



## **Editorial Changes—Report No. 3**

### **1 January 2017–30 June 2017**

1 In preparing compilations for registration during the above period, First Parliamentary Counsel made the following editorial changes under the *Legislation Act 2003*.

2 The summary of editorial changes for the 33 compilations affected is as follows:

<b>Item</b>	<b>Kind of editorial change</b>	<b>Number</b>
1	Change to grammar, syntax or the use of conjunctives or disjunctives	2
2	Change to punctuation	5
3	Change to spelling	2
4	Change to typeface	7
5	Correct a typographical error	10
6	Give effect to the misdescribed amendment as intended	9
7	Removal of redundant text	7
8	Reordering of provisions	1
9	Update to reference of a law or a provision	1

3 Please note that each instance of the power being used in a compilation is counted. This means that for a number of compilations the power has been used multiple times (for example, to correct typographical errors in different sections of the same compilation).

4 Complete details of each use of the power within a compilation appears below:

### **Therapeutic Goods Act 1989, Compilation No. 67, Registration Date: 30 June 2017**

#### **Subparagraph 28(5)(a)(i)**

#### **Kind of editorial change**

Give effect to the misdescribed amendments as intended

#### **Details of editorial change**

Schedule 8 item 1 of the *Therapeutic Goods Amendment (2016 Measures No. 1) Act 2017* instructs to add the following words “, complies with record-keeping requirements covered by paragraph (c) or (ca), or keeps documents that relate to the subject goods” at the end of subparagraph 28(5)(a)(i).

However, at the end of subparagraph 28(5)(a)(i) there is a semi-colon and the word “and”.

This compilation was editorially changed to insert the words “, complies with record-keeping requirements covered by paragraph (c) or (ca), or keeps documents that relate to the subject goods” after the word “goods” and give effect to the misdescribed amendment as intended.

## **Protection of the Sea (Prevention of Pollution from Ships) Act 1983, Compilation No. 38, Registration Date: 16 June 2017**

### **Kind of editorial change**

Change to typeface

### **Details of editorial change**

This compilation was editorially changed to update all occurrences of the italicised words *en route* and *prima facie* to regular font.

## **Therapeutic Goods Regulations 1990, Compilation No. 76, Registration Date: 15 June 2017**

### **Schedule 5 (table item 8, column 2, paragraph (d))**

#### **Kind of editorial change**

Change to spelling

#### **Details of editorial change**

Schedule 5 (table item 8, column 2, paragraph (d)) refers to “repellants” rather than “repellents”.

This compilation was editorially changed to correct the spelling to “repellents”.

## **Telecommunications (Interception and Access) Act 1979, Compilation No. 93, Registration Date: 7 June 2017**

### **Kind of editorial change**

Change to typeface

### **Details of editorial change**

This compilation was editorially changed to update all occurrences of the italicised words *prima facie* to regular font.

**National Health (Paraplegic and Quadriplegic Program) Special Arrangement 2010 (PB 118 of 2010), Compilation No. 15, Registration Date: 6 June 2017**

**Schedule 2**

**Kind of editorial change**

Reordering of provisions

**Details of editorial change**

Schedule 1 item [2] of the *National Health (Paraplegic and Quadriplegic Program) Special Arrangement Amendment Instrument 2017 (No 2)* instructs as follows:

**[2] Schedule 2**

***Insert, after entry for AE:***

VZ	Sanofi-Aventis Australia Pty Ltd	31 008 558 807
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This would result in the entries for Schedule 2 being out of alphabetical order. However, inserting the entry for VZ after the entry for TX would mean the entries would be in order.

This compilation was editorially changed to reorder the provisions into alphabetical order by inserting the entry for VZ after the entry for TX.

**Social Security Act 1991, Compilation No. 156, Registration Date: 25 May 2017**

**Subsection 601(1) (note 2)**

**Kind of editorial change**

Removal of redundant text

**Details of editorial change**

Note 2 to subsection 601(1) refers to subsection (2B). However that provision was repealed by item 31 of Schedule 7 to the *Employment and Workplace Relations Legislation Amendment (Welfare to Work and Other Measures) Act 2005*.

This compilation was editorially changed to remove the redundant reference by replacing the wording in note 2 of subsection 601(1) with “Note 2: See subsection (2A) on what paid work is unsuitable.”.

## **Veterans' Entitlements Act 1986, Compilation No. 138, Registration Date: 25 May 2017**

### **Kind of editorial change**

Change to typeface

### **Details of editorial change**

This compilation was editorially changed to update all occurrences of the italicised words *prima facie* to regular font.

## **Australian Human Rights Commission Act 1986, Compilation No. 45, Registration Date: 27 April 2017**

### **Subsection 36(9)**

#### **Kind of editorial change**

Removal of redundant text

#### **Details of editorial change**

Subsection 36(9) contains a reference to section 42 of the *Australian Human Rights Commission Act 1986*. However, that provision was repealed by item 260 of Schedule 7 to the *Public Governance, Performance and Accountability (Consequential and Transitional Provisions) Act 2014*.

This compilation was editorially changed to omit the redundant “42.”.

### **Heading to Division 2 of Part IIAA**

#### **Kind of editorial change**

Correct a typographical error

#### **Details of editorial change**

The heading to Division 2 of Part IIAA includes the word “**Apppointment**”.

This compilation was editorially changed to omit the word “**Apppointment**” and substitute the word “**Appointment**” to correct this typographical error.

#### **Kind of editorial change**

Change to typeface

#### **Details of editorial change**

This compilation was editorially changed to update all occurrences of the words *amicus curiae* in italics to regular font.

## **Migration Agents Regulations 1998, Compilation No. 23, Registration Date: 19 April 2017**

### **Regulation 7H (note 1)**

#### **Kind of editorial change**

Correct a typographical error

#### **Details of editorial change**

Schedule 6 item 4 of the *Migration Legislation Amendment (2015 Measures No. 2) Regulation 2015* adds notes 1 and 2 at the end of regulation 7H. There is a reference to "subsection (5)(1)" in the text of note 1.

This compilation was editorially changed to correct the typographical error by removing the brackets from around the number 5.

## **Commerce (Trade Descriptions) Act 1905, Compilation No. 10, Registration Date: 10 April 2017**

### **Subsection 17(1)**

#### **Kind of editorial change**

Change to typeface

#### **Details of editorial change**

This compilation was editorially changed to update an occurrence of the words *prima facie* in italics to regular font.

## **Retirement Savings Accounts Regulations 1997, Compilation No. 54, Registration Date: 10 April 2017**

### **Regulation 7.3 of Part 7**

#### **Kind of editorial change**

Change to typeface

#### **Details of editorial change**

The heading to regulation 7.3 includes "Treasury Laws Amendment (2016 Measures No. 1) Regulation 2016". The Regulation title should be italicized.

This compilation was editorially changed to italicize the Regulation title in the heading to regulation 7.3.

## **National Health (Listing of Pharmaceutical Benefits) Instrument 2012 (PB 71 of 2012), Compilation No. 53, Registration Date: 7 April 2017**

### **Schedule 1, entry for Clonidine**

#### **Kind of editorial change**

Give effect to the misdescribed amendment as intended

#### **Details of editorial change**

Schedule 1 item [20] (b) of the *National Health (Listing of Pharmaceutical Benefits) Amendment Instrument 2017 (No. 2)* instructs as follows:

#### **Schedule 1, entry for Clonidine in the form Tablet containing clonidine hydrochloride 100 micrograms**

**(b)** insert in the column headed “Responsible Person” for the brand “Catapres 100”:     **a**

The column headed “Responsible Person” is already full. The amendment intended to insert the letter “a” into the column headed “Schedule Equivalent”.

This compilation was editorially changed to insert the letter “a” into the column headed “Schedule Equivalent” in the entry for Clodine to give effect to the misdescribed amendment as intended.

## **Veterans’ Entitlements Regulations 1986, Compilation No. 16, Registration Date: 6 April 2017**

### **Regulation 9 (example 6)**

#### **Kind of editorial change**

Correct a typographical error

#### **Details of editorial change**

Schedule 1 item 1 of the *Veterans’ Entitlements Amendment Regulations 2007 (No. 1)* instructs to repeal and substitute regulation 9.

Example 6 of regulation 9 refers to “Amount set out in example 2 (as if in `private accommodation)”.

This compilation was editorially changed to remove the quote before the word “private” to correct this typographical error.

## **Renewable Energy (Electricity) Regulations 2001, Compilation No. 64, Registration Date: 5 April 2017**

### **Note to subclauses 634(1) to (3) of Schedule 6**

#### **Kind of editorial change**

Update to reference of a law or a provision

#### **Details of editorial change**

The note at the end of subclauses 634(1) to (3) refers to “section 22C”.

This compilation was editorially changed to update the cross-reference by omitting the words “section 22C” and substituting the words “regulation 22C”.

### **Note to subclause 637(1) of Schedule 6**

#### **Kind of editorial change**

Change to punctuation

#### **Details of editorial change**

The note at the end of subclause 637(1) reads as follows:

Note: *saleable quality* is defined in regulation 22C.

This compilation was editorially changed to replace the lower case “s” in “saleable” with a capital “S” to correct the punctuation and bring it into line with legislative drafting practice.

## **Fisheries Management Regulations 1992, Compilation No. 46, Registration Date: 30 March 2017**

### **Part 13A heading**

#### **Kind of editorial change**

Removal of redundant text

#### **Details of editorial change**

Division 1 of Part 13A was self-repealed by regulation 80 on 30 June 2016.

This action left a Part 13A heading and Part 13A does not contain any regulations.

This compilation was editorially changed to repeal the Part 13A heading.

## **Primary Industries (Customs) Charges Regulations 2000, Compilation No. 69, Registration Date: 30 March 2017**

### **Clauses 4.3 and 4.4 of Schedule 10**

#### **Kind of editorial change**

Correct a typographical error

#### **Details of editorial change**

Regulation 3 contains the following definition:

*Customs Charges Act* means the *Primary Industries (Customs) Charges Act 1999*.

Clauses 4.3 and 4.4 of Schedule 10 refer to the “Custom Charges Act” instead of the “Customs Charges Act”.

This compilation was editorially changed to add the letter “s” to the end of the word “Custom” in clauses 4.3 and 4.4 of Schedule 10 to correct this typographical error.

## **Administrative Appeals Tribunal Act 1975, Compilation No. 45, Registration Date: 22 March 2017**

### **Subsection 43(4)**

#### **Kind of editorial change**

Change to typeface

#### **Details of editorial change**

This compilation was editorially changed to update an occurrence of the words *prima facie* in italics to regular font.

### **Paragraph 51(1)(f)**

#### **Kind of editorial change**

Removal of redundant text

#### **Details of editorial change**

Paragraph 51(1)(f) contains two consecutive occurrences of the word “and”.

This compilation was editorially changed to omit the redundant word “and”.



## **Disability Services Act 1986, Compilation No. 28, Registration Date: 22 March 2017**

### **Subsection 23(10)**

#### **Kind of editorial change**

Give effect to the misdescribed amendment as intended and changes to punctuation

#### **Details of editorial change**

Schedule 1 item 19 of the *Statute Update (A.C.T. Self-Government (Consequential Provisions) Regulations) Act 2017* instructs:

After “States,”, insert “of the Australian Capital Territory,”

“States,” does not appear in subsection 23(10). However the word “States” does appear.

This compilation was editorially changed to insert after “States”, “, of the Australian Capital Territory”. This editorial change gives effect to the misdescribed amendment as intended and makes changes to punctuation.

### **Subsection 27(5)**

#### **Kind of editorial change**

Give effect to the misdescribed amendment as intended and changes to punctuation

#### **Details of editorial change**

Schedule 1 item 20 of the *Statute Update (A.C.T. Self-Government (Consequential Provisions) Regulations) Act 2017* instructs:

After “States,”, insert “of the Australian Capital Territory,”

“States,” does not appear in subsection 27(5). However the word “States” does appear.

This compilation was editorially changed to insert after “States”, “, of the Australian Capital Territory”. This editorial change gives effect to the misdescribed amendment as intended and makes changes to punctuation.

## **Customs Tariff Act 1995, Compilation No. 64, Registration Date: 17 March 2017**

### **Additional Note heading in Chapter 44 of Schedule 3**

#### **Kind of editorial change**

Correct a typographical error

### **Details of editorial change**

Schedule 1 item 122 of the *Customs Tariff Amendment (2017 Harmonized System Changes) Act 2016* instructs to repeal and substitute Additional Note 1 and insert Additional Note 2 in Chapter 44 of Schedule 3.

This compilation was editorially changed to change the heading from “Additional Note” to “Additional Notes” above Additional Note 1 in Chapter 44 of Schedule 3.

## **Paid Parental Leave Act 2010, Compilation No. 27, Registration Date: 9 March 2017**

### **Part 3A-4, Division 2 (heading)**

#### **Kind of editorial change**

Correct a typographical error

#### **Details of editorial change**

The heading to Division 2 of Part 3A-4 includes the wording “partner day”.

This compilation was editorially changed to omit the word “day” and insert the word “pay” to correct this typographical error.

## **National Greenhouse and Energy Reporting Regulations 2008, Compilation No. 17, Registration Date: 8 March 2017**

### **Regulation 1.03**

#### **Kind of editorial change**

Removal of redundant text

#### **Details of editorial change**

To remove the repetition of the word “audit” in regulation 1.03 (definition of audited body), after “a Part 6 audit”.

This compilation was editorially changed to remove redundant text.

## **Migration Act 1958, Compilation No. 134, Registration Date: 6 March 2017**

### **Subsection 5AA(4) (definition of *vessel*)**

#### **Kind of editorial change**

Removal of redundant text

### **Details of editorial change**

The definition of *vessel* in subsection 5AA(4) is redundant as the definition is defined as being for the purposes of section 5AA but the defined term is not used in that section.

This compilation was editorially changed to omit the redundant definition.

### **Section 62 (heading)**

#### **Kind of editorial change**

Correct a typographical error

#### **Details of editorial change**

The heading to section 62 reads “Failure to receive information not require action”.

This compilation was editorially changed to insert “does” after “information” to correct the typographical error.

### **Section 112 (heading)**

#### **Kind of editorial change**

Correct a typographical error

#### **Details of editorial change**

The heading to section 112 reads “Action because of one non-compliance not prevent action because of other non-compliance”.

This compilation was editorially changed to insert “does” after the first occurrence of “non-compliance” to correct the typographical error.

### **Section 420 (heading)**

#### **Kind of editorial change**

Removal of redundant text

#### **Details of editorial change**

The heading to section 420 refers to the Refugee Review Tribunal. However, the Refugee Review Tribunal was abolished from 1 July 2015, and its functions transferred to the Migration and Refugee Division of the Administrative Appeals Tribunal (defined in the Act as “the Tribunal”).

This compilation was editorially changed to omit “Refugee Review” from the heading.

## **Trade Marks Act 1995, Compilation No. 36, Registration Date: 27 February 2017**

### **Paragraph 147B(3)(a)**

#### **Kind of editorial change**

Correct a typographical error

#### **Details of editorial change**

Paragraph 147B(3)(a) reads “(a) the possesses or disposes of.”.

This compilation was editorially changed to insert “person” after “the” to correct the typographical error.

## **Plant Breeder’s Rights Act 1994, Compilation No. 17, Registration Date: 24 February 2017**

### **Subsection 26(3)**

#### **Kind of editorial change**

Give effect to the misdescribed amendment as intended

#### **Details of editorial change**

Schedule 4 item 63 of the *Intellectual Property Laws Amendment Act 2015* instructs to insert the text “in a country other than New Zealand” after “overseas”.

The word “overseas” appears twice in subsection 26(3).

This compilation was editorially changed to insert the text “in a country other than New Zealand” after “overseas” (first occurring) and give effect to the misdescribed amendment as intended.

## **Carrier Licence Conditions (Networks supplying Superfast Carriage Services to Residential Customers) Declaration 2014, Compilation No. 1, Registration Date: 24 January 2017**

### **Section 4**

#### **Kind of editorial change**

Give effect to the misdescribed amendment as intended

### Details of editorial change

Item 4 of the Schedule of the *Carrier Licence Conditions (Networks supplying Superfast Carriage Services to Residential Customers) Declaration 2014 (Amendment No.1 of 2016)* instructs as follows:

#### **[4] At the Note accompanying Section 4**

*omit*

(subsection 13(1) of the *Legislative Instruments Act 2003*)

*substitute*

(paragraph 13(1)(b) of the *Legislation Act 2003*)

The words “(subsection 13(1) of the *Legislative Instruments Act 2003*)” do not appear. However the words “(see subsection 13(1) of the *Legislative Instruments Act 2003*)” do appear.

This compilation was editorially changed to omit the words “(see subsection 13(1) of the *Legislative Instruments Act 2003*)” and substitute “(paragraph 13(1)(b) of the *Legislation Act 2003*)” and give effect to the misdescribed amendment as intended.

## **Social Security Act 1991, Compilation No. 153, Registration Date: 13 January 2017**

### **Section 1068 (heading)**

#### **Kind of editorial change**

Change to grammar, syntax or the use of conjunctives or disjunctives and changes to punctuation

#### **Details of editorial change**

The heading to section 1068 reads “Rate of widow allowance, Newstart allowance (18 or over) sickness allowance (18 or over) partner allowance, and mature age allowance under Part 2.12B”.

This compilation was editorially changed to replace the capital “N” in “Newstart” with a lowercase “n” and insert a comma after both occurrences of “(18 or over)” in the heading to section 1068 to correct the grammatical and punctuation errors.

## **Aged Care (Subsidy, Fees and Payments) Determination 2014, Compilation No. 10, Registration Date: 10 January 2017**

### **Section 60**

#### **Kind of editorial change**

Give effect to the misdescribed amendments as intended

### **Details of editorial change**

Schedule 1, item 4 of the *Aged Care (Subsidy, Fees and Payments) Amendment (Viability Supplement) Determination 2016* instructs the substitution of subsection 60(1) with a new section 60 (including a heading and subsections 60(1) and (2)), which would result in two headings and two subsection 60(2)s.

However substituting section 60 for existing section 60 would give effect to the amendment as intended.

## **National Health (Listing of Pharmaceutical Benefits) Instrument 2012 (PB 71 of 2012), Compilation No. 51, Registration Date: 10 January 2017**

### **Schedule 1, entry for Trandolapril with Verapamil**

#### **Kind of editorial change**

Give effect to the misdescribed amendment as intended

#### **Details of editorial change**

Schedule 1 item [112] of the *National Health (Listing of Pharmaceutical Benefits) Amendment Instrument 2016 (No. 12)* instructs as follows:

**Schedule 1, entry for Trandolapril with Verapamil in each of the forms: Tablet containing trandolapril 2 mg with verapamil hydrochloride 180 mg (sustained release); and Tablet containing trandolapril 4 mg with verapamil hydrochloride 240 mg (sustained release)**

*omit from the column headed "Responsible Person" for the brands "Tarka 2/180" and "Tarka 4/280":* **GO** *substitute:* **AF**

The words "Tarka 4/280" do not appear. However the words "Tarka 4/240" do appear.

This compilation was editorially changed to replace the letters "GO" with "AF" for the brand "Tarka 4/240" in the entry for Trandolapril with Verapamil in Schedule 1 and give effect to the misdescribed amendment as intended.

## **Primary Industries Levies and Charges Collection Regulations 1991, Compilation No. 74, Registration Date: 6 January 2017**

### **Clause 22.2**

#### **Kind of editorial change**

Correct a typographical error

### **Details of editorial change**

To correct the spelling “know” to “known” in the note to the definition of papaya.

This compilation was editorially changed to correct the typographical error.

## **Family Law Rules 2004, Compilation No. 30, Registration Date: 5 January 2017**

### **Rule 10.18**

#### **Kind of editorial change**

Change to grammar, syntax or the use of conjunctives or disjunctives

#### **Details of editorial change**

Rule 10.18 contains the phrase: “attached to a Application for Consent Orders”.

This compilation was editorially changed to omit the word “a” and insert the word “an”, between the words “to” and “Application”, to correct this grammatical error.

## **Customs Act 1901, Compilation No. 142, Registration Date: 4 January 2017**

### **Paragraph 86(1)(h)**

#### **Kind of editorial change**

Change to punctuation

#### **Details of editorial change**

Schedule 1 item 13 of the *Customs Amendment (Fees and Charges) Act 2015* instructs as follows:

### **13 Paragraph 86(1)(h)**

Repeal the paragraph, substitute:

- (h) an amount of a warehouse licence charge payable in respect of the licence remains unpaid more than 28 days after the day the amount was due to be paid.

Paragraph 86(1)(h) ends in a full stop, however there is continuing text under the paragraph.

This compilation was editorially changed to omit the full-stop at the end of paragraph 86(1)(h) and insert a semi-colon to bring it into line with legislative drafting practice.

**Income Tax Assessment Act 1997, Compilation No. 163,  
Registration Date: 3 January 2017**

**Paragraph 320-247(2)(a)**

**Kind of editorial change**

Give effect to the misdescribed amendment as intended

**Details of editorial change**

Schedule 8 item 25 of the *Treasury Laws Amendment (Fair and Sustainable Superannuation) Act 2016* instructs to omit the words “that are currently payable by complying superannuation funds” and substitute “that are currently \*RP superannuation income stream benefits of \*complying superannuation funds” in paragraph 320-247(2)(a).

The words “that are currently payable by complying superannuation funds” do not appear in paragraph 320-247(2)(a). However, the words “that are currently payable by \*complying superannuation funds” do appear.

This compilation was editorially changed to omit the words “that are currently payable by \*complying superannuation funds” and substitute “that are currently \*RP superannuation income stream benefits of \*complying superannuation funds” and give effect to the misdescribed amendment as intended.

**Social Security Act 1991, Compilation No. 152, Registration Date:  
3 January 2017**

**Paragraphs 1067L-D23(c) and (d)**

**Kind of editorial change**

Change to spelling

**Details of editorial change**

Paragraphs 1067L-D23(c) and (d) each refer to “predicability” rather than “predictability”.

This compilation was editorially changed to correct the spelling to “predictability”.