



Bankruptcy (Estate Charges) Amendment Act 2002

No. 61, 2002

An Act to amend the *Bankruptcy (Estate Charges) Act 1997* and the *Bankruptcy (Estate Charges) Amendment Act 2001*, and for related purposes

Note: An electronic version of this Act is available in SCALEplus
(<http://scaleplus.law.gov.au/html/comact/browse/TOCN.htm>)

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[Assented to 3 July 2002]

The Parliament of Australia enacts:

1 Short title

This Act may be cited as the *Bankruptcy (Estate Charges) Amendment Act 2002*.

2 Commencement

- (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 |
| 1. Sections 1 to 3 and anything in this Act not elsewhere covered by this table | The day on which this Act receives the Royal Assent | 3 July 2002 |
| 2. Schedule 1, items 1 to 10 | Immediately after section 1 of the <i>Bankruptcy (Estate Charges) Amendment Act 2001</i> commences | 3 July 2002 |
| 3. Schedule 1, item 11 | The day on which this Act receives the Royal Assent | 3 July 2002 |
| 4. Schedule 1, items 12 and 13 | Immediately after section 1 of the <i>Bankruptcy (Estate Charges) Amendment Act 2001</i> commences | 3 July 2002 |

Note: This table relates only to the provisions of this Act as originally passed by the Parliament and assented to. It will not be expanded to deal with provisions inserted in this Act after assent.

- (2) Column 3 of the table is for additional information that is not part of this Act. This information may be included in any published version of this Act.

3 Schedule(s)

Each Act that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

Schedule 1—Amendments and application provisions

Part 1—Amendments

Bankruptcy (Estate Charges) Act 1997

1 Subsection 5(1)

Omit “trustee”, substitute “person”.

2 Subsection 5(1A)

Omit “trustee”, substitute “person”.

3 Subsection 5(3)

Omit “trustee”, substitute “person”.

4 Subsection 6(1)

Omit “trustee” (first occurring), substitute “person”.

5 Subsection 6(1A)

Omit “trustee”, substitute “person”.

6 Subsection 6(2)

Omit “trustee”, substitute “person”.

7 Subsection 6A(1)

Omit “trustee” (wherever occurring), substitute “person”.

8 Section 7A

Omit “trustee” (wherever occurring), substitute “person”.

9 Section 7A

Omit “trustee’s”, substitute “person’s”.

Note: The heading to section 7A is altered by omitting “**trustee**” and substituting “**person**”.

10 Subsections 8(2) and (3)

Omit “trustee” (wherever occurring), substitute “person”.

Bankruptcy (Estate Charges) Amendment Act 2001

11 Section 2

Omit “at the same time as section 1 of the *Bankruptcy Legislation Amendment Act 2001*”, substitute “immediately after the commencement of section 1 of the *Bankruptcy (Estate Charges) Amendment Act 2002*”.

Part 2—Application of amendments

12 Items 1 to 3

The amendments made by items 1, 2 and 3 apply to interest paid, after the commencement of those items, into the account held by a person for the purposes of section 169 of the *Bankruptcy Act 1966*.

13 Items 4 to 10

The amendments made by items 4, 5, 6, 7, 8, 9 and 10 apply to amounts received after the commencement of those items.

*[Minister's second reading speech made in—
House of Representatives on 21 March 2002
Senate on 19 June 2002]*

(88/02)