



Foreign Acquisitions and Takeovers Amendment (Peru-Australia Free Trade Agreement Implementation) Regulations 2018

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 regulations.

Dated 27 September 2018

Peter Cosgrove
Governor-General

By His Excellency's Command

Josh Frydenberg
Treasurer

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1 Name

This instrument is the *Foreign Acquisitions and Takeovers Amendment (Peru-Australia Free Trade Agreement Implementation) Regulations 2018*.

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 day after this instrument is registered; and (b) the day the Free Trade Agreement between Australia and the Republic of Peru, done at Canberra on 12 February 2018, enters into force for Australia. However, the provisions do not commence at all if the event mentioned in paragraph (b) does not occur.	11 February 2020 (paragraph (b) applies)

Note 1: This table relates only to the provisions of this instrument as originally made.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.

Note 2: The Free Trade Agreement could in 2018 be viewed in the Australian Treaties Library on the AustLII website (<http://www.austlii.edu.au>).

- (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 *Foreign Acquisitions and Takeovers Act 1975*.

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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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

Foreign Acquisitions and Takeovers Regulation 2015

1 Section 5 (after paragraph (f) of the definition of *agreement country*)

Insert:

(fa) Peru;

2 In the appropriate position in Part 7

Insert:

71 Application of the *Foreign Acquisitions and Takeovers Amendment (Peru-Australia Free Trade Agreement Implementation) Regulations 2018*

- (1) The amendments made by the *Foreign Acquisitions and Takeovers Amendment (Peru-Australia Free Trade Agreement Implementation) Regulations 2018* apply in relation to an action taken on or after the commencement of those Regulations.
- (2) However, for the purposes of subsection 52(5), those amendments do not so apply in relation to land that:
 - (a) is described in paragraph 52(3)(a) of the Act; and
 - (b) meets all the conditions mentioned in subsection 52(6) of this instrument.
- (3) Subsection (2) does not apply in relation to an action taken during any period the Comprehensive and Progressive Agreement for Trans-Pacific Partnership, done at Santiago on 8 March 2018, is in force for both Australia and Peru.

Note: That Agreement could in 2018 be viewed in the Australian Treaties Library on the AustLII website (<http://www.austlii.edu.au>).