



Acts Interpretation (Substituted References — Section 19BA) Order 2004

I, PHILIP MICHAEL JEFFERY, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make this Order under subsections 19BA (1), (2) and (3) of the *Acts Interpretation Act 1901*.

Signed and sealed with the
Great Seal of Australia
on 18 November 2004

P.M. JEFFERY
Governor-General

By His Excellency's Command

PHILIP RUDDOCK
Attorney-General

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1 Name of Order

This Order is the *Acts Interpretation (Substituted References — Section 19BA) Order 2004*.

Note This Order commences on the day on which it is made — *Acts Interpretation Act 1901*, subsections 19BA (1), (2) and (3).

2 Definition

In this Order:

provision means a provision in an Act or in an instrument under an Act.

3 References to Ministers

A provision mentioned in column 4 of an item in a Part of Schedule 1 that mentions the Minister, or Ministers, mentioned in column 2 of the item, has effect on and from the date mentioned in the heading to that Part, as if there were substituted a reference to the Minister, or Ministers, mentioned in column 3 of the item.

4 References to Departments

A provision mentioned in column 4 of an item in a Part of Schedule 2, that mentions the Department mentioned in column 2 of the item, has effect on and from the date mentioned in the heading to that Part, as if there were substituted a reference to the Department mentioned in column 3 of the item.

5 References to Secretaries

A provision mentioned in column 4 of an item in a Part of Schedule 3, that mentions the Secretary mentioned in column 2 of the item, has effect on and from the date mentioned in the heading to that Part, as if there were substituted a reference to the Secretary mentioned in column 3 of the item.

Note A provision mentioned in a Schedule to this Order:

- (a) may have been affected, before the commencement of this Order, by other substituted references under other orders made under section 19B or 19BA of the *Acts Interpretation Act 1901*; and
- (b) may be affected, after the commencement of this Order:
 - (i) by an order made under section 19BB of the *Acts Interpretation Act 1901* revoking a part of this Order; or
 - (ii) by other substituted references under other orders made under section 19BA of the *Acts Interpretation Act 1901*.

Schedule 1 References to Ministers

(section 3)

Part 1 Substitutions made on commencement of Acts Interpretation (Substituted References — Section 19BA) Order 2004

Item	Existing reference	Substitute reference	Affected provisions
1	Minister for Agriculture, Fisheries and Forestry; or Minister for Fisheries, Forestry and Conservation	Minister for Industry, Tourism and Resources; or Minister for Small Business and Tourism	provisions of the <i>Plant Breeder's Rights Act 1994</i> and any instrument made under that Act
2	Minister for Family and Community Services; or Minister for Children and Youth Affairs	Minister for Employment and Workplace Relations; or Minister for Workforce Participation	provisions of the <i>Disability Services Act 1986</i> and any instrument made under that Act (except provisions that relate to supported employment services) provisions of the <i>Social Security Act 1991</i> and any instrument made under that Act, and the <i>Social Security (Administration) Act 1999</i> and any instrument made under that Act (being provisions that relate to disability support pension, mature age allowance, newstart allowance and parenting payment and any other payment, allowance or supplement in so far as that payment, allowance or supplement relates to persons who are or have been receiving disability support pension, mature age allowance, newstart allowance or parenting payment; and sickness allowance and youth allowance in so far as those payments relate to persons who are unemployed)

Item	Existing reference	Substitute reference	Affected provisions
3	Minister for Family and Community Services; or Minister for Children and Youth Affairs	Minister for Education, Science and Training; or Minister for Vocational and Technical Education	provisions of the <i>Social Security Act 1991</i> and any instrument made under that Act, and the <i>Social Security (Administration) Act 1999</i> and any instrument made under that Act (being provisions that relate to austudy and youth allowance for persons who are students and any other payment, allowance or supplement in so far as that payment, allowance or supplement relates to persons who are students; and sickness allowance for persons who are students)
4	Minister for Family and Community Services; or Minister for Children and Youth Affairs	Minister for Human Services	provisions of the <i>Commonwealth Services Delivery Agency Act 1997</i> and any instrument made under that Act
5	Minister for Health and Ageing; or Minister for Ageing	Minister for Human Services	provisions of the <i>Australian Hearing Services Act 1991</i> and any instrument made under that Act (except subsections 8 (4) to 8 (8) of that Act and any instrument made under those provisions) provisions of the <i>Health Insurance Commission Act 1973</i> and any instrument made under that Act

Schedule 2 References to Departments

(section 4)

Part 1 Substitutions made on commencement of Acts *Interpretation (Substituted References — Section 19BA) Order 2004*

Item	Existing reference	Substitute reference	Affected provisions
1	Department of Agriculture, Fisheries and Forestry	Department of Industry, Tourism and Resources	provisions of the <i>Plant Breeder's Rights Act 1994</i> and any instrument made under that Act
2	Department of Family and Community Services	Department of Employment and Workplace Relations	provisions of the <i>Disability Services Act 1986</i> and any instrument made under that Act (except provisions that relate to supported employment services) provisions of the <i>Social Security Act 1991</i> and any instrument made under that Act, and the <i>Social Security (Administration) Act 1999</i> and any instrument made under that Act (being provisions that relate to disability support pension, mature age allowance, newstart allowance and parenting payment and any other payment, allowance or supplement in so far as that payment, allowance or supplement relates to persons who are or have been receiving disability support pension, mature age allowance, newstart allowance or parenting payment; and sickness allowance and youth allowance in so far as those payments relate to persons who are unemployed)

Item	Existing reference	Substitute reference	Affected provisions
3	Department of Family and Community Services	Department of Education, Science and Training	provisions of the <i>Social Security Act 1991</i> and any instrument made under that Act, and the <i>Social Security (Administration) Act 1999</i> and any instrument made under that Act (being provisions that relate to austudy and youth allowance for persons who are students and any other payment, allowance or supplement in so far as that payment, allowance or supplement relates to persons who are students; and sickness allowance for persons who are students)
4	Department of Family and Community Services	Department of Human Services	provisions of the <i>Commonwealth Services Delivery Agency Act 1997</i> and any instrument made under that Act
5	Department of Health and Ageing	Department of Human Services	provisions of the <i>Australian Hearing Services Act 1991</i> and any instrument made under that Act (except subsections 8 (4) to 8 (8) of that Act and any instrument made under those provisions) provisions of the <i>Health Insurance Commission Act 1973</i> and any instrument made under that Act

Schedule 3 References to Secretaries

(section 5)

Part 1 Substitutions made on commencement of Acts *Interpretation (Substituted References — Section 19BA) Order 2004*

Item	Existing reference	Substitute reference	Affected provisions
1	Secretary of the Department of Agriculture, Fisheries and Forestry	Secretary of the Department of Industry, Tourism and Resources	provisions of the <i>Plant Breeder's Rights Act 1994</i> and any instrument made under that Act
2	Secretary of the Department of Family and Community Services	Secretary of the Department of Employment and Workplace Relations	provisions of the <i>Disability Services Act 1986</i> and any instrument made under that Act (except provisions that relate to supported employment services) provisions of the <i>Social Security Act 1991</i> and any instrument made under that Act, and the <i>Social Security (Administration) Act 1999</i> and any instrument made under that Act (being provisions that relate to disability support pension, mature age allowance, newstart allowance and parenting payment and any other payment, allowance or supplement in so far as that payment, allowance or supplement relates to persons who are or have been receiving disability support pension, mature age allowance, newstart allowance or parenting payment; and sickness allowance and youth allowance in so far as those payments relate to persons who are unemployed)

Item	Existing reference	Substitute reference	Affected provisions
3	Secretary of the Department of Family and Community Services	Secretary of the Department of Education, Science and Training	provisions of the <i>Social Security Act 1991</i> and any instrument made under that Act, and the <i>Social Security (Administration) Act 1999</i> and any instrument made under that Act (being provisions that relate to austudy and youth allowance for persons who are students and any other payment, allowance or supplement in so far as that payment, allowance or supplement relates to persons who are students; and sickness allowance for persons who are students)
4	Secretary of the Department of Family and Community Services	Secretary of the Department of Human Services	provisions of the <i>Commonwealth Services Delivery Agency Act 1997</i> and any instrument made under that Act
5	Secretary of the Department of Health and Ageing	Secretary of the Department of Human Services	provisions of the <i>Australian Hearing Services Act 1991</i> and any instrument made under that Act (except subsections 8 (4) to 8 (8) of that Act and any instrument made under those provisions) provisions of the <i>Health Insurance Commission Act 1973</i> and any instrument made under that Act