

Financial Transaction Reports Amendment Regulations 2000 (No. 1) 2000 No. 288

EXPLANATORY STATEMENT

STATUTORY RULES 2000 No. 288

Issued By the Authority of the Minister for Justice and Customs

Financial Transaction Reports Act 1988

Financial Transaction Reports Amendment Regulations 2000 (No. 1)

Section 43 of the *Financial Transaction Reports Act 1988* (the Act) provides that the GovernorGeneral may make regulations for the purposes of the Act.

The Commonwealth Services Delivery Agency (CSDA), which is commonly referred to as 'Centrelink', provides, *inter alia*, all services formerly provided by the Department of Social Security. The CSDA was established under the *Commonwealth Services Delivery Agency Act 1997*.

The Financial Transaction Reports Regulations (the principal Regulations) contained a number of references to the former Department of Social Security.

The purpose of the Regulations is to amend the Principal Regulations to replace references to the Department of Social Security with the CSDA. In addition, it is also the purpose of the Regulations to correct typographical errors in the Principal Regulations and to make consequential amendments which are necessary because of the repeal of the Student Assistance Regulations.

The Amendments

Regulation 1 is a formal clause providing for the citation of these amending Regulations.

Regulation 2 provides that these Regulations commenced upon gazettal.

Regulation 3 is also a formal clause providing for amendment of the Regulations as set out in Schedule 1 to the amending regulations.

Schedule 1 Amendments

Item 1 renames the Regulations by including the year in which they were first made.

Item 2 provides that the definition of "technical and further education" in subregulation 2(1) has the same meaning as in section 3 of the *Student Assistance Act 1973*. The former definition of "technical and further education" in subregulation 2(1) referred to the Student Assistance Regulations, which were repealed by Statutory Rules 1999 No. 311 (Student Assistance Repeal Regulations 1999).

Item 3 corrects a typographical error in subregulation 6(3) by replacing "indentify" with "identity".

Item 4 corrects a typographical error in subregulation 7(4) by replacing "identify" with "identity".

Item 5 replaces "Department of Social Security" with "Commonwealth Services Delivery Agency" in paragraph 10A(1)(b) to reflect that the CSDA now carries out the functions of the former Department of Social Security.

Item 6 creates a new subregulation 10A(3) which replaces "Department of Social Security" with "Commonwealth Services Delivery Agency". Item 6 also changes the term "Social Security" to lower case in paragraph 10A(3)(a) as the reference to social security payments is intended to be generic. In addition, item 6 replaces "departmental" with "agency" to reflect that an agency (ie CSDA) now carries out the functions of the former Department of Social Security.

Item 7 replaces "Department of Employment, Education and Training" with "Department of Education, Training and Youth Affairs" in subparagraph 10B(1)(b)(ii) to reflect that the latter Department currently administers the *Student Assistance Act 1973*.

Item 8 creates a new paragraph 11C(b) to replace the reference to "an officer of the Department of Social Security who performs the duties of a Regional Manager" with "an officer of the Commonwealth Services Delivery Agency who performs the duties of a Customer Service Centre Manager. The amendment reflects that officers of the CSDA now carry out the functions performed by officers of the former Department of Social Security.

The Regulations commenced on gazettal.