

1999

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

SENATE

LAW AND JUSTICE LEGISLATION AMENDMENT BILL 1998

EXPLANATORY MEMORANDUM

**(Circulated by the authority of the Attorney-General,
the Honourable Daryl Williams AM QC MP)**

**THIS MEMORANDUM TAKES ACCOUNT OF AMENDMENTS MADE BY THE
HOUSE OF REPRESENTATIVES TO THE BILL AS INTRODUCED.**

TABLE OF CONTENTS

	Page
GENERAL OUTLINE	1
FINANCIAL IMPACT STATEMENT	2
NOTES ON CLAUSES	3
SCHEDULES	
Schedule 1 – Amendment of the <i>Administrative Appeals Tribunal Act 1975</i>	4
Schedule 2 – Amendment of the <i>Australian Law Reform Commission (Repeal, Transitional and Miscellaneous) Act 1996</i>	5
Schedule 3 – Amendment of the <i>Australian Protective Service Act 1987</i>	5
Schedule 4 – Amendment of the <i>Bankruptcy Legislation Amendment Act 1996</i>	5
Schedule 5 – Amendment of the <i>Corporate Law Reform Act 1992</i>	6
Schedule 6 – Amendment of the <i>Evidence Act 1995</i>	6
Schedule 7 – Amendment of the <i>Federal Court of Australia Act 1976</i>	10
Schedule 8 – Amendment of the <i>High Court of Australia Act 1979</i>	11
Schedule 9 – Amendment of the <i>Judges' Pensions Act 1968</i>	11
Schedule 10 – Amendment of the <i>Judiciary Act 1903</i>	11
Schedule 11 – Amendment of the <i>Jury Exemption Act 1965</i>	12
Schedule 12 – Amendment of the <i>Law and Justice Legislation Amendment Act 1997</i>	12
Schedule 13 – Amendment of the <i>Marriage Act 1961</i>	12
Schedule 14 – Amendment of the <i>Workplace Relations and Other Legislation Amendment Act 1996</i>	12

LAW AND JUSTICE LEGISLATION AMENDMENT BILL 1998

GENERAL OUTLINE

This Bill makes amendments of a minor policy nature to legislation within the Attorney-General's portfolio and related amendments to other legislation, corrects minor drafting errors and repeals a spent provision.

The Bill will

- (i) amend the *Administrative Appeals Tribunal Act 1975* to implement the Government's decisions on recommendations made by the Senate Legal and Constitutional Legislation Committee in its 'Report on the Role and Function of the Administrative Review Council' (June 1997);
- (ii) amend the *Australian Law Reform Commission (Repeal, Transitional and Miscellaneous) Act 1996* to update certain references in, and provide for the commencement of, Schedule One;
- (iii) amend the *Australian Protective Service Act 1987* to provide that the Director of the Protective Service may charge non-Commonwealth persons and bodies for services rendered;
- (iv) amend the *Bankruptcy Legislation Amendment Act 1996* to correct a minor drafting error;
- (v) amend the *Corporate Law Reform Act 1992* to correct a minor drafting error;
- (vi) amend the *Evidence Act 1995* to:
 - accommodate the Family Court's practice of taking evidence in chief by affidavit;
 - give full effect to regulations, made or amended since the commencement of the Act on 18 April 1995, which provide for a certificate or other document to have evidentiary effect;
 - extend the operation of some provisions of the Act to proceedings in all Australian courts in respect of certain forms, applications, claims, returns and similar documents received by Commonwealth departments and agencies; and
 - make minor drafting corrections to the Act.
- (vii) amend the *Federal Court of Australia Act 1976* to:
 - allow additional judges of the Supreme Court of the Australian Capital Territory to be included on the Full Court of the Federal Court;
 - provide that the Registrar of the Court may authorise officers or employees of the Court to administer oaths and witness affidavits;

- insert a standard regulation making power;
- (viii) amend the *High Court of Australia Act 1979* to insert a standard regulation making power;
- (ix) amend the *Judges' Pensions Act 1968* to include service as a judge of the Supreme Court of the Australian Capital Territory in the definition of 'prior judicial service';
- (x) amend the *Judiciary Act 1903* to:
- expressly exclude the conferral of criminal jurisdiction upon the Federal Court except where that jurisdiction is conferred on the Court by other Commonwealth legislation;
 - repeal a spent provision; and
 - provide that the limitation in subsection 68(3) of the Act is confined to the exercise of federal criminal jurisdiction by courts of summary jurisdiction.
- (xi) amend the *Jury Exemption Act 1965* to update references in Schedule One;
- (xii) amend the *Law and Justice Legislation Amendment Act 1997* to correct a minor drafting error;
- (xiii) amend the *Marriage Act 1961* to correct a minor drafting error;
- (xiv) amend the *Workplace Relations and Other Legislation Amendment Act 1996* to correct minor drafting errors.

FINANCIAL IMPACT STATEMENT

The Bill will not have a significant financial impact.

NOTES ON CLAUSES

Clause 1 – Short title

1. Clause 1 provides for the Act to be cited as the *Law and Justice Legislation Amendment Act 1998*

Clause 2 – Commencement

2. Clause 2 provides for the commencement of the Act. Subclause 2(1) provides, in effect, that, subject to any exceptions mentioned in the section, the Act will commence on Royal Assent.
3. Subclause 2(2) provides that Item 1 of Schedule 2 commences on 9 October 1996, immediately after the commencement of section 2 of the *Australian Law Reform Commission (Repeal, Transitional and Miscellaneous) Act 1996*.
4. Subclause 2(3) provides that Item 2 of Schedule 2 commences on 1 January 1998, immediately after the commencement of Schedule 1 to the *Australian Law Reform Commission (Repeal, Transitional and Miscellaneous) Act 1996*.
5. Subclause 2(4) provides that Schedule 4 commences on 16 December 1996, immediately after the commencement of Schedule 1 to the *Banking Legislation Amendment Act 1996*.
6. Subclause 2(5) provides that Schedule 5 commences on 1 July 1990, immediately after the commencement of item 21 of the *Copyright Amendment Act 1989*.
7. Subclause 2(6) provides that Schedule 6 commences on 23 June 1993, immediately after the commencement of section 123 of the *Corporate Law Reform Act 1992*.
8. Subclause 2(7) provides that Schedule 13 commences on 17 April 1997, immediately after commencement of Schedule 9 to the *Law and Justice Legislation Amendment Act 1997*.
9. Subclause 2(8) provides that Item 1 of Schedule 16 commences on 25 May 1997, immediately after commencement of Item 28 of Schedule 16 to the *Workplace Relations and Other Legislation Amendment Act 1996*.
10. Subclause 2(9) provides that Item 2 of Schedule 16 commences on 25 May 1997, immediately after commencement of Item 60 of Schedule 16 to the *Workplace Relations and Other Legislation Amendment Act 1996*.

Clause 3 – Schedule(s)

11. Clause 3 provides that each Act referred to in a Schedule is amended or repealed in accordance with the applicable items in the Schedule concerned and also provides that any other item in a Schedule has effect according to its terms.

Schedule 1 – Amendment of the Administrative Appeals Tribunal Act 1975

Item 1 - Paragraph 49(1)(d)

12. Item 1 repeals paragraph 49(1)(d) and substitutes a new paragraph 49(1)(d). The new paragraph permits the size of the Council to be increased by regulations.

Item 2 - Section 50

13. Item 2 repeals section 50 and substitutes a new section 50 which clarifies the qualifications required of persons who may be appointed as a member of the Council.

Item 3 - At the end of paragraphs 51(1)(a), (b), (c), (e) and (f)

14. Item 3 inserts the word 'and' to correct punctuation.

Item 4 - Before paragraph 51(1)(a)

15. Item 4 inserts paragraphs (aa) and (ab) to clarify the functions and powers of the Council. New paragraph 51(ab) makes it clear that the Council may inquire into the adequacy of procedures used to exercise administrative decisions as well as procedures used to make administrative decisions.

Item 5 - Paragraph 51(1)(d)

16. Item 5 repeals paragraph 51(1)(d) and substitutes a new paragraph to clarify the functions and powers of the Council.

Item 6 - Paragraph 51(1)(g)

17. Item 6 repeals paragraph 51(1)(g) and substitutes paragraphs 51(1)(g), (h) and (i) to clarify the functions and powers of the Council.

Item 7 - At the end of section 51

18. Item 7 adds a new subsection 51(3) to clarify the functions and powers of the Council.

Item 8 - After section 51

19. Item 8 inserts three new sections to further clarify the functions and powers of the Council.
20. A new section 51A will enable the Minister to give written directions to the Council in respect of the Council's performance of its functions or the exercise of its powers.
21. A new section 51B will enable the Minister to refer matters to the Council for inquiry and report.

22. A new section 51C will require the Council to prepare and give to the Minister a report at the conclusion of a Council project, or the conclusion of the Council's inquiry into a matter referred by the Minister. The Minister will be required to table such reports in both Houses of the Parliament within 15 sitting days of that House after the report is received by the Minister.

Item 9 - Section 52

23. Item 9 omits the expression 'An appointed member' and substitutes 'Subject to this section, an appointed member'. This amendment, together with Item 10, provides for the appointment of members to the Administrative Review Council for the purpose of a particular project.

Item 10 - At the end of section 52

24. Item 10 adds two new subsections 52(2) and (3) to provide for the appointment of members to the Administrative Review Council for the purpose of a particular project. New paragraph 52(3)(b) makes it clear that a person appointed to be a member of the Council for the purposes of a particular project has the rights of a member only for the purposes of taking part in the project.

Schedule 2 – Amendment of the Australian Law Reform Commission (Repeal, Transitional and Miscellaneous) Act 1996

Item 1 – Subsections 2(2) and (3)

25. Item 1 repeals subsections 2(2) and (3) and substitutes a new subsection 2(2). New subsection 2(2) provides that Schedule 1 commences immediately after the commencement of the *Commonwealth Authorities and Companies Act 1997*.

Item 2 – Schedule 1 (items 1,2,3,5,6 and 11)

26. Item 2 replaces references to the *Commonwealth Authorities and Companies Act 1996* in items 1, 2, 3, 5, 6 and 11 of Schedule 1, with references to the *Commonwealth Authorities and Companies Act 1997*.

Schedule 3 – Amendment of the Australian Protective Service Act 1987

Item 1 -After section 25

27. New section 25A provides that the Director of the Protective Service may charge non-Commonwealth persons and bodies for services rendered. The provision requires any such charge to be reasonably related to the cost of providing the services in question.

Schedule 4 – Amendment of the Bankruptcy Legislation Amendment Act 1996

Item 1 – Schedule 1 (item 86)

28. Item 1 repeals existing item 86 of Schedule 1 and inserts a new item 86. New item 86 corrects a minor drafting error.

Schedule 5 – Amendment of the Corporate Law Reform Act 1992

Item 1 – Schedule 1(paragraph 1318(5)(c))

30. New paragraph 1318(5)(c) of Schedule 1 corrects a minor drafting error, inserting the words “Repeal the paragraph”.

Schedule 6 - Amendment of the Evidence Act 1995

Item 1 – Section 5 (table)

31. Item 1 extends the operation of new section 155A of the Evidence Act, inserted by item 19, to proceedings in all Australian courts.

Item 2 – Section 5 (table)

32. Item 2 is consequential on the amendments to section 182 of the Evidence Act made by items 24, 25 and 26.

Item 3 – At the end of section 47

33. Item 3 is consequential on new subsection 182(4B) of the Evidence Act, inserted by item 24.

Item 4 – Paragraph 48(4)(b)

34. Several provisions of the Evidence Act are drafted on the assumption that a witness gives evidence by way of oral testimony. Under the Family Law Rules Order 30 Rule 2(1) evidence in chief must be given by affidavit, unless the court otherwise orders. To accommodate this requirement, amendments are made to several provisions of the Act which refer to oral evidence.
35. The amendment to paragraph 48(4)(b) will enable a party to give evidence of the contents of a document that is not available to it by adducing evidence from a witness in oral or written form.

Item 5 to 7 – Section 48 (notes) and section 49 (note)

36. Items 5, 6 and 7 are consequential on new subsection 182(4B) of the Evidence Act, inserted by item 24.

Item 8 – Paragraph 50(1)(b)

37. Item 8 makes a drafting correction to the Evidence Act. By replacing ‘volume and complexity’ with ‘volume or complexity’, the amendment will make it clear that a court can direct that a party may give evidence of the contents of 2 or more non-complex documents in the form of a summary.

Item 9 – Section 51 (at the end of the note)

38. Item 9 is consequential on new subsection 182(4B) of the Evidence Act, inserted by item 24.

Item 10 – At the end of subsection 59(2) (but before the note)

39. Item 10, together with the amendment to section 76 of the Evidence Act made by item 14, will give full effect to regulations, made or amended since the Evidence Act commenced on 18 April 1995, which provide for a certificate or other document to have evidentiary effect.
40. Some regulations provide for evidentiary effect to be given to statements in a certificate or a document. Typically, they provide that the certificate or document is 'evidence of' or 'proof of' matters stated in it. If the certificate or document contains a statement of fact made by a person, the regulation is inconsistent with the hearsay rule in subsection 59(1) of the Evidence Act.
41. New subsection 59(3) of the Evidence Act disapplies the hearsay rule in subsection 59(1) of the Act to evidence of a statement in a certificate or other document given or made under regulations to the extent that the regulations provide that the certificate or document has evidentiary effect.
42. Subsection 8(2) of the Evidence Act preserves the operation of an inconsistent regulation in force at the commencement of the Evidence Act, for so long thereafter as the regulation is not amended.

Items 11 to 13 – Paragraphs 63(2)(a), 64(2)(a) and 65(8)(a)

43. Several provisions of the Evidence Act are drafted on the assumption that a witness gives evidence by way of oral testimony. Under the Family Law Rules Order 30 Rule 2(1) evidence in chief must be given by affidavit, unless the court otherwise orders. To accommodate this requirement, amendments are made to several provisions of the Act which refer to oral evidence.
44. The amendments to paragraphs 63(2)(a), 64(2)(a) and 65(8)(a) will ensure that evidence within the exceptions to the hearsay rule in those provisions can be given in oral or written form.

Item 14 – At the end of section 76 (but before the note)

45. Item 14, together with the amendment to section 59 of the Evidence Act made by item 10, will give full effect to regulations, made or amended since the Evidence Act commenced on 18 April 1995, which provide for a certificate or other document to have evidentiary effect.
46. Some regulations provide for evidentiary effect to be given to statements in a certificate or a document. Typically, they provide that the certificate or document is 'evidence of' or 'proof of' matters stated in it. Some such certificates contain a statement of opinion (for example, an analyst's certificate under r. 29(5) of the Therapeutic Goods Regulations). If so, the regulation providing for evidentiary effect of statements in the certificate is inconsistent with the opinion rule in section 76 of the Evidence Act.
47. New subsection 76(2) disapplies the opinion rule in subsection 76(1) of the Evidence Act to evidence of an opinion in a certificate or other document given or made under regulations to the extent that the regulations provide that the certificate or document has evidentiary effect.

48. Subsection 8(2) of the Evidence Act preserves the operation of a regulation in force at the commencement of the Evidence Act, for so long thereafter as the regulation is not amended.

Item 15 – Paragraph 82(a)

49. Provisions of the Evidence Act are drafted on the assumption that a witness gives evidence by way of oral testimony. Under the Family Law Rules Order 30 Rule 2(1) evidence in chief must be given by affidavit, unless the court otherwise orders. To accommodate this requirement, amendments are made to several provisions of the Act which refer to oral evidence.
50. The amendment to paragraph 82(a) will ensure that evidence by a person who witnessed an admission can be given in oral or written form.

Items 16 to 18 – Sections 147 (note), 149 (note) and 152 (note)

51. Items 16, 17 and 18 are consequential on new subsection 182(4B) of the Evidence Act, inserted by item 24.

Item 19 – After section 155

52. Item 19 inserts new section 155A in the Evidence Act. New section 155A will enable evidence of a Commonwealth document to be given in proceedings in all Australian courts without having to call a witness.
53. The term ‘Commonwealth document’ is defined in a definition, inserted in Part 1 of the Dictionary in the Act by item 29, to mean a document in the nature of a form, application, claim or return that has in certain circumstances been filed or lodged with, or given or sent to, a Commonwealth entity. Certain specified documents are also defined to be a ‘Commonwealth document’, and there is a power to prescribe by regulation any other document to be a ‘Commonwealth document’.
54. The term ‘Commonwealth entity’ is defined in a definition inserted in Part 1 of the Dictionary in the Act by item 30, and includes a Commonwealth department and a range of Commonwealth bodies and office holders.
55. The new section 155A provides for means of adducing evidence of a Commonwealth document, and for a presumption to assist in authenticating the evidence thereby adduced. The means and the presumption are the same as those already provided by section 155 of the Evidence Act in relation to evidence of a Commonwealth record or of a public record of a State or Territory.

Item 20 – Section 160 (at the end of the note)

56. Item 20 is consequential on new subsection 182(4A) of the Evidence Act, inserted by item 24.

Item 21 – Subsection 163(2) (definition of Commonwealth agency)

57. Item 21 repeals the definition, for the purposes of section 163, of ‘Commonwealth agency’. The term is also used in new subsection 182(4A),

inserted by item 24. As a result, item 28 transfers the definition of 'Commonwealth agency' to Part 1 of the Dictionary in the Act.

Items 22 and 23 – Divisions 1 and 2 of Part 4.6 (notes)

58. Items 22 and 23 are consequential on new subsection 182(4B) of the Evidence Act, inserted by item 24.

Items 24 to 26 – Section 182

59. Item 24 inserts new subsections 182(4A) and (4B) in the Evidence Act. Items 25 and 26 make amendments, in relation to section 160, to the Table in subsection 182(1) setting out the provisions of the Evidence Act that have an extended operation in proceedings before all Australian courts in relation to 'Commonwealth records'.
60. The insertion of new subsection 182(4A), and the amendments to the Table in subsection 182(1), are minor drafting corrections to the Evidence Act.
61. Section 160, which provides a presumption about the fact and date of receipt of postal articles, is one of the provisions referred to in the Table in subsection 182(1). However since a postal article is not a 'record', section 160 cannot be extended to operate in proceedings before all Australian courts in relation to 'Commonwealth records'.
62. The error is corrected by item 25 removing 'section 160', and item 26 removing 'Postal articles', from the respective columns of the Table in subsection 182(1), and by new subsection 182(4A) applying the presumption in section 160 in proceedings before all Australian courts in relation to postal articles sent by a Commonwealth agency.
63. New subsection 182(4B) of the Evidence Act extends the operation of the sections and Divisions of the Act listed in the subsection to proceedings in all Australian courts in relation to a Commonwealth document.
64. The extended operation applies only to a Commonwealth document in the possession of a Commonwealth entity or to a Commonwealth document that has been destroyed, provided it was in the possession of a Commonwealth entity immediately before its destruction or someone else to whom it had been given by a Commonwealth entity for destruction.
65. The sections and Divisions of the Act that are listed in new subsection 182(4B) relate to how evidence of the contents of a document is adduced, and include provisions that assist the proof of documentary evidence in a proceeding and that contain procedures to enable the authenticity of such evidence to be tested.
66. The term 'Commonwealth document' is defined in a definition, inserted in Part 1 of the Dictionary in the Act by item 29, to mean a document in the nature of a form, application, claim or return that has in certain circumstances been filed or lodged with, or given or sent to, a Commonwealth entity. Certain specified documents are also defined to be a 'Commonwealth document', and there is a power to prescribe by regulation any other document to be a 'Commonwealth document'.

67. The term 'Commonwealth entity' is defined in a definition inserted in Part 1 of the Dictionary in the Act by item 30, and includes a Commonwealth department and a range of Commonwealth bodies and office holders.

Item 27 – Section 183 (at the end of the note)

68. Item 27 is consequential on new subsection 182(4B) of the Evidence Act, inserted by item 24.

Item 28 to 30 – Part 1 of the Dictionary at the end of the Act

69. Items 28 moves the definition of 'Commonwealth agency' from subsection 163(2) to Part 1 of the Dictionary in the Act.
70. The term 'Commonwealth agency' is used in new subsection 182(4A), as well as in section 163.
71. Items 29 and 30 insert, respectively, definitions of the terms 'Commonwealth document' and 'Commonwealth entity' in Part 1 of the Dictionary in the Act.
72. The term 'Commonwealth document' is used in new section 155A and new subsection 182(4B). The term 'Commonwealth entity' is used in new subsection 182(4B) and in the definition of 'Commonwealth document'.

Schedule 7 – Amendment of the Federal Court of Australia Act 1976

Item 1 – subsection 25(3)

73. Item 1 amends subsection 25(3) to allow additional judges of the Supreme Court of the Australian Capital Territory, as well as resident judges, to be included on the Full Court of the Federal Court.
74. The proposed amendment would give the Federal Court greater flexibility in constituting a Full Court while at the same time ensuring as far as possible that a judge who has a connection with the ACT sits on the Full Court in appeals from the ACT Supreme Court.

Item 2– After section 44

75. Item 2 inserts a new subsection 44(2) which provides that the Registrar of the Court may issue commissions to officers and employees of the Court authorising them to administer oaths and affidavits for the purposes of the Court.
76. The purpose of the amendment is to increase the number of Federal Court counter staff who may be given authority witness affidavits, where there is no alternative means by which staff may be given such authority.

Item 3 – Subsection 45(1)

77. Item 4 repeals subsection 45(1) and inserts a new subsection 45(1), which includes a person authorised under section 44 in the list of persons before whom an affidavit for use in a proceeding in the Court may be sworn.

Item 4 – Subsection 60(1)

78. New subsection 60(1) provides that the Governor-General may make regulations under the Act. The amendment will ensure that regulations can be validly made increasing the contract limit under subsection 18A(4)(b) to a 'prescribed higher amount' where necessary.

Schedule 8 – Amendment of the High Court of Australia Act 1979

Item 1 – After section 48

79. New section 49 gives the Governor-General power to make regulations under the Act. The amendment will ensure that regulations can be validly made increasing the contract limit under section 40 to a 'prescribed higher amount' where necessary.

Schedule 9 – Amendment of the Judges' Pensions Act 1968

Item 1 – After subsection 4(1)(ab)

80. Item 1 inserts new subsection 4(1)(ac) in the Act which includes service as a judge of the Supreme Court of the Australian Capital Territory in the definition of 'prior judicial service'. The purpose of the amendment is to ensure that if an ACT judge, who does not have a dual commission on the Federal Court, is subsequently given a primary commission on the Federal Court, service as a judge on the ACT Supreme Court will be counted for the purposes of the Act.
81. The amendment will put ACT judges in the same position as judges of the Northern Territory and State Supreme Courts.

Schedule 10 – Amendment of the Judiciary Act 1903

Item 1 – Subsection 39B(1A)

82. The amendment to subsection 39B(1A) expressly excludes the conferral of criminal jurisdiction on the Federal Court, except where that jurisdiction is conferred upon the Court by some other Commonwealth statute.
83. The purpose of the amendment is to ensure that a litigant cannot seek to use section 39B(1A) to bring a private prosecution before the Federal Court, or to include a criminal matter as an element of a civil case in which the Federal Court has jurisdiction.

Item 2 – Subsection 55B(10) (definition of federal type jurisdiction)

84. The *Australian Capital Territory Supreme Court (Transfer) Act 1992* amended the *Australian Capital Territory (Self-Government) Act 1988* to the effect that, on 1 July 1992, the *Australian Capital Territory Supreme Court Act 1933* became an enactment of the ACT. As a result, paragraph 55B(10)(b) is of no effect and is repealed by item 2.

Item 3 – Subsection 68(3)

85. Item 3 amends subsection 68(3) to provide that the limitation contained in that provision is confined to the exercise of federal criminal jurisdiction by courts of summary jurisdiction.
86. The amendment will allow State and Territory Judges that have jurisdiction with respect to the summary conviction or examination and commitment for trial of persons charged with State and Territory offences to also exercise such jurisdiction with respect to persons charged with Commonwealth offences.

Item 4 - Application

87. Item 4 provides that the amendment made by item 3 will apply to proceedings pending at the time of commencement of that item and to proceedings instituted after that time.

Schedule 12 – Amendment of the Jury Exemption Act 1965

Items 1 – Schedule 14

88. Item 1 amends Schedule 14 to remove references to “Members of the Tariff Board”, a body which no longer exists.
89. Item 1 also amends the Schedule to take into account section 5(1)(a) of the *Australian Federal Police Act 1979* which provides that a reference in a law of the Commonwealth, to a Commonwealth Police Officer, shall be read as a reference to a member of the Australian Federal Police.

Schedule 13 – Amendment of the Law and Justice Legislation Amendment Act 1997

Item 1 – Item 2 of Schedule 9

90. Item 1 amends item 2 of Schedule 9 to correct a minor drafting error, removing the word “on”.

Schedule 14 – Amendment of the Marriage Act 1961

Item 1 – Subsection 51(2A)

91. Item 1 amends subsection 51(2A) to correct a minor drafting error, substituting “part” with “Part”.

Schedule 15 – Amendment of the Workplace Relations and Other Legislation Amendment Act 1996

Item 1 – Item 28 of Schedule 16

93. Item 1 amends item 28 of Schedule 16 of the Act to correct a previous misdescription of amendments, inserting the words “wherever occurring” after “Chief Judge”.

Item 2 – Item 60 of Schedule 16

94. Item 1 amends item 60 of Schedule 16 to the Act to correct a minor drafting error, substituting “or of a” with “or a”.