



Treasury Laws Amendment (Miscellaneous Amendments No. 2) Instrument 2022

I, Stephen Jones, Assistant Treasurer and Minister for Financial Services, make the following instrument.

Dated 23 November 2022

Stephen Jones
Assistant Treasurer
Minister for Financial Services

Contents

1 Name	1
2 Commencement	1
3 Authority	1
4 Schedules	1
Schedule 1—Amendments	2
<i>Commonwealth Registers (Appointment of Registrars) Instrument 2021</i>	2
<i>Productivity Commission (Leave for Full-time Members) Delegations 2022</i>	2

1 Name

This instrument is the *Treasury Laws Amendment (Miscellaneous Amendments No. 2) Instrument 2022*.

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.	

Note: This table relates only to the provisions of this instrument as originally made.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 *Business Names Registration Act 2011*; and
- (b) the *Commonwealth Registers Act 2020*; and
- (c) the *Corporations Act 2001*; and
- (d) the *Foreign Acquisitions and Takeovers Act 1975*; and
- (e) the *Long Service Leave (Commonwealth Employees) Act 1976*; and
- (f) the *National Consumer Credit Protection Act 2009*; and
- (g) the *Productivity Commission Act 1998*.

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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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

Commonwealth Registers (Appointment of Registrars) Instrument 2021

1 Paragraph 3(a) (2nd occurring)

Reletter as paragraph (aa).

2 After paragraph 3(b)

Insert:

(ba) *Foreign Acquisitions and Takeovers Act 1975*; and

3 After section 7

Insert:

8 Appointment of the Registrar under the Foreign Acquisitions and Takeovers Act

Under section 130R of the *Foreign Acquisitions and Takeovers Act 1975*, the person holding or performing the duties of the Commissioner of Taxation (from time to time) is appointed as Registrar (within the meaning of that Act) in relation to all the functions and powers of the Registrar.

Productivity Commission (Leave for Full-time Members) Delegations 2022

4 Section 5 (heading)

Repeal the heading, substitute:

5 Delegation to grant a leave of absence (other than recreation and long service leave) to full-time members

5 Subsection 5(1)

Omit “power under subsection 29(3)”, substitute “power under subsection 29(2)”.

6 Subsection 5(1)

Omit “recreation leave”, substitute “recreation and long service leave”.

7 Subsection 5(2)

Omit “in relation to any 12-month period”, substitute “in relation to a financial year”.

8 At the end of section 5

Insert:

Note: A full-time member may also be entitled to maternity leave which may be granted by the Chair as a *leave officer*—see the *Maternity Leave (Commonwealth Employees) Act 1973*.

9 Subsection 6(1)

Omit “subsection 9(3AC)”, substitute “subsection 7(3AC)”.

10 Subsection 6(2)

Omit “on the day the request for approval to take recreation leave is made”, substitute “as at the day before the requested recreation leave is proposed to commence”.

11 After subsection 6(2)

Insert:

- (3) In determining an applicant’s accrued entitlement on a particular day for the purposes of subsection (2), deduct from that entitlement any recreation leave that has been approved to be taken after that particular day.

12 After section 6

Insert:

7 Delegation to grant long service leave to full-time members

Under subsection 9(1) of the *Long Service Leave (Commonwealth Employees) Act 1976*, the Chair of the Commission is delegated the Minister’s powers under section 16 of the Act, as an approving authority, to grant a full-time member of the Commission long service leave.