



Editorial Changes—Report No. 1

5 March 2016–30 June 2016

1 In preparing compilations for registration during the period 5 March 2016 to 30 June 2016, First Parliamentary Counsel made the following editorial changes under the *Legislation Act 2003*.

2 The summary of editorial changes for the 21 compilations affected is as follows:

Item	Kind of editorial change	Number
1	Change to typeface	1
2	Removal of second occurrence of text	1
3	Change to punctuation	7
4	Give effect to the misdescribed amendment as intended	9
5	Correct an error in cross-referencing	1
6	Renumbering of provisions	7
7	Removal of redundant text	3
8	Correct a typographical error	6
9	Change to spelling	3

3 Please note that each instance of the power being used in a compilation is counted. This means that for a number of compilations the power has been used multiple times (for example, to correct typographical errors in different sections of the same compilation).

4 Complete details of each use of the power within a compilation appears below:

National Transport Commission (Model Amendments: Transport of Dangerous Goods by Road or Rail—Package No. 1) Regulations 2009, Compilation No. 1, Registration Date: 30 June 2016

Regulation 3 heading

Kind of editorial change

Correct a typographical error

Details of editorial change

The number “1” (in italics) appears at the end of the word legislation in the heading to regulation 3.

To remove the number “1” (in italics) from the heading to regulation 3.

This compilation was editorially changed to omit the number “1” from the heading to regulation 3.

Items 64 and 71 of Schedule 1

Kind of editorial change

Correct typographical errors

Details of editorial change

The note to clause 3.1.1 in Schedule 1 item 64 includes the term “provison”.

This compilation was editorially changed to insert an “i” into the term “provison” in the note to clause 3.1.1 and create the word “provision” to correct this typographical error.

The heading to clause 4.6.4 in Schedule 1 item 71 includes the term “prime contactors”. The text of clause 4.6.4 refers to a “prime contractor”.

This compilation was editorially changed to omit “prime contactors” from the heading to clause 4.6.4 and insert “prime contractors” to correct this typographical error.

Veterans’ Entitlements Act 1986, Compilation No. 130, Registration Date: 29 June 2016

Section 47E

Kind of editorial change

Correct a typographical error

Details of editorial change

To correct the wording “greater that 4” to “greater than 4”.

This compilation was editorially changed to correct the typographical error.

Section 54C

Kind of editorial change

Change to spelling

Details of editorial change

To correct the spelling of the word “Divison” to “Division”.

This compilation was editorially changed to correct the spelling.

Paragraph 68(7)(a)

Kind of editorial change

Change to spelling

Details of editorial change

To correct the spelling of the word “commencment” to “commencement”.

This compilation was editorially changed to correct the spelling.

Subparagraph 128(2)(a)(i)

Kind of editorial change

Correct a typographical error

Details of editorial change

To correct the wording “less that 14 days” to “less than 14 days”.

This compilation was editorially changed to correct the typographical error.

Allocation Principles 2014, Compilation No. 3, Registration Date: 17 June 2016

Sections 37, 47 and 58

Kind of editorial change

Renumbering of provisions

Details of editorial change

Schedule 1 items 8, 28 and 48 of the *Allocation Principles Amendment Principle 2016* instructs to repeal sections 37, 47 and 58 (including the headings) and to substitute an unnumbered paragraph and no section headings.

The compilation was editorially changed to repeal and substitute the subsections only of sections 37, 47 and 58 retaining the existing section number and section heading.

Paragraph 44(2)(d)

Kind of editorial change

Change to punctuation

Details of editorial change

Schedule 1 item 21 of the *Allocation Principles Amendment Principle 2016* instructs to repeal and substitute subsection 44(2). Paragraph 44(2)(d) of the new text ends in a full stop but is not the last paragraph being inserted.

Paragraph 56(1)(a)

Kind of editorial change

Change to punctuation

Details of editorial change

Schedule 1 item 44 of the *Allocation Principles Amendment Principle 2016* instructs to repeal and substitute subsection 56(1). Paragraph 56(1)(a) of the new text ends with a semi colon but is the last paragraph in the subsection.

The compilation was editorially changed to correct the punctuation to bring it into line with legislative drafting practices.

Biosecurity Act 2015, Compilation No. 1, Registration Date: 16 June 2016

Paragraph 99(a)

Kind of editorial change

Removal of redundant text

Details of editorial change

Schedule 1 item 121 of the *Passports Legislation Amendment (Integrity) Act 2015* instructs to omit “, and his or her passport number” from paragraph 99(a) and insert:

“and the number of his or her:

- (i) Australian travel document (within the meaning of the *Australian Passports Act 2005*); or
- (ii) passport or other travel document, issued to the individual by or on behalf of the government of a foreign country;”

This action leaves two semi-colons at the end of sub-paragraph (ii).

This compilation was editorially changed to omit the redundant semi-colon.

Income Tax Assessment Act 1936, Compilation No. 142, Registration Date: 3 June 2016

Subsection 26BB(1) (paragraph (c) of the definition of *traditional security*)

Kind of editorial change

Change to punctuation

Details of editorial change

Schedule 6 item 9 of the *Omnibus Repeal Day (Autumn 2015) Act 2015* instructs to repeal paragraph (c) of the definition of *traditional security* in subsection 26BB(1).

This action removes the “; and” from the end of paragraph (c).

This compilation was editorially changed to include “; and” at the end of paragraph (b) to bring it into line with legislative drafting practice.

Primary Industries Levies and Charges Collection Act 1991, Compilation No. 28, Registration Date: 2 June 2016

Paragraph (ha) of the definition of *producer* in subsection 4(1)

Kind of editorial change

Renumbering of provisions

Details of editorial change

Paragraph (ha) of the definition of *producer* in subsection 4(1) appears after paragraph (hc).

This compilation was editorially changed by renumbering paragraph (ha) to paragraph (hd).

Taxation Administration Act 1953, Compilation No. 136, Registration Date: 2 June 2016

Section 12-390(1)

Kind of editorial change

Give effect to the misdescribed amendment as intended

Details of editorial change

Schedule 3 item 6 of the *Tax Laws Amendment (New Tax System for Managed Investment Trusts) Act 2016* instructs: Repeal the note, substitute:

Note 1: The covered part referred to in paragraph (1)(a) is attributable to a fund payment made by a managed investment trust, or 2 or more fund payments made by one or more managed investment trusts. One or more of those managed investment trusts may be AMITs.

Schedule 6 item 45 instructs: Omit “managed investment trusts”, substitute “withholding MITs”. However, the words “managed investment trusts” appear twice in Note 1.

This compilation was editorially changed to insert “withholding MITs” in both occurrences and give effect to the misdescribed amendment as intended.

Torres Strait Fisheries Act 1984, Compilation No. 30, Registration Date: 2 June 2016

Subsection 49(2)

Kind of editorial change

Change to spelling

Details of editorial change

“Unforeseen” is misspelt in subsection 49(2) of the Principal: *Torres Strait Fisheries Act 1984*.

This compilation was editorially changed to correct the spelling.

Acts Interpretation Act 1901, Compilation No. 30, Registration Date: 27 May 2016

Note to subsection 19B(6) of Part 5

Kind of editorial change

Change to punctuation

Details of editorial change

Before paragraph (a) of the note to subsection 19B(6) there is a semi-colon. The legislative drafting practice is to include a colon before paragraphs in a note.

This compilation was editorially changed to omit the semi-colon and insert a colon to bring it into line with legislative drafting practice.

National Transport Commission (Road Transport Legislation—Alternative Compliance Schemes) Regulations 2006, Compilation No. 1, Registration Date: 27 May 2016

Section 7 of Schedule 1

Kind of editorial change

Renumbering of provisions

Details of editorial change

Section 7 of Schedule 1 contains two subsection (3)s and a subsection (4).

This compilation was editorially changed by renumbering the second occurring subsection (3) to subsection (3A).

Child Support (Registration and Collection) Act 1988, Compilation No. 58, Registration Date: 25 May 2016

Subsection 23(3)

Kind of editorial change

Correct a typographical error

Details of editorial change

Schedule 1 item 13 of the *Statute Law Revision Act (No. 1) 2016* instructs to omit “subsection (1)” and substitute “subsection “(2)””.

This compilation was editorially changed to remove the second opening quotation mark as inserted.

Income Tax Assessment Act 1936, Compilation No. 141, Registration Date: 25 May 2016

Subsection 6(1)

Kind of editorial change

Change to punctuation

Details of editorial change

Schedule 1 item 2 of the *Tax Laws Amendment (New Tax System for Managed Investment Trusts) Act 2016* instructs to add the following subparagraph at the end of the definition of *assessment*:

- (vii) subsection 276-425(2) of that Act (AMIT trustee taxed on amounts of over of character relating to tax offset not properly carried forward); or

The legislative drafting practice is to include a full stop at the end of a definition.

This compilation was editorially changed to omit “; or” and insert a full stop to bring it into line with legislative drafting practice.

Income Tax Assessment Act 1997, Compilation No. 155, Registration Date: 24 May 2016

Section 275-1

Kind of editorial change

Give effect to the misdescribed amendment as intended

Details of editorial change

Schedule 4 item 2 of the *Tax Laws Amendment (New Tax System for Managed Investment Trusts) Act 2016* instructs: After “are or were certain Australian managed investment trusts”, insert “(or certain other trusts)”.

The words “are or were certain Australian managed investment trusts” do not appear in section 275-1. However, the words “are or were Australian managed investment trusts” do appear.

This compilation was editorially changed to insert “(or certain other trusts)” after “are or were Australian managed investment trusts” and give effect to the misdescribed amendment as intended.

Fair Work (Registered Organisations) Act 2009, Compilation No. 77, Registration Date: 17 May 2016

Section 6

Kind of editorial change

Give effect to the misdescribed amendment as intended

Details of editorial change

Schedule 9 item 899 of the *Fair Work Amendment Act 2012* instructs to repeal the “definition of *FWA member*” in section 6. However the word “*Member*” starts with upper case (not lower case).

This compilation was editorially changed to repeal the definition “*FWA member*” and give effect to the misdescribed amendment as intended.

Paragraphs 337K(5)(a) and (b)

Kind of editorial change

Give effect to the misdescribed amendment as intended

Details of editorial change

Schedule 9 item 1062 of the *Fair Work Amendment Act 2012* instructs to omit “FWA member”, substitute “FWC member” in paragraphs 337(5)(a) and (b). However the word “Member” appears in upper case (not lower case).

This compilation was editorially changed to replace the words “FWA Member” with “FWC Member” and give effect to the misdescribed amendment as intended.

Parliamentary Counsel Act 1970, Compilation No. 11, Registration Date: 17 May 2016

Paragraph 3(1)(g)

Kind of editorial change

Removal of redundant text

Details of editorial change

The amendment from Act No. 10, 2015 Schedule 1 (item 157) creates two consecutive occurrences of the word “the” in paragraph 3(1)(g).

This compilation was editorially changed to omit one occurrence of the word “the” to give effect to the amendment as intended.

Public Governance, Performance and Accountability (Financial Reporting) Rule 2015, Compilation No. 1, Registration Date: 5 May 2016

Section 4

Kind of editorial change

Change to typeface

Details of editorial change

Schedule 1 item [2] of the *Public Governance, Performance and Accountability (Financial Reporting) Amendment (Miscellaneous) Rule 2016* provides as follows:

[2] Section 4

Omit “Commonwealth Financial Statements Preparation Guide”, substitute “Commonwealth Entities Financial Statements Guide”.

This compilation was editorially changed by italicising the words to be omitted and inserted by Schedule 1 item [2] of the *Public Governance, Performance and Accountability (Financial Reporting) Amendment (Miscellaneous) Rule 2016*.

Subsection 29(1)

Kind of editorial change

Give effect to the misdescribed amendment as intended

Details of editorial change

Schedule 1 item [22] of the *Public Governance, Performance and Accountability (Financial Reporting) Amendment (Miscellaneous) Rule 2016* instructs to omit “in accordance with the classes specified in the PRIMA Forms. New Classes can be added where applicable”.

The words “in accordance with the classes specified in the PRIMA Forms. New Classes can be added where applicable” do not appear in subsection 29(1). However the words “in accordance with the classes specified in the PRIMA Forms. New classes can be added where applicable” do appear.

This compilation was editorially changed to omit the words “in accordance with the classes specified in the PRIMA Forms. New classes can be added where applicable” and give effect to the misdescribed amendment as intended.

Section 32 (Guide to this section)

Kind of editorial change

Give effect to the misdescribed amendment as intended

Details of editorial change

Schedule 1 item [24] of the *Public Governance, Performance and Accountability (Financial Reporting) Amendment (Miscellaneous) Rule 2016* instructs to omit “associate joint arrangement or entity”.

The words “associate joint arrangement or entity” do not appear in section 32 (guide this section). However the words “associate, joint arrangement or entity” do appear.

This compilation was editorially changed to omit the words “associate, joint arrangement or entity” and give effect to the misdescribed amendment as intended.

Division 1 of Part 6 (Guide to this Part)

Kind of editorial change

Removal of second occurrence of text

Details of editorial change

Schedule 1 item [27] of the *Public Governance, Performance and Accountability (Financial Reporting) Amendment (Miscellaneous) Rule 2016* provides as follows:

[27] Division 1 of Part 6 (Guide to this Part, paragraph relating to actual appropriations)

Repeal the paragraph, substitute:

Guide to this Part

Actual appropriations received, available and applied also need to be disclosed in the appropriations disclosure note. Appropriations disclosures must include the following:

- total amounts appropriated (this includes any adjustments to the appropriated amounts), the appropriation applied (how much appropriation was spent) and the variance between these amounts;
- a list of all unspent annual appropriations for the reporting entity;
- a list of appropriations applied for special appropriations; and
- appropriations disclosures in relation to agents of the reporting entity.

This compilation was editorially changed by removing the heading of Guide to this Part as inserted by Schedule 1 item [27] of the *Public Governance, Performance and Accountability (Financial Reporting) Amendment (Miscellaneous) Rule 2016*. The heading Guide to this Part already appeared after Division 1 of Part 6.

Subsection 48(4)

Kind of editorial change

Change to punctuation

Details of editorial change

Schedule 1 item [45] of the *Public Governance, Performance and Accountability (Financial Reporting) Amendment (Miscellaneous) Rule 2016* provides as follows:

[45] Subsection 48(4)

Omit “adjacent to the special account disclosure.”

This compilation was editorially changed by inserting a fullstop at the end of subsection 48(4).

Family Law Rules 2004, Compilation No. 29, Registration Date: 4 May 2016

Schedule 4 (note to Schedule heading)

Kind of editorial change

Give effect to the misdescribed amendment as intended and correct an error in cross-referencing

Details of editorial change

Schedule 1 item 7 of the *Family Law Amendment (Arbitration and Other Measures) Rules 2015* instructs to omit “15.23 and 19.18” and substitute “15.23, 19.18 and 26B.18”.

The words “15.23 and 19.18” do not appear in the note to the heading of Schedule 4. However the words “15.23 and 19.19” do appear. Furthermore the substituted words “15.23, 19.18 and 26B.18” contain an error in cross-referencing.

This compilation was editorially changed to omit the words “15.23 and 19.19” and substitute the words “15.23, 19.19 and 26B.18”. This editorial change gives effect to the misdescribed amendment as intended and corrects an error in cross-referencing.

Broadcasting Services Act 1992, Compilation No. 83, Registration Date: 28 April 2016

Subsection 103L(7)

Kind of editorial change

Give effect to the misdescribed amendment as intended

Details of editorial change

Schedule 1 item 82 of the *Acts and Instruments (Framework Reform) (Consequential Provisions) Act 2015* instructs to omit “for the purposes of the *Legislative Instruments Act 2003*”.

The words “for the purposes of the *Legislative Instruments Act 2003*” do not appear in subsection 103L(7). However the words “for the purpose of the *Legislative Instruments Act 2003*” do appear.

This compilation was editorially changed to omit the words “for the purpose of the *Legislative Instruments Act 2003*” and give effect to the misdescribed amendment as intended.

Higher Education Support Act 2003, Compilation No. 60, Registration Date: 28 April 2016

Subclause 12C(4) of Schedule 1A

Kind of editorial change

Renumbering of provision

Details of editorial change

Schedule 1 item 280 of the *Acts and Instruments (Framework Reform) (Consequential Provisions) Act 2015* provides as follows:

280 Subclause 12C(4) of Schedule 1A

Repeal the subclause, substitute:

- (2) The variation takes effect when the notice of variation commences under the *Legislation Act 2003*.

Item 280 repeals subclause 12C(4) and substitutes subclause 12C(2). Subclause 12C(2) already appears.

This compilation was editorially changed by renumbering the provision inserted by Schedule 1 item 280 of the *Acts and Instruments (Framework Reform) (Consequential Provisions) Act 2015* as subclause 12C(4).

Veterans' Vocational Rehabilitation Scheme, Compilation No. 1, Registration Date: 6 April 2016

Paragraph 1.3.1

Kind of editorial change

Removal of redundant text

Details of editorial change

Paragraph 1.3.1 sets out the definitions for the *Veterans' Vocational Rehabilitation Scheme*. For each definition, the defined term is referred to twice. For example:

Act

“Act” means the *Veterans' Entitlements Act 1986* as amended from time to time;

This compilation was editorially changed to remove the redundant text and refer to the defined term in each definition only once.

Legislation Act 2003, Compilation No. 32, Registration Date: 7 March 2016

Long title

Kind of editorial change

Changes to punctuation

Details of editorial change

Schedule 1 item 1 of the *Acts and Instruments (Framework Reform) Act 2015* provides as follows:

1 Title

Repeal the title, substitute:

An Act providing for public access to Acts and instruments, for the making, parliamentary scrutiny and sunseting of legislative instruments and for the repeal of spent instruments and provisions, and for other purposes.

Item 1 repeals and substitutes the title. The title ends with a full stop.

This compilation was editorially changed by changing the punctuation and omitting the full stop.

Paragraph 15X(3)(b)

Kind of editorial change

Renumbering of provisions

Details of editorial change

Schedule 1 item 26 of the *Acts and Instruments (Framework Reform) Act 2015* provides as follows:

Legislative Instruments Act 2003

26 After Part 1

Insert:

15X Definition of *editorial change*

(3) This subsection covers the following laws:

- (a) an Act;
- (b) an instrument made under an Act or another power given by law;
- (b) an Act of a State, a Territory or New Zealand, or an instrument made under such an Act.

Item 26 inserts subsection 15X(3). In subsection 15X(3) paragraph (b) occurs twice.

This compilation was editorially changed to renumber the second paragraph 15X(3)(b) as paragraph 15X(3)(c).