

Acts Interpretation Amendment (2020 Measures No. 1) Substituted Reference Order 2020

I, General the Honourable David Hurley AC DSC (Retd), Governor‑General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following substituted reference order.

Dated 30 January 2020

David Hurley

Governor‑General

By His Excellency’s Command

Christian Porter

Attorney‑General

Contents

1 Name 1

2 Commencement 1

3 Authority 1

4 Schedules 1

Schedule 1—Amendments 2

Acts Interpretation Substituted Reference Order 2017 2

1 Name

This instrument is the *Acts Interpretation Amendment (2020 Measures No. 1) Substituted Reference Order 2020*.

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. | 1 February 2020 |

Note: This table relates only to the provisions of this instrument as originally made.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 section 19B of the *Acts Interpretation Act 1901*.

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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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

Acts Interpretation Substituted Reference Order 2017

1 At the end of Part 3

Add:

3.7 Substitutions having effect on and after 1 February 2020

The following table sets out substitutions having effect on and after 1 February 2020 that affect provisions of a single Act or instrument that refer to Departments.

| Substitutions having effect on and after 1 February 2020—references to Departments in a single Act or instrument | | | |
| --- | --- | --- | --- |
|  | Column 1  Affected provisions | Column 2  Existing reference | Column 3  Substitute reference |
| 1 | *A New Tax System (Family Assistance) (Administration) Act 1999*, subsection 3(1) (definition of ***Hu******man Services Department***) | the Department administered by the Human Services Minister | Services Australia |
| 2 | *Anti‑Money Laundering and Counter‑Terrorism Financing Act 2006*, section 5 (definition of ***Human Services Department***) | the Department administered by the Human Services Minister | Services Australia |
| 3 | *Carbon Credits (Carbon Farming Initiative—Plantation Forestry) Methodology Determination 2017*, section 5 (definition of ***National Plantation Inventory***) | Department of Agriculture and Water Resources | Department of Agriculture, Water and the Environment |
| 4 | *Child* *Support (Registration and Collection) Act 1988,* subsection 4(1) (definition of ***Human Services Department***) | the Department administered by the Human Services Minister | Services Australia |
| 5 | *Data‑matching Program (Assistance and Tax) Act 1990*, subsection 3(1) (definition of ***Human Services Department***) | the Department administered by the Human Services Minister | Services Australia |
| 6 | *Dental Benefits Act 2008*, section 4 (definition of ***Human Services Department***) | the Department administered by the Human Services Minister | Services Australia |
| 7 | *Freedom of Information Act* *1982*, subsection 4(1) (definition of ***Human Services Department***) | the Department administered by the Human Services Minister | Services Australia |
| 8 | *Human Services (Centrelink) Act 1997*:  (a) section 3 (definition of ***Departmental employee***);  (b) paragraph 7(2)(a);  (c) subsection 7A(1) | the Department | Services Australia |
| 9 | *Human Services (Medicare) Act 1973*:  (a) section 3 (definition of ***Departmental employee***);  (b) paragraph 4(2)(a);  (c) subsection 4A(1);  (d) paragraphs 41C(2)(c) and 41CA(5)(b) | the Department, if the reference to the Department would, apart from this item, be read as a reference to the Department of Social Services in accordance with section 19A of the *Acts Interpretation Act 1901* | Services Australia |
| 10 | *My Health Records Act 2012*, section 5 (definition of ***Human Services Department***) | the Department administered by the Minister administering the *Human Services (Medicare) Act 1973* | Services Australia |
| 11 | *National Redress Scheme for Institutional Child Sexual Abuse Act 2018*, section 6 (definition of ***Human Services Department***) | the Department administered by the Minister administering the *Human Services (Centrelink) Act 1997* | Services Australia |
| 12 | *Paid Parental Leave Act 2010*, section 6 (definition of ***Human Services Department***) | the Department administered by the Human Services Minister | Services Australia |
| 13 | *Safety, Rehabilitation and Compensation (Defence‑related Claims) Act 1988*, item 3 of the table in subsection 151A(1) | that Department | Services Australia |
| 14 | *Social Security Act 1991*, subsection 23(1) (definition of ***Human Services Department***) | the Department administered by the Human Services Minister | Services Australia |
| 15 | *Student Assistance Act 1973*, subsection 3(1) (definition of ***Human Services Department***) | the Department administered by the Human Services Minister | Services Australia |

2 At the end of Part 4

Add:

4.6 Substitutions having effect on and after 1 February 2020

The following table sets out substitutions having effect on and after 1 February 2020 that affect provisions of a single Act or instrument that refer to Secretaries.

| Substitutions having effect on and after 1 February 2020—references to Secretaries in a single Act or instrument | | | |
| --- | --- | --- | --- |
|  | Column 1  Affected provisions | Column 2  Existing reference | Column 3  Substitute reference |
| 1 | *A New Tax System (Family Assistance) Act 1999*, subsection 3(1) (definition of ***Human Services Secretary***) | Secretary of the Department administered by the Minister administering the *Human Services (Centrelink) Act 1997* | Chief Executive Officer of Services Australia |
| 2 | *A New Tax System (Family Assistance) Act 1999*, paragraphs 57GM(b) and 57GO(3)(b) | Secretary of the Human Services Department | Chief Executive Officer of Services Australia |
| 3 | *A New Tax System (Family Assistance) (Administration) Act 1999*:  (a) subsection 3(1) (paragraph (b) of the definition of ***head***);  (b) subsections 109C(2) and 221(3) | Secretary of the Human Services Department | Chief Executive Officer of Services Australia |
| 4 | *Child Support (Registration and Collection) Act*, subsection 4(1) (definition of ***Human Services*** ***Secretary***) | Secretary of the Human Services Department | Chief Executive Officer of Services Australia |
| 5 | *Human Services (Centrelink) Act 1997*:  (a) section 3 (definition of ***Secretary***);  (b) section 8B | Secretary of the Department | Chief Executive Officer of Services Australia |
| 6 | *Human Services (Medicare) Act 1973*:  (a) section 3 (definition of ***Secretary***);  (b) section 7A | Secretary of the Department | Chief Executive Officer of Services Australia |
| 7 | *My Health Records Act 2012*, paragraph 105(6)(c) | Secretary of the Human Services Department | Chief Executive Officer of Services Australia |
| 8 | *National Redress Scheme for Institutional Child Sexual Abuse Act 2018*, section 67 (heading) | **Human Services Secretary** | **Chief Executive Officer of Services Australia** |
| 9 | *National Redress Scheme for Institutional Child Sexual Abuse Act 2018*, paragraphs 67(b) and 70(3)(b) | Secretary of the Human Services Department | Chief Executive Officer of Services Australia |
| 10 | *Paid Parental Leave Act 2010*, section 6 (definition of ***Human Services Secretary***) | Secretary of the Department administered by the Minister administering the *Human Services (Centrelink) Act 1997* | Chief Executive Officer of Services Australia |
| 11 | *Paid Parental Leave Act 2010*, paragraphs 278F(b) and 278H(3)(b) | Secretary of the Human Services Department | Chief Executive Officer of Services Australia |
| 12 | *Safety, Rehabilitation and Compensation (Defence‑related Claims) Act 1988*, item 3 of the table in subsection 151A(1) | Secretary of the Department administered by the Minister who administers the *Human Services (Centrelink) Act 1997* | Chief Executive Officer of Services Australia |
| 13 | *Social Security Act 1991*, subsection 23(1) (definition of ***Human Services Secretary)*** | Secretary of the Department administered by the Minister administering the *Human Services (Centrelink) Act 1997* | Chief Executive Officer of Services Australia |
| 14 | *Social Security Act 1991*, paragraphs 38R(b) and 38T(3)(b) | Secretary of the Human Services Department | Chief Executive Officer of Services Australia |