



## **Instruments Update (Autumn 2024) Regulations 2024**

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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                    29 February 2024

David Hurley  
Governor-General

By His Excellency's Command

Mark Dreyfus KC  
Attorney-General

for the Minister for Agriculture, Fisheries and Forestry, the Minister for Climate Change and Energy, the Minister for Defence, the Minister for Employment and Workplace Relations, the Minister for the Environment and Water, the Minister for Home Affairs, the Minister for Indigenous Australians, the Minister for Industry and Science, the Minister for Infrastructure, Transport, Regional Development and Local Government, the Minister for Resources and the Special Minister of State

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## 1 Name

This instrument is the *Instruments Update (Autumn 2024) Regulations 2024*.

## 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 the end of the period of 28 days beginning on the day this instrument is registered.	11 April 2024

Note: This table relates only to the provisions of this instrument as originally made.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 *Aboriginal Land Rights (Northern Territory) Act 1976*;
- (b) the *Australian Crime Commission Act 2002*;
- (c) the *Civil Aviation Act 1988*;
- (d) the *Commonwealth Electoral Act 1918*;
- (e) the *Corporations (Aboriginal and Torres Strait Islander) Act 2006*;
- (f) the *Customs Act 1901*;
- (g) the *Environment Protection and Biodiversity Conservation Act 1999*;
- (h) the *Explosives Act 1961*;
- (i) the *Extradition Act 1988*;
- (j) the *Fair Work Act 2009*;
- (k) the *Fair Work (Registered Organisations) Act 2009*;
- (l) the *Fair Work (Transitional Provisions and Consequential Amendments) Act 2009*;
- (m) the *Family Law Act 1975*;
- (n) the *Foreign Evidence Act 1994*;
- (o) the *Foreign States Immunities Act 1985*;
- (p) the *Independent Contractors Act 2006*;
- (q) the *Migration Act 1958*;
- (r) the *National Transport Commission Act 2003*;
- (s) the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*;
- (t) the *Primary Industries (Excise) Levies Act 1999*;
- (u) the *Primary Industries Levies and Charges Collection Act 1991*;
- (v) the *Renewable Energy (Electricity) Act 2000*;

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- (w) the *Service and Execution of Process Act 1992*;
  - (x) the *Trade Marks Act 1995*;
  - (y) the *Trans-Tasman Proceedings Act 2010*;
  - (z) the *Water Act 2007*;
  - (za) the *Work Health and Safety Act 2011*.

#### **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—Updating references to Northern Territory legislation**

### ***Aboriginal Land Rights (Northern Territory) Regulations 2007***

#### **1 Regulation 6A**

Omit “*Planning Act*”, substitute “*Planning Act 1999*”.

#### **2 Regulation 6A**

Omit “*Land Title Act*”, substitute “*Land Title Act 2000*”.

### ***Australian Crime Commission Regulations 2018***

#### **3 Clause 8 of Schedule 4 (table items 1, 2, 3 and 4)**

Omit “*Police (Special Investigative and Other Powers) Act*”, substitute “*Police (Special Investigative and Other Powers) Act 2015*”.

#### **4 Clause 8 of Schedule 5 (table items 1 to 75)**

Omit “*Police (Special Investigative and Other Powers) Act*”, substitute “*Police (Special Investigative and Other Powers) Act 2015*”.

#### **5 Clause 8 of Schedule 5 (table items 76 to 119)**

Omit “*Surveillance Devices Act*”, substitute “*Surveillance Devices Act 2007*”.

#### **6 Clause 8 of Schedule 5 (table items 120 to 128)**

Omit “*Witness Protection (Northern Territory) Act*”, substitute “*Witness Protection (Northern Territory) Act 2002*”.

#### **7 Clause 2 of Schedule 9 (table item 23)**

Omit “*Health Practitioners Act*”, substitute “*Health Practitioners Act 2004*”.

#### **8 Clause 2 of Schedule 9 (table item 27)**

Omit “*Private Security Act*”, substitute “*Private Security Act 1995*”.

### ***Environment Protection and Biodiversity Conservation Regulations 2000***

#### **9 Paragraph 17.05(2)(a)**

Omit “*Liquor Act*”, substitute “*Liquor Act 2019*”.

### ***Explosives Transport Regulations 2002***

#### **10 Regulation 3 (paragraph (f) of note 2)**

Omit “*Dangerous Goods (Road and Rail Transport) Act*”, substitute “*Transport of Dangerous Goods by Road and Rail (National Uniform Legislation) Act 2010*”.

## ***Fair Work Regulations 2009***

### **11 Subregulation 6.08(5)**

Omit “*Prisons (Correctional Services) Act* of the Northern Territory”, substitute “*Correctional Services Act 2014* (NT)”.

## ***Family Law (Child Protection Convention) Regulations 2003***

### **12 Schedule 2, item 8**

Omit “*Community Welfare Act*”, substitute “*Care and Protection of Children Act 2007*”.

## ***Foreign Evidence (Foreign Material—Criminal and Related Civil Proceedings) Regulations 2018***

### **13 Subsection 6(3) (table item 4)**

Omit “*Criminal Property Forfeiture Act*”, substitute “*Criminal Property Forfeiture Act 2002*”.

### **14 Clause 1 of Schedule 1 (table item 8, column 2, paragraph (a))**

Omit “*Criminal Property Forfeiture Act*”, substitute “*Criminal Property Forfeiture Act 2002*”.

### **15 Clause 1 of Schedule 1 (table item 8, column 2, paragraph (b))**

Omit “*Misuse of Drugs Act*”, substitute “*Misuse of Drugs Act 1990*”.

### **16 Clause 1 of Schedule 1 (table item 8, column 2, paragraph (c))**

Omit “*Taxation Administration Act*”, substitute “*Taxation Administration Act 2007*”.

### **17 Clause 1 of Schedule 1 (table item 8, column 2, paragraph (d))**

Omit “*Unlawful Betting Act*”, substitute “*Unlawful Betting Act 1989*”.

### **18 Clause 1 of Schedule 1 (table item 8, column 2, paragraph (e))**

Omit “*Victims of Crime Assistance Act*”, substitute “*Victims of Crime Assistance Act 2006*”.

### **19 Clause 1 of Schedule 1 (table item 13, column 2, paragraph (a))**

Omit “*Criminal Property Forfeiture Act*”, substitute “*Criminal Property Forfeiture Act 2002*”.

### **20 Clause 1 of Schedule 1 (table item 13, column 2, paragraph (b))**

Omit “*Misuse of Drugs Act*”, substitute “*Misuse of Drugs Act 1990*”.

### **21 Clause 1 of Schedule 1 (table item 13, column 2, paragraph (c))**

Omit “*Taxation Administration Act*”, substitute “*Taxation Administration Act 2007*”.

### **22 Clause 1 of Schedule 1 (table item 13, column 2, paragraph (d))**

Omit “*Unlawful Betting Act*”, substitute “*Unlawful Betting Act 1989*”.



**23 Clause 1 of Schedule 1 (table item 13, column 2, paragraph (e))**

Omit “*Victims of Crime Assistance Act*”, substitute “*Victims of Crime Assistance Act 2006*”.

***Foreign States Immunities (Taxation) Regulations 2018***

**24 Section 14 (table item 1)**

Omit “*Payroll Tax Act*”, substitute “*Payroll Tax Act 2009*”.

**25 Section 14 (table item 2)**

Omit “*Stamp Duty Act*”, substitute “*Stamp Duty Act 1978*”.

**26 Section 14 (table item 3)**

Omit “*Taxation Administration Act*”, substitute “*Taxation Administration Act 2007*”.

***Independent Contractors Regulation 2016***

**27 Paragraph 6(k)**

Omit “*Construction Contracts (Security of Payments) Act*”, substitute “*Construction Contracts (Security of Payments) Act 2004*”.

***Offshore Petroleum and Greenhouse Gas Storage (Safety) Regulations 2009***

**28 Paragraph 3.32(2)(a)**

Omit “*Dangerous Goods Act*”, substitute “*Dangerous Goods Act 1998*”.

**29 Paragraph 3.32(2)(b)**

Omit “*Electricity Reform Act*”, substitute “*Electricity Reform Act 2000*”.

**30 Paragraph 3.32(2)(d)**

Repeal the paragraph, substitute:

(d) the *Work Health and Safety (National Uniform Legislation) Act 2011*.

***Service and Execution of Process Regulations 2018***

**31 Section 8 (table item 8, column 2, paragraph (a))**

Omit “*Youth Justice Act*”, substitute “*Youth Justice Act 2005*”.

**32 Section 8 (table item 8, column 2, paragraph (b))**

Omit “*Correctional Services Act*”, substitute “*Correctional Services Act 2014*”.

## Schedule 2—Other amendments

### *Civil Aviation Regulations 1988*

#### **1 Subsection 2(15) of Part 2 of Schedule 5**

Omit “manufacturer’s”, substitute “manufacturers”.

### *Civil Aviation Safety Regulations 1998*

#### **2 Subdivision 202.AJ.1.C**

Repeal the Subdivision.

#### **3 Regulation 202.220 (the regulation 202.220 added by item 10 of Schedule 3 to the *Civil Aviation Legislation Amendment (Airworthiness and Other Matters—2015 Measures No. 1) Regulation 2015*)**

Re-number as regulation 202.217.

#### **4 Subpart 202.FR (after the heading)**

Insert:

Note 1: This Subpart heading is reserved for future use.

Note 2: Regulation numbers 202.600 to 202.608 are reserved for use in this Subpart.

#### **5 Part 1 of the Dictionary (definition of *certificate of validation*) (the definition of *certificate of validation* inserted by item 449 of Schedule 1 to the *Civil Aviation Legislation Amendment (Flight Crew Licensing and Other Matters) Regulation 2013*)**

Repeal the definition.

### *Corporations (Aboriginal and Torres Strait Islander) Regulations 2017*

#### **6 Schedule 4 (note to the heading)**

After “51”, insert “, 51A”.

### *Customs (Prohibited Exports) Regulations 1958*

#### **7 Subregulation 8A(1) (note)**

Repeal the note.

### *Electoral and Referendum Regulation 2016*

#### **8 Section 5 (paragraph (b) of the definition of *Australia’s Foreign Investment Framework*)**

Omit “2015;”, substitute “2015.”.

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**9 Section 5 (paragraph (c) of the definition of *Australia's Foreign Investment Framework*)**

Repeal the paragraph.

**10 Clause 1 of Schedule 1 (table item 13, column headed "Purpose", paragraph (a))**

Omit "*Quarantine Act 1908*", substitute "*Biosecurity Act 2015*".

**11 Clause 1 of Schedule 1 (table item 21, column headed "Purpose")**

Omit ", except the *Register of Foreign Ownership of Agricultural Land Act 2015* and any instrument made under that Act".

***Explosives Transport Regulations 2002***

**12 Regulation 3 (paragraph (b) of note 2)**

Omit "**Dangerous Goods Act 1985 (Vic)**", substitute "*Dangerous Goods Act 1985 (Vic)*".

**13 Subregulation 16(4) (note)**

Omit "The Code of Practice can be viewed at <http://www.comlaw.gov.au>".

***Extradition Regulations 1988***

**14 Schedule (at the end of Forms 12A and 16)**

Add:

\* *Omit if not applicable.*

***Fair Work (Registered Organisations) Regulations 2009***

**15 Paragraph 32(3)(b)**

Omit "a Registrar", substitute "the General Manager".

**16 Regulation 108**

Omit "the the", substitute "the".

**17 Schedule 3 (Form 8)**

Omit "**COMMONWEALTH OF AUSTRALIA**", substitute "**COMMONWEALTH OF AUSTRALIA**".

***Fair Work Regulations 2009***

**18 Schedule 2.1**

Before "Fair Work Commission" (first occurring), insert "the".

***Fair Work (Transitional Provisions and Consequential Amendments) Regulations 2009***

**19 Schedule 1A (table)**

Omit “*accommodaton*”, substitute “*accommodation*”.

***Migration (Migration Agents Code of Conduct) Regulations 2021***

**20 Subsection 32(3) (paragraph (a) of the note)**

Omit “subsection 56(9)”, substitute “subsection 56(9)”.

***National Transport Commission (Model Legislation — Transport of Dangerous Goods by Road or Rail) Regulations 2007***

**21 Paragraph 1.1.8(1)(a) of Schedule 2**

Omit “the the”, substitute “the”.

***Offshore Petroleum and Greenhouse Gas Storage (Safety) Regulations 2009***

**22 Subregulation 3.32(1)**

Omit “For section 89”, substitute “For the purposes of subsection 89(1)”.

**23 Subregulation 3.32(2)**

Omit “For subsection 80(1)”, substitute “For the purposes of subsection 89(1)”.

**24 Paragraph 3.32(2)(c)**

Repeal the paragraph.

**25 Subregulation 3.32(3)**

Omit “For subsection 80(4)”, substitute “For the purposes of subsection 89(4)”.

**26 Subregulation 3.32(3)**

Omit “column 3”, substitute “column 2”.

**27 Subregulation 3.32(3)**

Omit “column 2”, substitute “column 1”.

**28 Subregulation 3.32(4)**

Omit “For subsection 80(4)”, substitute “For the purposes of subsection 89(4)”.

***Primary Industries (Excise) Levies Regulations 1999***

**29 Paragraph 3.4(d) of Schedule 15**

Omit “apples”, substitute “pears”.

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***Primary Industries Levies and Charges Collection Regulations 1991***

**30 Schedule 1**

Omit:

Dated 19 .  
substitute:

Dated .

***Renewable Energy (Electricity) Regulations 2001***

**31 Subregulation 33(3) (note)**

Omit “and section 70 of the *Crimes Act 1914* apply”, substitute “applies”.

***Trade Marks Regulations 1995***

**32 Regulation 2.1 (after the heading)**

Insert:

Note: A number of expressions used in these Regulations are defined in the Act, including Commission.

**33 Regulation 2.1 (definition of ACCC)**

Repeal the definition.

**34 Paragraph 16.6(a)**

Omit “*Trade Practices Act 1974*”, substitute “*Competition and Consumer Act 2010*”.

**35 Paragraph 16.6(b)**

Omit “Part IVA of that Act”, substitute “Part 2-2 of the Australian Consumer Law (within the meaning of that Act)”.

**36 Paragraph 16.6(c)**

Omit “product safety and product information set out in Part V of that Act”, substitute “safety and product information set out in Parts 3-1, 3-3 and 3-4 of the Australian Consumer Law”.

**37 Subregulation 17A.21(3)**

Omit “ACCC”, substitute “Commission”.

**38 Subparagraphs 17A.22(3)(j)(i) and (ii)**

Omit “ACCC”, substitute “Commission”.

**39 Subregulation 17A.58(2)**

Omit “ACCC”, substitute “Commission”.

**40 Paragraph 17A.58A(1)(a)**

Omit “ACCC”, substitute “Commission”.

#### 41 Subregulation 17A.58A(2)

Omit “ACCC”, substitute “Commission”.

### *Trans-Tasman Proceedings Regulation 2012*

#### 42 Section 3 (after the heading)

Insert:

Note: A number of expressions used in this regulation are defined in the Act, including the following:

- (a) liable person;
- (b) plaintiff.

#### 43 Section 3 (definition of *registrable NZ judgement*)

Repeal the definition.

#### 44 Section 3

Insert:

*registrable NZ judgment* has the meaning given by section 66 of the Act.

#### 45 Section 3 (note)

Repeal the note.

#### 46 Amendments of listed provisions—judgment

The provisions of the *Trans-Tasman Proceedings Regulation 2012* listed in the following table are amended as set out in the table.

<b>Amendments relating to the term judgment</b>			
<b>Item</b>	<b>Provision</b>	<b>Omit</b>	<b>Substitute</b>
1	Part 7 (heading)	judgements	judgments
2	Section 16 (heading)	Judgements	Judgments
3	Section 16 (heading)	judgements	judgments
4	Section 16	judgement (wherever occurring)	judgment
5	Section 17 (heading)	judgement	judgment
6	Paragraph 17(2)(b)	judgement	judgment
7	Section 19 (heading)	judgement	judgment
8	Schedule 1, Form 1	judgement	judgment
9	Schedule 1, Form 5 (heading)	judgement	judgment
10	Schedule 1, Form 5	judgement (wherever occurring)	judgment
11	Schedule 1, Form 6 (heading)	judgement	judgment
12	Schedule 1, Form 6	judgement (wherever occurring)	judgment

***Water Regulations 2008***

**47 Clause 1AA of Part 1 of Schedule 5 (table item 5A, column headed “State plan”)**

Omit “(NSW)”, substitute “(NSW)”.

***Work Health and Safety Regulations 2011***

**48 Subregulation 164(4) (note 1)**

Repeal the note.

**49 Subregulation 164(4) (note 2)**

Omit “Note 2”, substitute “Note”.