister may declare a corporation eligible to be granted a licence under this Part) of the <i>Safety, Rehabilitation and Compensation Act 1988</i>
39	Regulations made under the <i>Superannuation Act 1922</i>
40	Regulations made under the <i>Superannuation Act 1976</i> , except regulations made solely for the purposes of section 153AN (fees for reconsideration) or subsection 160(1) (costs of administration) of that Act
41	Regulations made under the <i>Superannuation (Productivity Benefit) Act 1988</i>
42	Codes made under subclause 37(1) (access codes) of Schedule 1 (Standard carrier licence conditions) to the <i>Telecommunications Act 1997</i>
43	Declarations made under subclause 4(1) (protection zone declarations) of Schedule 3A (Protection of submarine cables) to the <i>Telecommunications Act 1997</i>
44	Declarations made under subsection 6N(2) (Declaration of staff members of State Police Forces) or section 34 (Declaration of an eligible authority of a State as an agency) of the <i>Telecommunications (Interception and Access) Act 1979</i>
45	Declarations made under section 6 (Declared terrorist incidents) of the <i>Terrorism Insurance Act 2003</i>
46	Regulations made under the <i>Terrorism Insurance Act 2003</i>
47	Determinations made for the purposes of the definition of non-warlike service or warlike service in subsection 5C(1) (<i>Eligibility related definitions</i>) of the <i>Veterans' Entitlements Act 1986</i>
48	Determinations made under subsection 5R(1) (determinations relating to

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Schedule 1 Amendments

Legislative instruments not subject to sunseting	
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	relevant service) of the <i>Veterans' Entitlements Act 1986</i>
49	Instruments made under subsection 69B(6) (requirements for British nuclear test defence service) of the <i>Veterans' Entitlements Act 1986</i>
50	Determinations made for the purposes of the definition of <i>hazardous service</i> in subsection 120(7) of the <i>Veterans' Entitlements Act 1986</i>
51	Regulations made under the <i>War Precautions Act Repeal Act 1920</i>

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