

STATUTE LAW AMENDMENT (PRESCRIBED FORMS) REGULATIONS 2024

EXPLANATORY STATEMENT

Issued by authority of the Attorney-General
in compliance with section 15J of the *Legislation Act 2003*

PURPOSE AND OPERATION OF THE INSTRUMENT

1 This instrument makes minor consequential amendments to regulations across the Commonwealth statute book in order to implement Schedule 1 of the *Statute Law Amendment (Prescribed Forms and Other Updates) Act 2023* (Statute Law Amendment Act).

2 Schedule 1 to the Statute Law Amendment Act amended 33 primary Commonwealth Acts that require forms to be prescribed by regulations. It replaced the prescriptions in primary legislation with other, more flexible, approaches that take into account the best modern practices available in the relevant circumstances of the particular form, for example, by enabling regulations to directly mandate the requirements themselves rather than requiring particular forms or providing for the forms to be approved by notifiable instrument.

3 The main purpose of this instrument is to amend 22 regulations made under 22 respective Acts (the Primary Acts) to align with and support Schedule 1 to the Amendment Act. The amendments are minor and technical in nature. The amendments either make no change or only minor changes to the substance of the law.

CONSULTATION

4 Before the instrument was made, the Attorney-General considered the general obligation to consult required by section 17 of the *Legislation Act 2003*.

5 In developing the proposed Regulations, the Attorney-General's Department consulted with the departments administering the legislation being amended. As the instrument only makes small technical changes to the text of the law and does not affect the interpretation of the law, it was not considered necessary to consult further outside of those departments. The Regulations form part of the general statute law revision legislation progressed periodically by the Office of Parliamentary Counsel to keep the Commonwealth statute book accurate and up to date.

POLICY IMPACT ANALYSIS

6 Regulations made for the purposes of Statute Update Bills are machinery of government instruments, and are therefore not subject to the regulatory impact assessment requirements set out by the Office of Impact Analysis (OIA). The OIA reference for this standing exemption is OIA23-06091.

STATEMENT OF COMPATIBILITY WITH HUMAN RIGHTS

Prepared in accordance with Part 3 of the Human Rights (Parliamentary Scrutiny) Act 2011

Statute Law Amendment (Prescribed Forms) Regulations 2024

7 This instrument is compatible with the human rights and freedoms recognised or declared in the international instruments listed in section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*.

Overview of the instrument

8 This instrument makes minor and consequential amendments to 22 regulations across the Commonwealth statute book in order to implement Schedule 1 of the Statute Law Amendment Act.

9 Schedule 1 to the Statute Law Amendment Act amended 33 primary Commonwealth Acts that require forms to be prescribed by regulations, replacing the prescriptions in primary legislation with other, more flexible, approaches that take into account the best modern practices available in the relevant circumstances of the particular form. For example, by enabling regulations to directly mandate the requirements themselves rather than requiring particular forms or providing for the forms to be approved by notifiable instrument.

10 The main purpose of this instrument is to make changes to 22 regulations that correspond with the amendments to primary Acts made by Schedule 1 to the Statute Law Amendment Act, to align with and support Schedule 1 to the Amendment Act. The amendments are minor and technical in nature. The amendments either make no change or only minor changes to the substance of the law.

Human rights implications

11 This instrument does not engage any human rights issues as it makes minor improvements and technical corrections to the statute book. It makes either no change or only minor changes to the substance of the law.

Conclusion

12 This instrument is compatible with human rights as it does not engage any human rights issues.

NOTES ON SECTIONS

Schedule 1—Amendments

Items 1 to 4

13 Items 1 to 4 are consequential amendments to the *Airports Regulations 1997* from amendments of the *Airports Act 1996* made by Schedule 1 to the Statute Law Amendment Act.

14 Subsection 142(5) of the *Airports Act 1996* now requires an auditor's certificate to contain the information prescribed by the regulations rather than being in the prescribed form. Item 1 amends subregulation 7.05(2) of the *Airports Regulations 1997* to replicate the new wording in its authorising provision. Items 2 and 3 amend subparagraphs 7.05(2)(a)(ii) and (b)(ii) and paragraph 7.05(2)(c) of those regulations to remove a redundant reference to “and” at the end of them.

15 Item 4 substitutes subregulation 7.05(3) of the *Airports Regulations 1997* to clarify that paragraphs 7.05(2)(a), (b) and (c) of those regulations do not apply if the auditor's certificate is in the form required by the *Corporations Act 2001* for an auditor's report under Part 2M.3 of that Act.

Items 5 to 7

16 Items 5 to 7 are consequential amendments to the *Australian Radiation Protection and Nuclear Safety Regulations 2018* from amendments to the *Australian Radiation Protection and Nuclear Safety Act 1998* made by Schedule 1 to the Statute Law Amendment Act.

17 Subsection 62(3) of the *Australian Radiation Protection and Nuclear Safety Act 1998* now requires an identity card of an inspector to be in the form approved in an instrument under subsection 62(3A) of that Act rather than being in the form prescribed by the regulations.

18 Item 5 amends the simplified outline in section 82 of the *Australian Radiation Protection and Nuclear Safety Regulations 2018* to remove the reference to inspectors' identity cards being in a particular form.

19 Item 6 repeals section 83 of those regulations, which refers to the form of the identity card being in Schedule 2 to those regulations and item 7 repeals Schedule 2 to those regulations which sets out the form.

Items 8 and 9

20 Items 8 and 9 are consequential amendments to the *Australian Security Intelligence Organisation Regulation 2016* from amendments to the *Australian Security Intelligence Organisation Act 1979* made by Schedule 1 to the Statute Law Amendment Act.

21 Subsections 38(1) and 38A(2) of the *Australian Security Intelligence Organisation Act 1979* now require notice of an adverse or qualified security assessment to contain the information prescribed by the regulations rather than requiring the notice to be in a prescribed

form. Section 9 of the *Australian Security Intelligence Organisation Regulation 2016* refers to the notice needing to contain information in accordance with the prescribed form at Schedule 1 to that regulation.

22 Item 8 substitutes section 9 by providing that Schedule 1 directly sets out the prescribed information rather than requiring a particular form.

23 Item 9 amends Schedule 1 to that regulation to remove a reference to Form 1, with the effect that Schedule 1 directly mandates the required information in the notice rather than requiring it to be in a prescribed form.

Item 10

24 Item 10 is a consequential amendment to the *Building Energy Efficiency Disclosure Regulations 2010* from amendments to the *Building Energy Efficiency Disclosure Act 2010* made by Schedule 1 to the Statute Law Amendment Act.

25 Subsection 35(2) of the *Building Energy Efficiency Disclosure Act 2010* now requires an identity card of an auditor to satisfy the requirements prescribed by the regulations rather than being in the form prescribed by the regulations.

26 Item 10 amends regulation 10 of the *Building Energy Efficiency Disclosure Regulations 2010* to require an identity card to contain certain information, rather than being in a particular form.

Items 11 and 12

27 Items 11 and 12 are consequential amendments to the *Copyright Regulations 2017* from amendments of the *Copyright Act 1968* made by Schedule 1 to the Statute Law Amendment Act.

28 Subsection 135AEA(3) of the *Copyright Act 1968* now requires claims for release of seized copies to contain the information prescribed by the regulations rather than being in the form prescribed by the regulations.

29 Item 11 amends section 54 of the *Copyright Regulations 2017* to update a cross-reference to the relevant provision in the *Copyright Act 1968*. This update is consequential to the amendments made to subsection 135AEA(3) of the Copyright Act, which has changed the numbering of relevant provisions. Section 54 of the *Copyright Regulations 2017* currently refers to information prescribed for the purposes of ‘subsection 135EA(3)(b)’. Item 11 updates this cross-reference to ‘subsection 135EA(3)’. Section 135ZZQ of the Copyright Act 1968 now requires an identity card of persons authorised by a collecting society to satisfy the requirements prescribed by the regulations rather than being in the prescribed form.

30 Item 12 amends section 55 of the *Copyright Regulations 2017* to outline the required information in an identity card, and remove the reference to the prescribed form of an identity card being a form that includes that information.

Item 13

31 Item 13 is a consequential amendment to the *Corporations (Aboriginal and Torres Strait Islander) Regulations 2017* from amendments to the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* made by Schedule 1 to Statute Law Amendment Act.

32 Subsection 447-5(1) of the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* now requires an identity card of an authorised officer to contain the information prescribed by the regulations rather than being in the form prescribed by the regulations.

33 Item 13 substitutes section 47 of the *Corporations (Aboriginal and Torres Strait Islander) Regulations 2017* to require an identity card to contain various information, rather than providing that the prescribed form is any form that contains that information.

Item 14

34 Item 14 is a consequential amendment to the *Customs Regulation 2015* from amendments of the *Customs Act 1901* made by Schedule 1 to the Statute Law Amendment Act.

35 Subsection 114C(1) of the *Customs Act 1901* now requires an export entry advice to satisfy the requirements prescribed by the regulations rather than being in a manner and form specified in the regulations.

36 Item 14 amends subsection 83(1) of the *Customs Regulation 2015* to set out the requirements for an export entry advice and to remove the reference to the form in which that advice must be given.

Item 15

37 Item 15 is a consequential amendment to the *Defence Trade Controls Regulation 2013* from amendments to the *Defence Trade Controls Act 2012* made by Schedule 1 to the Statute Law Amendment Act.

38 Subsection 40(2) to the *Defence Trade Controls Act 2012* now requires that an identity card of an authorised person must satisfy the requirements prescribed by the regulations rather than being in the form prescribed by the regulations.

39 Item 15 amends section 23 of the *Defence Trade Controls Regulation 2013* to require an identity card to contain certain information, and remove a reference to the form of a notice.

Items 16 to 21

40 Items 16 to 21 are consequential amendments to the *Designs Regulations 2004* from amendments to the *Designs Act 2003* made by Schedule 1 to Statute Law Amendment Act.

41 Subsection 33(4) of the *Designs Act 2003* now requires a notice stating that a design application has lapsed to satisfy the requirements prescribed by the regulations rather than being in the form prescribed by the regulations.

42 Item 16 substitutes the heading to regulation 3.15 of the *Designs Regulations 2004* to remove the reference to the form of the notice and to just refer to the notice of lapsing of a design application and item 17 amends paragraph 3.15(a) of those regulations to remove a reference to the form of a notice.

43 Subsection 45(4) of the *Designs Act 2003* now requires a notice stating that a design has been registered to satisfy the requirements prescribed by the regulations rather than being in the form prescribed by the regulations. Item 18 amends paragraph 4.08(2)(a) of the *Designs Regulations 2004* to remove a reference to the form of a notice.

44 Subsection 52(4) of the *Designs Act 2003* now requires a notice stating that the registration of a design has been revoked to satisfy the requirements prescribed by the regulations rather than being in the form prescribed by the regulations.

45 Item 19 amends paragraph 4.13(a) of the *Designs Regulations 2004* to remove a reference to the form of a notice.

46 Paragraph 67(3)(c) of the *Designs Act 2003* now requires a notice stating that an examination of a design has been completed and that infringement proceedings may be commenced to satisfy the requirements prescribed by the regulations rather than being in the form prescribed by the regulations.

47 Item 20 amends paragraph 5.06(2)(a) of the *Designs Regulations 2004* to remove a reference to the form of a notice.

48 Subsection 68(3) of the *Designs Act 2003* now requires a notice stating that the registration of a design has been revoked and that the design is taken never to have been registered to satisfy the requirements prescribed by the regulations rather than being in the form prescribed by the regulations.

49 Item 21 amends paragraph 5.07(a) of the *Designs Regulations 2004* to remove a reference to the form of a notice.

Item 22

50 Item 22 is a consequential amendment to the *Fuel Quality Standards Regulations 2019* from amendments to the *Fuel Quality Standards Act 2000* made by Schedule 1 to the Statute Law Amendment Act.

51 Subsection 39(2) of the *Fuel Quality Standards Act 2000* now requires an identity card of an inspector to satisfy the requirements prescribed by the regulations rather than being in the form prescribed by the regulations.

52 Item 22 substitutes section 21 of the *Fuel Quality Standards Regulations 2019* to require an identity card to contain certain information.

Item 23

53 Item 23 is a consequential amendment to the *Great Barrier Reef Marine Park Regulations 2019* from amendments to the *Great Barrier Reef Marine Park Act 1975* made by Schedule 1 to the Statute Law Amendment Act.

54 Subsection 45(1) of the *Great Barrier Reef Marine Park Act 1975* now requires an identity card of an inspector to be in the form approved in an instrument under subsection 45(1A) of that Act rather than being in the form prescribed by the regulations. Item 23 repeals section 254 of the *Great Barrier Reef Marine Park Regulations 2019* which currently sets out the form of an identity card.

Items 24 and 25

55 Items 24 and 25 are consequential amendments to the *Health Insurance Regulations 2018* from amendments to the Health Insurance Act 1973 made by Schedule 1 to the Statute Law Amendment Act.

56 Subsection 40(1) of the *Health Insurance Act 1973* now requires an application from an organization for approval as an organization under Part IV of that Act to be in the approved form, rather than being in the prescribed form, and to be signed in accordance with the regulations.

57 Subsection 41(1) of the *Health Insurance Act 1973* now requires an application from an approved organization for approval of a health service provided, or to be provided, by the organization to be in the approved form, rather than being in the prescribed form, and to be signed in accordance with the regulations.

58 Item 24 substitutes sections 81 and 82 of the *Health Insurance Regulations 2018* to set out those signing requirements for the organization or approved organization and item 25 repeals Schedule 2 to those regulations which sets out the application forms.

Items 26 to 28

59 Items 26 to 28 are consequential amendments to the *Migration Regulations 1994* from amendments to the *Migration Act 1958* made by Schedule 1 to the Statute Law Amendment Act.

60 Subsection 140W(2) of the *Migration Act 1958* now requires an identity card of an appointed inspector to be in the approved form rather than being in the form prescribed by the regulations.

61 Item 26 repeals regulation 2.102B of the *Migration Regulations 1994* which refers to a document being in accordance with prescribed Form 4 and item 28 repeals Form 4, as these prescribed forms are no longer relevant.

62 Subsection 274(3) of the *Migration Act 1958* now requires a document for the purposes of subsection 274(2) of that Act to be in the approved form and to contain certain information rather than being in the prescribed form and containing certain information.

63 Item 27 repeals regulation 5.33 of the *Migration Regulations 1994* which refers to an identity card being in accordance with prescribed Form 3, and item 28 repeals Form 3, as these prescribed forms are no longer relevant.

Item 29

64 Item 29 is a consequential amendment to the *National Environment Protection Measures (Implementation) Regulations 1999* from amendments to the *National Environment*

Protection Measures (Implementation) Act 1998 made by Schedule 1 to the Statute Law Amendment Act.

65 Subsection 40(1) of the *National Environment Protection Measures (Implementation) Act 1998* now refers to an annual report being given in writing.

66 Item 29 repeals subregulation 7(1) of the *National Environment Protection Measures (Implementation) Regulations 1999* which also refers to such a report being in writing, to avoid duplication of the amendments made to the *National Environmental Protection Measures (Implementation) Act*.

Items 30 to 35

67 Items 30 to 35 are consequential amendments to the *National Greenhouse and Energy Reporting Regulations 2008* from amendments to the *National Greenhouse and Energy Reporting Act 2007* made by Schedule 1 to the Statute Law Amendment Act.

68 Paragraph 15(d) of the *National Greenhouse and Energy Reporting Act 2007* now requires an application from a controlling corporation to be registered to comply with any requirements prescribed by the regulations rather than being in the form specified in the regulations.

69 In line with this amendment to prescribe requirements in the regulations, item 30 substitutes regulation 3.03 of the *National Greenhouse and Energy Reporting Regulations 2008* to prescribe a requirement that an application under section 12 or 14 of that Act must be signed by an executive officer of the controlling corporation.

70 Subsection 20(2) of the *National Greenhouse and Energy Reporting Act 2007* now requires an application by a registered corporation or another person for a determination about the provision of information to be in a form approved by the Regulator and comply with any requirements prescribed by the regulations rather than being in the manner and form specified in the regulations.

71 Item 31 amends the heading to regulation 4.33 of the *National Greenhouse and Energy Reporting Regulations 2008* to remove the reference to an application being in a form and to refer instead to there being requirements for an application.

72 Item 32 amends subregulation 4.33(1) of those regulations to update a cross-reference to reflect that regulation 4.33 of those regulations is made for the purposes of paragraph 20(2)(b) of that Act.

73 Item 33 repeals paragraphs 4.33(1)(a) and (b) of those regulations and substitutes paragraph 4.33(1)(a) of those regulations to require that an application be signed by an executive officer of the registered corporation or by the other person.

74 Subsection 58(1) of the *National Greenhouse and Energy Reporting Act 2007* now requires an identity card of an authorised officer to satisfy the requirements prescribed by the regulations rather than being in the form specified by the regulations.

75 Item 34 substitutes the heading to regulation 6.04 of the *National Greenhouse and Energy Reporting Regulations 2008* to just refer to identity cards rather than the form of identity cards.

76 Item 35 amends regulation 6.04 of those regulations to require an identity card to contain certain information, rather than referring to the particular form of that identity card.

Items 36 to 49

77 Items 36 to 49 are consequential amendments to the *National Health and Medical Research Council Regulation 2016* from amendments to the *National Health and Medical Research Council Act 1992* made by Schedule 1 to the Statute Law Amendment Act.

78 Subsection 12(2) of the *National Health and Medical Research Council Act 1992* now requires that a notice from the Council about a proposed regulatory recommendation to be published on the NHMRC's website rather than being in the manner and form specified in the regulations.

79 Item 36 amends the heading to section 6 of the *National Health and Medical Research Council Regulation 2016* to refer to information required in a notice rather than the manner and form of a notice.

80 Item 37 repeals subsection 6(1) of that regulation because the requirement to publish the notice on the NHMRC's website is now imposed by the Act, and is consequentially no longer needed in the regulation.

81 Items 38 and 39 amend paragraphs 6(2)(c) and (3)(b) of that regulation to remove the cross-reference to the publication of the notice under subsection 6(1) of that regulation and to refer instead to the publication of the notice on the NHMRC's website.

82 Paragraph 13(d) of the *National Health and Medical Research Council Act 1992* now requires that a notice from the Council or Australian Health Ethics Committee containing a summary of draft guidelines be published on the NHMRC's website rather than being in the manner and form specified in the regulations.

83 Item 40 amends the heading to section 7 of the *National Health and Medical Research Council Regulation 2016* to refer to information required in a notice rather than the manner and form of a notice.

84 Item 41 repeals subsection 7(1) of that regulation because the requirement to publish the notice on the NHMRC's website is imposed by the Act and is consequently no longer needed in that regulation. To reflect that section 7 of that regulation will contain no other subsections, item 42 removes the subsection number from subsection 7(2) of that regulation.

85 Item 43 amends paragraph 7(2)(b) of that regulation to remove the cross-reference to the publication of the notice under subsection 7(1) of that regulation and to refer instead to the publication of the notice on the NHMRC's website.

86 Subsections 14(2), (4) and (6) of the *National Health and Medical Research Council Act 1992* now require that a notice from the CEO, Council or Australian Health Ethics Committee about interim regulatory recommendations or guidelines be published on the NHMRC's website rather than being in the manner and form specified in the regulations.

87 Item 44 amends the heading to section 8 of the *National Health and Medical Research Council Regulation 2016* to refer to information required in a notice rather than the manner and form of a notice.

88 Item 45 repeals subsection 8(1) of that regulation because the requirement to publish the notice on the NHMRC's website is now imposed by that Act and is consequently no longer needed in that regulation. To reflect that section 8 of that regulation will contain no other subsections, item 46 removes the subsection number from subsection 8(2) of that regulation.

89 Item 47 amends paragraph 8(2)(c) of that regulation to remove the cross-reference to the publication of the notice under subsection 8(1) of that regulation and to refer instead to the publication of the notice on the NHMRC's website.

90 Subsection 14B(2) of the *National Health and Medical Research Council Act 1992* now requires a notice from the Council or Australian Ethics Committee about its reasons for dispensing with any requirements for consultation steps to be published on the NHMRC's website rather than being in the manner and form specified in the regulations.

91 Item 48 amends the heading to section 9 of the *National Health and Medical Research Council Regulation 2016* to refer to notice requirements rather than the manner and form of a notice.

92 Item 49 amends subsection 9(1) of that regulation to remove the requirement to publish the notice on the NHMRC's website because the requirement to publish the notice on the NHMRC's website is now imposed that Act, and consequently is no longer needed in that regulation.

Item 50

93 Item 50 is a consequential amendment to the *National Health Security Regulations 2018* from amendments of the *National Health Security Act 2007* made by Schedule 1 to the Statute Law Amendment Act.

94 Subsection 64(2) of the *National Health Security Act 2007* now requires an identity card of an inspector to satisfy the requirements prescribed by the regulations rather than being in the form prescribed by the regulations.

95 Item 50 amends section 24 of the *National Health Security Regulations 2018* to require an identity card to contain certain information, rather than referring to the particular form of that identity card.

Items 51 to 55

96 Items 51 to 55 are consequential amendments to the *National Trade Measurement Regulations 2009* from amendments to the *National Measurement Act 1960* made by Schedule 1 to the Statute Law Amendment Act.

97 Subsection 18MB(1) of the *National Measurement Act 1960* now requires an identity card of a trade measurement inspector to contain information prescribed by the regulations rather than being in the form prescribed by the regulations.

98 Item 51 substitute the heading to regulation 6.2 of the *National Trade Measurement Regulations 2009* to refer to information that an identity card must contain rather than the prescribed form of identity cards.

99 Item 52 amends regulation 6.2 of those regulations to remove the reference to the form of an identity card and to refer instead to the prescribed information.

100 Item 53 amends paragraph 6.2(h) of those regulations to change the punctuation at the end of that paragraph to reflect the repeal of paragraph 6.2(i) of those regulations.

101 Item 54 repeals paragraph 6.2(i) of those regulations that covers an identity card including the class of trade measurement inspector to which the inspector is appointed, because subsection 18MB(1) of that Act already requires an identity card to identify the class of trade measurement inspector to which the inspector is appointed.

102 Item 55 amends note 1 to regulation 6.2 of those regulations to remove the reference to the form of an identity card.

Items 56 and 57

103 Items 56 and 57 are consequential amendments to the *Protection of the Sea (Civil Liability) Regulations 1983* from amendments to the *Protection of the Sea (Civil Liability) Act 1981* made by Schedule 1 to the Statute Law Amendment Act.

104 Subsection 16(2) of the *Protection of the Sea (Civil Liability) Act 1981* now requires an application by the owner, master or agent of certain ships for the issue of an insurance certificate in respect of the ship to be in accordance with the form approved in an instrument under subsection 16(2A) of that Act rather than being in accordance with the prescribed form. Subsection 16(4) of that Act now requires an insurance certificate issued under subsection 16(3) of that Act in respect of a ship to be in accordance with the form approved in an instrument under subsection 16(4A) of that Act rather than being in accordance with the prescribed form.

105 Item 56 repeals regulations 6 and 8 of the *Protection of the Sea (Civil Liability) Regulations 1983* which currently refer to the prescribed forms being in Schedules 1 and 2 to those regulations.

106 Item 57 repeals Schedules 1 and 2 to those regulations which set out the prescribed forms.

Items 58 to 60

107 Items 58 to 60 are consequential amendments to the *Regulatory Powers (Standard Provisions) Regulation 2015* from amendments to the *Regulatory Powers (Standard Provisions) Act 2014* made by Schedule 1 to the Statute Law Amendment Act.

108 Subsections 35(2) and 76(2) of the *Regulatory Powers (Standard Provisions) Act 2014* now require an identity card of an authorised person to satisfy the requirements prescribed by the regulations rather than being in the form prescribed by the regulations.

109 Item 58 amends the heading to section 5 of the *Regulatory Powers (Standard Provisions) Regulation 2015* to remove the reference to the prescribed form of identity cards.

110 Item 59 amends subsection 5(1) of that regulation to remove a reference to the identity card having to be in the prescribed form.

111 Item 60 amends paragraphs 5(1)(a) and (b) of that regulation to refer to the requirements that an identity card must satisfy, rather than referring to the identity card having to be in a particular form.

Items 61 and 62

112 Items 61 and 62 are consequential amendments to the *Trade Marks Regulations 1995* from amendments to the *Trade Marks Act 1995* made by Schedule 1 to the Statute Law Amendment Act.

113 Subsection 136(3) of the *Trade Marks Act 1995* now requires that a claim to the Comptroller-General of Customs for the release of seized goods to contain the information prescribed by the regulations rather than being in the form prescribed by the regulations.

114 Item 61 repeals subregulation 13.5(1) of the *Trade Marks Regulations 1995* because it requires a claim to be in a form approved by the Comptroller-General of Customs.

115 Item 62 amends subregulation 13.5(2) of those regulations to update a cross-reference to that Act to now refer to that subregulation being made for the purposes of subsection 136(3) of that Act rather than paragraph 136(3)(b) of that Act.

Item 63

116 Item 63 is a consequential amendment to the *Transport Safety Investigation Regulations 2021* from amendments to the *Transport Safety Investigation Act 2003* made by Schedule 1 to the Statute Law Amendment Act.

117 Subsection 29(2) of the *Transport Safety Investigation Act 2003* now requires an identity card of a person who can exercise premises powers to contain the information prescribed by the regulations, rather than requiring that it be in the form prescribed by the regulations.

118 Item 63 amends section 42 of the *Transport Safety Investigation Regulations 2021* to refer to the information that an identity card must contain rather than the identity card having to be in a particular form.