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THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

SERVICE AND EXECUTION OF PROCESS (TRANSITIONAL PROVISIONS  
AND CONSEQUENTIAL AMENDMENTS) BILL 1992

EXPLANATORY MEMORANDUM

(Circulated by authority of the Attorney-General,  
the Honourable Michael Duffy MP)

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SERVICE AND EXECUTION OF PROCESS (TRANSITIONAL  
PROVISIONS AND CONSEQUENTIAL AMENDMENTS) BILL 1992

OUTLINE

This Bill -

- repeals the Service and Execution of Process Act 1901 ('SEPA');
- continues the application of relevant Parts of SEPA, where action has been taken under SEPA, before the commencement of the Bill; and
- amends the Admiralty Act 1988, the Foreign Judgments Act 1991, the Proceeds of Crime Act 1987 and the Transfer of Prisoners Act 1983 in consequence of the repeal of SEPA.

FINANCIAL IMPACT

2. The Bill is expected to have no impact on Commonwealth expenditure or revenue.

### NOTES ON CLAUSES

#### Clause 1: Short Title

3. This clause provides for the short title of the Act.

#### Clause 2: Commencement

4. The Act will commence on the day fixed by Proclamation under subsection 2(4) of the Service and Execution of Process Act 1992. A Proclamation under subsection 2(4) of the Service and Execution of Process Act 1992 will bring into operation nearly all of the provisions of that Act.

#### Clause 3: Repeal

5. This clause repeals the Service and Execution of Process Act 1901 ('SEPA').

#### Clause 4: Transitional provisions

6. This clause continues the application of relevant Parts of SEPA, where action has been taken under SEPA, before the commencement of the Bill.

#### Clause 5: Consequential amendments of other Acts

7. This clause amends the Acts specified in the Schedule as set out in the Schedule.

