

Export Control Legislation (Repeals and Consequential Amendments) Regulations 2021

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 regulations.

Dated 18 March 2021

David Hurley

Governor‑General

By His Excellency’s Command

David Littleproud

Minister for Agriculture, Drought and Emergency Management

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1 Name

 This instrument is the *Export Control Legislation (Repeals and Consequential Amendments) Regulations 2021*.

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 | At the same time as section 3 of the *Export Control Act 2020* commences. | 3 am (A.C.T.) 28 March 2021 |

Note: This table relates only to the provisions of this instrument as originally made.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

 (a) the *Australian Meat and Live‑stock Industry Act 1997*;

 (b) the *Australian Meat and Live‑stock Industry (Repeals and Consequential Provisions) Act 1997*;

 (c) the *Commonwealth Electoral Act 1918*;

 (d) the *Customs Act 1901*;

 (e) the *Primary Industries (Excise) Levies Act 1999*;

 (f) the *Primary Industries Levies and Charges Collection Act 1991*;

 (g) the *Referendum (Machinery Provisions) Act 1984*;

 (h) the *Renewable Energy (Electricity) Act 2000*;

 (i) the *Wine Australia Act 2013*.

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 Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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

Australian Meat and Live‑stock Industry (Export Licensing) Regulations 1998

1 The whole of the instrument

Repeal the instrument.

Schedule 2—Consequential amendments

Australian Meat and Live‑stock Industry Regulations 1998

1 After regulation 3

Insert:

3A Meaning of *live‑stock*

 For the purposes of the definition of ***live‑stock*** in section 3 of the Industry Act, buffalo, camelids and deer are prescribed.

Customs (Prohibited Exports) Regulations 1958

2 Subregulation 5(3)

Omit “orders in force under the *Export Control (Orders) Regulations 1982*”, substitute “the *Export Control Act 2020*”.

3 Subregulation 5(4) (definition of *Minister*)

Omit “the *Export Control Act 1982*”, substitute “the *Export Control Act 2020*”.

Customs Regulation 2015

4 Paragraph 81(d)

Omit “the *Export Control Act 1982*”, substitute “the *Export Control Act 2020*”.

Electoral and Referendum Regulation 2016

5 Clause 1 of Schedule 1 (table item 13, column headed “Purpose”, paragraph (b))

Omit “*Export Control Act 1982*”, substitute “*Export Control Act 2020*”.

6 Clause 1 of Schedule 1 (table item 13, column headed “Purpose”, paragraph (c))

Repeal the paragraph.

Primary Industries (Excise) Levies Regulations 1999

7 Subclause 2(1) of Schedule 3 (definition of *export licence holder*)

Repeal the definition, substitute:

***export licence holder*** means the holder of an export licence granted under section 191 of the *Export Control Act 2020*.

8 Clause 1 of Schedule 18 (definition of *export licence holder*)

Repeal the definition, substitute:

***export licence holder*** means the holder of an export licence granted under section 191 of the *Export Control Act 2020*.

Primary Industries Levies and Charges Collection Regulations 1991

9 Subclause 19A(1) of Schedule 7 (definition of *export licence holder*)

Repeal the definition, substitute:

***export licence holder*** means the holder of an export licence granted under section 191 of the *Export Control Act 2020*.

10 Subclause 18A(1) of Schedule 27 (definition of *export licence holder*)

Repeal the definition, substitute:

***export licence holder*** means the holder of an export licence granted under section 191 of the *Export Control Act 2020*.

Renewable Energy (Electricity) Regulations 2001

11 Subregulation 3(1) (definition of *regional forest agreement*)

Repeal the definition, substitute:

***regional forest agreement*** means a Regional Forest Agreement within the meaning of the *Regional Forest Agreements Act 2002*.

12 Subparagraph 9(1)(b)(i)

Omit “regulation 4B of the Export Control (Unprocessed Wood) Regulations”, substitute “the *Export Control (Wood and Woodchips) Rules 2021*”.

Wine Australia Regulations 2018

13 Subsection 19(1) (example)

Omit “to which the *Export Control (Organic Produce Certification) Orders* applies”, substitute “that is prescribed organic goods under the *Export Control (Organic Goods) Rules 2021*”.

14  Subsection 19(1) (example)

Omit “organic produce certificate has been issued for the product”, substitute “organic goods certificate (within the meaning of those rules) has been issued for the product”.