



National Anti-Corruption Commission (Consequential Amendments) Regulations 2023

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 19 June 2023

David Hurley
Governor-General

By His Excellency's Command

Mark Dreyfus KC
Attorney-General

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1 Name

This instrument is the *National Anti-Corruption Commission (Consequential Amendments) Regulations 2023*.

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 | 1 July 2023. | 1 July 2023 |

Note: This table relates only to the provisions of this instrument as originally made.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 *Commonwealth Electoral Act 1918*;
- (b) the *Data Availability and Transparency Act 2022*;
- (c) the *Defence Act 1903*;
- (d) the *Law Enforcement Integrity Commissioner Act 2006*;
- (e) the *Parliamentary Business Resources Act 2017*;
- (f) the *Public Order (Protection of Persons and Property) Act 1971*.

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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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

Data Availability and Transparency Regulations 2022

1 Section 5 (table item dealing with the *Law Enforcement Integrity Commissioner Act 2006*, column headed “Act or legislative instrument”)

After “*Law Enforcement Integrity Commissioner Act 2006*”, insert “(as that Act continues to apply under the *National Anti-Corruption Commission (Consequential and Transitional Provisions) Act 2022*)”.

2 Section 5 (after table item dealing with the *Law Enforcement Integrity Commissioner Act 2006*)

Insert:

| | |
|---|-------------|
| <i>National Anti-Corruption Commission Act 2022</i> | section 98 |
| | section 101 |
| | section 228 |
| | section 233 |
| | section 234 |

Electoral and Referendum Regulation 2016

3 Clause 1 of Schedule 1 (table item 3)

Repeal the item, substitute:

| | | |
|---|-------------------------------------|---|
| 3 | National Anti-Corruption Commission | (a) identifying or locating offenders, suspects or witnesses in relation to: (i) the investigation of, or reporting on, a corruption issue within the meaning of the <i>National Anti-Corruption Commission Act 2022</i> (the <i>NACC Act</i>); or (ii) a preliminary investigation under section 42 of the <i>NACC Act</i> ; or (b) collecting, correlating, analysing or disseminating information or intelligence in relation to corruption issues within the meaning of the <i>NACC Act</i> ; or (c) security vetting of employees or potential employees; or (d) identifying or locating offenders, suspects or witnesses in relation to an investigation that is being conducted, or reported on, in accordance with item 2 of Schedule 2 to the <i>National Anti-Corruption Commission</i> |
|---|-------------------------------------|---|

(Consequential and Transitional Provisions) Act 2022 after the transition time (within the meaning of that Schedule); or

- (e) identifying or locating offenders, suspects or witnesses in relation to an investigation that is being reported on in accordance with item 38 of Schedule 2 to the *National Anti-Corruption Commission (Consequential and Transitional Provisions) Act 2022* after the transition time (within the meaning of that Schedule)

Inspector-General of the Australian Defence Force Regulation 2016

4 Paragraph 28L(1)(d)

Repeal the paragraph, substitute:

- (d) the National Anti-Corruption Commission;

Parliamentary Business Resources Regulations 2017

5 At the end of Subdivision A of Division 2 of Part 5

Add:

82A Assistance relating to National Anti-Corruption Commission matters

Despite section 82, assistance is not payable to an applicant under this Division in relation to proceedings or a subpoena that relate to an eligible matter within the meaning of the *National Anti-Corruption Commission Regulations 2023*.

Public Order (Protection of Persons and Property) Regulations 2019

6 Section 5 (definition of Integrity Commissioner)

Repeal the definition.

7 Paragraph 6(b)

Omit “Integrity Commissioner”, substitute “National Anti-Corruption Commissioner”.

8 Subsection 11(3)

Omit “Integrity Commissioner” (wherever occurring), substitute “National Anti-Corruption Commissioner”.

Schedule 2—Repeals

Law Enforcement Integrity Commissioner Regulations 2017

1 The whole of the instrument

Repeal the instrument.