



Amendments Incorporation Act 1905

Act No. 13 of 1905 as amended

This compilation was prepared on 1 January 2005
taking into account amendments up to Act No. 140 of 2003

The text of any of those amendments not in force
on that date is appended in the Notes section

The operation of amendments that have been incorporated may be
affected by application provisions that are set out in the Notes section

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An Act to incorporate Amendments in Amended Acts

1 Short title [see Note 1]

This Act may be cited as the *Amendments Incorporation Act 1905*.

2 Incorporation of amendments in reprints of Acts

- (1) When any Act has, before or after the commencement of this Act, been amended by:
 - (a) the repeal or omission of certain words or figures, or
 - (b) the substitution of certain words or figures in lieu of any repealed or omitted words or figures, or
 - (c) the insertion or addition of certain words or figures,then in any reprint of the Act by the Government Printer the Act shall be printed as so amended by all such amendments (in this section referred to as the **relevant amendments**) as were made before a day specified in the reprint.
- (2) In every reprint of any Act as so amended, reference shall be made in the margin, or in a footnote or endnote, to the enactment by which each relevant amendment was made.
- (2A) Subsection (2) does not apply in relation to an amendment:
 - (a) deemed to have been made by the subsection for which this subsection was substituted by the *Acts Citation Act 1976*; or
 - (b) made by section 6 of that Act.
- (3) In this Act, **words** includes Part, Division, Subdivision, heading, section, subsection, paragraph, sub-paragraph, sub-sub-paragraph, clause, sub-clause and Schedule.

3 Reference to amending Act

There shall be printed on every reprint issued by the Government Printer of any Act which has before or after the commencement of this Act been amended a short reference to every Act by which it has been amended before a day specified in the reprint.

4 Incorporation of amendments in reprints of legislative instruments

- (1) If the Government Printer reprints a legislative instrument that has been amended at any time, the instrument must be reprinted as amended by:
 - (a) any repeal or omission of words or figures; and
 - (b) any substitution of words or figures for any repealed or omitted words or figures; and
 - (c) any insertion of words or figures.
- (2) If a legislative instrument prescribes a method of citing another legislative instrument (the *amended instrument*), the amended instrument is taken to be amended by omitting the citation of the amended instrument and substituting the prescribed method of citation.
- (3) A reprint of an amended legislative instrument must include a reference to the amending legislative instrument or Act. The reference must be set out in the margin of, or in a footnote or endnote to, the reprint.
- (4) In this section:

legislative instrument has the same meaning as in the *Legislative Instruments Act 2003*.

words includes Part, Division, Subdivision, heading, regulation, clause, subregulation, subclause, paragraph, subparagraph, sub-subparagraph and Schedule.

Table of Acts**Notes to the *Amendments Incorporation Act 1905*****Note 1**

The *Amendments Incorporation Act 1905* as shown in this compilation comprises Act No. 13, 1905 amended as indicated in the Tables below.

All relevant information pertaining to application, saving or transitional provisions prior to 17 December 2003 is not included in this compilation. For subsequent information *see* Table A.

Table of Acts

Act	Number and year	Date of Assent	Date of commencement	Application, saving or transitional provisions
<i>Amendments Incorporation Act 1905</i>	13, 1905	23 Nov 1905	23 Nov 1905	
<i>Amendments Incorporation Act 1918</i>	32, 1918	11 Dec 1918	11 Dec 1918	—
<i>Statute Law Revision Act 1973</i>	216, 1973	19 Dec 1973	31 Dec 1973	Ss. 9(1) and 10
<i>Acts Citation Act 1976</i>	37, 1976	26 May 1976	1 July 1976	Ss. 5(2) and 6
<i>Amendments Incorporation Amendment Act 1980</i>	2, 1980	1 Mar 1980	1 Jan 1980	—
<i>Statute Law (Miscellaneous Provisions) Act (No. 1) 1983</i>	39, 1983	20 June 1983	S. 3: 18 July 1983 (a)	S. 7(1)
<i>Statute Law (Miscellaneous Provisions) Act (No. 2) 1985</i>	193, 1985	16 Dec 1985	S. 3: (b)	S. 16
<i>Legislative Instruments (Transitional Provisions and Consequential Amendments) Act 2003</i>	140, 2003	17 Dec 2003	S. 4 and Schedule 1 (item 9): (c)	S. 4 [see Table A]

Act Notes

- (a) The *Amendments Incorporation Act 1905* was amended by section 3 only of the *Statute Law (Miscellaneous Provisions) Act (No. 1) 1983*, subsection 2(1) of which provides as follows:
- (1) Subject to this section, this Act shall come into operation on the twenty-eighth day after the day on which it receives the Royal Assent.
- (b) The *Amendments Incorporation Act 1905* was amended by section 3 only of the *Statute Law (Miscellaneous Provisions) Act (No. 2) 1985*, subsection 2(1) of which provides as follows:
- (1) Subject to this section, this Act shall come into operation on the day on which it receives the Royal Assent.
- (c) Subsection 2(1) (items 2 and 3) of the *Legislative Instruments (Transitional Provisions and Consequential Amendments) Act 2003* provides as follows:
- (1) Each provision of this Act specified in column 1 of the table commences, or is taken to have commenced, on the day or at the time specified in column 2 of the table.

Commencement information		
Column 1	Column 2	Column 3
Provision(s)	Commencement	Date/Details
2. Sections 4 and 5	Immediately after the commencement of sections 3 to 62 of the <i>Legislative Instruments Act 2003</i>	1 January 2005
3. Schedule 1	Immediately after the commencement of sections 3 to 62 of the <i>Legislative Instruments Act 2003</i>	1 January 2005

Table of Amendments

Table of Amendments

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted

Provision affected	How affected
S. 2	am. No. 32, 1918; No. 216, 1973; No. 37, 1976; No. 2, 1980; No. 39, 1983; No. 193, 1985
S. 3	am. No. 193, 1985
S. 4	ad. No. 140, 2003

Table A

Table A

Application, saving or transitional provisions

Legislative Instruments (Transitional Provisions and Consequential Amendments) Act 2003 (No. 140, 2003)

4 Transitional provisions

- (1) If legislation introduced into the Parliament before the commencing day but commencing on or after that day:
 - (a) authorises an instrument to be made in the exercise of a power delegated by the Parliament; and
 - (b) is expressed to require that instrument to be published as a statutory rule under the *Statutory Rules Publication Act 1903*;any instrument so made is taken to be an instrument referred to in paragraph 6(b) of the *Legislative Instruments Act 2003* despite the repeal by this Act of the *Statutory Rules Publication Act 1903*.
- (2) If legislation introduced into the Parliament before the commencing day but commencing on or after that day:
 - (a) authorises an instrument to be made in the exercise of a power delegated by the Parliament; and
 - (b) is expressed to declare that instrument to be a disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*;any instrument so made is taken to be an instrument referred to in subparagraph 6(d)(i) of the *Legislative Instruments Act 2003* despite the repeal by this Act of section 46A of the *Acts Interpretation Act 1901*.
- (3) If legislation that is in force immediately before the commencing day or that is introduced into the Parliament before that day but that commences on or after that day:
 - (a) authorised or authorises an instrument to be made in the exercise of a power delegated by the Parliament that adversely affects the rights of a person, or results in the imposition of liabilities on a person; and

Table A

- (b) provided or provides that the instrument has effect, to the extent that it adversely affects those rights or results in the imposition of those liabilities, despite subsection 48(2) of the *Acts Interpretation Act 1901*, before the date of its notification in the *Gazette*;

that legislation is to be construed, on and after the commencing day or the day of its commencement, whichever last occurs, as if it had provided instead that the instrument, to the extent that it adversely affects those rights or results in the imposition of those liabilities, has effect, despite subsection 12(2) of the *Legislative Instruments Act 2003*, before its registration under that Act.

(4) If:

- (a) legislation (the ***enabling legislation***) in force immediately before the commencing day:
- (i) authorises the making of an instrument; and
 - (ii) does not declare such an instrument to be a disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901* but nonetheless makes provision for its disallowance by the application, with or without modification, of the provisions of Part XII of that Act; and
- (b) an instrument is made in the exercise of that authority on or after the commencing day; and
- (c) the instrument is not a legislative instrument for the purposes of the *Legislative Instruments Act 2003* or otherwise;

the enabling legislation has effect, on and after the commencing day, as if:

- (d) it had declared such instruments to be disallowable instruments for the purposes of section 46B of the *Acts Interpretation Act 1901*; and
- (e) it had provided for such modifications of the operation of that section as are necessary to ensure that the effect of the applied provisions of Part XII of the *Acts Interpretation Act 1901* is preserved.

(5) In this section:

commencing day means the commencing day within the meaning of the *Legislative Instruments Act 2003*.

Table A
