

Foreign Acquisitions and Takeovers Legislation Amendment Regulation 2015

Select Legislative Instrument No. 216, 2015

I, General the Honourable Sir Peter Cosgrove AK MC (Ret’d), Governor‑General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulation.

Dated 26 November 2015

Peter Cosgrove

Governor‑General

By His Excellency’s Command

Scott Morrison

Treasurer

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1 Name

This is the *Foreign Acquisitions and Takeovers Legislation Amendment Regulation 2015*.

2 Commencement

(1) Each provision of this instrument 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 instrument | The later of:  (a) the start of the day after this instrument is registered; and  (b) immediately after the commencement of Schedule 1 to the *Foreign Acquisitions and Takeovers Legislation Amendment Act 2015*. | 1 December 2015 |

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

(2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under the following Acts:

(a) the *Foreign Acquisitions and Takeovers Act 1975*;

(b) the *Commonwealth Electoral Act 1918*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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

Foreign Acquisitions and Takeovers (Notices) Regulations 1975

1 The whole of the Regulations

Repeal the Regulations.

Foreign Acquisitions and Takeovers Regulations 1989

2 The whole of the Regulations

Repeal the Regulations.

Schedule 2—Amendments

Electoral and Referendum Regulations 1940

1 Subregulation 5(1)

Insert:

***Australia’s Foreign Investment Framework*** means any of the following Acts and any instruments made under any of those Acts:

(a) the *Foreign Acquisitions and Takeovers Act 1975*;

(b) the *Foreign Acquisitions and Takeovers Fees Imposition Act 2015*;

(c) the *Register of Foreign Ownership of Agricultural Land Act 2015*.

2 After Part III

Insert:

Part IV—Application and transitional provisions

84 Application—use of information by the ATO and Treasury

The amendments of the table in Schedule 1 to these Regulations by the *Foreign Acquisitions and Takeovers Legislation Amendment Regulation 2015* apply in relation to the use of information by a person or organisation after those amendments commence, whether the information is given to the person or organisation before or after that time.

3 Schedule 1 (at the end of the cell at table item 9, column headed “Purpose”)

Add:

(c) Administering Australia’s Foreign Investment Framework

4 Schedule 1 (after table item 19)

Insert:

|  |  |  |
| --- | --- | --- |
| 19A | Department of the Treasury | Administering Australia’s Foreign Investment Framework, except the *Register of Foreign Ownership of Agricultural Land Act 2015* and any instrument made under that Act |