



## **Acts Interpretation Substituted Reference Order 2017**

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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 substituted reference order.

Dated 03 May 2017

Peter Cosgrove  
Governor-General

By His Excellency's Command

George Brandis QC  
Attorney-General

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## Part 1—Preliminary

### 1.1 Name

This instrument is the *Acts Interpretation Substituted Reference Order 2017*.

### 1.2 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 day after this instrument is registered.	6 May 2017

Note: This table relates only to the provisions of this instrument as originally made.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.

### 1.3 Authority

This instrument is made under section 19B of the *Acts Interpretation Act 1901*.

### 1.4 Simplified outline of this instrument

This instrument affects certain provisions of Acts, and instruments made under Acts, that refer to authorities (such as Ministers, Departments and Secretaries of Departments).

It directs that those provisions have effect for all purposes, on and after specified days, as if there were substituted references to other authorities.

A provision may have been affected, before a particular substitution is made, by a previous substitution made by this instrument, the *Acts Interpretation (Substituted References—Section 19B) Order 1997* or the *Acts Interpretation (Substituted References—Section 19BA) Order 2004*.

After a substitution is made, the provision may be affected by a later substitution made by this instrument or by an amendment made by an Act or instrument.

Note: The *Acts Interpretation (Substituted References—Section 19B) Order 1997* and the *Acts Interpretation (Substituted References—Section 19BA) Order 2004* continue to have effect under item 5 of Schedule 2 to the *Acts and Instruments (Framework Reform) Act 2015*.

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**1.5 Definitions**

In this instrument:

***authority*** has the same meaning as in section 19B of the *Acts Interpretation Act 1901*.

***provision*** means a provision of an Act or an instrument under an Act.

## Part 2—References to Ministers

### 2.1 References to Ministers

A provision mentioned in column 1 of an item of a table in this Part that refers to a Minister mentioned in column 2 of the item has effect for all purposes, on and after the day mentioned in the heading to that table, as if there were substituted for that reference a reference to the authority, or authorities, mentioned in column 3 of the item.

### 2.2 Substitutions made on 1 July 2014

The following table sets out substitutions made on 1 July 2014 that affect provisions of a single Act or instrument that refer to Ministers.

<b>Substitutions made on 1 July 2014—references to Ministers in a single Act or instrument</b>		
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Affected provisions</b>	<b>Existing reference</b>	<b>Substitute reference</b>
1 <i>Clean Energy Finance Corporation Act 2012</i> , section 4 (definition of <i>Finance Minister</i> )	Minister administering the <i>Commonwealth Authorities and Companies Act 1997</i>	Minister administering the <i>Public Governance, Performance and Accountability Act 2013</i>

### 2.3 Substitutions made on 19 July 2016

- (1) The following table sets out substitutions made on 19 July 2016 that affect provisions of multiple Acts or instruments that refer to Ministers.

<b>Substitutions made on 19 July 2016—references to Ministers in multiple Acts or instruments</b>		
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Affected provisions</b>	<b>Existing reference</b>	<b>Substitute reference</b>
1 All provisions	Minister for Revenue and Assistant Treasurer	Minister for Revenue and Financial Services

- (2) The following table sets out substitutions made on 19 July 2016 that affect provisions of a single Act or instrument that refer to Ministers.

<b>Substitutions made on 19 July 2016—references to Ministers in a single Act or instrument</b>		
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Affected provisions</b>	<b>Existing reference</b>	<b>Substitute reference</b>
1 <i>Clean Energy Finance Corporation Act 2012</i> , section 4 (paragraph (a) of the definition of <i>responsible</i> )	Minister for the Environment	Minister administering the <i>Clean Energy Finance Corporation Act 2012</i>

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<b>Substitutions made on 19 July 2016—references to Ministers in a single Act or instrument</b>		
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Affected provisions</b>	<b>Existing reference</b>	<b>Substitute reference</b>
<i>Ministers</i> )		
2 <i>Customs (Prohibited Exports) Regulations 1958:</i> (a) subregulation 9(1) (definition of <b>Minister</b> ); (b) subregulation 13G(3); (c) paragraphs 13H(4)(b) and (c); (d) Schedule 7 (heading); (e) subparagraph 1(g)(ii) of Schedule 7	Minister for Resources and Energy	Minister administering the <i>National Radioactive Waste Management Act 2012</i>
3 <i>Customs (Prohibited Exports) Regulations 1958,</i> subregulation 9AA(1) (definition of <b>Minister</b> )	Minister for Resources and Energy	Minister administering the <i>Offshore Minerals Act 1994</i>
4 <i>Customs (Prohibited Imports) Regulations 1956,</i> item 3 of Schedule 3	Minister for the Environment	Minister administering the <i>Ozone Protection and Synthetic Greenhouse Gas Management Act 1989</i>



## Part 3—References to Departments

### 3.1 References to Departments

A provision mentioned in column 1 of an item of a table in this Part that refers to a Department mentioned in column 2 of the item has effect for all purposes, on and after the day mentioned in the heading to that table, as if there were substituted for that reference a reference to the authority, or authorities, mentioned in column 3 of the item.

### 3.2 Substitutions made on 30 September 2015

The following table sets out substitutions made on 30 September 2015 that affect provisions of a single Act or instrument that refer to Departments.

<b>Substitutions made on 30 September 2015—references to Departments in a single Act or instrument</b>		
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Affected provisions</b>	<b>Existing reference</b>	<b>Substitute reference</b>
1 <i>Australian Border Force (Secrecy and Disclosure) Rule 2015</i> , item 146 of the table in Part 1 of Schedule 2	Department of the Environment	Department administered by the Minister administering the <i>Environment Protection and Biodiversity Conservation Act 1999</i>
2 <i>Customs (Prohibited Imports) Regulations 1956</i> , item 3 of Schedule 3	Department of the Environment	Department administered by the Minister administering the <i>Ozone Protection and Synthetic Greenhouse Gas Management Act 1989</i>

### 3.3 Substitutions made on 19 July 2016

The following table sets out substitutions made on 19 July 2016 that affect provisions of a single Act or instrument that refer to Departments.

<b>Substitutions made on 19 July 2016—references to Departments in a single Act or instrument</b>		
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Affected provisions</b>	<b>Existing reference</b>	<b>Substitute reference</b>
1 <i>Customs (Prohibited Exports) Regulations 1958</i> , subregulation 9AA(1) (definition of <i>authorised person</i> )	Department of Industry, Innovation and Science	Department administered by the Minister referred to in regulation 9AA of the <i>Customs (Prohibited Exports) Regulations 1958</i>
2 <i>Customs (Prohibited Exports) Regulations 1958</i> , paragraph 9AA(8)(b)	Department of Industry, Tourism and Resources	Department administered by the Minister referred to in regulation 9AA of the <i>Customs (Prohibited</i>

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<b>Substitutions made on 19 July 2016—references to Departments in a single Act or instrument</b>		
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Affected provisions</b>	<b>Existing reference</b>	<b>Substitute reference</b>
		<i>Exports) Regulations 1958</i>

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## Part 4—References to Secretaries

### 4.1 References to Secretaries

A provision mentioned in column 1 of an item of a table in this Part that refers to a Secretary mentioned in column 2 of the item has effect for all purposes, on and after the day mentioned in the heading to that table, as if there were substituted for that reference a reference to the authority, or authorities, mentioned in column 3 of the item.

### 4.2 Substitutions made on the day this instrument commences

The following table sets out substitutions made on the day this instrument commences that affect provisions of a single Act or instrument that refer to Secretaries.

<b>Substitutions made on the day this instrument commences—references to Secretaries in a single Act or instrument</b>		
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Affected provisions</b>	<b>Existing reference</b>	<b>Substitute reference</b>
1 <i>Customs (Prohibited Imports) Regulations 1956</i> , subitem 9.3 in Part 1 of Schedule 6	Secretary to the Department	Secretary of the Attorney-General's Department