



# Foreign Acquisitions and Takeovers Amendment Regulations 2009 (No. 1)<sup>1</sup>

**Select Legislative Instrument 2009 No. 245**

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I, QUENTIN BRYCE, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Foreign Acquisitions and Takeovers Act 1975*.

Dated 17 September 2009

QUENTIN BRYCE  
Governor-General

By Her Excellency's Command

WAYNE SWAN  
Treasurer

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## Regulation 1

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### 1 Name of Regulations

These Regulations are the *Foreign Acquisitions and Takeovers Amendment Regulations 2009 (No. 1)*.

### 2 Commencement

These Regulations commence on the day after they are registered.

### 3 Amendment of *Foreign Acquisitions and Takeovers Regulations 1989*

Schedule 1 amends the *Foreign Acquisitions and Takeovers Regulations 1989*.

### 4 Application of amendments

The amendments made by Schedule 1 apply on and after the day on which these Regulations commence.

## Schedule 1 Amendments

(regulation 3)

### [1] Regulations 4 and 5

*substitute*

### 4 Prescribed corporations — value of assets of foreign corporation

For a provision of section 13 of the Act mentioned in the following table, the amount is set out in the table:

Item	Provision	Amount
1	paragraph 13 (1) (d)	(a) For the calendar year 2009 — \$219 000 000; or (b) For any other calendar year — the amount worked out under regulation 13

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2 *Foreign Acquisitions and Takeovers Amendment Regulations 2009 (No. 1)* 2009, 245

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Item	Provision	Amount
2	paragraph 13 (1) (e)	(a) For the calendar year 2009 — \$219 000 000; or (b) For any other calendar year — the amount worked out under regulation 13

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## 5 Exempt dealings — value of assets

- (1) For a provision of the definition of *exempt corporation* in subsection 13A (4) of the Act mentioned in the following table, the amount is set out in the table:

Item	Provision	Amount
1	subparagraph (b) (i)	(a) For the calendar year 2009 — \$219 000 000; or (b) For any other calendar year — the amount worked out under regulation 13
2	subparagraph (b) (ii)	(a) For the calendar year 2009 — \$219 000 000; or (b) For any other calendar year — the amount worked out under regulation 13

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- (2) For a provision of the definition of *exempt business* in subsection 13A (4) of the Act mentioned in the following table, the amount is set out in the table:

Item	Provision	Amount
1	paragraph (a)	(a) For the calendar year 2009 — \$219 000 000; or (b) For any other calendar year — the amount worked out under regulation 13

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Item	Provision	Amount
2	paragraph (b)	(a) For the calendar year 2009 — \$219 000 000; or (b) For any other calendar year — the amount worked out under regulation 13

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**[2] Regulation 6, table, item 1, column 3, paragraphs (a) and (aa)**

*substitute*

- (a) For the calendar year  
 2009 — \$219 000 000;  
 or

**[3] Regulation 6, table, item 5, column 3, paragraphs (a) and (aa)**

*substitute*

- (a) For the calendar year  
 2009 — \$219 000 000;  
 or

**[4] Subregulation 13 (1)**

*omit*

regulation 3, 6 or 7

*insert*

regulation 3, 4, 5, 6 or 7

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**Note**

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See <http://www.frli.gov.au>.