



Australian Trade Commission Act 1985

No. 186, 1985 as amended

Compilation start date: 1 July 2014

Includes amendments up to: Act No 62, 2014

Prepared by the Office of Parliamentary Counsel, Canberra

About this compilation

This compilation

This is a compilation of the *Australian Trade Commission Act 1985* as in force on 1 July 2014. It includes any commenced amendment affecting the legislation to that date.

This compilation was prepared on 1 August 2014.

The notes at the end of this compilation (the *endnotes*) include information about amending laws and the amendment history of each amended provision.

Uncommenced amendments

The effect of uncommenced amendments is not reflected in the text of the compiled law but the text of the amendments is included in the endnotes.

Application, saving and transitional provisions for provisions and amendments

If the operation of a provision or amendment is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

Modifications

If a provision of the compiled law is affected by a modification that is in force, details are included in the endnotes.

Provisions ceasing to have effect

If a provision of the compiled law has expired or otherwise ceased to have effect in accordance with a provision of the law, details are included in the endnotes.

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An Act to establish an Australian Trade Commission for the purpose of facilitating and promoting trade between Australia and foreign countries, and for related purposes

Part 1—Preliminary

1 Short title

This Act may be cited as the *Australian Trade Commission Act 1985*.

2 Commencement

- (1) Sections 1, 2, 3 and 97 shall come into operation on the day on which this Act receives the Royal Assent.
- (2) The remaining provisions of this Act shall come into operation on a day to be fixed by Proclamation.

3 Interpretation

- (1) In this Act:

Australia includes the Territories to which this Act extends.

Australian organisation means:

- (a) any of the following entities carrying on a business in Australia:
 - (i) a natural person;
 - (ii) a partnership;
 - (iii) a company incorporated or formed in Australia; or
- (b) an authority or body (including a body corporate and a corporation sole):
 - (i) established for a purpose of the Commonwealth by, or in accordance with the provisions of, a law of the

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Commonwealth or of the Australian Capital Territory;
or

- (ii) established for a purpose of a State by, or in accordance with the provisions of, a law of the State;
and includes an Agency (within the meaning of the *Public Service Act 1999*) and a Department of the Public Service of a State, but does not include the Commission.

CEO means the Chief Executive Officer referred to in section 7B.

Commission means the Australian Trade Commission established by section 7.

corporate plan means a plan prepared by the CEO under section 35 of the *Public Governance, Performance and Accountability Act 2013*, and includes such a plan as varied under section 66 of this Act.

Department of State, in relation to the Northern Territory, means a Department of that Territory.

overseas development project means a project by way of:

- (a) the construction of works; or
 - (b) the provision of services; or
 - (c) the design, supply or installation of equipment or facilities; or
 - (d) the testing in the field of agricultural practices;
- (including any necessary preliminary studies, investigations or planning) that is to be carried out in a foreign country.

State includes the Northern Territory.

- (2) In this Act, a reference to trade between Australia and foreign countries includes a reference to any transaction (including the rendering of a service) involving a consideration in money or money's worth accruing from a person in the course of carrying on business or other activities outside Australia to a person carrying on business or other activities in Australia.
- (4) Unless the contrary intention appears, a reference in this Act to the *Export Market Development Grants Act 1997* includes a reference to the *Export Market Development Grants Act 1974* to the extent

that that Act continues to apply because of item 2 of Schedule 1 to the *Export Market Development Grants (Repeal and Consequential Provisions) Act 1997*.

- (5) In any other Act, a reference to an employee of the Australian Trade Commission is a reference to a person engaged by the CEO under section 74 of the *Public Service Act 1999*.

4 Extension to Territories

- (1) Subject to subsection (2), this Act extends to all the Territories.
- (2) The Minister may, by notice published in the Gazette, declare that, on a day specified in the notice, this Act ceases to extend to an external Territory specified in the notice, and, where such a notice is published:
- (a) this Act does not, on or after that day, extend to the Territory so specified;
 - (b) a reference in this Act to a Territory does not, on or after that day, include a reference to the Territory so specified; and
 - (c) the Territory so specified shall, on and after that day, be deemed, for the purposes of this Act, to be a foreign country.

5 Application of Act outside Australia

This Act applies both within and outside Australia.

6 Application of *Export Market Development Grants Act 1997* not affected

Nothing in section 4 or 5 shall be taken to affect the application of the *Export Market Development Grants Act 1997*.

6A Application of the *Criminal Code*

Chapter 2 of the *Criminal Code* applies to all offences against this Act.

Note: Chapter 2 of the *Criminal Code* sets out the general principles of criminal responsibility.

Part 2—Establishment and function of the Australian Trade Commission

7 Australian Trade Commission

- (1) There is established by this Act a Commission by the name of the Australian Trade Commission.
- (2) The Commission consists of:
 - (a) the CEO; and
 - (b) the staff of the Commission referred to in section 60.
- (3) For the purposes of the finance law (within the meaning of the *Public Governance, Performance and Accountability Act 2013*):
 - (a) the Commission is a listed entity; and
 - (b) the CEO is the accountable authority of the Commission; and
 - (c) the following persons are officials of the Commission:
 - (i) the CEO;
 - (ii) the staff of the Commission referred to in section 60;
 - (iii) consultants engaged under section 62; and
 - (d) the purposes of the Commission include:
 - (i) the function of the Commission referred to in section 7A; and
 - (ii) the functions of the CEO referred to in section 8.

Part 3—Establishment and functions of the CEO

7A Function of the Australian Trade Commission

The function of the Commission (other than the CEO) is to assist the CEO in the performance of his or her functions.

7B The Chief Executive Officer

There is to be a Chief Executive Officer of the Commission.

Note: For the appointment, terms and conditions of the CEO, see Division 1 of Part 6.

8 Functions of the CEO

The functions of the CEO are:

- (a) to facilitate and encourage trade between Australia and foreign countries (in this section referred to as *Australian export trade*) by:
 - (i) representing the trading and commercial interests of Australia in foreign countries;
 - (ii) assisting, directly or indirectly, Australian organisations in trade negotiations;
 - (iii) promoting, or participating in or co-ordinating projects to promote, Australian export trade;
 - (iv) obtaining, and making available to Australian organisations, information relating to current or future opportunities for Australian export trade, including opportunities for involvement in overseas development projects;
 - (v) supporting and facilitating investment in foreign countries, and facilitating investment in Australia, where that investment is likely to enhance opportunities for Australian export trade;
 - (vi) carrying out, or assisting other persons to carry out, or participating with other persons in carrying out, in

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- whole or in part, overseas development projects, in circumstances where that course of action will benefit Australian organisations;
- (viii) administering the *Export Market Development Grants Act 1997*;
 - (ix) developing and administering schemes to provide assistance in the development of markets in foreign countries; and
 - (x) facilitating access by persons to Departments of State of the Commonwealth or of a State and to instrumentalities established by or under a law of the Commonwealth or of a State where that access is likely to enhance opportunities for Australian export trade; and
- (b) to do any other act or thing required or permitted by:
- (i) this Act; or
 - (ii) any other Act; or
 - (iii) an instrument under an Act;
- to be done by the CEO; and
- (c) to act, outside Australia, as agent for Departments of State of the Commonwealth or for instrumentalities established by or under a law of the Commonwealth.

9 Duties

- (1) The CEO must perform his or her functions in such a manner as will best assist in the development of trade between Australia and foreign countries.
- (2) In performing his or her functions, the CEO must:
 - (a) comply with any directions given to the CEO under section 10; and
 - (b) have regard to:
 - (i) the desirability of improving and extending the range and accessibility of advice, assistance and financial support available (whether through the Commission and the CEO or otherwise) to persons involved, or likely to be involved, either directly or indirectly, in trade between Australia and foreign countries;

- (ii) the need to provide services as efficiently and economically as possible; and
- (iii) Australia's obligations under international agreements.

9A Overseas exercise of CEO's powers

The powers of the CEO may be exercised, on behalf of the Commonwealth, in Australia or elsewhere.

9B CEO may charge fees

The CEO may charge fees for the provision of services, or the performance of other work, in connection with the performance of his or her functions under this Act.

10 Power of Minister to give directions

- (1) The Minister may give to the CEO, in writing, such directions with respect to the performance of his or her functions, and the exercise of his or her powers, under this Act, as appear to the Minister to be necessary.

Note: A direction under this section is included in the annual report: see section 92.

- (3) Nothing in subsection (1) shall be construed as empowering the Minister to determine that the CEO should deal in a particular manner with a particular person, or with a particular claim or application for a grant or other benefit, under the *Export Market Development Grants Act 1997*.
- (4) A direction of the Minister under this section shall not operate so as to affect prejudicially an application under the *Export Market Development Grants Act 1997* in relation to a grant year (within the meaning of that Act) that commenced before the day on which the direction was given.
- (5) This section does not affect the operation of any other provision of this Act or of any other Act that confers a power upon the Minister to give directions to the CEO.
- (6) A direction under this section is not a legislative instrument.

Part 6—CEO and staff

Division 1—Chief Executive Officer

51 Appointment of Chief Executive Officer

- (1) The CEO is to be appointed by the Minister by written instrument.
- (2) The CEO holds office for the period specified in the instrument of appointment. The period must not exceed 5 years.
- (3) An appointment under this section is not ineffective merely because of a defect or irregularity in relation to the appointment.

Terms and conditions

- (4) The CEO holds office on the terms and conditions (if any) in respect of matters not provided for by this Act that are determined by the Minister.

52 Appointment to be full-time

The CEO holds office on a full-time basis.

54 Remuneration and allowances

- (1) The CEO is to be paid the remuneration that is determined by the Remuneration Tribunal. If no determination of that remuneration by the Tribunal is in operation, the CEO is to be paid the remuneration that is prescribed.
- (2) The CEO is to be paid the allowances that are prescribed.
- (3) This section has effect subject to the *Remuneration Tribunal Act 1973*.

55 CEO not to engage in paid employment

The CEO must not engage in paid employment outside the duties of his or her office except with the Minister's approval.

56 Acting CEO

The Minister may appoint a person to act as the CEO:

- (a) during a vacancy in the office of the CEO (whether or not an appointment has previously been made to the office); or
- (b) during any period, or during all periods, when the CEO is absent from duty or from Australia, or is, for any reason, unable to perform the duties of the office.

Note: For rules that apply to acting appointments, see section 33A of the *Acts Interpretation Act 1901*.

57 Leave of absence

- (1) The CEO has the recreation leave entitlements that are determined by the Remuneration Tribunal.
- (2) The Minister may grant the CEO leave of absence, other than recreation leave, on the terms and conditions as to remuneration or otherwise that the Minister determines.

58 Resignation

The CEO may resign from office by giving the Minister a written resignation that has been signed by the CEO.

59 Termination

- (1) The Minister may terminate the appointment of the CEO for misbehaviour or physical or mental incapacity.
- (2) The Minister may terminate the appointment of the CEO if:
 - (a) the CEO:
 - (i) becomes bankrupt; or
 - (ii) applies to take the benefit of any law for the relief of bankrupt or insolvent debtors; or
 - (iii) compounds with his or her creditors; or
 - (iv) makes an assignment of his or her remuneration for the benefit of his or her creditors; or

Part 6 CEO and staff

Division 1 Chief Executive Officer

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- (b) the CEO is absent, except on leave of absence, for 14 consecutive days or for 28 days in any 12 months; or
 - (c) the CEO engages, except with the Minister's approval, in paid employment outside the duties of his or her office.
- (3) The Minister must terminate the appointment of the CEO if, in the Minister's opinion, the performance of the CEO has been unsatisfactory for a significant period of time.

Division 2—Staff of the Commission

60 Staff of the Commission

- (1) The staff of the Commission are to be persons engaged under the *Public Service Act 1999*.
- (2) For the purposes of the *Public Service Act 1999*:
 - (a) the CEO and the staff of the Commission together constitute a Statutory Agency; and
 - (b) the CEO is the Head of that Statutory Agency.

61 Locally engaged employees

To avoid doubt, the CEO may, under section 74 of the *Public Service Act 1999*, engage persons overseas to perform duties overseas as employees.

62 Consultants

The CEO may, on behalf of the Commonwealth, engage consultants to perform services for the CEO related to the CEO's functions.

Part 7—Corporate plans

65 Approval of corporate plans

- (1) Each corporate plan shall be submitted to the Minister for approval before the intended day of commencement of the period to which the corporate plan relates and shall not come into force until:
 - (a) the day on which it is approved by the Minister; or
 - (b) the day of commencement of the period to which it relates;whichever is the later.
- (2) Upon the coming into force of a corporate plan under subsection (1), any corporate plan that is already in force ceases to be in force.

66 Variation of corporate plans

- (1) The CEO may, at any time, review a corporate plan, whether or not it has come into force, and consider whether a variation to the plan is necessary.
- (2) The CEO may, with the approval of the Minister, vary a corporate plan.
- (3) The Minister may, at any time, request the CEO to vary a corporate plan, whether or not it has come into force.
- (4) Where the Minister requests a variation of a corporate plan, the CEO shall, with the approval of the Minister, vary that plan accordingly.
- (5) Where a variation of a corporate plan is approved by the Minister after the plan has come into force, the plan as so varied shall continue in force on and after the day on which the variation is so approved.

Part 9—Miscellaneous

90 Delegations by Minister and CEO

- (1) The Minister may, either generally or as otherwise provided in the instrument of delegation, by signed writing, delegate to the CEO all or any of the functions and powers of the Minister:
 - (a) under this Act (other than this power of delegation or the Minister's powers under sections 65 and 66); and
 - (b) under the *Export Market Development Grants Act 1997*.
- (2) The CEO may, either generally or as otherwise provided in the instrument of delegation, by signed writing, delegate all or any of his or her functions and powers under this Act or the *Export Market Development Grants Act 1997* (other than this power of delegation) to a member of the staff of the Commission referred to in section 60.

Note: Sections 34AA to 34A of the *Acts Interpretation Act 1901* contain provisions relating to delegations.

92 Annual reports

The annual report prepared by the CEO and given to the Minister under section 46 of the *Public Governance, Performance and Accountability Act 2013* for a period must include the following:

- (a) information about the Commission's operations under the *Export Market Development Grants Act 1997* during the period;
- (b) particulars of all directions given by the Minister to the CEO under subsection 10(1) during the period, other than any direction that includes a statement to the effect that the direction is not to be disclosed:
 - (i) for reasons of national security; or
 - (ii) because its disclosure would have an adverse effect on the financial interests or property interests of the Commonwealth or of an instrumentality of the Commonwealth.

94 Secrecy

- (1) This section applies to a person who is or has been:
 - (a) the CEO; or
 - (b) a member of the staff of the Commission referred to in section 60; or
 - (c) a consultant engaged under section 62.
- (2) Subject to this section, a person to whom this section applies shall not, either directly or indirectly, except for the purposes of this Act:
 - (a) make a record of, or divulge or communicate to any person, any information concerning the affairs of another person acquired by the first-mentioned person by reason of his or her employment; or
 - (b) produce to any person a document relating to the affairs of another person furnished for the purposes of this Act.

Penalty: \$2,000 or imprisonment for 1 year, or both.

- (3) Subsection (2) does not apply to the disclosure of information, or the production of a document, to the Minister, to the Secretary of the Department, or to an officer of the Department designated by the Secretary.
- (4) Subsection (2) does not prevent a person to whom this section applies from communicating, or making available to another person:
 - (b) the following information relating to payments of grants authorised by the CEO under the *Export Market Development Grants Act 1997* or the *Export Market Development Grants Act 1974*:
 - (i) the name and address of a person to whom the CEO has authorised a payment;
 - (ii) the amount of a grant to a person;
 - (iii) the industry to which a grant relates; and
 - (c) any information of a statistical nature relating to the making of grants under the *Export Market Development Grants Act 1974* or the *Export Market Development Grants Act 1997*.

- (5) A person to whom this section applies shall not be required to divulge or communicate to a court any information referred to in subsection (2) or to produce in a court any document referred to in that subsection, except when it is necessary to do so for the purposes of, or of a prosecution for an offence against, this Act, the *Export Market Development Grants Act 1974* or the *Export Market Development Grants Act 1997*.
- (6) A person to whom information is communicated under subsection (3) and an employee or other person under that person's control are, in respect of that information, entitled to rights and privileges, and subject to obligations and liabilities, under subsections (2) and (5) as if they were persons referred to in subsection (1).
- (7) In this section:

court includes any tribunal, authority or person having power to require the production of documents or the answering of questions.

produce includes to permit access to.

97 Regulations

The Governor-General may make regulations, not inconsistent with this Act, prescribing matters:

- (a) required or permitted by this Act to be prescribed; or
- (b) necessary or convenient to be prescribed for carrying out or giving effect to this Act;

and in particular:

- (d) prescribing penalties, not exceeding a fine of \$500, for offences against the regulations.

Endnotes

Endnote 1—About the endnotes

Endnotes

Endnote 1—About the endnotes

The endnotes provide details of the history of this legislation and its provisions. The following endnotes are included in each compilation:

- Endnote 1—About the endnotes
- Endnote 2—Abbreviation key
- Endnote 3—Legislation history
- Endnote 4—Amendment history
- Endnote 5—Uncommenced amendments
- Endnote 6—Modifications
- Endnote 7—Misdescribed amendments
- Endnote 8—Miscellaneous

If there is no information under a particular endnote, the word “none” will appear in square brackets after the endnote heading.

Abbreviation key—Endnote 2

The abbreviation key in this endnote sets out abbreviations that may be used in the endnotes.

Legislation history and amendment history—Endnotes 3 and 4

Amending laws are annotated in the legislation history and amendment history.

The legislation history in endnote 3 provides information about each law that has amended the compiled law. The information includes commencement information for amending laws and details of application, saving or transitional provisions that are not included in this compilation.

The amendment history in endnote 4 provides information about amendments at the provision level. It also includes information about any provisions that have expired or otherwise ceased to have effect in accordance with a provision of the compiled law.

Uncommenced amendments—Endnote 5

The effect of uncommenced amendments is not reflected in the text of the compiled law but the text of the amendments is included in endnote 5.

Modifications—Endnote 6

If the compiled law is affected by a modification that is in force, details of the modification are included in endnote 6.

Misdescribed amendments—Endnote 7

An amendment is a misdescribed amendment if the effect of the amendment cannot be incorporated into the text of the compilation. Any misdescribed amendment is included in endnote 7.

Miscellaneous—Endnote 8

Endnote 8 includes any additional information that may be helpful for a reader of the compilation.

Endnotes

Endnote 2—Abbreviation key

Endnote 2—Abbreviation key

ad = added or inserted	pres = present
am = amended	prev = previous
c = clause(s)	(prev) = previously
Ch = Chapter(s)	Pt = Part(s)
def = definition(s)	r = regulation(s)/rule(s)
Dict = Dictionary	Reg = Regulation/Regulations
disallowed = disallowed by Parliament	reloc = relocated
Div = Division(s)	renum = renumbered
exp = expired or ceased to have effect	rep = repealed
hdg = heading(s)	rs = repealed and substituted
LI = Legislative Instrument	s = section(s)
LIA = <i>Legislative Instruments Act 2003</i>	Sch = Schedule(s)
mod = modified/modification	Sdiv = Subdivision(s)
No = Number(s)	SLI = Select Legislative Instrument
o = order(s)	SR = Statutory Rules
Ord = Ordinance	Sub-Ch = Sub-Chapter(s)
orig = original	SubPt = Subpart(s)
par = paragraph(s)/subparagraph(s) /sub-subparagraph(s)	

Endnote 3—Legislation history

Endnote 3—Legislation history

Act	Number and year	Assent	Commencement	Application, saving and transitional provisions
Australian Trade Commission Act 1985	186, 1985	16 Dec 1985	ss. 1–3 and 97: Royal Assent Remainder: 6 Jan 1986 (see <i>Gazette</i> 1985, No. S551)	
Statute Law (Miscellaneous Provisions) Act (No. 2) 1986	168, 1986	18 Dec 1986	s. 3: Royal Assent (<i>a</i>)	s. 5(1)
Statute Law (Miscellaneous Provisions) Act 1987	141, 1987	18 Dec 1987	s. 3: Royal Assent (<i>b</i>)	s. 5(1)
Lands Acquisition (Repeal and Consequential Provisions) Act 1989	21, 1989	20 Apr 1989	9 June 1989 (see s. 2 and <i>Gazette</i> 1989, No. S185)	—
Industry, Technology and Commerce Legislation Amendment Act 1989	91, 1989	27 June 1989	s. 15: 14 Dec 1988 Part 4 (ss. 20–25): 30 Nov 1989 (see <i>Gazette</i> 1989, No. S371) Part 5 (ss. 26, 27): 1 Aug 1989 (see <i>Gazette</i> 1989, No. S262) Remainder: Royal Assent	—

Endnotes

Endnote 3—Legislation history

Act	Number and year	Assent	Commencement	Application, saving and transitional provisions
Banking Legislation Amendment Act 1989	129, 1989	7 Nov 1989	Part 1 (ss. 1, 2), ss. 3, 26, 29–33, 35, 38 and 40: Royal Assent s. 23(1): 4 May 1989 s. 39: 23 Jan 1988 Remainder: 28 Dec 1989 (<i>see Gazette</i> 1989, No. S383)	—
Industrial Relations Legislation Amendment Act 1991	122, 1991	27 June 1991	ss. 4(1), 10(b) and 15–20: 1 Dec 1988 ss. 28(b)–(e), 30 and 31: 10 Dec 1991 (<i>see Gazette</i> 1991, No. S332) Remainder: Royal Assent	s. 31(2)
Export Finance and Insurance Corporation (Transitional Provisions and Consequential Amendments) Act 1991	149, 1991	21 Oct 1991	1 Nov 1991	ss. 48 and 49
Prime Minister and Cabinet Legislation Amendment Act 1991	199, 1991	18 Dec 1991	18 Dec 1991	—
Australian Trade Commission Amendment Act 1994	127, 1994	18 Oct 1994	18 Oct 1994	—
Export Market Development Grants (Repeal and Consequential Provisions) Act 1997	44, 1997	22 Apr 1997	1 July 1997	—
Tax Law Improvement Act 1997	121, 1997	8 July 1997	Schedule 3 (item 65): (c)	—

Endnote 3—Legislation history

Act	Number and year	Assent	Commencement	Application, saving and transitional provisions
Audit (Transitional and Miscellaneous) Amendment Act 1997	152, 1997	24 Oct 1997	Schedule 2 (items 533–541): 1 Jan 1998 (<i>see Gazette</i> 1997, No. GN49) (<i>d</i>)	—
Export Market Development Grants Legislation Amendment Act 1999	100, 1999	16 July 1999	16 July 1999	—
Public Employment (Consequential and Transitional) Amendment Act 1999	146, 1999	11 Nov 1999	Schedule 1 (items 270–272): 5 Dec 1999 (<i>see Gazette</i> 1999, No. S584) (<i>e</i>)	—
Corporate Law Economic Reform Program Act 1999	156, 1999	24 Nov 1999	Schedule 10 (item 61): 13 Mar 2000 (<i>see Gazette</i> 2000, No. S114) (<i>f</i>)	—
Criminal Code Amendment (Theft, Fraud, Bribery and Related Offences) Act 2000	137, 2000	24 Nov 2000	ss. 1–3 and Schedule 1 (items 1, 4, 6, 7, 9–11, 32): Royal Assent Remainder: 24 May 2001	Sch. 2 (items 418, 419)
Foreign Affairs and Trade Legislation Amendment (Application of Criminal Code) Act 2001	35, 2001	28 Apr 2001	26 May 2001	s. 4
Abolition of Compulsory Age Retirement (Statutory Officeholders) Act 2001	159, 2001	1 Oct 2001	29 Oct 2001	Sch. 1 (item 97)
Financial Framework Legislation Amendment Act 2005	8, 2005	22 Feb 2005	Schedule 2 (items 70, 71, 174): Royal Assent	Sch. 2 (item 174)

Endnotes

Endnote 3—Legislation history

Act	Number and year	Assent	Commencement	Application, saving and transitional provisions
Australian Trade Commission Legislation Amendment Act 2006	56, 2006	21 June 2006	Schedule 1 (items 1–41) and Schedule 4: 1 July 2006 (F2006L01897)	Sch. 4 (items 1–15, 17–21) Sch. 4 (item 16) (rep. by 100, 2011, Sch. 1 [item 3])
as amended by				
Statute Stocktake Act (No. 1) 2011	100, 2011	15 Sept 2011	Schedule 1 (item 3): 16 Sept 2011	—
Export Market Development Grants Legislation Amendment Act 2006	57, 2006	21 June 2006	Schedule 2 (items 2–4): Royal Assent	—
Export Market Development Grants Amendment Act 2008	33, 2008	23 June 2008	Schedule 1 (items 1, 2): Royal Assent	—
Statute Law Revision Act 2011	5, 2011	22 Mar 2011	Schedule 7 (item 28): 19 Apr 2011	—
Acts Interpretation Amendment Act 2011	46, 2011	27 June 2011	Schedule 2 (items 277–279) and Schedule 3 (items 10, 11): 27 Dec 2011	Sch. 3 (items 10, 11)
Public Governance, Performance and Accountability (Consequential and Transitional Provisions) Act 2014	62, 2014	30 June 2014	Sch 6 (item 30), Sch 7 (items 470–472) and Sch 14 (items 1–4): 1 July 2014 (s 2(1) item 6, 14)	Sch 14 (items 1–4)

- (a) The *Australian Trade Commission Act 1985* was amended by section 3 only of the *Statute Law (Miscellaneous Provisions) Act (No. 2) 1986*, 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.

Endnote 3—Legislation history

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- (b) The *Australian Trade Commission Act 1985* was amended by section 3 only of the *Statute Law (Miscellaneous Provisions) Act 1987*, 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) The *Australian Trade Commission Act 1985* was amended by Schedule 3 (item 65) only of the *Tax Law Improvement Act 1997*, subsections 2(2) and (3) of which provide as follows:
- (2) Schedule 1 commences on 1 July 1997 immediately after the commencement of the *Income Tax Assessment Act 1997*.
 - (3) Each of the other Schedules (except Schedule 12) commences immediately after the commencement of the immediately preceding Schedule.
- (d) The *Australian Trade Commission Act 1985* was amended by Schedule 2 (items 533–541) only of the *Audit (Transitional and Miscellaneous) Amendment Act 1997*, subsection 2(2) of which provides as follows:
- (2) Schedules 1, 2 and 4 commence on the same day as the *Financial Management and Accountability Act 1997*.
- (e) The *Australian Trade Commission Act 1985* was amended by Schedule 1 (items 270–272) only of the *Public Employment (Consequential and Transitional) Amendment Act 1999*, subsections 2(1) and (2) of which provide as follows:
- (1) In this Act, **commencing time** means the time when the *Public Service Act 1999* commences.
 - (2) Subject to this section, this Act commences at the commencing time.
- (f) The *Australian Trade Commission Act 1985* was amended by Schedule 10 (item 61) only of the *Corporate Law Economic Reform Program Act 1999*, subsection 2(2)(c) of which provides as follows:
- (2) The following provisions commence on a day or days to be fixed by Proclamation:
 - (c) the items in Schedules 10, 11 and 12.

Endnotes

Endnote 4—Amendment history

Endnote 4—Amendment history

Provision affected	How affected
Part 1	
Heading to Part I.....	rep. No. 56, 2006
Heading to Part 1.....	ad. No. 56, 2006
s. 3.....	am. No. 129, 1989; No. 149, 1991; Nos. 44 and 152, 1997; No. 146, 1999; No. 56, 2006; No 62, 2014
Heading to s. 6.....	am. No. 44, 1997
s. 6.....	am. No. 44, 1997
s. 6A.....	ad. No. 35, 2001
Part 2	
Heading to Part II.....	rep. No. 56, 2006
Heading to Part 2.....	ad. No. 56, 2006
s. 7.....	am. No. 56, 2006; No 62, 2014
Note to s. 7(2).....	ad. No. 152, 1997 rep. No. 56, 2006
Part 3	
Heading to Part 3.....	ad. No. 56, 2006
ss. 7A, 7B.....	ad. No. 56, 2006
Heading to s. 8.....	am. No. 56, 2006
s. 8.....	am. No. 149, 1991; No. 44, 1997; No. 56, 2006; No. 33, 2008
s. 9.....	am. No. 56, 2006
ss. 9A, 9B.....	ad. No. 56, 2006
s. 10.....	am. No. 44, 1997; No. 56, 2006
Note to s. 10(1).....	ad. No. 56, 2006
Part III.....	rep. No. 56, 2006
s. 11.....	rep. No. 56, 2006
s. 12.....	am. No. 141, 1987; No. 91, 1989; No. 149, 1991; No. 127, 1994 rep. No. 56, 2006
s. 13.....	am. No. 44, 1997 rep. No. 56, 2006
s. 14.....	rep. No. 56, 2006

Endnote 4—Amendment history

Provision affected	How affected
ss. 15–17.....	am. No. 149, 1991 rep. No. 56, 2006
ss. 18, 19.....	rep. No. 56, 2006
s. 20.....	am. No. 149, 1991; No. 152, 1997; No. 156, 1999 rep. No. 56, 2006
s. 21.....	rep. No. 56, 2006
s. 22.....	rep. No. 152, 1997
Part IV.....	rep. No. 56, 2006
s. 23.....	am. No. 21, 1989; No. 44, 1997 rep. No. 56, 2006
ss. 24–29.....	rep. No. 56, 2006
s. 30.....	am. No. 44, 1997 rep. No. 56, 2006
ss. 31, 32.....	rep. No. 149, 1991
Part V.....	rep. No. 149, 1991
s. 33.....	am. No. 168, 1986 rep. No. 149, 1991
ss. 34–45.....	rep. No. 149, 1991
s. 46.....	am. No. 168, 1986 rep. No. 149, 1991
ss. 47–50.....	rep. No. 149, 1991
Part 6	
Part VI.....	rep. No. 56, 2006
Part 6.....	ad. No. 56, 2006
Division 1	
s. 51.....	rs. No. 149, 1991 am. No. 159, 2001 rs. No. 56, 2006
s. 52.....	rs. No. 149, 1991; No. 56, 2006
s. 53.....	rep. No. 56, 2006
s. 54.....	am. No. 149, 1991 rs. No. 56, 2006

Endnotes

Endnote 4—Amendment history

Provision affected	How affected
s. 55	rs. No. 56, 2006
s. 56	am. No. 149, 1991
	rs. No. 56, 2006
	am. No. 46, 2011
Note to s. 56	rs. No. 46, 2011
s. 57	rs. No. 122, 1991
	am. No. 146, 1999
	rs. No. 56, 2006
s. 58	am. No. 149, 1991
	rs. No. 56, 2006
s. 59	am. No. 122, 1991
	rep. No. 149, 1991
	ad. No. 56, 2006
Division 2	
s. 60	am. No. 199, 1991
	rs. No. 56, 2006
ss. 61, 62	rs. No. 56, 2006
s. 63	rep. No. 146, 1999
Part 7	
Heading to Part VII	rep. No. 56, 2006
Heading to Part 7	ad. No. 56, 2006
Heading to Div. 1 of Part VII ...	rep. No. 56, 2006
Heading to s. 64	am. No. 56, 2006
s. 64	am. No. 149, 1991; Nos. 56 and 57, 2006
	rep. No. 62, 2014
ss. 65, 66	am. No. 56, 2006
Div. 2 of Part VII	rep. No. 56, 2006
ss. 67–69	rep. No. 56, 2006
Part VIII	rep. No. 56, 2006
s. 70	rep. No. 149, 1991
s. 71	am. No. 149, 1991; No. 44, 1997; No. 57, 2006
	rep. No. 56, 2006

Endnote 4—Amendment history

Provision affected	How affected
s. 72	am. No. 168, 1986; No. 149, 1991; No. 152, 1997 rep. No. 56, 2006
s. 73	am. No. 168, 1986 rep. No. 149, 1991
ss. 74, 75	rep. No. 149, 1991
ss. 76, 77	rep. No. 152, 1997
s. 78	rep. No. 56, 2006
s. 79	am. No. 8, 2005 rep. No. 56, 2006
s. 80	am. No. 149, 1991 rep. No. 56, 2006
ss. 81, 82	rep. No. 56, 2006
s. 83	am. No. 121, 1997 rep. No. 56, 2006
ss. 84–87	rep. No. 149, 1991
s. 88	rep. No. 56, 2006
s. 89	rs. No. 152, 1997 rep. No. 56, 2006
Part 9	
Heading to Part IX	rep. No. 56, 2006
Heading to Part 9	ad. No. 56, 2006
s. 90	am. No. 149, 1991; No. 44, 1997 rs. No. 56, 2006
s. 91	rep. No. 56, 2006
s. 92	am. Nos. 44 and 152, 1997; No. 57, 2006 rs. No. 56, 2006; No 62, 2014
s. 93	rep. No. 152, 1997
s. 94	am. No. 149, 1991; No. 44, 1997; No. 100, 1999; No. 56, 2006; No. 5, 2011
s. 95	am. No. 137, 2000 rep. No. 56, 2006
s. 96	rep. No. 56, 2006

Endnotes

Endnote 4—Amendment history

Provision affected	How affected
s. 97	am. No. 149, 1991

Endnote 5—Uncommenced amendments [none]

Endnote 5—Uncommenced amendments [none]

Endnote 6—Modifications [none]

Endnote 7—Misdescribed amendments [none]

Endnote 8—Miscellaneous [none]