

# Amending Forms Manual

Sixteenth edition

March 2025

Note 1: This manual contains references to the “head drafter”. It is a reference to the senior person who is responsible for matters of drafting policy. This form is used to enable the manual to be applied in other organisations. In OPC the head drafter is FPC.

Note 2: This manual does not cover the forms to be used for amendments of Schedules 1 to 3 and 5 to the *Customs Tariff Act 1995* or the Schedule to the *Excise Tariff Act 1921*. The Customs Tariff Amending Forms Manual contains the forms to be used for amendments of the Schedule to the *Customs Tariff Act 1995*.

## Contents

<b>Chapter 1—Legislation to amend or repeal Acts or instruments .....</b>	<b>11</b>
The textual amendment system.....	11
Choosing among several possible amendment approaches .....	11
Schedules of amendments or repeals .....	11
General rules .....	11
Examples of amendment forms .....	12
“Activating” section for amending Schedules .....	12
Notes to amending items in instruments.....	14
No page breaks within inserted blocks .....	14
Order and grouping of amendments .....	14
Consequential amendments arising from new principal Act or instrument.....	14
Order of Schedules.....	15
Application, saving and transitional provisions.....	15
Tables of contents for amending Bills or instruments .....	16
Identifying the “owner” of subsection headings, notes, examples and penalties .....	16
Subsection headings.....	16
Notes and examples .....	17
General principles .....	17
Notes and examples at the foot of subsections .....	17
Notes and examples at the foot of definitions.....	18
Notes and examples at the foot of paragraphs .....	18
Notes to non-amending Schedule headings .....	18
Penalties .....	18
Common things that need to be checked .....	18
Checking cross-references .....	19
Acts amending instruments.....	19
Amendments of amending legislation .....	20
Repeal of Acts and instruments .....	20
General.....	20
Repeal of amending provisions.....	21
Repeal of instruments and provisions under Division 1 of Part 3 of Chapter 3 of the <i>Legislation Act 2003</i> .....	21
Sunset provisions .....	22
Instruments replaced due to sunseting.....	22
Instruments not in OPC styles .....	22
<b>Appendix 1A—Amendment forms (general principles).....</b>	<b>23</b>
A. Repealing or omitting .....	23
A1. Repealing an Act or instrument .....	23
A2. Repealing a unit .....	24
A3. Omitting words .....	24
B. Substituting .....	25
C. Adding.....	26
C1. Adding a unit at the end of an Act or instrument.....	26
C2. Adding a unit at the end of another unit.....	26
C2A. Adding units dealing with application, transitional and saving provisions and adding table items to certain frequently-amended tables.....	26
C3. Adding words .....	30

D. Inserting (not at the end) .....	31
D1. Inserting a unit .....	31
D2. Inserting words.....	31
E. Decentralised tables of contents .....	32
F. Definitions .....	34
F1. Amending definitions .....	34
F2. Relocating definitions.....	35
G. Diagrams, forms and other graphics .....	36
H. Dot points.....	37
J. Headings.....	38
K. Method statements, rate calculators and other similar features .....	39
L. Multiple amendments and repeals .....	40
L1. Multiple amendments or repeals in one item otherwise than by using a paragraphed list of provisions or a table .....	40
L2. Multiple amendments or repeals in one item using a paragraphed list of provisions or a table.....	42
L3. Multiple amendments or repeals using a separate Schedule or a separate Part of a Schedule.....	46
L4. Multiple amendments to change references across an Act or instrument .....	48
L5. Commencement of multiple amendments .....	48
L6. Dangers of using multiple amendment forms .....	48
LA. Notional text (modifications).....	50
M. Readers guides.....	51
N. Renumbering.....	52
N1. Renumbering a whole Act or instrument .....	52
N2. Renumbering an individual provision.....	52
N3. Renumbering to correct duplicated numbers .....	52
N4. When an amendment contracts a section to a single block of text .....	52
N5. Fixing “phantom” subsection numbers in already-contracted sections .....	53
N6. Adding a subsection to a section that is not divided into subsections .....	53
P. Schedules .....	54
P1. Amendments of non-amending Schedules .....	54
P2. Amendments of amending Schedules.....	55
Q. Short titles .....	57
R. Simplified outlines .....	58
S. Tables.....	60
S1. Repealing a table.....	60
S2. Replacing the whole of an item or inserting an item in a table .....	60
S3. Referring to an unnumbered item in a table .....	61
S4. Repealing a column in a table.....	61
S5. Referring to an unnumbered column in a table .....	61
S6. Replacing a cell in a table.....	62
S7. Amending a heading or subheading in a table.....	62
S8. Replacing, inserting or adding a paragraph in a table .....	64
S8A. Replacing or inserting a formula in a table.....	64
S9. Repealing and substituting a Part in a table.....	64
S10. Amending words in a table .....	65
T. Amendments of particular legislation .....	66
T1. <i>Agricultural and Veterinary Chemicals Code Act 1994</i> .....	66
T2. <i>Criminal Code</i> .....	66

T3. Marine Safety (Domestic Commercial Vessel) National Law .....	67
T4. <i>National Credit Code</i> .....	67
T5. <i>Social Security Act 1991 and Veterans' Entitlements Act 1986</i> .....	67
T6. <i>Civil Aviation Safety Regulations 1998 and Civil Aviation Regulations 1988</i> .....	68
T7. Health Insurance (... Services Table) Regulations .....	68
T8. <i>Migration Regulations 1994</i> .....	68
<b>Appendix 1B—Amendment forms (examples)</b> .....	<b>69</b>
A1. Repealing an Act or instrument .....	69
1 Repealing a whole Act or instrument.....	69
A2. Repealing a unit .....	71
2 Repealing a Chapter, Part, Division or Subdivision .....	71
3 Repealing a Schedule .....	71
4 Repealing the heading to a Chapter, Part, Division, Subdivision, section or subsection (or equivalent unit).....	71
5 Repealing an amended Act or instrument title at style heading.....	71
6 Repealing a section or subsection (or equivalent unit) .....	71
7 Repealing a paragraph, subparagraph or sub-subparagraph .....	73
8 Repealing a final paragraph, subparagraph or sub-subparagraph.....	73
9 Repealing a definition .....	73
10 Repealing a penalty .....	74
10A Repealing a note.....	74
11 Repealing a table or table item.....	75
A3. Omitting words .....	76
12 Omitting words from a long title .....	76
13 Omitting words from a short title.....	76
14 Omitting words (including a complete sentence) from a section or subsection (or equivalent unit) .....	76
15 Omitting words from a paragraph, subparagraph or sub-subparagraph .....	76
16 Omitting words from a definition .....	77
17 Omitting words from a penalty or note.....	77
18 Omitting words from a table .....	77
18A Omitting words from the heading to a Chapter, Part, Division, Subdivision or section (or equivalent unit) .....	77
18B Omitting words from the heading to a subsection (or equivalent unit).....	77
19 Omitting a long sequence of words .....	77
20 Omitting words at the end of a section or subsection (or equivalent unit) .....	77
21 Omitting words at the end of a paragraph, subparagraph or sub-subparagraph .	78
22 Omitting the same words from several provisions .....	78
23 Omitting specific occurrences of the same words in a single provision.....	78
B. Substituting .....	80
24 Substituting a Chapter, Part, Division or Subdivision .....	80
25 Substituting a Schedule.....	80
26 Substituting the heading to a Chapter, Part, Division, Subdivision, section or subsection (or equivalent unit).....	80
27 Substituting a long title .....	80
28 Substituting a section or subsection (or equivalent unit) .....	81
29 Substituting a paragraph, subparagraph or sub-subparagraph .....	81
30 Substituting a definition.....	81
31 Substituting a penalty.....	82
32 Substituting a note.....	82

33	Substituting a table or table item .....	82
34	Substituting a cell in a table .....	83
35	Substituting words in a long title .....	83
36	Substituting words in a short title .....	83
37	Substituting words (including a complete sentence) in a section or subsection (or equivalent unit) .....	83
38	Substituting words in a paragraph, subparagraph or sub-subparagraph .....	84
39	Substituting words in order to insert paragraphs etc. into unparagraphed text... 84	
40	Substituting words etc. in a definition .....	84
41	Substituting words in a penalty .....	84
42	Substituting words in a note.....	84
43	Substituting words in a table.....	84
43A	Substituting words in the heading to a Chapter, Part, Division, Subdivision or section (or equivalent unit) .....	85
43B	Substituting words in the heading to a subsection (or equivalent unit) .....	85
44	Substituting a long sequence of words.....	85
45	Substituting words at the end of a section or subsection (or equivalent unit) ....	85
46	Substituting words at the end of a paragraph, subparagraph or sub-subparagraph .....	85
47	Substituting the same words in several provisions .....	85
48	Substituting specific occurrences of words in a single provision .....	85
C1.	Adding a unit at the end of an Act or instrument.....	87
49	Adding a Chapter or Part at the end of an Act or instrument .....	87
50	Adding a Schedule at the end of an Act or instrument .....	87
51	Adding a section at the end of an Act or instrument that is not divided into Chapters or Parts .....	87
C2.	Adding a unit at the end of another unit.....	88
52	Adding a Part at the end of a Chapter or non-amending Schedule .....	88
53	Adding a Division at the end of a Part.....	88
54	Adding a section at the end of a Division .....	88
55	Adding a subsection at the end of a section (or equivalent unit) .....	88
56	Adding a paragraph at the end of a section or subsection (or equivalent unit)... 89	
57	Adding a subparagraph at the end of a paragraph etc. ....	90
58	Adding a definition at the end of a section or subsection (or equivalent unit) ... 90	
59	Adding a penalty at the end of a section or subsection.....	90
60	Adding a note.....	90
61	Adding a table item .....	91
C3.	Adding words at the end of a unit .....	92
62	Adding words at the end of a long title.....	92
63	Adding words at the end of a section or subsection (or equivalent unit).....	92
64	Adding words at the end of a paragraph, subparagraph or sub-subparagraph....	92
65	Adding words at the end of a definition.....	92
66	Adding words at the end of a penalty .....	93
67	Adding words at the end of a note .....	93
67A	Adding words at the end of the heading to a Chapter, Part, Division, Subdivision or section (or equivalent unit).....	93
67B	Adding words at the end of the heading to a subsection (or equivalent unit) ..	93
68	Single amendment of several provisions .....	93
D1.	Inserting a unit .....	94
69	Inserting a Chapter, Part etc. between existing Chapters, Parts etc.....	94

70 Inserting a Chapter, Part etc. before the first Chapter, Part etc. ....	94
71 Inserting a Schedule .....	94
72 Inserting a heading to a Chapter, Part, Division, Subdivision or subsection (or equivalent unit) .....	94
73 Inserting a section (or equivalent unit) .....	95
74 Inserting a subsection (or equivalent unit).....	95
75 Inserting a paragraph, subparagraph or sub-subparagraph .....	96
76 Inserting a definition .....	97
77 Inserting a table item.....	97
D2. Inserting words.....	98
78 Inserting words in a long title .....	98
79 Inserting words in a short title .....	98
80 Inserting words in a section or subsection (or equivalent unit) .....	98
81 Inserting words in a paragraph, subparagraph or sub-subparagraph .....	98
82 Inserting words in a note.....	98
82A Inserting words in the heading to a Chapter, Part, Division, Subdivision or section (or equivalent unit) .....	98
82B Inserting words in the heading to a subsection (or equivalent unit).....	99
83 Single amendment of several provisions .....	99
84 Multiple amendment of single provisions.....	99
85 Inserting after specific occurrences of words in a single provision.....	99
<b>Chapter 2—Parliamentary amendments.....</b>	<b>100</b>
Parliamentary amendment forms (general principles).....	100
Primary units .....	100
Two standard models for amendment forms .....	100
The first model .....	101
Examples of the first model .....	101
The second model .....	101
Examples of the second model .....	101
Referring to page numbers and line numbers .....	101
Page and line number references kept together .....	101
Parentheses for line numbers .....	102
Identification extending over 2 or more pages .....	102
Insertions before or after lines .....	102
Identification of omitted text .....	102
Examples of page/line descriptions .....	102
Additional description in the “action” part .....	102
Examples of extent of description in the “action” part .....	103
Special Senate wording in the “action” part .....	103
Example where removed text is a primary unit .....	103
Example in other cases.....	104
Use of “the” in descriptions .....	104
Use of “proposed” .....	104
Use of commas.....	104
Distinction between “add” and “insert” .....	104
When to add .....	104
Examples of adding.....	104
When to insert .....	105
Examples of inserting .....	105
Order of phrases when “adding” .....	105

Use of “the following [unit]” .....	105
Special forms for amendments involving tables.....	105
Examples of amendments of tables.....	106
Example of amendment where text ends with a table.....	107
Example of amendment where there are 2 or more tables on the page .....	107
Margins for tables, formulas, diagrams and other graphics.....	107
Amendments that insert, add or omit 2 or more clauses, items, Subdivisions etc.....	107
Examples of inserting consecutive clauses in the body of the Bill by separate amendments .....	107
Examples of adding consecutive clauses in the body of the Bill by separate amendments .....	108
Senate requests for amendments.....	108
Order of amendments.....	108
Decentralised tables of contents.....	108
Notes about topic covered.....	108
Rules to be applied strictly.....	108
Topic covered.....	108
Examples.....	109
Example of note referring to more than one topic .....	109
Amendments of parliamentary amendments .....	109
Division of Bills.....	110
<b>Appendix 2A—Parliamentary amendment forms (examples) .....</b>	<b>111</b>
A: Body of the Bill.....	111
A1: Omitting [and substituting].....	111
1 Omitting the preamble .....	111
2 Omitting a Chapter, Part, Division or Subdivision .....	111
3 Omitting the heading to a Chapter, Part, Division, Subdivision, clause, subclause etc. ....	112
4 Omitting a clause .....	112
5 Omitting a subclause.....	113
6 Omitting a paragraph, subparagraph etc. ....	113
6A Omitting a paragraph from a simplified outline.....	114
7 Omitting a definition from a clause or subclause .....	114
8 Omitting a penalty or note .....	114
9 Omitting a table.....	115
10 Omitting an item from a table.....	115
11 Omitting a cell from a table .....	115
12 Omitting words from the preamble.....	115
13 Omitting words from the heading to a Chapter, Part, Division, Subdivision, clause, subclause etc. ....	115
14 Omitting words from a clause (including a simplified outline), subclause, paragraph, definition, penalty, note, example etc. ....	116
15 Omitting words from a table .....	117
16 Omitting words from the long title .....	117
A2: Adding.....	117
17 Adding a Chapter, Part, Division or Subdivision at the end of the Bill.....	117
18 Adding a Part, Division or Subdivision at the end of a Chapter, Part or Division etc. ....	117
19 Adding a clause at the end of the Bill.....	118
20 Adding a clause at the end of a Chapter, Part, Division or Subdivision.....	119

21 Adding a subclause at the end of a clause.....	119
22 Adding a paragraph, subparagraph etc.....	119
23 Adding an item at the end of a table .....	120
24 Adding words at the end of the heading to a Chapter, Part, Division, Subdivision, clause, subclause etc. ....	121
25 Adding words at the end of a clause, subclause, paragraph etc. ....	121
26 Adding words at the end of the long title.....	121
A3: Inserting .....	121
27 Inserting a Chapter, Part, Division or Subdivision .....	121
28 Inserting a clause.....	122
29 Inserting a subclause .....	122
30 Inserting a paragraph, subparagraph etc. ....	122
30A Inserting a paragraph in a simplified outline .....	123
31 Inserting a definition .....	123
32 Inserting an item in a table.....	124
33 Inserting words in a clause, subclause, paragraph etc. ....	124
34 Inserting words in a number of provisions (multiple amendments) .....	124
35 Inserting words in a table .....	124
36 Inserting words in the long title .....	124
B: Non-amending Schedule .....	125
B1: Omitting [and substituting] .....	125
37 Omitting a non-amending Schedule.....	125
38 Omitting a Part or Division of a non-amending Schedule.....	125
39 Omitting the heading to a Part, Division etc., or clause or subclause, of a non-amending Schedule.....	125
40 Omitting a clause, subclause, paragraph etc. of a non-amending Schedule .....	126
41 Omitting a note .....	127
42 Omitting words from a clause, subclause, paragraph, definition, penalty, note, example etc. ....	127
B2: Adding.....	128
43 Adding a non-amending Schedule at the end of the Bill .....	128
44 Adding a Part at the end of a non-amending Schedule.....	128
45 Adding a Division at the end of a Part of a non-amending Schedule .....	128
46 Adding a clause at the end of a non-amending Schedule .....	128
47 Adding a clause at the end of a Part of a non-amending Schedule.....	128
48 Adding a subclause at the end of a clause.....	128
49 Adding a paragraph, subparagraph etc.....	129
50 Adding an item at the end of a table .....	129
51 Adding a note .....	130
52 Adding words at the end of the heading to a Part, Division etc. or clause or subclause .....	130
53 Adding words at the end of a clause, subclause, paragraph etc. ....	130
B3: Inserting.....	130
54 Inserting a non-amending Schedule.....	130
55 Inserting a Part or Division in a non-amending Schedule .....	131
56 Inserting a clause or subclause.....	131
57 Inserting a paragraph, subparagraph etc. ....	131
58 Inserting a definition .....	132
59 Inserting a note.....	132
60 Inserting words in a clause, subclause, paragraph etc. ....	132



C: Amending Schedule—proposed blocks of text (not in quotes) .....	133
C1: Omitting [and substituting] .....	133
61 Omitting a proposed Chapter, Part, Division or Subdivision .....	133
62 Omitting the heading to a proposed Chapter, Part, Division, Subdivision, section or subsection .....	134
63 Omitting a proposed Schedule .....	134
64 Omitting a proposed section or subsection .....	134
65 Omitting a proposed paragraph, subparagraph etc. ....	135
65A Omitting a proposed paragraph from a simplified outline .....	136
66 Omitting a proposed definition .....	137
67 Omitting a proposed penalty or note.....	137
68 Omitting a proposed table .....	137
69 Omitting an item from a proposed table .....	137
70 Omitting a cell from a proposed table.....	137
71 Omitting words from the heading to a proposed Chapter, Part, Division, Subdivision or section.....	138
72 Omitting words from the heading to a proposed subsection.....	138
73 Omitting words from the heading to a proposed Schedule, Schedule Part etc.	138
74 Omitting words from a proposed section, subsection, paragraph, definition, penalty, note, example etc.....	138
75 Omitting words from a proposed table .....	138
C2: Adding.....	139
76 Adding a Part, Division or Subdivision at the end of a proposed Chapter etc.	139
77 Adding a section at the end of a proposed Division etc.....	139
78 Adding a subsection at the end of a proposed section .....	139
79 Adding a paragraph, subparagraph etc.....	139
80 Adding a note or penalty at the end of a proposed section, subsection etc.....	141
81 Adding an item at the end of a proposed table.....	141
82 Adding words at the end of a proposed heading.....	141
83 Adding words at the end of a proposed section, subsection, paragraph etc.....	142
C3: Inserting.....	142
84 Inserting a proposed Chapter, Part, Division or Subdivision.....	142
85 Inserting a proposed section or subsection .....	143
86 Inserting a proposed paragraph, subparagraph, etc.....	143
86A Inserting a proposed paragraph in a simplified outline.....	143
87 Inserting a proposed definition .....	144
88 Inserting a penalty or note.....	144
89 Inserting an item in a proposed table .....	144
90 Inserting words in the heading to a proposed Chapter, Part etc. or section etc.	145
91 Inserting words in the heading to a proposed subsection etc.....	145
92 Inserting words in a proposed section, subsection, paragraph etc. ....	145
93 Inserting words in a proposed table .....	145
D: Amending Schedule—other than proposed blocks of text .....	146
D1: Omitting [and substituting] .....	146
94 Omitting an amending Schedule .....	146
95 Omitting a Part or Division of an amending Schedule .....	146
96 Omitting an Act title at style heading in an amending Schedule .....	146
97 Omitting the heading to a Part or Division of an amending Schedule.....	146
98 Omitting an item, subitem or paragraph .....	147
99 Omitting a definition.....	148

100 Omitting a note .....	148
101 Omitting words from the heading to an amending Schedule.....	148
102 Omitting words from the heading to a Part or Division of an amending Schedule.....	148
103 Omitting words from an amended Act title aat style heading .....	148
104 Omitting words from an item heading.....	148
105 Omitting words from a subitem heading .....	149
106 Omitting words from an item, subitem, paragraph etc. ....	149
D2: Adding.....	149
107 Adding an amending Schedule at the end of the Bill.....	149
108 Adding a Part at the end of an amending Schedule .....	149
109 Adding a Division at the end of a Part of an amending Schedule .....	149
109A Adding amendments of an extra principal Act at the end of an amending Schedule.....	149
110 Adding an item at the end of an amending Schedule.....	150
111 Adding an item at the end of a Part of an amending Schedule.....	150
112 Adding a subitem at the end of an item .....	150
113 Adding a paragraph at the end of an item or subitem, or a subparagraph at the end of a paragraph.....	150
114 Adding an item at the end of a table .....	151
115 Adding a note.....	151
116 Adding words at the end of the heading to an amending Schedule .....	151
117 Adding words at the end of the heading to a Part, Division, item or subitem of an amending Schedule .....	151
118 Adding words at the end of an amended Act title aat style heading.....	151
119 Adding words at the end of an item, subitem, paragraph etc.....	151
D3: Inserting .....	152
120 Inserting an amending Schedule .....	152
121 Inserting a Part or Division in an amending Schedule.....	152
121A Inserting amendments of an extra principal Act in an amending Schedule.	152
122 Inserting an item or subitem .....	152
123 Inserting a paragraph etc.....	153
124 Inserting a definition.....	153
125 Inserting a note.....	153
126 Inserting words in the heading to an amending Schedule.....	153
127 Inserting words in the heading to a Part or Division of an amending Schedule .....	153
128 Inserting words in an amended Act title aat style heading .....	153
129 Inserting words in an item heading.....	154
130 Inserting words in a subitem heading .....	154
131 Inserting words in an item, subitem, paragraph etc. ....	154
<b>Appendix 2B—Amendments of amendments .....</b>	<b>155</b>
A. Senate amendment of Senate amendment.....	155
B. House of Representatives amendment that replaces a Senate amendment or modifies a Senate request .....	156
C. House of Representatives amendment of Senate amendment.....	157

## Chapter 1—Legislation to amend or repeal Acts or instruments

### ***The textual amendment system***

1 Amendments of Commonwealth Acts or instruments are generally made using the textual amendment system. This system uses a “cut-and-paste” analogy. A principal Act or instrument is amended by direct amendments of the text. Later amending Acts or instruments then operate on a version of the principal Act or instrument that incorporates all the textual amendments that have previously been made.

2 The alternative method of amendment is non-textual amendment, often referred to as “legislation by reference” or “referential” amendment (see Chapter XIII of the Renton Report, “The Preparation of Legislation” Cmnd. 6053 (U.K.), and Xanthaki, *Thornton’s Legislative Drafting* (5th ed, pp 193-197)). The amending Act or instrument changes the effect of the Act or instrument being amended without altering the text of that Act or instrument.

### ***Choosing among several possible amendment approaches***

3 The same end result can often be achieved using different amendment approaches. For example, the same amendment might be made either by replacing several words in a subsection, or by replacing the whole subsection. In choosing among the different approaches available, you should bear in mind the convenience of users of legislation, in particular members of Parliament, departmental officers and affected members of the public.

### ***Schedules of amendments or repeals***

#### **General rules**

4 Generally, all amendments and repeals are made by numbered items of a Schedule (except a repeal of all or part of an Act or instrument by that Act or instrument: see paragraph 77).

5 Schedules are numbered Schedule 1, Schedule 2 etc. Even if there is only one Schedule, it is called “Schedule 1”. Word Note 4.2 sets out additional requirements for Schedule headings.

6 The items in a Schedule are numbered consecutively, starting with 1 (even if there is only one item).

7 Non-amending items (for example, application, saving or transitional provisions) may be included in an amending/repealing Schedule to a Bill. For further rules in relation to application, saving and transitional provisions, see paragraphs 31 to 38.

8 Appendix 1A summarises the principles for the amendment forms used in amending items.

9 Word Note 4.2 sets out rules for the styles to be applied to material in amending/repealing Schedules (including items making application, saving or transitional provisions). Among other things, these rules deal with:

- (a) using “Special” styles so that:
  - (i) the headers to an amending Schedule appear correctly even if it sets out (in amending items) headings to be included in another amending Schedule; and
  - (ii) the items of an amending Schedule are numbered correctly even if it sets out (in those items) items to be included in another amending Schedule; and
  - (iii) the table of contents for the amending legislation appears properly; and
- (b) using “Transitional” style to facilitate preparation of compilations, by distinguishing between items of an amending Schedule that make amendments and items of the Schedule that do not (such as items making application, saving or transitional provisions).

### Examples of amendment forms

10 Appendix 1B contains examples of many of the situations likely to be encountered. The examples are not exhaustive. Drafters should discuss novel amending forms they propose to use with the editor before the Bill or instrument is sent for its first editorial check. If necessary, the editor and the drafter should raise the novel form with the head drafter.

### “Activating” section for amending Schedules

11 The following form should be used for Bills, unless there is a special reason for not using it:

### 3 Schedules

Legislation that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

12 If the Bill is to amend an instrument, the following note should be added to the standard form of activating section:

Note: The provisions of the [*title of instrument*] amended or inserted by this Act, and any other provisions of [*that instrument*], may be amended or repealed by [*an instrument*] made under [*instrument-making power section*] (see subsection 13(5) of the *Legislation Act 2003*).

13 The following form should generally be used for instruments (subject to the following paragraphs), unless the head drafter approves another form for a particular instrument:

### 4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

14 The following form should be used for legislative instruments that amend one or more Acts, unless the head drafter approves another form for a particular instrument:

#### **4 Schedules**

Legislation that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

15 For an instrument that:

- (a) is a rewrite of an instrument due to sunset, or is any other principal instrument that repeals entirely another instrument; and
- (b) contains one or more non-amending Schedules; and
- (c) contains an amending Schedule to repeal the sunseting or other instrument;

then the provision that activates the amending Schedule should specifically refer to the amending Schedule:

#### **5 Schedule [2]**

Each instrument that is specified in Schedule [2] to this instrument is amended or repealed as set out in the applicable items in that Schedule, and any other item in that Schedule has effect according to its terms.

16 The following form should be used for Court Rules (or a form similar to that used in paragraph 15 if appropriate):

#### **4 Schedules**

Each instrument that is specified in a Schedule to these Rules is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to these Rules has effect according to its terms.

17 The following form should be used for Ordinances (or a form similar to that used in paragraph 15 if appropriate):

#### **4 Schedules**

Each instrument that is specified in a Schedule to this Ordinance is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Ordinance has effect according to its terms.

18 The standard form should be used for an amending Bill or instrument even if the Bill or instrument has only one Schedule, amends only one Act or instrument or has only one amending item.

19 The section heading is the same whether the Bill or instrument has only one Schedule or has more than one Schedule.

20 The reference to any other item having effect “according to its terms” covers any non-amending items (for example, application, saving or transitional provisions) in an amending Schedule in a Bill.

21 If the remainder of the Act or instrument (apart from the activating section) has a single commencement time, the activating section should also commence at that time. Otherwise, the activating section should commence at the same time as the short title or name section.

### **Notes to amending items in instruments**

22 A note to an amending item may be included in an instrument only if it is clear that the inclusion of the note would not prevent the automatic repeal of the instrument under Division 1 of Part 3 of Chapter 3 of the *Legislation Act 2003*.

### **No page breaks within inserted blocks**

23 The normal rules about starting Chapters, Parts, Schedules etc. on a new page do not apply within a block of text that is to be included in a principal Act or instrument.

### **Order and grouping of amendments**

24 There are various ways of grouping amending items in an amending Bill or instrument. These include:

- (a) A single amending Schedule that amends only one Act or instrument, with the items arranged according to the order of the amended provisions.
- (b) A single amending Schedule that amends several Acts or instruments. The amended Acts or instruments are in alphabetical order, and the items for each amended Act or instrument are in the order of the amended provisions.
- (c) Several amending Schedules that amend one or more Acts or instruments, grouped according to the subject matter of the amendments or by commencement dates.

25 Care should be taken if the same provision of a principal Act or instrument is being amended for different purposes and the amendments are to commence on the same day. In this case, the amendments should generally be expressed to commence in sequence, with each amendment in the sequence commencing immediately after the previous one.

### **Consequential amendments arising from new principal Act or instrument**

26 The enactment of a new principal Act or instrument can result in consequential amendments having to be made to other Acts or instruments.

27 If a new principal Act is to be enacted, any consequential amendments, together with any application, saving or transitional provisions that are required, are usually included in a separate Bill. Any consequential repeals of other Acts are also included in the separate Bill. The approval of the head drafter is required to include consequential amendments or repeals in a Bill for a new principal Act.

28 If a new principal instrument is to be made:

- (a) Any consequential amendments that are required should be included in a separate amending instrument. The approval of the head drafter is required to include any consequential amendments in a new principal instrument.
- (b) Any application, saving or transitional provisions that are required should be included in a separate Part or Chapter at the end of the new principal instrument.
- (c) Any consequential repeals of other instruments that are required should be included in an amending Schedule to the new principal instrument, unless there is another instrument including consequential amendments, in which case any consequential repeals should be included in a separate Schedule or Part to that instrument. If a repeal is included in an amending Schedule to a new principal instrument, the activating section set out in whichever of paragraphs 13 to 17 is relevant must also be included in the new principal instrument.

### ***Order of Schedules***

29 A Bill or instrument that has both one or more amending Schedules and one or more non-amending Schedules must have all the non-amending Schedules before the amending Schedules. For this purpose, a Schedule that contains application, saving or transitional provisions or repeals is an amending Schedule. (Note that the approval of the head drafter is required to include consequential amendments or repeals in a Bill for a new principal Act.)

30 Whether to put Schedules (or Parts or Divisions of Schedules) of amendments before or after Schedules (or Parts or Divisions of Schedules) of repeals of legislation is a matter for the drafter. The relative importance of the amendments and the repeals may guide the drafter in deciding on the order.

### ***Application, saving and transitional provisions***

31 Application, saving and transitional provisions should not be included in the introductory provisions of an amending Bill. However, provisions relating to the amendment of assessments may be included in the introductory provisions of Tax Laws Amendment Bills.

32 Application, saving and transitional provisions may be included in an amending or repealing Bill:

- (a) as separate items after the relevant amendment or repeal; or
- (b) at the end of the Schedule, Part or Division containing the relevant amendments or repeal; or
- (c) in a separate Schedule, Part or Division.

33 Choosing which option depends on how many provisions there are and how many amendments or repeals the provisions relate to.

34 Application, saving and transitional provisions relating to amendments of some Acts should be included, by amendment, in the Act being amended or in another Act (other than

the Act being amended). This is often the case if the Act being amended relies on references of power from the States. For some other Acts, there is a drafting convention about location of these kinds of provisions. The Drafting Note called “Special issues for amending particular Acts” deals with some of these Acts.

35 Application, saving and transitional provisions relating to amendments of instruments are to be included, by amendment, in a separate Part or Chapter at the end of the relevant instrument being amended. This rule does not apply to amendments of instruments by Acts; the application, saving and transitional provisions relating to these amendments are included in the Act being amended or in another Act, as above. Application, saving or transitional provisions that relate to an instrument that is being repealed, and is not being replaced by a new instrument, may be included in the repealing instrument. In this case, the repealing instrument may need to contain a sunset provision for the application, saving or transitional provisions (see paragraph 77).

36 Some existing principal instruments have been set up to include application, saving and transitional provisions in a non-amending Schedule to the instrument. A separate Part is added to the non-amending Schedule for each new amending instrument to contain the application, saving and transitional provisions related to amendments made by the amending instrument. (For example, see Schedule 13 to the *Migration Regulations 1994*.) For the amending instruction when adding Parts to these Schedules, see the example in Subpart C2A of Appendix 1A.

37 Application, saving or transitional provisions may be included in Division 1 of a Part, or in Part 1 of a Chapter, in an instrument even if there are no other Divisions in the Part, or Parts in the Chapter. This makes the addition of future Divisions or Parts easier.

38 Word Note 4.2 sets out formatting rules applying to application, saving and transitional provisions included in amending Schedules of Bills.

### ***Tables of contents for amending Bills or instruments***

39 Where a Schedule amends 2 or more Acts or instruments, the table of contents that is generated automatically will list all Acts or instruments amended by the Schedule (if the correct style has been used for the Act or instrument names). This list should be retained in the table of contents.

40 Similarly, a properly formatted repealing Schedule will result in a table of contents listing the Acts or instruments repealed. Again, this list should be retained.

### ***Identifying the “owner” of subsection headings, notes, examples and penalties***

#### **Subsection headings**

41 A subsection heading is to be treated as part of the subsection that immediately follows, even if the heading also relates to later subsections. If a subsection with a heading is repealed, then the heading will also disappear. This means that:

- (a) if you want to replace a subsection but you want to keep the heading, you will need to include the heading with the substituted subsection; and



- (b) if you want to remove a subsection but you want to keep the heading because it still applies to succeeding subsections, you will need to say this expressly in the amending item (e.g. “Repeal the subsection (not including the heading)”).

## **Notes and examples**

### ***General principles***

42 A note or example at the foot of certain provisions below section or clause level is generally treated as part of the provision (although special rules apply if the provision is the last of that kind in a higher-level provision). The operation of this principle and those special rules for notes and examples at the foot of subsections, definitions and paragraphs is spelt out in more detail below.

43 This principle is relevant to the form of an amendment to repeal the provision (with or without substitution), omit text from the provision (with or without substitution) or include extra text in the provision.

44 A corollary of notes and examples being part of a provision is that an amendment to omit text from the provision (with or without substitution) will affect occurrences of text in the notes and examples as well as the main part of the provision. To ensure that amendments are clear, it is necessary to consider how many occurrences of the text to be omitted there are in the main part of the provision and the notes and examples that form part of it (so that, if appropriate, words describing a particular occurrence or all occurrences of the text can be included in the amendment).

45 Another corollary of notes and examples being part of a provision is that an amendment to include extra text in the provision before the first note or example will need to be drafted as an insertion rather than an addition (because an addition at the end of the provision would come after the notes and examples that are treated as part of the provision).

46 If you repeal one or more notes or examples from a provision so that only one note or example remains, you should also amend that note or example to omit the note or example number. Similarly, if you add one or more notes or examples after a single note or example, you should renumber the existing note or example as Note 1 or Example 1.

### ***Notes and examples at the foot of subsections***

47 A note or example at the foot of a subsection is to be treated as part of the subsection, unless the subsection is the last one in the section.

48 If you wish to repeal the subsection, but retain the note or example, use the following form in the item text: “Repeal the subsection (not including the [note/example])”.

49 The intended effect of a repeal of the last subsection (with a note or example at its foot) in a section should be clarified in the item text (e.g. “Repeal the subsection ([including/not including] the [note/example])”). If the note or example is repealed but also related to any unrepealed subsections in the section, an amendment to add the note or example at the foot of those subsections will also be needed.

50 The rules in paragraphs 47, 48 and 49 also apply correspondingly to subclauses in clauses.

### ***Notes and examples at the foot of definitions***

51 A note or example at the foot of a definition in a subsection is to be treated as part of the definition, unless the definition is the last one in the subsection.

52 If you wish to repeal the definition, but retain the note or example, use the following form in the item text: “Repeal the definition (not including the [note/example])”.

53 The intended effect of a repeal of the last definition (with a note or example at its foot) in a subsection should be clarified in the item text (e.g. “Repeal the definition ([including/not including] the [note/example])”). If the note or example is repealed but also related to any unrepealed definitions in the subsection, an amendment to add the note or example at the foot of those definitions will also be needed.

54 The rules in paragraphs 51, 52 and 53 also apply correspondingly to definitions in subclauses, undivided sections or undivided clauses.

### ***Notes and examples at the foot of paragraphs***

55 A note or example in `noteToPara,ntp` style at the foot of a paragraph (so that the start of the note or example aligns with the paragraph margin) is to be treated as part of the paragraph.

56 This is not the case for a note or example in `note(text),n` style immediately after a paragraph (so that the start of the note or example aligns with the subsection margin). If the last paragraph of a subsection is repealed and it is desired to remove a note or example in that style that relates only to that paragraph and comes immediately after it, a separate amendment will be needed to repeal the note or example.

### ***Notes to non-amending Schedule headings***

57 A note under a non-amending Schedule heading referring to the operative provision supporting the Schedule may be amended without amending the Schedule heading itself. The amending item heading should refer to the Schedule number and be followed by “(note to Schedule heading)”. This form is to be used even if the word “Note” does not appear in the actual note under the Schedule heading.

### **Penalties**

58 A penalty at the foot of a subsection (other than the last subsection of a section) is to be treated as part of the subsection. The intended effect of a repeal of the last subsection of a section that has a penalty at its foot should be clarified in the item text (e.g. “Repeal the subsection ([including/not including] the penalty)”). If the penalty related to any other remaining subsections in the section and is repealed with the last subsection, amendments to add the penalty at the foot of those remaining subsections will also be needed.

59 The lettering of paragraphs in penalties is dealt with in Drafting Direction 1.7.

### ***Common things that need to be checked***

60 The following are some of the things you should check when drafting an amending Bill or instrument:

- (a) Check that the correct material is omitted or inserted.
- (b) Consider whether any application, saving or transitional provisions are needed.
- (c) If more than one amendment is required to a section, subsection, paragraph etc., consider whether the matter would be more conveniently dealt with by remaking the unit of text in question. Remaking is particularly desirable if the amendments are extensive (however, it may be inadvisable to remake a provision that contains contentious matter).
- (d) If matter is to be repealed or omitted from an Act or instrument, definitions and interpretative provisions relating to words and expressions used only in that matter will also need to be repealed. Note that a definition that is no longer relevant for the Act or instrument in which it appears might sometimes still be needed because *another* Act or instrument relies on it. If so, the other Act or instrument should be amended to include the substance of the definition.
- (e) Consider whether the amendments require a consequential change to any headings or simplified outlines in the amended Act or instrument, or to the long title (for an amended Act).
- (f) Consider whether there are any uncommenced or proposed amendments that clash with or affect the provisions of the principal Act or instrument being amended.
- (g) Consider whether the provisions being amended no longer apply or will sunset in the future.

### **Checking cross-references**

61 If a provision of a principal Act or instrument is being amended or repealed, you should check cross-references to the provision and make any necessary consequential amendments. If the provision being amended or repealed was inserted into the principal Act or instrument by a previous amending Act or instrument, the previous amending Act or instrument might indicate other provisions that could be affected. It might also indicate the need for application, saving or transitional provisions. Similarly, if the name of an Act or instrument is being changed, you should check references to the Act or instrument and make any necessary consequential amendments.

### **Acts amending instruments**

62 Acts should not amend regulations or other instruments except for compelling reasons. One such compelling reason would be the need to amend a legislative instrument retrospectively in a way that adversely affects a person's rights or imposes new liabilities. Subsection 12(2) of the *Legislation Act 2003* prevents a retrospective provision of a legislative or notifiable instrument from applying to a person if the provision adversely affects the person's rights or imposes new liabilities. Another approach would be to amend the Act containing the legislative instrument-making power by expressly excluding the

application of subsection 12(2) in relation to that power. However, the Senate Scrutiny of Bills Committee might comment adversely on this approach.

63 If it is decided that an Act must amend an instrument, you should take care to ensure that any amending instruments with suspended commencements will not affect the amendments to be made by the Act. In addition, you should warn the instructing Agency that no amendments by instrument should be made that may affect the amendments to be made by the Act. It is also important to ensure that the instrument can be further amended or repealed by another instrument.

64 Drafting Direction 3.8 contains important information about the technical requirements for amending instruments by Acts.

### ***Amendments of amending legislation***

65 Amending legislation should not be amended unless absolutely necessary (because amendments of amending legislation can create issues for compilation and publication). Drafters must consult the head drafter before drafting an amendment of amending legislation.

### ***Repeal of Acts and instruments***

#### **General**

66 Repeals of Acts are to be included in a separate amending Schedule, Part or Division from amendments of Acts. Only items repealing Acts (and any associated application, saving or transitional provisions) are to be included in this Schedule, Part or Division.

67 Repeals of instruments that are consequent on the making of a new principal instrument should be included in an amending Schedule to the new principal instrument, unless there is another instrument including consequential amendments, in which case any consequential repeals should be included in a separate Schedule, or separate Part or Division of a Schedule, to that instrument. (An amending Schedule that is included in a new principal instrument, and that only repeals one or more instruments, will be automatically repealed under Division 1 of Part 3 of Chapter 3 of the *Legislation Act 2003*. The activating section for the amending Schedule will also generally be automatically repealed under that Division.) Other repeals of instruments (except multiple repeals of spent or redundant instruments) should be included in an amending Schedule, Part or Division of an amending instrument. Only items repealing instruments (and not consequential amendments) are to be included in this Schedule, Part or Division.

68 Multiple repeals of legislative instruments (for example, repeals of spent and redundant instruments) are to be made by a new principal instrument. The instruments to be repealed are included in tables in amending Schedules to the new principal instrument. A hyperlink is to be attached to the reference to the FRL identifier of each instrument being repealed. For example, see the *Attorney-General's (Spent and Redundant Instruments) Repeal Regulation 2013*.

69 When repealing an Act that has been amended by other Acts or instruments, the amending item should normally repeal only the principal Act concerned (and not the individual Acts or instruments that amended it). If the current name of the principal Act differs from its original name, the repealing item should specify the current name.

70 When repealing an instrument that has been amended by other instruments or Acts, the principal instrument, and any amending instruments that have not already been repealed, should be repealed, if practicable. If the current name of the principal instrument differs from its original name, the repealing item should specify the current name. If it is necessary to repeal an instrument that does not have a unique name equivalent to the short title of an Act, or a unique series number, then the instrument must be cited by:

- (a) its name (if any); and
- (b) its series number (if any); and
- (c) if the instrument is a legislative instrument—its FRL identifier; and
- (d) any additional information necessary to clearly identify the instrument (for example, the Act and provision under which the instrument was made and the date on which it was made).

See the example in Part A of Appendix 1A.

### **Repeal of amending provisions**

71 Repealing an Act or instrument (or a part of an Act or instrument) that contains a provision amending another Act or instrument does not result in the amendment ceasing to have effect (because of section 7 of the *Acts Interpretation Act 1901*).

72 If you are repealing all the amending items included under an Act or instrument title at style heading (so there will be no amending items remaining under that heading), you must also repeal the heading.

### **Repeal of instruments and provisions under Division 1 of Part 3 of Chapter 3 of the *Legislation Act 2003***

73 Division 1 of Part 3 of Chapter 3 of the *Legislation Act 2003* affects legislative instruments and notifiable instruments by automatically repealing:

- (a) such instruments, or provisions of such instruments, whose only legal effect is to amend or repeal one or more such instruments; and
- (b) such instruments, or provisions of such instruments, that provide solely for the commencement of such an instrument or an Act or of a provision of such an instrument or an Act.

74 Such instruments and provisions have no continuing operation or effect after the relevant amendment, repeal or commencement has taken effect.

75 Legislative instruments, notifiable instruments, or provisions of either of them, that are not automatically repealed under Division 1 of Part 3 of Chapter 3 of the *Legislation Act 2003*, and that are spent or are no longer required, may be repealed by a regulation made under Division 2 of that Part. See, for example, the *Attorney-General's (Spent and Redundant Instruments) Repeal Regulation 2013*.

76 A repeal of a legislative instrument or provision of a legislative instrument under Part 3 of Chapter 3 of the *Legislation Act 2003* does not:

- (a) undo the instrument's effect (see section 7 of the *Acts Interpretation Act 1901*); or
- (b) remove the requirements to lodge the instrument for registration on FRL and to table the instrument in each House of Parliament; or
- (c) prevent a House of the Parliament from disallowing the instrument.

### **Sunset provisions**

77 Drafting Direction 2.2 sets out the issues to consider in choosing whether to repeal an Act or instrument, or a provision of an Act or instrument, or provide that the Act, instrument or provision ceases to be in force. If an Act or instrument, or a provision of an Act or instrument, is to have a finite life by being repealed, the form to be used is:

#### **777 Repeal of this [Act/instrument/section]**

This [Act/instrument/section] is repealed at the start of [date].

### **Instruments replaced due to sunseting**

78 If you are drafting a new instrument to replace an existing instrument that sunsets on a particular day, you should explicitly repeal the existing instrument. This is the case even if that instrument is due to sunset on or before the date the new instrument is to commence. Explicitly repealing the existing instrument is clearer for users and also avoids problems that may arise if the sunset date turns out to have been incorrectly calculated.

### ***Instruments not in OPC styles***

79 If you are amending a billable instrument that is not formatted using OPC styles, and you think that it is not appropriate to apply the OPC standard amending forms, you should discuss this with the head drafter.

80 Likewise, if you are amending any other instrument, or an Act, that is not formatted using OPC styles, and you think a departure from the OPC standard amending forms is warranted, you should discuss this with the head drafter.

## **Appendix 1A—Amendment forms (general principles)**

81 This Appendix sets out the general principles for the amendment forms to be used when amending Acts or instruments. This Appendix has a small number of examples that help to explain the general principles.

82 A fuller set of examples is in Appendix 1B, which covers most of the commonly used forms.

### ***A. Repealing or omitting***

83 The “repeal” form is used to repeal whole Acts or instruments or whole units of Acts or instruments. Examples of units are a Chapter, Part, Division, section, paragraph, note, penalty, table, table item or table cell. The “omit” form is used for words that do not amount to a whole unit. The effect of this distinction is that an amending form that ends with the words “... the [name of unit].” will always use the repeal form. Otherwise, the “omit” form is used.

#### **A1. Repealing an Act or instrument**

84 There are 2 options for repealing Acts and instruments. The first option is to use a separate amending item (and Act or instrument heading) for each Act or instrument that is to be repealed, in accordance with the following examples. The second option is to use the multiple amendment format outlined in Subpart L3.

#### ***XYZ Act 1990***

##### **1 The whole of the Act**

Repeal the Act.

#### ***TUV Regulation 2013***

##### **2 The whole of the instrument**

Repeal the instrument.

#### ***Proclamation made on 3 October 2002 under subsection 390D(1) of the Environment Protection and Biodiversity Conservation Act 1999 (Federal Register of Legislation No. F2007B00734)***

##### **3 The whole of the instrument**

Repeal the instrument.

#### ***ABC Court Rules 2013***

##### **4 The whole of the Rules**

Repeal the Rules.

## **A2. Repealing a unit**

85 The item heading identifies the unit to be repealed. The action line takes the form “Repeal the [name of unit]”.

### **5 Division 3 of Part 5**

Repeal the Division.

*[In Acts or instruments with unique Division numbering (e.g. the Aged Care Act 1997 and the Income Tax Assessment Act 1997), it is not necessary to refer to the Part number in the amending item heading.]*

### **6 Subsection 200(4) (subparagraph (b)(ii) of the definition of *animal*)**

Repeal the subparagraph.

### **7 Regulation 4C**

Repeal the regulation.

## **A3. Omitting words**

86 The item heading identifies the affected unit. The action line identifies the words to be omitted, by quoting them or otherwise identifying them.

### **8 Subsection 200(4) (definition of *animal*)**

Omit “frog”.

### **9 Subsection 200(4) (definition of *animal*)**

Omit all the words from and including “frog” to and including “pond”.



## **B. Substituting**

87 This consists of a repeal or omission of text, and its replacement with new text. It is simply an extension of the repeal/omission forms. The replacement text may consist of a unit, some words or a combination of both.

### **10 Division 3 of Part 6**

Repeal the Division, substitute:

*[text of new Division]*

*[In Acts or instruments with unique Division numbering (e.g. the Aged Care Act 1997 and the Income Tax Assessment Act 1997), it is not necessary to refer to the Part number in the amending item heading.]*

### **11 Subsection 200(4) (paragraph (b) of the definition of animal)**

Repeal the paragraph, substitute:

*[text of new paragraph]*

### **12 Subsection 200(4) (definition of animal)**

Omit “frog”, substitute “toad”.

### **13 Subsection 200(4)**

Omit all the words after “Deputy”, substitute:

Commissioner must notify:

- (a) the responsible authority for the State; and
- (b) each person who received a copy of the original summons.

## **C. Adding**

### **C1. Adding a unit at the end of an Act or instrument**

88 This form applies when adding a unit at the end of an Act or instrument, *unless the unit is being added at the end of another unit (so as to become part of the unit)*. For example, this form applies when adding a Schedule at the end of an Act or instrument.

89 For an Act or instrument that has Schedules, the “end of the Act or instrument” is after the last Schedule. Therefore this form is *not* used when inserting something after the last section, but before the Schedules, in an Act or instrument.

#### **14 At the end of the Act**

Add:

#### **15 At the end of the instrument**

Add:

90 Note that you can refer to the “At the end of the instrument” for all instruments (except court rules), even if the instrument refers to itself internally by another name.

### **C2. Adding a unit at the end of another unit**

91 This form applies in cases where a unit is being added at the end of another unit (so as to become part of the unit). The only exceptions are:

- (a) a definition, which is “inserted” even when it will be at the end of the definition section or subsection; and
- (b) an amendment adding, to a principal Act or instrument or to a unit of a principal Act or instrument, a unit that deals with application, transitional and saving provisions; and
- (c) adding a table item to a table in a Schedule to the *Financial Framework (Supplementary Powers) Regulations 1997*.

92 The new unit is added at the end of the next “higher” unit. The item heading generally identifies the “higher” unit and includes the words “at the end of”.

#### **16 At the end of subsection 200(1)**

Add:

- ; (c) each person who was given a copy of the original notice.

#### **17 Subsection 200(4) (at the end of the definition of *domestic animal*)**

Add:

- ; (c) any cat other than a tiger.

### **C2A. Adding units dealing with application, transitional and saving provisions and adding table items to certain frequently-amended tables**

93 When application, transitional and saving provisions are included in frequently amended principal Acts and instruments, more than one amending Act or instrument may

need to add units dealing with such provisions at the end of the Act or instrument or a unit of the Act or instrument. In these cases, it is not always clear in which order the amending Acts or instruments will commence, causing problems for the traditional amending form of “At the end of the [Act/instrument/unit], add”.

94 For example, a Bill in Parliament adds Part 10.25 to Chapter 10 of the *Corporations Act 2001*, using the amending form “At the end of Chapter 10, add”. Another Bill that is introduced into the Parliament after the first Bill, adds Part 10.26 to that Chapter, also using the amending form “At the end of Chapter 10, add”. Both Bills have a day after Royal Assent commencement. If the second Bill commences first, its amending form will work to add Part 10.26 at the end of Chapter 10 (and after Part 10.24). But the result of this amendment is that the amending form for the first Bill would add Part 10.25 after Part 10.26.

95 A similar issue arises when adding table items to certain tables that are frequently amended, and where the order of the items in the tables is not legally significant, such as a table in a Schedule to the *Financial Framework (Supplementary Powers) Regulations 1997* or a table of deductible gift recipients in Subdivision 30-B of the *Income Tax Assessment Act 1997*.

96 The amending form discussed below avoids this problem.

97 This form is to be used where an amendment is to add:

- (a) one or more units, consisting of application, transitional or saving provisions, in a location of the principal Act or instrument; or
- (b) a table item to a table in a Schedule to the *Financial Framework (Supplementary Powers) Regulations 1997* or to a table of deductible gift recipients in Subdivision 30-B of the *Income Tax Assessment Act 1997*.

98 This form may be used in other circumstances with the agreement of the head drafter.

99 It does not matter whether the location of the addition is at the end of the principal Act or instrument, or at the end of a unit of the principal Act or instrument that is at a higher level than the units being added.

100 In order to use this form:

- (a) each of the units being added must have a purely numerical number that is one greater than the previous unit (taking into account any other amending Acts, Bills or instruments that are adding units in the same location); and
- (b) if there are sub-units of the units being added, the numbers (which may be numerical or alphanumerical) of the sub-units must be determined.

101 The reason for limiting paragraph 100(a) to units with numerical numbers is that it is important for the Publications group to be able to identify exactly where to put the units when a compilation is prepared, and there is no rule for the order in which alphanumerical numbers occur (for example, section 2A may occur before or after section 2AA). (However, in the majority of cases, application, transitional and saving provisions will be added at the end of an Act or instrument so it will be rare that alphanumerical numbers would be required.)

102 Instead of using “At the end of [Act/instrument/unit] ... Add”, this amending form avoids the issues mentioned above by using “In the appropriate position ... Insert”.

103 If the units are being added to a higher-level unit of the Bill or instrument (such as a Schedule, Chapter, Part or Division), rather than at the end of the Bill or instrument, the item heading also refers to the higher-level unit in which the units are being inserted.

104 In the example above, the drafter of the first Bill will number his or her Part as Part 10.25, and the section numbers for Part 10.25 will continue on from the final section of the previous Part. The drafter of the later Bill can assume that the next Part is 10.26 and again continue the section numbering on from the final section in Part 10.25.

105 Although each amendment may (depending on timing) be conceptually an addition (because the location of the amendment may be at the end of an Act or instrument, or at the end of a higher level unit), the amending form is “Insert:”.

106 The same principles apply to multiple amendments to add Subdivisions at the end of a Division, but in that case, each additional Subdivision must have a single Subdivision letter, the amending item heading is “In the appropriate position in Division [X] of Part [X]”, and the item is “Insert:”.

## **18 In the appropriate position**

Insert:

### **Schedule 10—One new Schedule**

#### **1 First clause of new Schedule 10**

...

#### **2 Second clause of new Schedule 10**

...

## **19 In the appropriate position**

Insert:

### **Schedule 11—Another new Schedule**

#### **1 First clause of new Schedule 11**

...

#### **2 Second clause of new Schedule 11**

...

*[In this pair of examples, items 18 and 19 are adding Schedules at the end of an Act or instrument. Note that the new units being added must each have a purely numerical number. Note that the amending form in items 18 and 19 is “Insert” even though the items insert/add 2 Schedules.]*

**20 In the appropriate position in Part 3**

Insert:

**Division 4—One new Division of Part 3**

**42 First section of new Division 4**

...

**43 Second section of new Division 4**

...

**Division 5—Another new Division of Part 3**

**44 First section of new Division 5**

...

**45 Second section of new Division 5**

...

**21 In the appropriate position in Part 3**

Insert:

**Division 6—Yet another new Division of Part 3**

**46 First section of new Division 6**

...

**47 Second section of new Division 6**

...

*[In this pair of examples, items 20 and 21 are adding Divisions at the end of a Part. Note that the new units being added must each have a purely numerical number. Note that the amending form in items 20 and 21 is “Insert” even though the items insert/add 2 Divisions.]*

**22 In the appropriate position in Division 3 of Part 4**

Insert:

**Subdivision E—One new Subdivision of Division 3**

**53 First section of new Subdivision E**

...

**54 Second section of new Subdivision E**

...

### **23 In the appropriate position in Division 3 of Part 4**

Insert:

#### **Subdivision F—Another new Subdivision of Division 3**

#### **55 First section of new Subdivision F**

...

#### **56 Second section of new Subdivision F**

...

*[In this pair of examples, items 22 and 23 are adding Subdivisions at the end of a Division of a Part. Note that the new Subdivisions being added must each have a single Subdivision letter. Note that the amending form in items 22 and 23 is “Insert” even though the items insert/add 2 Subdivisions.]*

### **24 Part 4 of Schedule 1AB (in the appropriate position in the table)**

Insert:

157	Program	Objective
158	Program	Objective

### **25 Part 4 of Schedule 1AB (in the appropriate position in the table)**

Insert:

159	Program	Objective
-----	---------	-----------

*[In this pair of examples, items 24 and 25 are adding table items to Part 4 of Schedule 1AB to the Financial Framework (Supplementary Powers) Regulations 1997. Note that the new table items being added must each have a single number. Note that the amending form in items 24 and 25 is “Insert” even though the items insert/add 2 table items.]*

### **C3. Adding words**

107 This form applies when adding words at the end of a complete unit, for example, when adding words at the end of a subsection. The item heading identifies the “higher” unit.

#### **26 At the end of subsection 200(1)**

Add “or during any earlier year”.

#### **27 At the end of subsection 200(4)**

Add:

and must give a copy of the summons to each of the following persons:

- (a) the responsible authority for the State;
- (b) each person who received a copy of the original summons.

## **D. Inserting (not at the end)**

### **D1. Inserting a unit**

108 The item heading should, if possible, identify an existing unit of the *same* type as the inserted unit. For example, when inserting a Chapter, it should identify the existing Chapter after which the new one is to be inserted. In some cases the insert form is used where it is not possible to identify an existing unit of the same type. For example, when inserting a heading to a provision.

109 The item heading should, generally, identify the unit *after* which the new unit is to be inserted. In some cases, it may be appropriate for the item heading to identify the unit *before* which the new unit is to be inserted (e.g. when inserting new headings to Parts, Divisions, Subdivisions or subsections).

### **28 After Part 3 of Chapter 6**

Insert:

*[text of new Part]*

*[In Acts or instruments with unique Part numbering (e.g. the Aged Care Act 1997, the Fair Work Act 2009, the Income Tax Assessment Act 1997), it is not necessary to refer to the Chapter number in the amending item heading.]*

### **29 Subsection 200(4) (after paragraph (b) of the definition of *domestic animal*)**

Insert:

(ba) crocodiles less than 3 metres long;

### **D2. Inserting words**

110 The item heading identifies the unit into which the words are to be inserted.

### **30 Subsection 200(4) (paragraph (b) of the definition of *animal*)**

After “frog”, insert “, toad”.

## **E. Decentralised tables of contents**

111 Sometimes a Part, Division or Subdivision contains its own table of contents or table of sections, known as a decentralised table of contents. For example, decentralised tables of contents are used in the *Civil Aviation Safety Regulations 1998*, the *Civil Aviation Regulations 1988*, and the Acts that make up the tax code.

112 If you amend legislation to include in it a new unit (such as a Division or Subdivision) and that unit is to contain a decentralised table of contents, you should include the table in the amendment.

113 If you are amending legislation that contains decentralised tables of contents and a provision stating that these tables are not part of the legislation (see, for instance, section 950-105 of the *Income Tax Assessment Act 1997* and regulation 1.006 of the *Civil Aviation Safety Regulations 1998*), you should not amend a table of contents when you make an amendment that will affect the accuracy of the table. The table will be updated by the Publications group when the legislation is compiled.

114 However, if legislation contains decentralised tables of contents but doesn't expressly state that those tables are not part of the legislation, any necessary changes to the tables should be made by formal amendments. If you are dealing with such legislation, it would also be desirable to include a provision of the kind mentioned above; this will reduce the work required to make any further amendments.

115 Some examples of amendments to decentralised tables of contents are as follows:

### **31 Part 11 (table of contents)**

Repeal the table, substitute:

#### **Table of contents**

##### **Subpart 11.A—Preliminary**

- 11.005 Purpose of Part
- 11.010 What is in this Part

##### **Subpart 11.B—Applications for authorisations**

- 11.020 Effect of this Subpart
- 11.025 Application of Part 11 to authorised persons

### **32 Part 21 (table of contents)**

Omit the entry for section 21.112.

### **33 Part 11 (table of contents)**

Omit the entry for section 11.090, substitute:

- 11.090 Authorisation document—authorisations to which Chicago Convention, Annex 1 applies

### **34 Part 131 (table of contents)**

Omit the entry for Division 131.E.1, substitute:

#### **Division 131.E.1—Preliminary**

### **35 Part 67 (table of contents)**



Omit all the entries from and including the entry for Subpart 67.D to and including the entry for section 67.275, substitute:

**Subpart 67.D—Modified Austroads medical standards**

- 67.262 Definition of *meets the modified Austroads medical standards*
- 67.263 Definition of *modified Austroads medical standards* for Subpart 67.D

**Subpart 67.E—Responsibilities of holders of medical certificates and recreational aviation medical practitioner’s certificates**

- 67.265 Obligation to tell CASA of changes in medical condition—medical certificate holders
- 67.270 Offence—doing act while efficiency impaired—licence holders
- 67.271 Offence—doing act while efficiency impaired—student pilots
- 67.275 Surrender of medical certificates

**36 Part 67 (at the end of the table of contents)**

Add:

- 67.275 Surrender of medical certificates

**37 Part 11 (table of contents)**

After the entry for Subpart 11.B, insert:

- 11.020 Effect of this Subpart

116 Amendments to omit, substitute, add or insert words in an entry in a decentralised table of contents must not be made. An amendment of this kind must be made by omitting and substituting the whole entry.

## **F. Definitions**

### **F1. Amending definitions**

117 The following rules apply to amendments of a provision that contains a list of definitions (usually a section or subsection):

- (a) One amending item may be used to insert several definitions in a provision, provided there are no intervening amendments. If there are 2 Bills or instruments being drafted, or in Parliament or awaiting signature, that are inserting definitions into the same section and the order in which they will commence is not clear, each Bill or instrument may either ignore the other for the purpose of this rule or the amendments may be drafted in a way that avoids a clash. You should not do contingent amendments to try to cover the different commencement possibilities.
- (b) Amending items are arranged according to the correct order of the definitions they deal with (even if the definitions do not appear in correct order in the provision being amended).
- (c) The “substitute” form is used only for “true substitutions” i.e. those where the old defined term and the new defined term are the same. An old defined term is considered to be the same as a new defined term even if the old defined term begins with a capital letter (e.g. *Motor vehicle*) and the new defined term does not (e.g. *motor vehicle*).
- (d) If it is necessary to amend the defined term, the whole of the definition must be replaced.

118 There is no need to specify the alphabetical positions in which new definitions are inserted (unless it is intended to override section 11A of the *Acts Interpretation Act 1901*, which provides that the definitions are inserted in their appropriate alphabetical positions, determined on a letter-by-letter basis).

119 The following principles should be applied (in addition to the principle of alphabetical ordering) if it is necessary to work out the order of definitions where at least some of the defined terms include numbers:

- (a) numbers in defined terms are taken into account in working out the order of definitions;
- (b) complete numbers (not individual digits) are taken into account (in numerical order) in working out the order of definitions;
- (c) numbers in defined terms come before all letters.

120 Amendments to insert one or more definitions in accordance with the principles need not specify the positions in which the definitions are to be inserted.

121 The following is an example of the order of definitions produced by applying those principles:

*1 year period* means ...

*2 week period* means ...

*12 month period* means ...

*aardvark* means ...

*Part 21 Manual* means ...

*Part 141 operator* means ...

*Part 145 Manual* means ...

*particle accelerator* means ...

*zygote* means ...

122 Sometimes a definition will be defining 2 related terms in the one definition as follows:

*Private Postal officer* or *PPO* means ...

123 To amend definitions with 2 related defined terms, only the terms should be set out in the item heading in bold italic; the conjunction should not be in bold italic.

### **38 Subsection 4(1) (definition of *Private Postal Officer* or *PPO*)**

Omit “entity”, substitute “body”.

## **F2. Relocating definitions**

124 A definition that is out of sequence may be able to be relocated as an editorial change made under the *Legislation Act 2003* when a compilation is prepared. It is worth discussing the possibility of this with the Publications group before drafting an amendment to relocate a definition. If it is not appropriate to make an editorial change to relocate a definition, the following form should be used for an amendment to relocate a definition that is out of sequence. It should not be used to relocate any other kind of provision:

### **39 Subsection 3(1) (definition of *social security benefit*)**

Relocate the definition to its appropriate alphabetical position, determined on a letter-by-letter basis.

## **G. Diagrams, forms and other graphics**

125 Generally, if a diagram, flowchart, form, formula or other graphic is to be amended, it should be completely replaced. If there is not enough time, or there are other good reasons for not completely replacing it, it may, with the approval of the head drafter, be amended by textual amendments in the normal way.

### **40 Schedule 1 (Form 7)**

Repeal the form, substitute:

*[Text of replacement form.]*

## **H. Dot points**

126 Amendments of dot points must be drafted in a way that avoids referring to the dot points. For example, if the dot points are in a simplified outline, they could be amended using the following form:

### **41 Section 4**

After:

- This Act establishes the Australian Civilian Corps.

insert:

- The Australian Civilian Corps consists of persons engaged under this Act as Australian Civilian Corps employees.

127 See Word Notes 4.2 and 4.6 for further rules about using, amending and formatting dot points.

## **J. Headings**

128 Headings at any level may be amended by adding, inserting, omitting or substituting words, or by repealing and substituting the whole heading.

129 You can use the ASS macro to draft amendments of headings (except aat style headings in amending Schedules).

130 Some of the commercial services insert their own subsection headings and these may not be easily distinguished from the subsection headings actually included in the legislation. You should check the status of any headings found in the commercial services before including amendments of them.

### ***K. Method statements, rate calculators and other similar features***

131 Attachment C of Word Note 4.6 (Formatting Social Security and Veterans' Affairs Bills) sets out the correct amending forms for amending method statements, rate calculators and other similar features in such Bills. That Word Note also applies for amending similar features in other Acts or instruments.

## **L. Multiple amendments and repeals**

132 There are 4 alternative methods:

- (a) multiple amendments or repeals in one item otherwise than by using a paragraphed list of provisions or a table (see Subpart L1); and
- (b) multiple amendments or repeals in one item using a paragraphed list of provisions or a table (see Subpart L2); and
- (c) multiple amendments or repeals using a separate Schedule or a separate Part of a Schedule (see Subpart L3); and
- (d) multiple amendments to change references across an Act or instrument (see generally Subpart L4).

133 You must obtain approval from the head drafter if you intend to use a multiple amending form that is not provided for in this manual.

### **L1. Multiple amendments or repeals in one item otherwise than by using a paragraphed list of provisions or a table**

134 The multiple amendments or repeals in one item method uses an amending item (other than an item containing a table or a paragraphed list of provisions) to make multiple amendments or repeals.

135 The multiple amendments or repeals in one item method can be used only where the unit of text to be amended or repealed is at the same level in each occurrence (e.g. section, subsection, and paragraph). The units do not need to be consecutive.

136 The method should not be used to amend more than one provision if amendments of one or more intervening provisions are also being made in the same amending Schedule (not broken into Parts or Divisions), or the same amending Part or Division. For example, sections 21 and 23 may not be amended in the same amending item of a Schedule, Part or Division if a different amendment of section 22 is also being included in that Schedule, Part or Division.

137 This method may be used to amend all the provisions within a specified range of provisions, indicated by the word “to” (e.g. “Sections 23 to 52”). However, the method should not be used to repeal, or repeal and substitute, a range of provisions if those provisions are broken up by higher level headings. For example, if sections 23 to 26 are in Part 3 and sections 27 to 52 are in Part 4, sections 23 to 26 should be repealed using a separate amending item to the item repealing sections 27 to 52.

138 This method should not be used to repeal more than 2 definitions at once. (See Subpart L2 in relation to multiple repeals of definitions.)

139 This method should also not be used to amend or repeal identical definitions, or table items, from multiple provisions. In that case, use a separate amendment for each provision.

140 Examples of multiple amendments and repeals at the same level are as follows.

### **42 Sections 23, 26 and 135**



Omit “cat”, substitute “dog”.

**43 Paragraphs 43(1)(a) and (b), 46(1)(b) and 136(1)(g)**

Omit “cat”, substitute “dog”.

**44 Subsections 143(1), 146(1) and 148(1), (2) and (3)**

Repeal the subsections.

**45 Subsections 64U(2) to (4)**

Repeal the subsections.

**46 Paragraphs 149(1)(a), (b) and (e)**

Repeal the paragraphs.

**47 Paragraphs 150(1)(b) to (f)**

Repeal the paragraphs.

**48 Subsections 92(1) and (1A) (penalty)**

Repeal the penalty, substitute:

Penalty: Imprisonment for 2 years or 120 penalty units, or both.

**49 Subsections 12(3) and (6) (note)**

Repeal the note.

141 The method can be used to amend a definitions provision to insert a number of definitions if there are no intervening amendments of other definitions in that provision.

142 Similarly, there are a number of instruments with large lists and it is often necessary to insert a large amount of material into these lists each time the instrument is amended. There are also similar lists in some Acts.

143 A single amendment can insert multiple items into a list, or multiple definitions into a section, even if they will not be sequential in the principal Act or instrument, as long as there are no intervening amendments.

144 Section 11A of the *Acts Interpretation Act 1901* will ensure that the terms/items are inserted in their appropriate alphabetical positions (unless the list is not alphabetical). Therefore, the amending line should just state “Insert:”.

145 An example of how to amend a definitions provision or alphabetical list to insert a number of definitions or entries if there are no intervening amendments of other definitions or entries in that provision is:

**50 Subsection 995-1(1)**

Insert:

*long term bond rate*, for a period, means:

- (a) the average, expressed as a decimal fraction to 4 decimal places (rounding up if the fifth decimal place is 5 or more), of the daily assessed Australian Government bond capital market yields in respect of 10-year non-rebate Treasury bonds published by the Reserve Bank in relation to the period; or

- (b) if no such yields in respect of bonds of that kind were published by the Reserve Bank in relation to the period, the decimal fraction determined by the Minister by legislative instrument for the purposes of this definition in relation to the period.

*miner* has the meaning given by section 300-1 of the *Minerals Resource Rent Tax Act 2012*.

*mining and quarrying operations* has the meaning given by section 40-730.

146 In the case of alphabetical lists other than lists of definitions, multiple entries can also be omitted from the list by a single item (even if they are not consecutive) as long as there are no intervening amendments of other entries in the list. For example:

## 51 Schedule 5

Omit:

*Capsicum annuum*

*Capsicum annuum* var. *acuminatum*

*Capsicum annuum* var. *annuum*

*Capsicum annuum* var. *aviculare*

*Capsicum annuum* var. *cerasiforme*

## L2. Multiple amendments or repeals in one item using a paragraphed list of provisions or a table

147 Sometimes it will be appropriate to set out multiple amendments or repeals in a table or a paragraphed list of provisions. This will usually occur, for example, where there are many amendments of a similar term or of related terms or many amendments to replace asterisks.

148 However, this method of setting out multiple amendments or repeals in a table or in a paragraphed list of provisions can create inefficiencies in compilation and publication processes (except in the case of repeals of definitions in a paragraphed list, where there are no amendments of intervening definitions by the same Schedule, Part or Division). Drafters should consider these drawbacks before choosing to use this method.

149 If a table is used, or amendments of one or more intervening provisions are also being made in the same amending Schedule (not broken into Parts or Divisions), the amending item should appear at the end of a group of items amending the Act or instrument concerned. In other words, the item containing the table or a paragraphed list of provisions would be the last item in an amending Schedule, Part or Division, unless more than one Act or instrument is amended in the Schedule, Part or Division. In that case, the item would be the last under the relevant Act or instrument title at style heading.

150 If 2 or more paragraphed lists or 2 or more multiple amendment tables amending the same Act or instrument are to be included, and the amendments to be made by one paragraphed list or table would overlap with the amendments to be made by the other paragraphed lists or tables (in that they would cause the compilers to double back in the legislation to be amended), then the second and any subsequent paragraphed list or table should be put into a separate Part or Division.

151 To make it more likely that the items will be found in searches for clashing amendments, the item heading “Amendments of listed provisions” (followed by some description if appropriate) must be used.

152 Examples are set out below.

### 52 Subsection 4(1)

Repeal the following definitions:

- (a) definition of *cat*;
- (b) definition of *dog*;
- (c) definition of *goanna*;
- (d) definition of *kangaroo*;
- (e) definition of *mouse*;
- (f) definition of *rat*;
- (g) definition of *snake*;
- (h) definition of *wallaby*.

*[This is an example of the repeal of a number of definitions in a definitions provision where there is no intervening amendment of a definition in that provision.]*

*[Note: It is not possible to repeal and substitute a number of definitions in the one item.]*

### 53 Subsection 4(1)

Repeal the following definitions:

- (a) definition of *cat*;
- (b) definition of *dog*;
- (c) definition of *goanna*;
- (d) definition of *kangaroo*;
- (e) definition of *mouse*.

### 54 Subsection 4(1) (definition of *possum*)

After “brush-tailed,” insert “ringtail.”

### 55 Subsection 4(1)

Repeal the following definitions:

- (a) definition of *rat*;
- (b) definition of *snake*;
- (c) definition of *wallaby*.

*[These 3 amendments are an example of the repeal of a number of definitions in a definitions provision where there is an intervening amendment of a definition in that provision. These would go in the normal position in the Schedule etc.]*

### 56 Amendments of listed provisions—Chief Executive Officer

Omit “General Manager” (wherever occurring) and substitute “Chief Executive Officer” in the following provisions:

- (a) section 3 (definition of *officer*);
- (b) subsection 4(2);
- (c) paragraph 6(1)(c);
- (d) subparagraphs 7(2)(f)(ii) and (iii);
- (e) subsections 10(3A) and (3B);
- (f) Schedule 3, items 7 and 9;
- (g) Schedule 4, item 9.

*[This is an example of a number of amendments done as further amendments. This would go at the end of the Schedule etc.]*

*[The words “(wherever occurring)” are only required if the words to be omitted occur more than once in one or more of the listed provisions.]*

## 57 Amendments of listed provisions—repeals

Repeal the following provisions:

- (a) subsections 14(1), 15(1) and 16(1), (2) and (3);
- (b) paragraphs 17(1)(a), (b) and (e);
- (c) subsection 18(2);
- (d) paragraph 19(3)(c);
- (e) section 20;
- (f) paragraphs 21(2)(b) and (d);
- (g) subsections 22(1) and (4).

*[This is an example of the repeal of a number of provisions done as further amendments. This would go at the end of the Schedule etc.]*

## 58 Amendments of listed provisions

<b>Further amendments</b>			
<b>Item</b>	<b>Provision</b>	<b>Omit</b>	<b>Substitute</b>
1	Section 2	Organizations	Organisations
2	Paragraph 3(2)(c)	organization	organisation
3	Subsection 5(5) (definition of <i>eligible body</i> )	organizations	organisations
4	Subsections 6(1) and 7(3)	organization	organisation
5	Paragraph 8(a)	organizations	organisations
6	Subsection 9(1)	organization	organisation
7	Schedule 6 (heading)	organization	organisation
8	Schedule 6, items 3 and 4	organizations	organisations
9	Schedule 6, item 5, column 2	organization	organisation
10	Schedule 6, items 7 and 8	organizations	organisations
11	Schedule 9 (table of contents) entry for Division 3 of Part 1	organizations	organisations
12	Schedule 9 (table of contents) entry for clause 21	organizations	organisations

*[This is an example of a number of amendments done in a table as further amendments. This would go at the end of the Schedule etc.]*

*[Note that if the text being omitted and substituted contains bold or italics, the bold or italics is not required in either the Omit or the Substitute column.]*

## 59 Amendments of listed provisions—Schedule 1

The items of the table in Schedule 1 listed in the following table are amended as set out in the table.

<b>Amendments relating to charges</b>			
<b>Item</b>	<b>Table item</b>	<b>Omit</b>	<b>Substitute</b>
1	Item 1	22,526	23,269
2	Item 2	56,316	58,174
3	Item 3	22,526	23,269
4	Item 4	112,631	116,348
5	Item 5	56,316	nil
6	Item 6	45,052	46,539
7	Items 7 and 8	112,631	116,348
8	Item 9	867,255	895,874
9	Item 10	225,261	nil
10	Item 11	11,263	11,635

## 60 Amendments of listed provisions—Part 1 of Schedule 1

The items of the table in Part 1 of Schedule 1 listed in the following table are amended as set out in the table.

<b>Amendments relating to fees</b>			
<b>Item</b>	<b>Table item</b>	<b>Omit</b>	<b>Substitute</b>
1	Item 1	25,744	26,594
2	Item 2	160,900	166,210
3	Item 3	128,721	132,969
4	Items 4 and 5	64,360	66,484
5	Item 6	128,721	132,969
6	Item 7	514,882	531,873
7	Item 8	128,721	132,969
8	Item 9	551,660	569,865
9	Item 10	128,721	132,969
10	Item 11	12,872	13,297

## 61 Amendments of listed provisions relating to asterisking

<b>Amendments relating to asterisking</b>			
<b>Item</b>	<b>Provision</b>	<b>Omit</b>	<b>Substitute</b>
1	Section 10-55	loan repayment (first occurring)	*loan repayment
2	Paragraph 15-45(2)(a)	*frequent flier points	frequent flier points
3	Subsection 41-10(7)	main residence	*main residence
4	Section 55-57	ETP	*ETP
5	Paragraph 115-27(2)(a)	*test time	test time
6	Subsections 128-10(7) and (9)	indirect tax payment	*indirect tax payment

<b>Amendments relating to asterisking</b>			
<b>Item</b>	<b>Provision</b>	<b>Omit</b>	<b>Substitute</b>
7	Subsection 128-15(6)	indirect tax payment	*indirect tax payment
8	Paragraphs 135-60(1)(d) and (e)	loan repayment (first occurring)	*loan repayment
9	Section 149-10	*asterisk	asterisk
10	Section 155-40	loan repayment (wherever occurring)	*loan repayment
11	Paragraph 260-135(2)(c)	main residence (first occurring)	*main residence
12	Paragraph 387-45(5)(b)	*frequent flier points (first occurring)	frequent flier points

*[This is an example of a number of amendments related to asterisks done in a table. This would go at the end of the Schedule etc.]*

153 Note that the items are arranged in strict order of the provisions being amended. They are not grouped according to the term to be changed. Nor are they grouped by the level of provision (section, subsection or paragraph) being amended. Provisions of the same level can be grouped (as in items 6 and 8 of the asterisking example), but only if they are being amended in the same way, and the grouping does not result in any of the grouped provisions being out of order relative to provisions amended by other items in the table.

154 Note that where the words to be amended occur more than once in a provision, words such as “(first occurring)” or “(wherever occurring)” should be included in the relevant items of the table to indicate which occurrence(s) of the words are to be amended. If you want to amend every occurrence of the specified words in every provision mentioned in the table, and the specified words occur more than once in at least one of the provisions mentioned in the table, you may include the words “(wherever occurring)” in the column heading instead of including them in individual items of the table.

### **L3. Multiple amendments or repeals using a separate Schedule or a separate Part of a Schedule**

155 If the same amendment is being made to a large number of provisions, an alternative method is to make the amendments in a separate Schedule or a separate Part of a Schedule. The first item of the Schedule or Part would set out the amendment and be followed by item headings listing the provisions to be amended. This method is suitable for amendments of a single Act or instrument and amendments of multiple Acts or instruments.

156 Acts, instruments and units of text can also be repealed using this method.

157 The approval of the head drafter is needed for using this method, except to repeal 2 or more whole Acts or instruments.

158 Here are some examples of this method:

## **Schedule 4—Amendments of certain Acts to correct references to the Remuneration Tribunal Act 1973**

### **1 Amendments of Acts**

Omit “*Tribunals*” and substitute “*Tribunal*” in the specified provisions of the Acts listed in this Schedule.

*[This form can be used to substitute the same phrase in a number of provisions if the phrase to be substituted occurs once only in the specified provisions. If the phrase occurs more than once in a provision, use the form in the next example.]*

#### ***Aboriginal and Torres Strait Islander Commission Act 1989***

##### **2 Subsection 194(3)**

#### ***Aboriginal Land Rights (Northern Territory) Act 1976***

##### **3 Subsection 77(4)**

#### ***Administrative Appeals Tribunal Act 1975***

##### **4 Subsection 9(3)**

##### **5 Subsection 53(3)**

## **Schedule 6—Amendments of other Acts to change references to the Trade Practices Act 1974**

### **1 Amendments of Acts**

Omit “*Trade Practices Act 1974*” (wherever occurring) and substitute “*Competition and Consumer Act 2010*” in the specified provisions of the Acts listed in this Schedule.

#### ***Liquid Fuel Emergency Act 1984***

##### **2 Section 43**

#### ***Telecommunications Act 1997***

##### **3 Subsections 98(2), 102(6) and 103(3)**

*[This form can be used to substitute the same phrase wherever it occurs in a number of provisions (including in notes at the foot of those provisions). Note that the phrase “(wherever occurring)” is included in item 1 after the expression that is to be omitted. If a provision that is to be amended using this form has one or more notes, it is not necessary to include “(including the notes)” in the amending item heading. The notes are considered to be part of the provision being amended, so they will also be amended.]*

## Schedule 4—Repeals of Acts

### 1 Repeals of Acts

Repeal the following Acts:

*Anti-Dumping Authority Act 1988*

*Archives Act 1983*

*Audit Act 1901*

### L4. Multiple amendments to change references across an Act or instrument

159 This method of multiple amendments may only be used with the approval of the head drafter. In the past it has mainly been used to insert feminine pronouns but it may be suitable in other cases—for example where the name of a body or office is changing.

160 If an Act or instrument requires substantial amendments of this kind, it may be appropriate to use the following general provision. You must still check each relevant provision individually to work out the best form of amendment.

#### 62 The whole of the Act

Omit every occurrence of “Federal Magistrate”, substitute “Federal Circuit Court Judge”.

#### 63 The whole of the Act

Omit every occurrence of “Federal Magistrates Court”, substitute “Federal Circuit Court”.

161 These forms of amendment will not *always* give the right result. If you plan to use this method of amendment, you must check the Act or instrument to ensure that it produces no identifiable problems.

162 When omitting and substituting expressions across a whole Act or instrument, it is not necessary, for each expression being omitted and substituted, to indicate what the formatting should be as the Publications group will format the substituted expression with the formatting of the original expression.

### L5. Commencement of multiple amendments

163 Amendments using the forms set out above should generally be expressed to commence *immediately after* all other amendments included in the same Bill or instrument have commenced.

### L6. Dangers of using multiple amendment forms

164 The use of multiple amendment forms can increase the risk of misdescribed amendments occurring.

165 In a recent case, a “misdescribed amendment” occurred in the following way.

166 The amendment was not misdescribed when it was introduced. Some months after it was introduced, another Bill was introduced that amended the same provision by a multiple



amendment form to insert feminine pronouns. The second Bill was passed, and commenced before the commencement of the first Bill. As a result, the earlier amendment could not operate as intended.

167 The “misdescribed amendment” arose because the two Bills were not passed in the order in which they were drafted; it did not arise directly from the use of the multiple amendment form. However, the drafter preparing the multiple amendments should have undertaken the normal checks for other amendments of provisions affected by the multiple amendments, and should have made appropriate commencement provisions to deal with the possibility of the second Bill being passed first.

168 If you propose to use a multiple amendment form, you will still need to run the normal checks to find other current amendments of affected provisions of the principal Act or instrument. Also, of course, when you run those normal checks in the course of drafting other kinds of amendments, you should always check for amendments expressed to apply to the whole of an Act or instrument.

## **LA. Notional text (modifications)**

169 Some provisions in legislation modify the operation of other provisions by making notional amendments of their text.

170 Some notional amendments have been formatted in the same way as amending Schedule items. For example:

### **64 Subsection 10(1)**

Repeal the subsection, substitute:

- (1) A TCF contract outworker is eligible for an advance if the Secretary is satisfied of all of the following:
  - (a) the TCF contract outworker has ceased to do work for the specified person;
  - (b) after the commencement of this section, an insolvency event happened to the specified person;
  - (c) the TCF contract outworker is (or would, apart from the discharge of the bankruptcy of the specified person, be) owed one or more debts wholly or partly attributable to work done for the specified person in the capacity of an outworker.

171 To amend notional text that has been inserted using items formatted like amending Schedule items, use the amending forms set out in Subpart P2 for amendments of amending Schedules. For example:

### **65 Item 6 of Schedule 1 (paragraph 10(1)(c))**

Repeal the paragraph.

172 Sometimes notional text is included within a section in the body of an Act or instrument. For example:

## **8 Legal Services Directions**

Section 55ZF of the *Judiciary Act 1903* applies as if that section included the following subsections:

- (5) Subsection (4) ceases to apply at the earlier of the following times:
  - (a) the end of the first reporting period that commences at or after the commencement time;
  - (b) the time when the directions are repealed.

...

173 To amend notional text that has been included within a section in the body of an Act or instrument, identify the section first and then, in parentheses, identify the part of the notional text to be amended. For example:

### **66 Section 8 (paragraph 55ZF(5)(a) of the *Judiciary Act 1903*)**

Omit “at or after the commencement time”, substitute “on or after 1 July 2014”.

## ***M. Readers guides***

174 If you are drafting amendments of legislation containing a readers guide, you should, if possible, repeal the readers guide by formal amendment. If appropriate, the readers guide can be replaced with a simplified outline.

175 If you are planning to create or amend a readers guide, you must consult the head drafter.

176 Because of the variety of forms that readers guides take, drafters will need to adapt the standard amending forms to suit the particular guide they are amending. Note, however, that this does not extend to matching case or including any apostrophe in “Readers”. The correct form is “Readers guide” (i.e. no apostrophe in “Readers” and no initial capital letter for “guide”). Some examples are as follows:

**67 Readers guide (third paragraph under the heading “Overview of this Act”)**

Omit “of this Act”.

**68 Readers guide (list of terms defined in section 6)**

Omit “approved trading house”.

**69 Readers guide (diagram 2)**

Repeal the diagram.

## **N. Renumbering**

177 Provisions should not be renumbered except in exceptional cases, or, in the case of a billable instrument, on express instructions.

### **N1. Renumbering a whole Act or instrument**

178 To renumber an Act or instrument, include an item in the amending Schedule modelled on Schedule 5 to the *Workplace Relations Amendment (Work Choices) Act 2005* (No. 153 of 2005). (However, note that the precedent will need to be adapted if it is necessary to renumber Chapters.)

### **N2. Renumbering an individual provision**

179 To renumber a specific provision, use the following forms:

#### **70 Section 49A**

Renumber as section 75.

#### **71 Subsection 10(2A)**

Renumber as subsection (3).

180 If the text of the renumbered provision needs to be amended by the same amending Act or instrument, the amendment should refer to it by its former number.

### **N3. Renumbering to correct duplicated numbers**

181 The following form should be used to renumber a provision that has the same number as another provision, where the provisions were inserted by different amending Acts or instruments:

#### **72 Subclause 10(2A) of Schedule 5 (the subclause (2A) inserted by item 85 of Schedule 6 to the *Veterans' Affairs Legislation Amendment Act (No. 1) 2002*)**

Renumber as subclause (2B).

182 The following form should be used to renumber a provision that has the same number as another provision, where the provisions were inserted by the same Act or instrument:

#### **73 Subsection 21(6) (second occurring)**

Omit “(6) The person”, substitute “(7) The person”.

*[These are examples of statute law revision amendments. For more information on Statute Law Revision amendments, see Drafting Direction 4.4.]*

### **N4. When an amendment contracts a section to a single block of text**

183 While in many cases it may be possible to use the power under Division 3 of Part 2 of Chapter 2 of the *Legislation Act 2003* to make editorial changes (in preparation of a compilation) to remove a “phantom” subsection number left after an amendment contracts a section to a single block of text, this will not always be the case.

184 When an amendment contracts a section to a single block of text, the remaining text should be amended so that no “phantom” subsection number remains.

185 To avoid this, as well as the oddity of “phantom” subsection numbers:

- (a) the drafter should amend the remaining subsection to omit whatever subsection number precedes its text; and
- (b) if the text of that remaining subsection needs to be amended by the same amending Act or instrument, the amendment should refer to it by its subsection number.

186 The amendments should commence at the same time.

187 Drafters should also check for any affected cross-references.

#### **N5. Fixing “phantom” subsection numbers in already-contracted sections**

188 If, when amending an Act or instrument, a drafter notices in the Act or instrument a subsection number appearing before a single block of text constituting a section:

- (a) the drafter should either:
  - (i) suggest to the General Manager Publishing (in accordance with Drafting Direction No. 4.4) that an editorial change be made to omit the subsection number; or
  - (ii) draft an amendment to omit the subsection number; and
- (b) if the drafter drafts an amendment to omit the subsection, and the text of the section needs to be amended by the same amending Act or instrument, the amendments should still refer to the provision being amended using the subsection number.

189 The amendments should commence at the same time.

190 Drafters should also check for any affected cross-references.

#### **N6. Adding a subsection to a section that is not divided into subsections**

191 When one or more subsections are added to a section that is not divided into subsections:

- (a) the drafter should insert a “(1)” before the existing opening text of the section; and
- (b) if the existing text needs to be amended by the same amending Act or instrument, the amendment should refer to it by its section number (not as subsection (1)).

192 The amendments should commence at the same time.

193 Drafters should also check for any affected cross-references.

## **P. Schedules**

194 Schedules often contain units that correspond to units found in the body of an Act or instrument, for example, clauses or items (corresponding to sections), subclauses or subitems (corresponding to subsections), paragraphs, definitions etc. The amendment forms deal with these units in Schedules in a way that corresponds closely to the way they would be dealt with if they appeared in the body of an Act or instrument. The general principle is to use the same form as for the body of an Act or instrument, with the addition of the words “of the Schedule”, “of Schedule 1” etc. The following examples illustrate this principle.

### **P1. Amendments of non-amending Schedules**

195 Provisions in non-amending Schedules that are formatted like sections are usually called clauses. However, they are sometimes called items or sections. They are amended by identifying in the item heading the clause, item or section number, followed by the Schedule number.

#### **74 Subclause 200(4) of Schedule 1**

After “frog”, insert “, toad”.

#### **75 Subclause 200(4) of the Schedule (paragraph (b) of the definition of *animal*)**

After “frog”, insert “, toad”.

#### **76 Subclause 010.211(1) of Schedule 2**

Omit “(5) or (6)”, substitute “(5), (6) or (7)”.

#### **77 Subclause 1.2.3(3) of Schedule 1**

Omit “vaccine”, substitute “medicine”.

#### **78 Subparagraph 1.2.8(2)(a)(i) of Schedule 1**

After “medical practitioner”, insert “or a hospital”.

#### **79 Division 2.42 of Schedule 1 (heading)**

Repeal the heading, substitute:

#### **80 Item 5 of Part 3 of Schedule 1 (heading)**

Repeal the heading, substitute:

#### **81 Subitem 5.3 of Part 3 of Schedule 6**

Repeal the subitem, substitute:

#### **82 Paragraph 5.10(a) of Part 3 of Schedule 6**

Omit “authorised officer”, substitute “inspector”.

196 Items in tables or numbered lists in a non-amending Schedule should be amended using the forms for tables, regardless of whether the items are called “table items” or just “items”. Whether the term “table item” or “item” is used in the amending form depends on how the provision is referred to in the legislation to be amended.

197 If the table or numbered list is within a clause, the clause should be identified first followed by the Schedule reference. If there is no clause, but the table or numbered list is

within a Part, the Part should be identified first followed by the Schedule reference. If the table does not belong to a clause or Part, just the Schedule is identified. This is then followed in parenthesis by the location of the amendment in the table or numbered list.

198 If a list is formatted as a table, any substituted or inserted table items should be formatted with `Tabletext,tt` style, regardless of whether the table to be amended has been formatted with the `Tabletext,tt` style or with some other style. However, if you are amending a table in a billable instrument that does not use `Tabletext,tt` style, check with the head drafter as to which style to use.

199 If a list is not formatted as a table, any substituted or inserted items should match as closely as possible the style already used for the other items in the provision. If in doubt as to which style to use, check with the head drafter.

### **83 Clause 23 of Schedule 1 (table item 3, column 4)**

Omit “Board”, substitute “Commission”.

### **84 Part 2 of Schedule 6 (cell at item 1A, column 3)**

Repeal the cell, substitute:

To suspend an approved provider from  
making appraisals under section 25-3 and  
reappraisals under section 27-5

*[The substituted cell should be aligned with the word “Repeal”.]*

### **85 Schedule 9 (item 11)**

Repeal the item, substitute:

11. Australian Capital Territory

### **86 Part 1 of Schedule 10 (table item 8)**

Repeal the item, substitute:

8	New South Wales	10,239,835
---	-----------------	------------

### **87 Part 4 of Schedule 11 (item 10)**

Omit “868-85-9”, substitute “868-86-9”.

### **88 Part 2 of Schedule 13 (item 41, column headed “Requirements”, after paragraph (f))**

Insert:

(fa) the number of persons; or

*[See Part S for further examples.]*

## **P2. Amendments of amending Schedules**

200 The rules in Word Note 4.2 about “Special” style (and, if relevant, Transitional style) apply in drafting an amendment of an amending Schedule to include in that Schedule a new or substitute heading (to the Schedule, or to a Part, Division or item of it or to indicate legislation being amended by the Schedule).

### **89 Item 200 of Schedule 1 (heading)**

Repeal the heading, substitute:

**200 Transitional provisions**

**90 Item 200 of Schedule 1 (heading)**

After “**Transitional**”, insert “**and application**”.

**91 Item 200 of Schedule 1**

Omit “the paragraph”, substitute “the subparagraph”.

**92 Item 57 of Schedule 1 (after subsection 148C(2))**

Insert:

**93 Item 200 of Schedule 1 (paragraph (b) of the definition of *frog* in subsection 32(9A))**

Omit “groan”, substitute “green”.

**94 Subitem 200(4) of Schedule 1**

After “1995, ”, insert “1996”.

*[In this example, the amendment is being made to an application subitem in a Schedule to an amending Bill. Amending or repealing items are never divided into subitems.]*

**95 Items 9 and 10 of Schedule 5**

Repeal the items.

*[The above form is to be used to repeal an amending item or items. If the repeal will mean that there are no amending items remaining under the relevant Act or instrument title at style heading, you will also need to include a separate amending item to repeal that heading (see the example below).]*

**96 Schedule 5 (heading specifying *Fair Work Act 2009*)**

Repeal the heading.



## **Q. Short titles**

201 If you draft an amending item that amends the short title of an Act, you should insert the following note under the item:

Note: This item amends the short title of the Act. If another amendment of the Act is described by reference to the Act's previous short title, that other amendment has effect after the commencement of this item as an amendment of the Act under its amended short title (see section 10 of the *Acts Interpretation Act 1901*).

202 A note is not required for an amending item that amends the name of an instrument.

## **R. Simplified outlines**

203 When amending a simplified outline, the words “simplified outline” should not be used in the amending item heading unless it is not possible to identify the simplified outline by reference to a section number. For example, if a simplified outline is contained in section 5 of an Act or instrument, it should be identified as “Section 5” in the amending item heading not “Section 5 (simplified outline)”.

204 The text being added or inserted should be in simplified outline style.

205 If a simplified outline is not broken into units e.g. paragraphs, it should be amended using the standard amending forms.

206 If a simplified outline is broken into units, e.g. paragraphs, and the changes are not such as to warrant repealing and substituting the outline, there are 2 methods available for amending the outline.

207 The first method is to identify the unit of text affected in the heading to the amending item. Some examples are as follows:

### **97 Section 101 (after the paragraph beginning “Division 4”)**

Insert:

Division 5 allows the Secretary to establish one or more offshore security zones on and around a security regulated offshore facility.
--

### **98 Section 101 (paragraph beginning “Division 4”)**

Omit “Commission”, substitute “Tribunal”.

### **99 Section 101 (paragraph beginning “Division 4”)**

Repeal the paragraph.

208 The word “paragraph” may be used in an item heading to describe a paragraph formatted as a dot point (and the item heading must not use the phrase “dot point”).

209 You should not identify the text by counting the paragraphs e.g. “Section 101 (second paragraph)”. This is to minimise the possibility of misdescribed amendments and the need for contingent commencements if paragraphs are being inserted in, or omitted from, the simplified outline by another Act or instrument.

210 The second method is to identify the unit of text affected in box form. Some examples are as follows:

### **100 Section 101**

After:

Division 4 allows the Secretary to establish one or more on-board security zones on a regulated Australian ship.
--

insert:

Division 5 allows the Secretary to establish one or more offshore security zones on and around a security regulated offshore facility.

## 101 Section 101

Omit:

Division 4 allows the Secretary to establish one or more on-board security zones on a regulated Australian ship.

substitute:

Division 4 allows the Secretary to establish one or more on-board security zones on a regulated Australian ship. It also allows the Secretary to vary those zones.

## 102 Section 4

Omit:

- This Act establishes the Australian Civilian Corps.

substitute:

- This Act establishes the Australian Civilian Corps. The Australian Civilian Corps consists of persons engaged under this Act as Australian Civilian Corps employees.

211 When using the second method, it does not matter whether boxed text quoted to indicate the location of the amendment (or the text being omitted) is formatted using the old styles for boxed text or the newer styles for simplified outlines. A whole word-processing paragraph of text to be included (by the first or second method) in a simplified outline should always be formatted using the relevant newer style for simplified outlines.

212 Choosing which method to use depends on what is the clearest and easiest way of identifying the affected text. For example, if a simplified outline is broken into both paragraphs of unnumbered text and lettered paragraphs, using the first method may cause confusion if the only way to identify the text affected is by reference to the “paragraph” it is in. In such a case, the second method may be the clearest way of identifying the affected text.

213 If, in a particular case, you want to adopt an approach other than the first approach and second approach you will need to seek the approval of the head drafter.

## **S. Tables**

214 The forms for amending tables follow the same principles as for ordinary text. Amendments of tables need to identify the unit in which the table appears.

215 The amendments need to unambiguously identify the text to be amended. You should do this in a way that is convenient to the reader. This will very often involve referring to table items, column headings or numbers, or both.

### **S1. Repealing a table**

216 The form of the amendment is:

#### **103 Section 23 (table)**

Repeal the table.

*[This form and the other forms in this Part may need to be modified if there are 2 or more tables in the provision being amended (as in some Divisions of the Health Insurance (General Medical Services Table) Regulation 2012).]*

#### **104 Regulation 201.004 (table 201.004)**

Repeal the table.

*[This form is used for numbered tables such as those found in the Civil Aviation Safety Regulations 1998.]*

### **S2. Replacing the whole of an item or inserting an item in a table**

217 In the following discussion, and elsewhere in this manual, table rows are generally referred to as items.

218 Sometimes it will be more convenient, or more helpful to readers, to replace the whole of an item in a table (for example, if amendments are required in more than one cell in the item).

219 Amendments to replace the whole of an item in a table should identify the section (etc.), the table and the item. The substituted text should be in the form of item(s) from the table and be formatted in the appropriate font, size and typeface. The cells in the item(s) should be roughly the size of the original cells and be positioned in approximately the same position as the original cells. Horizontal lines are not to be included before or after any items being inserted, only between table items where more than one item is being inserted.

#### **105 Section 23 (table item 2)**

Repeal the item, substitute:

2	New South Wales	10,239,835
---	-----------------	------------

220 The form of the amendment to insert a table item is as follows. The cells in the item(s) should be roughly the size of the original cells and be positioned in approximately the same position as the original cells.

#### **106 Section 23 (after table item 2)**

Insert:

2A	New South Wales	10,239,835
2B	Northern Territory	20,235,535
2C	Queensland	9,234,585

221 Where a number of table items are grouped under a table subheading, a new item may be included at the end of the grouped table items using the following form:

**107 Schedule 2 (at the end of the table items headed “Victoria”)**

Add:

5A	Melbourne	10,239,835
----	-----------	------------

222 An amendment to insert an item in a table whose items are not numbered but are arranged in alphabetical order need not specify where the insertion is to occur (but can rely on the location of the new item being worked out under section 11A of the *Acts Interpretation Act 1901*).

**S3. Referring to an unnumbered item in a table**

223 If you need to refer to an item or a cell in a table in which the items are not numbered, the words “table item x” in the identifying words should be replaced with “table item dealing with x”. The form “table item relating to x” should not be used.

**108 Section 23 (table item dealing with the Australian Capital Territory)**

Repeal the item, substitute:

Australian Capital Territory	10,239,835
------------------------------	------------

**109 Section 23 (cell at table item dealing with the Australian Capital Territory, column headed “amount”)**

Repeal the cell, substitute:

10,239,835

**S4. Repealing a column in a table**

224 If you are considering repealing an entire column of a table, you must seek approval from the head drafter. This is because of the difficulties with formatting that may result from doing so.

**S5. Referring to an unnumbered column in a table**

225 If you need to refer to a column or a cell in a table in which the columns are not numbered, the columns should not be identified by reference to a column number. Instead, the identifying words should refer to “column headed ‘x’”. Note that the forms “column dealing with x” and “column relating to x” should not be used.

**110 Section 85-1 (cell at table item 27, column headed “Decision”)**

Repeal the cell, substitute:

To suspend an approved provider from making appraisals under section 25-3 and reappraisals under section 27-5

## **S6. Replacing a cell in a table**

226 Sometimes it will be more convenient, or more helpful to readers, to replace the whole of a cell in a table. A “cell” refers to all the text in a column that relates to a table item. It does not refer to the formatting in Word.

227 It is a matter for discretion whether to use this approach or to use one of the other approaches outlined in this Part. If the cell contains only a small number of words or figures, it may be simpler to amend it by omitting and substituting the text, even if the whole text of the cell is to be replaced (see Subpart S10).

228 Amendments to replace the whole of a cell in a table should identify the section (etc.) and the cell in the table. The substituted text should be in a table cell and should be formatted in the appropriate font, size and typeface. No lines should be included. The cell should be roughly the size of the original cell and be aligned with the same margin as the text of the amending words of the amending item (regardless of which column of the table the cell is in).

### **111 Section 23 (cell at table item 3, column headed “State/Territory”)**

Repeal the cell, substitute:

Australian Capital Territory

## **S7. Amending a heading or subheading in a table**

229 Any heading or subheading in a table may be amended by adding, inserting, omitting or substituting words in the heading, or repealing and substituting the whole heading or subheading.

230 The overall heading in the first row of the table is referred to as the “table heading”, the headings to the columns (usually in the second row of the table) are referred to as the column headings and any headings grouping items within the table are referred to as subheadings.

231 In some cases, table items will have their own individual bold headings. Such headings are treated as part of the item and are automatically repealed if the item is repealed.

232 The heading in the first row of a table is amended as follows:

### **112 Subsection 172(2) (table heading)**

Repeal the heading, substitute:

**Individual grantor details—permitted searches**

### **113 Subsection 172(2) (table heading)**

Omit “grantor”, substitute “grantee”.

233 Column headings are amended as follows:

### **114 Section 5-2 (table, heading to column headed “Community care subsidy”)**

Repeal the heading, substitute:

**Home care subsidy**

### **115 Subsection 260(1) (table, heading to column 3)**

Repeal the heading, substitute:

**Column 3**

**Titles Administrator**

**116 Subsection 260(1) (table, heading to column 3)**

Omit “**Titles**”, substitute “**General**”.

*[The column heading includes the column number.]*

234 If a table does not have an overall heading but has column headings, or if you want to amend the overall heading as well as the column headings, the following form may be used. However, this form is not appropriate where the table also contains a number of subheadings that are not being amended, as there may be some confusion as to whether those subheadings are covered by the reference to “headings”:

**117 Regulation 15AB (table, headings)**

Repeal the headings, substitute:

**Calculating periods of time**

---

**Item Column 1**

**If the period of time:**

**Column 2**

**then the period of time:**

235 Table subheadings that are numbered are amended as follows:

**118 Rule 20.001 (table, Part 2 (subheading))**

Repeal the subheading, substitute:

**Part 2—Calculating periods of time**

**119 Rule 20.001 (table, Part 2 (subheading))**

Omit “**Part 2**”, substitute “**Part 3**”.

236 Table subheadings that are unnumbered, but that can be referred to by reference to a table item, are amended as follows:

**120 Rule 20.00A (subheading before table item 31, column 2)**

Repeal the subheading, substitute:

**Calculating periods of time**

**121 Rule 20.00A (subheading before table item 31, column 2)**

Omit “**Calculating**”, substitute “**Working out**”.

237 Table subheadings that are unnumbered, and that cannot be referred to by reference to a table item, are amended as follows:

**122 Section 539 (table, subheading “Other provisions”)**

Repeal the subheading, substitute:

**Even more provisions**

**123 Section 539 (table, subheading “Other provisions”)**

Omit “**Other**”, substitute “**Even more**”.

*[You should consider whether the unnumbered table subheadings could be replaced with table subheadings that contain Part numbers.]*

### **S8. Replacing, inserting or adding a paragraph in a table**

238 Sometimes it will be more convenient, or more helpful to readers, to replace, insert or add a paragraph in a table. The paragraph to be substituted, inserted or added should be formatted with Table(a),ta style. It should not be formatted in a cell but should line up with the left page margin.

#### **124 Section 57 (table item 3, column 3, paragraph (a))**

Repeal the paragraph, substitute:

(a) the number of persons; and

#### **125 Schedule 11 (table item 1A.01, column headed “Activity”, paragraph (e))**

Repeal the paragraph, substitute:

(e) the number of persons;

#### **126 Section 23 (table item 2, column 2, after paragraph (b))**

Insert:

(ba) the number of persons; or

#### **127 Section 46 (at the end of the cell at table item 4, column 3)**

Add:

; or (n) the number of persons.

### **S8A. Replacing or inserting a formula in a table**

239 If you are substituting or inserting a formula in a table, the formula should be formatted with Tabletext,tt style (or Table(a),ta style if it is within a paragraph). It should line up with the left page margin.

#### **128 Section 10 (table item 3, column 2, formula)**

Repeal the formula, substitute:

$$\frac{\text{Assets excess} \times 19.5}{250}$$

### **S9. Repealing and substituting a Part in a table**

#### **129 Section 12 (table, Part 2)**

Repeal the Part, substitute:

##### **Part 2—Instrument approach endorsements**

---

8	IAP 2D instrument endorsement	Conduct a 2D instrument approach operation	
9	IAP 3D instrument endorsement	Conduct a 3D instrument approach operation	IAP 2D instrument endorsement



## **S10. Amending words in a table**

240 Amendments to words in tables should identify the section (etc.), the table, and if necessary (or if it would be more useful to readers) the location of the words in the table.

### **130 Section 23 (table)**

Omit “Board”, substitute “Commission”.

### **131 Subsection 6(1) (table in paragraph (a) of the definition of *percentage*)**

After “cat”, insert “dog”.

### **132 Section 23 (table item 3)**

Omit “Board”, substitute “Commission”.

### **133 Subregulation 201.004(2) (table 201.004, item 3)**

Omit “Board”, substitute “Commission”.

*[This form is used for numbered tables such as those found in the Civil Aviation Safety Regulations 1998.]*

### **134 Section 23 (table item 3, column 4)**

Omit “Board”, substitute “Commission”.

### **135 Section 57 (table item 3, column headed “Activity”, paragraph (a))**

Omit “member”, substitute “members”.

### **136 Schedule 11 (table item 1A.01, column headed “Assessment component”, fee relating to paragraph (d))**

Omit “nil”, substitute “\$150”.

*[This form is used where the fee is opposite the paragraph referred to but not within the paragraph. For example, see table item 1A.01 in Schedule 11 to the Environment Protection and Biodiversity Conservation Regulations 2000.]*

### **137 Section 116-25 (at the end of the cell at table item A1, column headed “Special rules:”)**

Add:

If the disposal is a disposal of part of an interest in a \*mining, quarrying or prospecting right under a \*farm-in farm-out arrangement: see section 116-115

## ***T. Amendments of particular legislation***

### **T1. *Agricultural and Veterinary Chemicals Code Act 1994***

241 The Schedule to the *Agricultural and Veterinary Chemicals Code Act 1994* sets out the Agricultural and Veterinary Chemicals Code. The Act does not contain a provision stating that the Schedule is to be cited in a certain way (except as it applies as a law for the government of the participating Territories).

242 The Schedule should be amended as follows:

#### ***Agricultural and Veterinary Chemicals Code Act 1994***

##### **138 Subsection 31(3) of the Code set out in the Schedule**

Omit “dog”.

### **T1A. *Corporations Act 2001***

243 The tables in subsection 1317E(3) of and Schedule 3 to the *Corporations Act 2001* specify the penalties for various civil penalty provisions and offences under the Act.

244 As there are no item numbers in the tables, they should be amended as follows:

#### ***Corporations Act 2001***

##### **138A Subsection 1317E(3) (in the appropriate position in the table)**

Insert:

subsection 588G(2)	insolvent trading	corporation/scheme
subsection 588GAB(2)	preventing creditor-defeating dispositions	corporation/scheme

##### **138B Schedule 3 (in the appropriate position in the table)**

Insert:

Subsections 1679B(1) and (2)	30 penalty units
------------------------------	------------------

245 A single amendment can insert multiple items into the table, as long as there are no intervening items.

### **T2. *Criminal Code***

246 The Act being amended should be referred to as the *Criminal Code Act 1995* and the Schedule being amended should be referred to as the *Criminal Code*.

#### ***Criminal Code Act 1995***

##### **139 Section 10.6 of the *Criminal Code***

Omit “, unless the person objects in writing to the investigating officer within 21 days after receiving the summons”.

##### **140 Subsection 45.8(1) of the *Criminal Code* (paragraph (a) of the definition of *staff member*)**

Omit “or officer”.

#### **141 Subparagraph 72.4(1)(b)(ii) of the *Criminal Code***

Omit “under subsection (3)”.

247 Note that the sections and other units of the *Criminal Code* are referred to as sections etc. *of* the *Criminal Code* and not sections etc. *in* the *Criminal Code*.

248 Finally, because the Dictionary forms part of the *Criminal Code* but does not have any sections, a reference to it should take the place of the normal section reference and be worded as follows:

#### **142 Dictionary in the *Criminal Code* (definition of *staff member*)**

Omit “or officer”.

#### **143 Dictionary in the *Criminal Code***

Insert:

*criminal* means ...

### **T3. Marine Safety (Domestic Commercial Vessel) National Law**

249 The Act being amended should be referred to as the *Marine Safety (Domestic Commercial Vessel) National Law Act 2012* and the Schedule being amended should be referred to as the Marine Safety (Domestic Commercial Vessel) National Law.

#### ***Marine Safety (Domestic Commercial Vessel) National Law Act 2012***

#### **144 Section 6 of the Marine Safety (Domestic Commercial Vessel) National Law**

Omit “cat”, substitute “dog”.

*[Note that italics should not be used to refer to the National Law because there are no italics in the citation provision for the National Law.]*

### **T4. National Credit Code**

250 The Act being amended should be referred to as the *National Consumer Credit Protection Act 2009* and the Schedule being amended should be referred to as the *National Credit Code*.

#### ***National Consumer Credit Protection Act 2009***

#### **145 Section 12 of the National Credit Code**

Omit “cat”, substitute “dog”.

### **T5. Social Security Act 1991 and Veterans’ Entitlements Act 1986**

251 Forms for amending certain provisions of the *Social Security Act 1991* and the *Veterans’ Entitlements Act 1986* are in Word Note 4.6.

#### **T6. *Civil Aviation Safety Regulations 1998* and *Civil Aviation Regulations 1988***

252 Forms for amending certain provisions of the *Civil Aviation Safety Regulations 1998* and the *Civil Aviation Regulations 1988* are to be included in a Word Note (not yet available).

#### **T7. Health Insurance (... Services Table) Regulations**

253 Forms for amending items of the tables in the *Health Insurance (General Medical Services Table) Regulations* and other Health Insurance (... Services Table) Regulations are included in Word Note 4.7.

#### **T8. *Migration Regulations 1994***

254 Forms for amending certain provisions of the *Migration Regulations 1994* are to be included in a Word Note (not yet available).

## **Appendix 1B—Amendment forms (examples)**

### **A1. Repealing an Act or instrument**

#### **1 Repealing a whole Act or instrument**

*[Repeals of complete Acts are to be included in a separate amending Schedule, Part or Division from other amendments (except for any associated application, saving or transitional provisions).]*

*[Repeals of complete instruments are to be included in a separate amending Schedule in a new principal instrument or in a separate amending Schedule or Part in an amending instrument.]*

#### ***XYZ Act 1901***

##### **146 The whole of the Act**

Repeal the Act.

#### ***TUV Regulation 2013***

##### **147 The whole of the instrument**

Repeal the instrument.

#### ***PQR Regulations 1990***

##### **148 The whole of the instrument**

Repeal the instrument.

#### ***ABC Principles 1999***

##### **149 The whole of the instrument**

Repeal the instrument.

#### ***Proclamation made on 3 October 2002 under subsection 390D(1) of the Environment Protection and Biodiversity Conservation Act 1999 (Federal Register of Legislation No. F2007B00734)***

##### **150 The whole of the instrument**

Repeal the instrument.

#### ***Determination (Statutory Rules 1998 No. 3) made on 27 June 1999 under section 4 of the Principal Act 1999 (Federal Register of Legislation No. FXXXX)***

##### **151 The whole of the instrument**

Repeal the instrument.

*ABC Court Rules 2017*

**152 The whole of the Rules**

Repeal the Rules.

## **A2. Repealing a unit**

### **2 Repealing a Chapter, Part, Division or Subdivision**

#### **153 Part 3 of Chapter 4**

Repeal the Part.

#### **154 Division 2 of Part 3 of Schedule 1**

Repeal the Division.

### **3 Repealing a Schedule**

#### **155 Schedule**

Repeal the Schedule.

#### **156 Schedule 3**

Repeal the Schedule.

### **4 Repealing the heading to a Chapter, Part, Division, Subdivision, section or subsection (or equivalent unit)**

#### **157 Part 3 of Chapter 4 (heading)**

Repeal the heading.

#### **158 Division 3 of Part 2 of Schedule 1 (heading)**

Repeal the heading.

#### **159 Subsection 17(2) (heading)**

Repeal the heading.

### **5 Repealing an amended Act or instrument title at style heading**

#### **160 Schedule 5 (heading specifying *Fair Work Act 2009*)**

Repeal the heading.

### **6 Repealing a section or subsection (or equivalent unit)**

#### **161 Section 11**

Repeal the section.

#### **162 Clause 6 of Schedule 3**

Repeal the clause.

#### **163 Items 9 and 10 of Schedule 1**

Repeal the items.

*[If the repeal of items of an amending Schedule will mean that there are no amending items remaining under the relevant Act or instrument title at style heading, you will also need to include a separate amending item to repeal that heading (see Repealing an amended Act or instrument title at style heading above).]*

### **164 Subsection 11(2)**

Repeal the subsection (not including the heading).

*[This form is to be used if you are repealing a subsection that has a heading that is still appropriate for one or more succeeding subsections.]*

### **165 Subsection 5(4)**

Repeal the subsection (not including the note).

*[This form is to be used if you are repealing a subsection with a note at its foot, and you wish to retain the note. This might be necessary if the subsection is the last subsection in the section and the note relates to the whole section. However, this form may be used to repeal any subsection with a note at its foot without repealing the note. See also the next example.]*

### **166 Subsection 5(6)**

Repeal the subsection (including the note).

*[This form is to be used if you are repealing the last subsection in a section with a note at its foot, and you need to make it clear that the note is also being repealed. Note that it is not necessary to include the words in parenthesis if you are repealing a subsection and a note at its foot (other than the last subsection); the note is treated as part of the subsection so it will also be repealed. This rule also applies to a penalty at the foot of a subsection.]*

### **167 Subsection 11(2)**

Repeal the subsection.

*[If all but one of the subsections in a section are repealed, the remaining subsection needs to be converted to a section by omitting the subsection number. If the subsection has a subsection heading, this needs to be repealed. The amendments should commence at the same time. The following is an example (located before the amendment that repeals the subsections).]*

### **168 Subsection 11(1) (heading)**

Repeal the heading.

### **169 Subsection 11(1)**

Omit “(1)”.

*[If the subsection contains any cross-references to another subsection numbered (1), the words “(first occurring)” need to be added after the “(1)”. Also, check whether in other provisions there are any cross-references to the subsection that need amendment.]*

*If it is necessary to amend the text of the remaining subsection, the amendment of that text should refer to the remaining subsection by its existing subsection number.*

*If, when amending an Act or instrument, a drafter notices in the Act or instrument a subsection number appearing before a single block of text constituting a section, the drafter should either suggest to the General Manager Publishing (in accordance with Drafting Direction No. 4.4) that an editorial change be made to omit the subsection number or draft*



*an amendment to omit the subsection number. If it is necessary to amend the text of the section, the amendment of that text should still refer to it by the subsection number.]*

**170 Subclause 11(2) of Schedule 3**

Repeal the subclause.

**7 Repealing a paragraph, subparagraph or sub-subparagraph**

**171 Paragraph 51(3)(c)**

Repeal the paragraph.

**172 Paragraph 51(3)(c) of Schedule 3**

Repeal the paragraph.

**173 Subsection 4(1) (subparagraph (a)(ii) of the definition of *office*)**

Repeal the subparagraph.

**174 Subclause 4(1) of Schedule 3 (subparagraph (a)(ii) of the definition of *office*)**

Repeal the subparagraph.

**8 Repealing a final paragraph, subparagraph or sub-subparagraph**

**175 Subparagraph 17(1)(b)(iii)**

Omit “and” (last occurring).

**176 Subparagraph 17(1)(b)(iv)**

Repeal the subparagraph.

*[If the provision being amended is in the old form, with the conjunction appearing only at the end of the penultimate paragraph, subparagraph or sub-subparagraph, an additional amendment is required. This amendment should insert the appropriate conjunction at the end of each other paragraph, subparagraph or sub-subparagraph (other than the last), as in the following examples.]*

**177 At the end of subparagraphs 17(1)(b)(i) and (ii)**

Add “and”.

**178 At the end of paragraphs 17(1)(a) to (p)**

Add “and”.

*[If the remaining paragraph etc. will be the end of the section or subsection, you will need to amend it to omit the semi-colon, and any conjunction, and replace it with a full stop (as in the following example).]*

**179 Subparagraph 17(1)(b)(iii)**

Omit “Minister; and”, substitute “Minister.”.

**9 Repealing a definition**

**180 Subsection 4(1) (definition of *Director*)**

Repeal the definition.

**181 Part 1 of the Dictionary (definition of *free balloon*, twice occurring)**

Repeal the definitions.

*[Use this form to repeal 2 definitions of the same term in the same provision.]*

*[See Part L of Appendix 1A for examples of repealing multiple definitions in the one item.]*

**182 Subclause 4(1) of Schedule 3 (definition of *Director*)**

Repeal the definition.

**10 Repealing a penalty**

**183 Subsection 108(2) (penalty)**

Repeal the penalty.

**184 Section 59 (penalty)**

Repeal the penalty.

*[This form should be used only if the section is not divided into subsections. If the section is divided into subsections, the penalty should be identified by reference to the last subsection of the section.]*

**10A Repealing a note**

**185 Subsection 10(4) (note)**

Repeal the note.

**186 Subsection 10(5) (note 2)**

Repeal the note.

*[If only one note now remains, remember to amend it to omit “Note 1” and substitute “Note”.]*

**187 Subsection 6(1) (note to the definition of *associate*)**

Repeal the note.

**188 Subsection 5(2) (second note)**

Repeal the note.

*[This form is only used if the notes are not numbered.]*

**189 Section 4 (second note to the definition of *under co-payment data*)**

Repeal the note.

*[This form is only used if the notes are not numbered.]*

**190 Section 4 (note at the end)**

Repeal the note.

*[This form is used if there is an unnumbered note at the end of the section plus one or more notes in other locations within the section and it would not otherwise be clear which note is being referred to.]*

**191 Section 4 (notes at the end)**

Repeal the notes.

*[This form is used if there are multiple unnumbered notes at the end of the section plus one or more notes within the section and it would not otherwise be clear which notes are being referred to.]*

**192 Section 4 (note 1 at the end)**

Repeal the note.

*[This form is used if there are notes numbered “Note 1” in multiple locations within the section and it would not otherwise be clear which note is being referred to.]*

**193 Subsection 4(2) (note 2 at the end)**

Repeal the note.

*[This form is used if there are notes numbered “Note 2” in multiple locations within the subsection and it would not otherwise be clear which note is being referred to.]*

**11 Repealing a table or table item**

**194 Subsection 6(2) (table)**

Repeal the table.

**195 Subclause 6(2) of the Schedule (table)**

Repeal the table.

**196 Subsection 6(2) (table item 6)**

Repeal the item.

**197 Subsection 6(2) (table item dealing with eligible pensioners)**

Repeal the item.

*[In this example, the table items are not numbered.]*

## **A3. Omitting words**

### **12 Omitting words from a long title**

#### **198 Title**

Omit “the collection of”.

### **13 Omitting words from a short title**

#### **199 Section 1**

Omit “*National*”.

Note: This item amends the short title of the Act. If another amendment of the Act is described by reference to the Act’s previous short title, that other amendment has effect after the commencement of this item as an amendment of the Act under its amended short title (see section 10 of the *Acts Interpretation Act 1901*).

### **14 Omitting words (including a complete sentence) from a section or subsection (or equivalent unit)**

*[When omitting words at the end of a section, subsection etc. it may sometimes be more convenient to use the form “all the words after ...”. See example 20.]*

#### **200 Section 23**

Omit “, unless the person objects in writing to the investigating officer within 21 days after receiving the summons”.

#### **201 Section 42**

Omit the second sentence.

*[A sentence is not considered to be a unit and so it is “omitted” (in the same way as words), not “repealed”.]*

#### **202 Subsection 49(5)**

Omit “unless the person objects in writing to the investigating officer within 21 days after receiving the summons”.

#### **203 Clause 23 of Schedule 3**

Omit “, unless the person objects in writing to the investigating officer within 21 days after receiving the summons”.

#### **204 Subclause 49(5) of Schedule 3**

Omit “unless the person objects in writing to the investigating officer within 21 days after receiving the summons”.

### **15 Omitting words from a paragraph, subparagraph or sub-subparagraph**

#### **205 Paragraph 72(1)(b)**

Omit “under subsection (3)”.

#### **206 Subparagraph 72(1)(b)(ii) of the Schedule**

Omit “under subsection (3)”.

**16 Omitting words from a definition**

**207 Subsection 4(1) (definition of *staff member*)**

Omit “or officer”.

**208 Subsection 4(1) (paragraph (a) of the definition of *staff member*)**

Omit “or officer”.

**17 Omitting words from a penalty or note**

**209 Subsection 93(3) (penalty)**

Omit “or imprisonment for 2 years, or both”.

**210 Subsection 62(1) (note 2)**

Omit “or Part 7”.

**211 Subsection 5(1) (note to the definition of *Model Law*)**

Omit “Internet site”.

**212 Schedule 5 (note to Schedule heading)**

Omit “section 87.”.

**18 Omitting words from a table**

**213 Subsection 93(3) (table)**

Omit “the parent or”.

**214 Subsection 93(3) (table item 6)**

Omit “the parent or”.

**18A Omitting words from the heading to a Chapter, Part, Division, Subdivision or section (or equivalent unit)**

**215 Chapter 7 (heading)**

Omit “and other matters”.

**18B Omitting words from the heading to a subsection (or equivalent unit)**

**216 Subsection 7(7) (heading)**

Omit “and other matters”.

**19 Omitting a long sequence of words**

**217 Subsection 28(1)**

Omit all the words from and including “or the member” to and including “consents”.

**20 Omitting words at the end of a section or subsection (or equivalent unit)**

**218 Section 28**

Omit all the words after “the Board”.

**219 Section 28**

Omit all the words after paragraph (d).

## **220 Subclause 28(1) of Schedule 3**

Omit all the words after paragraph (d).

*[It is generally not necessary to deal with the punctuation at the end of the section or subsection (or equivalent unit). The concluding punctuation is not considered to be a word and so it will not be omitted. However, if the amendment will mean that the section or a subsection (or equivalent unit) will end with a semi-colon, you will need to include an amendment to change the semi-colon to a full stop.]*

## **21 Omitting words at the end of a paragraph, subparagraph or sub-subparagraph**

### **221 Paragraph 31(2)(a)**

Omit all the words after “the Board”.

### **222 Subclause 28(4) of Schedule 3 (paragraph (a) of the definition of frog)**

Omit all the words after subparagraph (iv).

*[It is generally not necessary to deal with the punctuation at the end of the paragraph, subparagraph or sub-subparagraph. The concluding punctuation is not considered to be a word and so it will not be omitted. However, if the amendment will mean that the section or subsection (or equivalent unit) of which the paragraph, subparagraph or sub-subparagraph is part will end with a semi-colon, you will need to include an amendment to change the semi-colon to a full stop.]*

## **22 Omitting the same words from several provisions**

### **223 Subsections 42(2), (5) and (9)**

Omit “or Secretary”.

### **224 Subsections 42(2), (5) and (9)**

Omit “or Secretary” (wherever occurring).

### **225 Subclauses 42(2), (5) and (9) of Schedule 3**

Omit “or Secretary” (wherever occurring).

*[In the second and third examples above, “or Secretary” occurs more than once in at least one of the provisions.]*

## **23 Omitting specific occurrences of the same words in a single provision**

### **226 Subsection 30(3)**

Omit “or member” (wherever occurring).

### **227 Subsection 8(1)**

Omit “Chairperson or” (first occurring).

### **228 Subsection 4(1) (definition of officer)**

Omit “Minister or” (second and third occurring).

**229 Paragraph 25(7)(c)**

Omit “and” (last occurring).

## **B. Substituting**

*[The substituting forms for units consist of the repeal form, with the addition of “, substitute:”.]*

### **24 Substituting a Chapter, Part, Division or Subdivision**

#### **230 Part 5 of Chapter 4**

Repeal the Part, substitute:

*[text of replacement Part(s)]*

#### **231 Division 2 of Part 3 of Schedule 1**

Repeal the Division, substitute:

*[text of replacement Division(s)]*

### **25 Substituting a Schedule**

#### **232 Schedule 1**

Repeal the Schedule, substitute:

*[text of replacement Schedule(s)]*

### **26 Substituting the heading to a Chapter, Part, Division, Subdivision, section or subsection (or equivalent unit)**

#### **233 Division 1 of Part 2 (heading)**

Repeal the heading, substitute:

**Division 1—[Text of replacement heading]**

#### **234 Part 2 of Schedule 2 (heading)**

Repeal the heading, substitute:

**Part 2—[Text of replacement heading]**

#### **235 Section 19 (heading)**

Repeal the heading, substitute:

**19 [Text of replacement heading]**

*[The substituted heading must include the Chapter/Part/Division/Subdivision/section number or letter, as applicable.]*

### **27 Substituting a long title**

#### **236 Title**

Repeal the title, substitute:

*[text of replacement long title]*



**28 Substituting a section or subsection (or equivalent unit)**

**237 Section 11**

Repeal the section, substitute:

*[text of replacement section(s)]*

**238 Subclause 200(2) of Schedule 3**

Repeal the subclause, substitute:

*[text of replacement subclause(s)]*

**29 Substituting a paragraph, subparagraph or sub-subparagraph**

**239 Paragraph 200(3)(c)**

Repeal the paragraph, substitute:

*[text of replacement paragraph(s)]*

**240 Subparagraph 200(6)(d)(iv) of Schedule 3**

Repeal the subparagraph, substitute:

*[text of replacement subparagraph(s)]*

**241 Subsection 4(1) (subparagraph (a)(ii) of the definition of office)**

Repeal the subparagraph, substitute:

*[text of replacement subparagraph(s)]*

**30 Substituting a definition**

*[This form is used only for a “true” substitution of a definition, i.e. one where the defined term omitted and the defined term substituted are identical. Each definition requires a separate amending item.]*

**242 Subsection 4(1) (definition of Board)**

Repeal the definition, substitute:

*[text of replacement definition]*

**243 Subclause 4(1) of the Schedule (definition of Board)**

Repeal the definition, substitute:

*[text of replacement definition]*

**244 Subclause 4(1) of the Schedule (definition of zygote)**

Repeal the definition (including the note), substitute:

*[text of replacement definition, with or without replacement note]*

### **31 Substituting a penalty**

#### **245 Section 200 (penalty)**

Repeal the penalty, substitute:

*[text of replacement penalty]*

*[This form should be used only if the section is not divided into subsections. If the section is divided into subsections, the penalty should be identified by reference to the last subsection of the section.]*

#### **246 Subsection 200(2) (penalty)**

Repeal the penalty, substitute:

*[text of replacement penalty]*

### **32 Substituting a note**

#### **247 Subsection 200(4) (note)**

Repeal the note, substitute:

*[text of replacement note]*

#### **248 Subsection 200(4) (note 1)**

Repeal the note, substitute:

*[text of replacement note]*

#### **249 Subsection 6(1) (note to the definition of associate)**

Repeal the note, substitute:

*[text of replacement note]*

#### **250 Schedule 5 (note to Schedule heading)**

Repeal the note, substitute:

*[text of replacement note]*

*[This form is to be used even if the word “Note” does not appear in the actual note under the Schedule heading.]*

### **33 Substituting a table or table item**

#### **251 Subsection 200(4) (table)**

Repeal the table, substitute:

*[replacement table]*

#### **252 Subsection 200(4) (table item 6)**

Repeal the item, substitute:

6	New South Wales	10,239,835
---	-----------------	------------

**253 Subsection 200(4) (table item dealing with the Australian Capital Territory)**

Repeal the item, substitute:

Australian Capital Territory                      10,239,835

*[In this example, the table items are not numbered.]*

**34 Substituting a cell in a table**

**254 Subsection 200(4) (cell at table item 6, column headed “State/Territory”)**

Repeal the cell, substitute:

Australian Capital Territory

**255 Subsection 200(4) (cell at table item dealing with the Australian Capital Territory, column headed “State/Territory”)**

Repeal the cell, substitute:

Australian Capital Territory

*[In this example, the table items and the columns are not numbered.]*

**35 Substituting words in a long title**

**256 Title**

Omit “related”, substitute “other”.

**36 Substituting words in a short title**

**257 Section 1**

Omit “National Crime Authority Act 1984”, substitute “Australian Crime Commission Act 2002”.

Note: This item amends the short title of the Act. If another amendment of the Act is described by reference to the Act’s previous short title, that other amendment has effect after the commencement of this item as an amendment of the Act under its amended short title (see section 10 of the *Acts Interpretation Act 1901*).

**37 Substituting words (including a complete sentence) in a section or subsection (or equivalent unit)**

*[When substituting words at the end of a section, subsection, etc., it may sometimes be more convenient to use the form “all the words after ...”. See example 45.]*

**258 Section 23**

Omit “2 years”, substitute “6 months”.

**259 Section 52**

Omit the second sentence, substitute “The application must be in the approved form.”.

**260 Subclause 49(5) of Schedule 3**

Omit “employee”, substitute “director”.

**261 Subsection 13(2)**

Omit all the words before paragraph (a), substitute:

(2) If, on or after 1 July 1990, a person becomes a permanent employee:

**38 Substituting words in a paragraph, subparagraph or sub-subparagraph**

**262 Subparagraph 72(1)(b)(ii)**

Omit “subsection (3)”, substitute “subsection (3C)”.

**263 Subclause 6(2) of Schedule 3 (paragraph (a) of the definition of associate)**

Omit “subclause (3)”, substitute “subclause (3C)”.

**39 Substituting words in order to insert paragraphs etc. into unparagraphed text**

**264 Section 8**

Omit “may appoint persons having suitable qualifications and experience as consultants”, substitute:

may appoint as consultants persons who have:

- (a) the qualifications that are prescribed by the regulations; or
- (b) experience in the fishing industry during a total period of at least 10 years.

*[In this kind of case, it would generally be preferable to re-enact the whole section. You should only use this approach when there are good reasons for not re-enacting the whole provision.]*

**40 Substituting words etc. in a definition**

**265 Subsection 4(1) (paragraph (a) of the definition of staff member)**

Omit “officer”, substitute “employee”.

**266 Subclause 4(1) of Schedule 3 (paragraph (a) of the definition of staff member)**

Omit “officer”, substitute “employee”.

**41 Substituting words in a penalty**

**267 Subsection 93(3) (penalty)**

Omit “2 years”, substitute “5 years”.

**42 Substituting words in a note**

**268 Subsection 62(1) (note)**

Omit “Part 7”, substitute “Part 7A”.

**269 Subsection 6(1) (note to the definition of Model Law)**

Omit “Internet site”, substitute “website”.

**270 Schedule 5 (note to Schedule heading)**

Omit “section 87”, substitute “section 92”.

**43 Substituting words in a table**

**271 Section 200 (table item 6)**

Omit “Minister”, substitute “Secretary”.

**43A Substituting words in the heading to a Chapter, Part, Division, Subdivision or section (or equivalent unit)**

**272 Chapter 7 (heading)**

Omit “and other matters”, substitute “and related matters”.

**43B Substituting words in the heading to a subsection (or equivalent unit)**

**273 Subsection 7(7) (heading)**

Omit “and other matters”, substitute “and related matters”.

**44 Substituting a long sequence of words**

**274 Subsection 17(7)**

Omit all the words from and including “from the period” to and including “determined by the Minister”, substitute “during the applicable period”.

**45 Substituting words at the end of a section or subsection (or equivalent unit)**

**275 Section 200**

Omit all the words after “made by”, substitute “an employee”.

**276 Subclause 200(4) of Schedule 3**

Omit all the words after “made by”, substitute “an employee”.

*[It is not necessary to include a full stop at the end of the substituted text. The concluding full stop is not considered to be a word and so it will not be omitted.]*

**46 Substituting words at the end of a paragraph, subparagraph or sub-subparagraph**

**277 Paragraph 200(2)(a)**

Omit all the words after “the Board”, substitute “specifies”.

*[If the paragraph, subparagraph or sub-subparagraph being amended concludes with punctuation and no conjunction, it is not necessary to include the concluding punctuation at the end of the substituted text. The concluding punctuation is not considered to be a word and so it will not be omitted.]*

**47 Substituting the same words in several provisions**

**278 Subsections 200(2), (5) and (9)**

Omit “responsible Minister”, substitute “Secretary”.

**279 Subclauses 200(2), (5) and (9) of Schedule 3**

Omit “responsible Minister” (wherever occurring), substitute “Secretary”.

*[In this example, “responsible Minister” occurs more than once in at least one of the subclauses.]*

**48 Substituting specific occurrences of words in a single provision**

**280 Subsection 200(3)**

Omit “Authority” (wherever occurring), substitute “Board”.

**281 Subsection 200(1)**

Omit “Chairperson” (first occurring), substitute “member”.

**282 Subsection 200(4) (definition of *officer*)**

Omit “the applicable period” (second and third occurring), substitute “28 days”.

**283 Paragraph 200(7)(c) of Schedule 3**

Omit “and” (last occurring), substitute “or”.

## **C1. Adding a unit at the end of an Act or instrument**

### **49 Adding a Chapter or Part at the end of an Act or instrument**

#### **284 At the end of the Act**

Add:

*[text of new Chapter or Part]*

### **50 Adding a Schedule at the end of an Act or instrument**

#### **285 At the end of the instrument**

Add:

*[text of new Schedule(s). If adding a Schedule at the end of Court Rules, the item heading would refer to the “Rules” instead of instrument.]*

### **51 Adding a section at the end of an Act or instrument that is not divided into Chapters or Parts**

#### **286 At the end of the Act**

Add:

*[text of new section(s)]*

## **C2. Adding a unit at the end of another unit**

### **52 Adding a Part at the end of a Chapter or non-amending Schedule**

#### **287 At the end of Chapter 3**

Add:

*[text of new Part]*

#### **288 At the end of Schedule 13**

Add:

*[text of new Part]*

### **53 Adding a Division at the end of a Part**

#### **289 At the end of Part 3**

Add:

### **54 Adding a section at the end of a Division**

#### **290 At the end of Division 3 of Part 2**

Add:

### **55 Adding a subsection at the end of a section (or equivalent unit)**

#### **291 At the end of section 35**

Add:

*[text of new subsection(s)]*

#### **292 At the end of clause 35 of Schedule 3**

Add:

*[text of new subclause(s)]*

*[Adding one or more subsections to a section (or equivalent unit) that is not divided into subsections requires renumbering the existing text as subsection (1).]*

#### **293 Section 50**

Before “[First word in body of section]”, insert “(1)”.

*[Check whether in other provisions there are any cross-references to the text that need amendment.]*

*[If it is necessary to amend the text of the existing section, the amendment of that text should refer to it by its existing section number.]*

*[If the added subsections have subsection headings, the renumbered text may also require a subsection heading (to be inserted by another amending item). The following is an example (it would be located before the amendment that adds the subsections).]*



## **294 Section 50 (after the heading)**

Insert:

*[text of new subsection heading]*

*[If the section has a note at the end, only use the “Add” form if the subsection to be included is to appear after the note. If the subsection to be included is to appear before the note, use the “Insert” form (see Subpart D1).]*

*[If you are adding a paragraph, subparagraph or sub-subparagraph at the end of an existing section that is not divided into subsections, as well as adding one or more new subsections, this may be done in the same amending item.]*

## **295 Section 490**

Before “Except”, insert “(1)”.

## **296 At the end of section 490**

Add:

; or (c) the company is a trustee company (within the meaning of Chapter 5D) that is in the course of administering or managing one or more estates.

(2) A person with a proper interest (within the meaning of Chapter 5D) in the estate referred to in paragraph (1)(c), or who has any claim in respect of the estate, is entitled to be heard in a proceeding before the Court for leave under subsection (1).

## **56 Adding a paragraph at the end of a section or subsection (or equivalent unit)**

*[When adding a paragraph, it is often necessary to add “; and” or “; or” at the end of the existing series. This further amendment is combined with the amendment that adds the paragraph.]*

## **297 At the end of section 200**

Add:

; and (d) the person convicted of the offence.

## **298 At the end of subsection 200(2)**

Add:

; (d) the person convicted of the offence.

## **299 At the end of subclause 200(2) of Schedule 3**

Add:

; or (d) the person convicted of the offence.

*[If the provision being amended is in the old form, with the conjunction appearing only at the end of the penultimate paragraph, an additional amendment is required. This amendment should add the appropriate conjunction at the end of each other paragraph (other than the last), as in the following example.]*

## **300 At the end of paragraphs 200(2)(a) and (b)**

Add “and”.

**57 Adding a subparagraph at the end of a paragraph etc.**

*[When adding a subparagraph, it is often necessary to add “; and” or “; or” at the end of the existing series. This further amendment is combined with the amendment that adds the subparagraph.]*

**301 At the end of paragraph 200(5)(c)**

Add:  
; and (vi) the person convicted of the offence.

**302 At the end of paragraph 200(5)(c) of Schedule 3**

Add:  
or (vi) the person convicted of the offence;

**303 Subsection 4(1) (at the end of paragraph (a) of the definition of eligible person)**

Add:  
(vi) the person convicted of the offence;

*[If the provision being amended is in the old form, with the conjunction appearing only at the end of the penultimate subparagraph, an additional amendment is required. This amendment should add the appropriate conjunction at the end of each other subparagraph (other than the last), as in the following example.]*

**304 At the end of subparagraphs 200(2)(a)(i) to (iii)**

Add “and”.

**58 Adding a definition at the end of a section or subsection (or equivalent unit)**

*[Use the “insert” form.]*

**59 Adding a penalty at the end of a section or subsection**

**305 At the end of section 200**

Add:

*[text of new penalty]*

*[This form should be used only if the section is not divided into subsections. If the section is divided into subsections, the amending item should specify the last subsection of the section.]*

**306 At the end of subsection 200(2)**

Add:

*[text of new penalty]*

**60 Adding a note**

**307 At the end of subsection 200(4)**

Add:

Note: Division 3 of Part 3 deals with the suspension of licences.

### **308 Subsection 201(5) (note)**

Omit “Note”, substitute “Note 1”.

### **309 At the end of subsection 201(5)**

Add:

Note 2: A decision to limit an authority is reviewable under Part 5-7.

*[The 2 amendments above go together. In these examples, there is already a note at the foot of subsection 201(5). This needs to be renumbered as Note 1 when the additional note is added.]*

### **310 At the end of clause 200 of Schedule 1**

Add:

Note 3: Division 3 of Part 3 deals with the suspension of licences.

*[This form should be used only if the clause is not divided into subclauses. If the clause is divided into subclauses, the amending item should specify the last subclause of the clause.]*

## **61 Adding a table item**

### **311 Section 200 (at the end of the table)**

Add:

4	Queensland	10,239,835
---	------------	------------

### **C3. Adding words at the end of a unit**

#### **62 Adding words at the end of a long title**

##### **312 At the end of the title**

Add “, and for related purposes”.

#### **63 Adding words at the end of a section or subsection (or equivalent unit)**

*[When adding words to a section etc., there is no need to include a full-stop at the end of the added words, unless they end with a paragraph, subparagraph or sub-subparagraph or a complete sentence.]*

##### **313 At the end of section 200**

Add “if the person is a member”.

##### **314 At the end of subclause 200(3) of Schedule 3**

Add “within 14 days”.

##### **315 At the end of subsection 200(4)**

Add:

and must give a copy of the summons to each of the following persons:

- (a) the responsible authority for the State;
- (b) each person who received a copy of the original summons.

*[In this kind of case, it would generally be preferable to re-enact the whole subsection. You should only use this approach when there are good reasons for not re-enacting the whole provision.]*

#### **64 Adding words at the end of a paragraph, subparagraph or sub-subparagraph**

*[This form is not used if there is a conjunction at the end of the paragraph, subparagraph or sub-subparagraph. In this case, the words are inserted rather than added.]*

##### **316 At the end of paragraph 200(1)(b)**

Add “or paragraph (5)(b)”.

##### **317 At the end of subparagraph 200(1)(b)(ii) of Schedule 3**

Add “or paragraph (5)(b)”.

##### **318 Subsection 4(1) (at the end of paragraph (a) of the definition of *application period*)**

Add “or paragraph (5)(b)”.

#### **65 Adding words at the end of a definition**

##### **319 Subsection 4(1) (at the end of the definition of *application period*)**

Add “, or such other period as is specified in the regulations”.

##### **320 Subclause 4(1) of the Schedule (at the end of the definition of *application period*)**

Add “, or such other period as is specified in the regulations”.

**66 Adding words at the end of a penalty**

**321 Subsection 200(3) (at the end of the penalty)**

Add “or imprisonment for 2 years, or both”.

**67 Adding words at the end of a note**

**322 Subsection 200(1) (at the end of the note)**

Add “or Part 7”.

**323 Subclause 200(1) of Schedule 3 (at the end of note 1)**

Add “or Part 7”.

**324 Subsection 6(1) (at the end of the note to the definition of *Model Law*)**

Add “or Part 7”.

**67A Adding words at the end of the heading to a Chapter, Part, Division, Subdivision or section (or equivalent unit)**

**325 Chapter 7 (at the end of the heading)**

Add “and other matters”.

**67B Adding words at the end of the heading to a subsection (or equivalent unit)**

**326 Subsection 7(7) (at the end of the heading)**

Add “and other matters”.

**68 Single amendment of several provisions**

**327 At the end of subsections 200(5) and (9)**

Add “or member”.

## **D1. Inserting a unit**

*[These forms do NOT apply in cases covered by Subparts C1 and C2]*

### **69 Inserting a Chapter, Part etc. between existing Chapters, Parts etc.**

#### **328 After Part 5 of Chapter 4**

Insert:

*[text of new Part(s)]*

#### **329 After Division 3 of Part 2**

Insert:

*[text of new Division(s)]*

### **70 Inserting a Chapter, Part etc. before the first Chapter, Part etc.**

#### **330 Before Subdivision A of Division 1 of Part 3**

Insert:

*[text of new Subdivision(s)]*

*[There is no need to expressly state that the new Subdivision is inserted “in Division 1”.]*

### **71 Inserting a Schedule**

#### **331 After Schedule 3**

Insert:

*[text of new Schedule(s)]*

### **72 Inserting a heading to a Chapter, Part, Division, Subdivision or subsection (or equivalent unit)**

#### **332 Before section 9**

Insert:

*[text of new heading]*

#### **333 Before subsection 18(3)**

Insert:

*[text of new heading]*

#### **334 Before subclause 20(3) of Schedule 2**

Insert:

*[text of new heading]*

### **73 Inserting a section (or equivalent unit)**

#### **335 After section 200**

Insert:

*[text of new section(s)]*

#### **336 Before clause 201 of Schedule 3**

Insert:

*[text of new clause(s)]*

*[This form is used for inserting clauses or sections at the beginning of Schedules, Parts, Divisions etc.]*

### **74 Inserting a subsection (or equivalent unit)**

#### **337 After subsection 200(2)**

Insert:

*[text of new subsection(s)]*

#### **338 Before subclause 200(1) of Schedule 3**

Insert:

*[text of new subclause(s)]*

*[This form is only used for inserting subsections at the beginning of sections, subclauses at the beginning of clauses etc.]*

#### **339 After the heading to subsection 10(2)**

Insert:

(1A) Subsection (1) does not apply if:

- (a) the supply is not the provision of access to DSGL technology; and
- (b) the supply is made orally.

Note: A defendant bears an evidential burden in relation to the matter in subsection (1A): see subsection 13.3(3) of the *Criminal Code*.

*[This form is to be used to insert a subsection between an existing subsection and its heading]*

#### **340 After subsection 200(2) (before the note)**

Insert:

*[text of new subsection]*

*[This form is to be used if you are inserting a subsection after the last subsection in the section, but before a note, and it is not clear whether the note belongs to the section as a whole or to the last subsection only.]*

#### **341 Section 53 (before the note)**

Insert:

*[text of new subsection(s)]*

*[This form can be used to insert one or more subsections into a section that has a note at its foot but is not divided into subsections. The existing text would need to be numbered as subsection (1).]*

### **75 Inserting a paragraph, subparagraph or sub-subparagraph**

*[When inserting a paragraph, it is often necessary to also insert “; and” or “; or”. This further amendment is combined with the amendment that inserts the paragraph.]*

*[If the provision being amended is in the old form, with the conjunction “and” or “or” appearing only at the end of the penultimate paragraph, subparagraph or sub-subparagraph, an additional amendment is required. This amendment should add the appropriate conjunction at the end of each paragraph, subparagraph or sub-subparagraph (other than the last).]*

### **342 After paragraph 200(3)(c)**

Insert:

(ca) the person convicted of the offence; and

### **343 After paragraph 30(1)(d)**

Insert:

(da) dog;

### **344 After paragraph 112(2)(b)**

Insert:

; or (c) approved to conduct a trial of a facility under regulation 115.

*[This form is used to insert a new paragraph after the last paragraph in a subsection, but before a penalty or note. It is not necessary to include “(before the penalty)” or “(before the note)” in the item heading. In cases where there is no text after the last paragraph, use the “add” form instead (see Subpart C2 above).]*

### **345 After paragraph 112(2)(b)**

Insert:

or (c) approved to conduct a trial of a facility under regulation 115;

*[This form is used to insert a new paragraph after the last paragraph in a subsection, but before continuing text in ss2 style. In cases where there is no text after the last paragraph, use the “add” form instead (see Subpart C2 above).]*

### **346 Subsection 6(1) (after paragraph (c) of the definition of prisoner)**

Insert:

(ca) the person convicted of the offence; and

### **347 Before subparagraph 43(5)(b)(i)**

Insert:

(ia) a relative of the bankrupt; or



*[This form is only used for inserting paragraphs, subparagraphs and sub-subparagraphs at the beginning of a series of paragraphs, subparagraphs and sub-subparagraphs.]*

### **76 Inserting a definition**

#### **348 Subsection 4(1)**

Insert:

*[text of new definition]*

*[The word “insert” is used, even if the definition concerned will appear at the end of the subsection. See Part L of Appendix 1A for examples of inserting multiple definitions in the one item.]*

#### **349 Subclause 4(1) of Schedule 3**

Insert:

*[text of new definition]*

### **77 Inserting a table item**

#### **350 Section 200 (after table item 2)**

Insert:

2A	New South Wales	10,239,835
2B	Northern Territory	20,235,535
2C	Queensland	9,234,585

#### **351 Section 20 (after table item dealing with the Australian Capital Territory)**

Insert:

New South Wales	10,239,835
Queensland	9,234,585

*[In this example, the table items are not numbered.]*

## **D2. Inserting words**

[These forms do NOT apply in cases covered by Subpart C3.]

### **78 Inserting words in a long title**

#### **352 Title**

After “transport”, insert “and communications”.

### **79 Inserting words in a short title**

#### **353 Section 1**

After “Crime”, insert “and Corruption”.

Note: This item amends the short title of the Act. If another amendment of the Act is described by reference to the Act’s previous short title, that other amendment has effect after the commencement of this item as an amendment of the Act under its amended short title (see section 10 of the *Acts Interpretation Act 1901*).

### **80 Inserting words in a section or subsection (or equivalent unit)**

#### **354 Section 23**

After “officer must”, insert “, unless the person objects.”.

#### **355 Subclause 49(5) of Schedule 3**

After “member”, insert “or employee”.

### **81 Inserting words in a paragraph, subparagraph or sub-subparagraph**

#### **356 Paragraph 72(1)(b)**

After “subsection (3)”, insert “or paragraph (5)(b)”.

#### **357 Subparagraph 72(1)(b)(ii)**

After “subsection (3)”, insert “or paragraph (5)(b)”.

#### **358 Subsection 4(1) (paragraph (a) of the definition of *staff member*)**

Before “an”, insert “employee or”.

### **82 Inserting words in a note**

#### **359 Subsection 62(1) (note)**

After “Part 7”, insert “or 7A”.

#### **360 Subclause 62(1) of the Schedule (note)**

After “Part 7”, insert “or 7A”.

#### **361 Subsection 6(1) (note to the definition of *Model Law*)**

After “Part 7”, insert “or 7A”.

### **82A Inserting words in the heading to a Chapter, Part, Division, Subdivision or section (or equivalent unit)**

#### **362 Chapter 7 (heading)**

After “Transitional”, insert “and application”.

**82B Inserting words in the heading to a subsection (or equivalent unit)**

**363 Subsection 7(7) (heading)**

After “*Transitional*”, insert “*and application*”.

**83 Single amendment of several provisions**

**364 Subsections 200(2), (5) and (9)**

After “Minister”, insert “or Secretary”.

**84 Multiple amendment of single provisions**

**365 Subsection 200(3)**

After “member” (wherever occurring), insert “or officer”.

**85 Inserting after specific occurrences of words in a single provision**

**366 Subsection 200(1)**

After “Chairperson” (first occurring), insert “or Deputy Chairperson”.

**367 Subsection 200(1)**

After “full-time” (second and third occurring), insert “or part-time”.

**368 Paragraph 200(7)(c) of Schedule 3**

After “subclause (5)” (last occurring), insert “or (5B)”.

## Chapter 2—Parliamentary amendments

### *Parliamentary amendment forms (general principles)*

255 This Chapter sets out the general principles for the amendment forms to be used for parliamentary amendments of Bills. This Chapter has a small number of examples that help to explain the general principles. Drafters should discuss any novel amending forms they propose to use with the editor before sending parliamentary amendments for the first editorial check. If necessary, the editor and the drafter should raise any novel form with the head drafter.

256 A fuller set of examples is in Appendix 2A.

### Primary units

257 For the purpose of the amendment forms, the following parts of a Bill are primary units, *except where they are in text that is proposed to be inserted in a principal Act*:

	Primary unit	Example of reference
<b>A.</b>	<b>In body of the Bill</b>	
A1	title	Title, page 1 (line 5)
A2	preamble	Preamble, page 1 (lines 3 and 4)
A3	clause	Clause 6, page 3 (lines 5 to 12)
A4	heading to a Chapter, Part, Division, Subdivision, clause or subclause	Heading to Division 3, page 10 (line 12)
A5	Chapter, Part, Division or Subdivision	Division 3, clauses 34 to 40, page 10 (lines 1 to 24)
<b>B.</b>	<b>Non-amending Schedule</b>	
B1	the whole Schedule	Schedule 1, page 25 (line 1) to page 40 (line 25)
<b>C.</b>	<b>Amending Schedule</b>	
C1	the whole Schedule	Schedule 2, page 25 (line 1) to page 40 (line 25)
C2	the Schedule heading	Schedule 2, heading, page 25 (line 1)
C3	amended Act or instrument title at style heading	Schedule 2, heading specifying <i>Dog Act 1997</i> , page 27 (line 20)
C4	item	Schedule 3, item 14, page 25 (lines 3 to 9)
C5	heading to a Part or Division of the Schedule	Schedule 3, heading to Division 3, page 15 (lines 5 and 6)
C6	Part or Division of the Schedule	Schedule 3, Division 3, page 10 (lines 1 to 24)

258 Note that the references to Parts, Divisions and Subdivisions are abbreviated (e.g. “Division 3” rather than “Division 3 of Part 6”). Also note that a reference to a Chapter, Part, Division or Subdivision *in the body of the Bill* is followed by a reference to the relevant clauses.

### Two standard models for amendment forms

259 All amendment forms use one of the following two models:

- (1) First primary unit, [second primary unit], Page/line description, Action

- (2) Page/line description, Action

### ***The first model***

260 The first model is the most common one. It is used whenever it is possible to specify at least one primary unit at the start of the form, *without needing to accompany it with a description of location* (e.g. “after”, “at the end of”). Two primary units are specified before the page/line number in cases covered by item A5 and items C2 to C6 of the above table. In all other cases, only one primary unit is specified.

### ***Examples of the first model***

- (3) Clause 23, page 27 (lines 12 to 23), omit the clause, substitute:
- (4) Division 3, clauses 77 to 99, page 12 (line 3) to page 23 (line 24), omit the Division, substitute:
- (5) Schedule 2, item 16, page 27 (lines 12 to 23), omit the item, substitute:
- (6) Schedule 3, Division 3, page 12 (line 3) to page 23 (line 24), omit the Division, substitute:

### ***The second model***

261 The second model is used whenever the first model cannot be used. This will usually be a case where the amendment adds or inserts a primary unit. The main aim of the second model is to keep the “action” phrase intact, instead of splitting the “before”, “after” etc. from the “insert” or “add”.

### ***Examples of the second model***

- (7) Page 6 (after line 3), after clause 6, insert:  
*[This form applies e.g. when inserting a Chapter, Part, Division, Subdivision or heading.]*
- (8) Page 30 (after line 15), at the end of Division 2, add:  
*[This form applies e.g. when adding a clause or Subdivision at the end of a Division.]*

## **Referring to page numbers and line numbers**

### ***Page and line number references kept together***

262 Page and line numbers are always kept together. Except in the case of the Introduction copy of a Bill, only use the page and line numbers from a copy of the Bill printed by CanPrint. In the case of the Introduction copy, you may use the page and line numbers from

the PDF version created by OPC. The line numbers in the version on the Parliament website (or even printed from our system) can be different. Copies of the Introduction Print and Third Reading Print (if one is done) of each Bill are kept in the library.

### ***Parentheses for line numbers***

263 Line numbers are always specified within parentheses.

### ***Identification extending over 2 or more pages***

264 The following form is used for identification that extends over 2 or more pages:

265 “page 6 (line 12) to page 7 (line 16)”.

### ***Insertions before or after lines***

266 When inserting a new unit in the Bill, use the following form to specify the line *after* which the new unit is inserted:

“(after line 15)”

267 If it is not possible to specify the line after which the new unit is inserted, then specify the line *before* which it is inserted.

### ***Identification of omitted text***

268 Identify both the start *and the end* of the text, by reference to page and line numbers.

### ***Examples of page/line descriptions***

- (9) Clause 23, page 12 (line 3), omit “frog or”.
- (10) Clause 23, page 5 (lines 6 and 7), omit subclause (2).
- (11) Schedule 3, Division 3, page 12 (line 3) to page 23 (line 24), omit the Division, substitute:
- (12) Schedule 3, page 12 (after line 12), after item 16, insert:
- (13) Schedule 2, item 777, page 99 (after line 15), after the definition of *aardvark*, insert:

### ***Additional description in the “action” part***

269 As a general rule the description in the “action” part of the amending form should be kept as short as possible. In most cases, the page and line number references are sufficient to unambiguously describe the intended amendment.

270 However, in a small number of cases, a minimal description in the “action” part might cause a temporary misunderstanding or an undetected error (if an incorrect line number is specified).

271 To reduce this risk of misunderstanding or error, the “action” part should include sufficient additional description to make the amendment unambiguous without needing to rely on the *line number*, i.e. by relying solely on the primary unit(s), page numbers and “action”. This requirement for additional description does *not* apply to the forms that omit words from a specified line, or insert words after existing words in a specified line.

272 If additional description is required, a reference in the additional description to a unit of text should normally use the same form as would be used in an Act when referring to the unit (e.g. “paragraph (a) of the definition of *office*”; “subparagraph (4)(b)(ii)”). However, references to Parts, Divisions and Subdivisions are abbreviated (e.g. “Division 3” rather than “Division 3 of Part 2”).

### **Examples of extent of description in the “action” part**

- (14) Clause 23, page 12 (lines 3 to 5), omit paragraph (4)(a).
- (15) Schedule 3, item 6, page 12 (lines 3 and 4), omit the definition of *dog*.
- (16) Schedule 3, item 6, page 12 (lines 2 to 24), omit Division 3, substitute:
- (17) Clause 6, page 12 (line 3), omit “dog or”.

*[No additional description is used. The same form is used irrespective of the part of the clause in which the words occur e.g. in a subclause, in a paragraph of a definition etc.]*

### **Special Senate wording in the “action” part**

273 Normally, the word “omit” is used in the action part to indicate that text is to be removed. However, for some Senate amendments that involve removal of text *without substitution*, a “**to be opposed**” form must be used instead.

274 This form applies where the removed text is:

- (a) one or more clauses, items or proposed sections;
- (b) one or more Subdivisions, Divisions, Parts, Chapters or Schedules (i.e. a grouping of clauses, items or proposed sections);
- (c) a preamble.

275 There are 2 forms, depending on whether the removed text is a primary unit:

### **Example where removed text is a primary unit**

- (18) Clause 66, page 99 (lines 5 and 6), **to be opposed**.

### **Example in other cases**

- (19) Schedule 2, item 777, page 99 (line 15) to page 100 (line 20), section 346AB **to be opposed**.

### **Use of “the” in descriptions**

276 The amending forms should generally use the word “the”, rather than omitting it for greater brevity. For example, “at *the* end of *the* section” is used rather than the abbreviated form “at end of section”.

### **Use of “proposed”**

277 The word “proposed” is *not* to be used in an amendment to distinguish between substantive text of the Bill and text that the Bill proposes to insert in a principal Act.

### **Use of commas**

278 In the “action” part of the amendment forms, the word “insert”, “add” or “substitute” is always preceded by a comma (even though it is not grammatically necessary in all cases).

### **Distinction between “add” and “insert”**

#### ***When to add***

279 The “add” form is used:

- (a) when adding material at the end of the Bill; or
- (b) when adding material at the end of (and as part of) an existing unit in the Bill.

280 When amending text that an amending Bill proposes to include in a principal Act, the choice between “add” and “insert” is made by reference to the proposed text that appears *in the Bill*. For example, if the Bill proposes to add a Division at the end of an existing Part of a principal Act, an amendment to include an additional new Division will use the “insert” form. On the other hand, an amendment to include another Subdivision at the end of the proposed new Division would use the “add” form.

281 The “add” form is never used for definitions.

282 Material is added *at the end of the next higher unit* of which it will become part. If the material is to be included at the end of the Bill, but it is not to become part of a higher unit in the Bill, then it is added “at the end of the Bill”.

283 The “add” form always includes “at the end of”.

### **Examples of adding**

- (20) Page 99 (after line 20), at the end of the Bill, add:

[*To add a Chapter at the end of the Bill.*]



- (21) Page 99 (after line 20), at the end of Chapter 3, add:

*[To add a Part at the end of the last Chapter in the Bill.]*

- (22) Schedule 3, page 70 (after line 20), at the end of the Schedule, add:

*[To add a Part at the end of a Schedule.]*

- (23) Schedule 3, page 70 (after line 20), at the end of Part 3, add:

*[To add a Division at the end of a Part of a Schedule.]*

- (24) Schedule 3, item 12, page 70 (after line 20), at the end of Part 3, add:

*[To add a Division at the end of a Part that is proposed to be inserted in a principal Act.]*

### **When to insert**

284 The “insert” form applies whenever the “add” form does not apply. The “insert” form always includes “before” or “after”.

### **Examples of inserting**

- (25) Page 12 (after line 20), after Part 3, insert:

*[To insert a new Part 3A between existing Parts 3 and 4.]*

- (26) Schedule 3, item 12, page 70 (after line 20), after Division 2, insert:

*[To insert an additional Division after a Division that is proposed to be inserted in, or added to, an existing Part of a principal Act.]*

### **Order of phrases when “adding”**

285 The standard form is “at the end of ..., add ...”.

### **Use of “the following [unit]”**

286 The forms for inserting, adding or substituting text do *not* use the words “the following:” or “the following [unit]:”.

### **Special forms for amendments involving tables**

287 The lines of a table are not numbered. Since the standard forms rely heavily on page/line description, they need to be modified for amendments involving tables.

288 All amendments of tables will use the first model (because a table will always be part of a primary unit).

289 The page number specifies the page(s) where the amendment is to be made. The line number reference is replaced by a description that is sufficiently precise to identify the affected part of the table. The description is in parentheses, for consistency with the line number description that it replaces. When inserting or adding rows, the words in parentheses include “before”, “after” or “at the end of”.

**Examples of amendments of tables**

- (27) Clause 6, page 3 (table), omit the table.

*[In this example, the whole table is on page 3.]*

- (28) Clause 6, pages 3 and 4 (table), omit the table.

*[In this example, the table starts on page 3 and ends on page 4.]*

- (29) Clause 2, pages 3 and 4 (table items 4 to 7), omit the table items, substitute:

*[In this example, table items 4 to 7 are on pages 3 and 4, even though the table may start on an earlier page and end on a later one.]*

- (30) Clause 6, page 4 (at the end of the table), add:

*[In this example, the table ends on page 4. There is no need to specify the starting page.]*

- (31) Schedule 3, item 777, page 13 (table item 3), omit the table item.

*[In this example, the whole of table item 3 is on page 13.]*

- (32) Schedule 3, item 777, page 13 (after table item 3), insert:

*[In this example, table item 3 ends on page 13. There is no need to specify the starting page.]*

- (33) Schedule 3, item 777, page 13 (table item 3, column 5), omit “dog”, substitute “cat”.

*[In this example, “dog” is in table item 3 on page 13 and the columns are numbered.]*

- (34) Schedule 3, item 777, page 13 (cell at table item 3, column 5), omit the cell, substitute:

*[In this example, the columns are numbered.]*

290 If a table occurs at the end of a text unit (e.g. a section) that is to be omitted or replaced, it will be possible to specify the starting line number but not the ending line number. The standard form will therefore need to be modified.

**Example of amendment where text ends with a table**

(35) Schedule 2, item 777, page 70 (starting at line 5), omit section 12, substitute:

291 If it is necessary to refer to a column of a table in an amendment and the columns in the table are not numbered, the column must be identified in the same way as in an amending Bill (e.g. column headed “Decision”). Ordinal numbers must not be used to describe the column.

292 If the table to be amended is on the same page as one or more other tables or parts of tables, include a reference to the section or other provision that contains the table to be amended.

**Example of amendment where there are 2 or more tables on the page**

(36) Schedule 2, item 777, page 7 (table item 1 in section 5), omit “\$301”, substitute “\$321”.

**Margins for tables, formulas, diagrams and other graphics**

293 The page margins for parliamentary amendments are set for A4 paper size. However, to avoid problems arising when the parliamentary amendments are incorporated in Bills:

- (a) any table (or table item) must fit within the B5 left and right margins used in Bills; and
- (b) any formula, diagram or similar graphic must fit on a single page within the B5 margins used in a Bill.

**Amendments that insert, add or omit 2 or more clauses, items, Subdivisions etc.**

294 A single amendment may insert, add or omit consecutive clauses, amending items, Subdivisions, Divisions, Parts, Chapters or Schedules, as long as all the provisions being inserted, added or omitted are on a single topic. (The material below under the heading “Notes about topic covered” deals with the scope of topics.)

295 If consecutive provisions to be inserted, added or omitted relate to different topics, separate amendments are needed, so that each amendment deals only with consecutive provisions on a single topic.

**Examples of inserting consecutive clauses in the body of the Bill by separate amendments**

(37) Page 99 (after line 15), after clause 66, insert:

**[cats]**

*[For the first amendment in the group, the line number is specified.]*

*[This example adds a new clause 66A.]*

(38) Page 99, after proposed clause 66A, insert:

**[dogs]**

*[For the remaining amendments in the group, the line number is not specified.]*

**Examples of adding consecutive clauses in the body of the Bill by separate amendments**

- (39) Page 99 (after line 15), at the end of Part 3, add:

**[cats]**

*[This example adds a new clause 66A.]*

- (40) Page 99, at the end of Part 3 (after proposed clause 66A), add:

**[dogs]**

*[This example adds a new clause 66B.]*

**Senate requests for amendments**

296 Senate requests for amendments should be drafted in the same form as ordinary Senate amendments, even though the requested amendments are ultimately made as House of Representatives amendments if they are accepted.

**Order of amendments**

297 Parliamentary amendments should follow the order of the provisions being amended. This principle applies even though Standing Orders may require a different order of consideration of the provisions of the Bill (for example, requiring the title to be considered last).

**Decentralised tables of contents**

298 If you are drafting parliamentary amendments of a Bill that affect the accuracy of decentralised tables of contents in the Bill, parliamentary officers will update the tables.

**Notes about topic covered**

***Rules to be applied strictly***

299 The purpose of inserting notes about topics covered is to facilitate consideration of parliamentary amendments during debate in the Parliament. However, to ensure that the preparation of these notes does not absorb a disproportionate amount of drafting resources on a continuing basis, the rules have been kept simple.

300 This means that there will be individual cases in which notes prepared according to the following rules will not in fact be particularly helpful to those engaged in consideration of the amendments concerned. In such cases, drafters should simply apply the rules and insert the information required by those rules. Drafters should *not* attempt to devise more useful versions of the note to deal with individual cases.

***Topic covered***

301 At the end of each amendment, a note should be added describing the topic involved. The topic description should relate to the contents or purpose of the parliamentary amendment, not the affected provision of the Act or the amending provision in the Bill. The

note is to help members of Parliament and Parliamentary officers to identify all amendments that, because they are essential to the implementation of the same change, need to be considered together in the course of debate. For example, an amendment allowing applications to be made and an amendment limiting the kinds of people who can apply should be given the same topic description; and an amendment inserting a new Schedule and an amendment providing for the commencement of the new Schedule should be given the same topic description.

302 The description of the topic should be brief (no more than a few words). For example, “applications”, “contracts” etc. This should be done for every amendment drafted, even if at the time of drafting there is, and is likely to be, only one amendment covered by the particular topic description.

### **Examples**

(41) Clause 23, page 12 (line 3), omit “to the other party”, substitute “to each party”.  
**[contracts]**

(42) Clause 15, page 25 (line 3), omit “43(1)”, substitute “43A(1)”.  
**[technical correction]**

303 If an amendment requires reference to more than one topic (because it should be taken into account when consideration is being given to more than one group of amendments), each topic should be included in the note, separated by a semicolon.

### **Example of note referring to more than one topic**

(43) Clause 45, page 18 (lines 6 and 7), omit “refund the principal within 2 weeks”, substitute “pay the principal and interest within 3 weeks”.  
**[debts; time limits]**

### **Amendments of parliamentary amendments**

304 Amendments of parliamentary amendments are generally rare. Some examples are in Appendix 2B.

305 As a general rule, the fact that the House of Representatives disagrees with an amendment made by the Senate should not be reflected in the amendments to be moved in the House. Instead, this information is dealt with separately in the motion moved in the House of Representatives. As a result, the amendments moved in the House are to be expressed in the same form as normal amendments. (This approach is reflected in Example B in Appendix 2B.) Indeed, the result of this approach is that Example B is not technically an amendment of an amendment at all. Instead, the amendments to be moved in the House of Representatives are drafted as though they were original amendments of the Bill.

306 In rare cases, the House will genuinely amend an amendment of the Senate. An example of this approach is in Example C in Attachment 2B.

307 While the examples are a useful starting point, you should discuss any proposed approach with the head drafter and then seek advice from the relevant Clerk (or from a senior member of his or her staff) in these situations.

308 Minor textual errors in parliamentary amendments may be able to be corrected with a Deputy Speaker’s or Chair’s amendment (see Drafting Direction 4.7).

### **Division of Bills**

309 The standard and preferable approach to the division of a Bill before the Parliament is to prepare parliamentary amendments that excise provisions from the Bill, and introduce a new Bill that contains the excised provisions. This approach uses established procedures.

310 If a Bill is before the Senate, it is theoretically possible to use the alternative approach set out in Senate Standing Order 150, which provides that “an instruction may be given to a committee to divide a bill into 2 or more bills...”. The alternative approach is rarely used. Some examples are set out in the Senate Journals mentioned in *Odgers’ Australian Senate Practice* (14th ed, pp. 325-328). The Senate Journals can be accessed on the Senate Publications page on the Parliament House website. While the examples are a useful starting point, you should seek advice from the Clerk of the Senate (or from a senior member of his or her staff) if the alternative approach is adopted.

311 If a Bill originated in the House of Representatives, it is likely that the House of Representatives will object to the division of the Bill in the Senate using the alternative approach. *House of Representatives Practice* (7th ed, p. 462) states that “it is considered that the established rules and practices of the Houses provide ample opportunity for the consideration and amendment of bills by each House and that the division of a bill in the House in which the bill did not originate is highly undesirable”. If a Bill originated in the House of Representatives, and it is proposed to divide the Bill in the Senate using the alternative approach, you should consult the Clerk of the House of Representatives (or a senior member of his or her staff).

312 If it is proposed to divide a Bill (whether using the standard approach or the alternative approach), you should inform the head drafter of the proposal.

## Appendix 2A—Parliamentary amendment forms (examples)

### **A: Body of the Bill**

313 Use these forms if the parliamentary amendment is amending a Bill for a new principal Act or the introductory clauses of a Bill for an amending Act.

[*Note: For details of the content of topic notes, see discussion of general principles.*]

#### **A1: Omitting [and substituting]**

##### **1 Omitting the preamble**

- (44) Preamble, page 1 (line 15) to page 2 (line 20), omit the preamble. [, substitute:]

**[Substitute text (if any)]**

**[topic]**

[*SENATE: If there is no substitution, use “to be opposed” instead of “omit the preamble”.*]

##### **2 Omitting a Chapter, Part, Division or Subdivision**

- (45) Chapter 2, clauses 31 to 50, page 99 (line 15) to page 100 (line 20), omit the Chapter.  
[, substitute:]

**[Substitute text (if any)]**

**[topic]**

[*SENATE: If there is no substitution, use “to be opposed” instead of “omit the Chapter”.*]

- (46) Part 2, clauses 31 to 50, page 99 (line 15) to page 100 (line 20), omit the Part. [, substitute:]

**[Substitute text (if any)]**

**[topic]**

[*SENATE: If there is no substitution, use “to be opposed” instead of “omit the Part”.*]

- (47) Division 2, clauses 31 to 50, page 99 (line 15) to page 100 (line 20), omit the Division.  
[, substitute:]

**[Substitute text (if any)]**

**[topic]**

[*SENATE: If there is no substitution, use “to be opposed” instead of “omit the Division”.*]

- (48) Subdivision B, clauses 31 to 50, page 99 (line 15) to page 100 (line 20), omit the Subdivision.  
[, substitute:]

**[Substitute text (if any)]**

**[topic]**

[*SENATE: If there is no substitution, use “to be opposed” instead of “omit the Subdivision”.*]

**3 Omitting the heading to a Chapter, Part, Division, Subdivision, clause, subclause etc.**

- (49) Heading to Chapter 2, page 99 (line 15), omit the heading. [, substitute:]

**[Substitute text (if any)]**

**[topic]**

- (50) Heading to Part 2, page 99 (line 15), omit the heading. [, substitute:]

**[Substitute text (if any)]**

**[topic]**

- (51) Heading to Division 2, page 99 (line 15), omit the heading. [, substitute:]

**[Substitute text (if any)]**

**[topic]**

- (52) Heading to Subdivision A, page 99 (line 15), omit the heading. [, substitute:]

**[Substitute text (if any)]**

**[topic]**

- (53) Heading to clause 2, page 99 (line 15), omit the heading. [, substitute:]

**[Substitute text (if any)]**

**[topic]**

- (54) Heading to subclause 5(2), page 99 (line 15), omit the heading. [, substitute:]

*[Substitute text (if any)]*

**[topic]**

**4 Omitting a clause**

- (55) Clause 66, page 99 (lines 5 and 6), omit the clause. [, substitute:]

**[Substitute text (if any)]**

**[topic]**

[*SENATE: If there is no substitution, use “to be opposed” instead of “omit the clause”.*]

- (56) Clause 66, page 99 (line 15) to page 100 (line 20), omit the clause. [, substitute:]

**[Substitute text (if any)]**

**[topic]**

[*SENATE: If there is no substitution, use “to be opposed” instead of “omit the clause”.*]

- (57) Clauses 66 and 67, page 99 (line 15) to page 100 (line 20), omit the clauses. [, substitute:]



**[Substitute text (if any)]**

**[topic]**

[SENATE: *If there is no substitution, use “to be opposed” instead of “omit the clauses”.*]

- (58) Clauses 66 to 73, page 99 (line 15) to page 100 (line 20), omit the clauses. [, substitute:]

**[Substitute text (if any)]**

**[topic]**

[SENATE: *If there is no substitution, use “to be opposed” instead of “omit the clauses”.*]

**5 Omitting a subclause**

- (59) Clause 66, page 99 (lines 5 and 6), omit subclause (2). [, substitute:]

[Substitute text (if any)]

**[topic]**

- (60) Clause 66, page 99 (lines 5 to 7), omit subclauses (2) and (3). [, substitute:]

[Substitute text (if any)]

**[topic]**

- (61) Clause 66, page 99 (lines 5 to 7), omit subclauses (2) to (4). [, substitute:]

[Substitute text (if any)]

**[topic]**

**6 Omitting a paragraph, subparagraph etc.**

- (62) Clause 66, page 99 (lines 3 to 5), omit paragraph (4)(a). [, substitute:]

[Substitute text (if any)]

**[topic]**

- (63) Clause 66, page 99 (lines 3 to 5), omit paragraphs (4)(a) and (b). [, substitute:]

[Substitute text (if any)]

**[topic]**

- (64) Clause 66, page 99 (lines 3 to 9), omit paragraphs (4)(a) to (e). [, substitute:]

[Substitute text (if any)]

**[topic]**

- (65) Clause 66, page 99 (lines 3 to 5), omit subparagraph (4)(a)(i). [, substitute:]

[Substitute text (if any)]

**[topic]**

- (66) Clause 66, page 99 (lines 3 to 5), omit subparagraphs (4)(a)(i) and (ii). [, substitute:]

[Substitute text (if any)]

**[topic]**

- (67) Clause 66, page 99 (lines 3 to 5), omit subparagraphs (4)(a)(i) to (iii). [, substitute:]

[Substitute text (if any)]

**[topic]**

- (68) Clause 66, page 99 (lines 3 to 5), omit sub-subparagraph (6)(a)(i)(A). [, substitute:]  
[Substitute text (if any)]

**[topic]**

### **6A Omitting a paragraph from a simplified outline**

- (69) Clause 66, page 99 (lines 17 to 20), omit the paragraph beginning “Registered political parties”. [, substitute:]

[Substitute text (if any)]

**[topic]**

*[This form is used whether or not the paragraph is formatted as a dot point.]*

*[Ensure that enough text is quoted for the paragraph to be identified without ambiguity and without relying on the line numbers.]*

- (70) Clause 66, page 99 (lines 17 to 20), omit paragraph (b) of the paragraph beginning “Registered political parties”. [, substitute:]

[Substitute text (if any)]

**[topic]**

*[The line number(s) should relate only to the lettered paragraph being omitted, and not the “higher-level” paragraph from the opening words of which text is quoted. This form is used whether or not the “higher-level” paragraph is formatted as a dot point.]*

*[Ensure that enough text is quoted for the “higher-level” paragraph to be identified without ambiguity.]*

### **7 Omitting a definition from a clause or subclause**

- (71) Clause 66, page 99 (lines 17 to 30), omit the definition of **dog**. [, substitute:]

[Substitute text (if any)]

**[topic]**

*[The same form is used for definitions in clauses and definitions in subclauses.]*

### **8 Omitting a penalty or note**

- (72) Clause 66, page 99 (lines 17 to 20), omit the penalty. [, substitute:]

[Substitute text (if any)]

**[topic]**

- (73) Clause 66, page 99 (lines 17 to 20), omit the note. [, substitute:]

[Substitute text (if any)]

**[topic]**

- (74) Clause 66, page 99 (lines 17 to 20), omit note 1. [, substitute:]

[Substitute text (if any)]

**[topic]**

### **9 Omitting a table**

- (75) Clause 66, page 99 (table), omit the table. [, substitute:]  
[Substitute text (if any)]

**[topic]**

*[In this example, the whole table is on page 99.]*

- (76) Clause 66, pages 98 to 99 (table), omit the table. [, substitute:]  
[Substitute text (if any)]

**[topic]**

*[In this example, the table starts on page 98 and ends on page 99.]*

### **10 Omitting an item from a table**

- (77) Clause 66, page 99 (table item 3), omit the table item. [, substitute:]  
[Substitute text (if any)]

**[topic]**

### **11 Omitting a cell from a table**

- (78) Clause 66, page 99 (cell at table item 3, column headed “Expense”), omit the cell. [, substitute:]  
[Substitute text (if any)]

**[topic]**

*[If the columns in the table are numbered, the column is to be referred to by its column number, e.g. “column 5”.]*

### **12 Omitting words from the preamble**

- (79) Preamble, page 2 (line 5), omit “under any circumstances”. [, substitute “...”]

**[topic]**

### **13 Omitting words from the heading to a Chapter, Part, Division, Subdivision, clause, subclause etc.**

- (80) Heading to Chapter 3, page 99 (line 1), omit “**and companies**”. [, substitute “...”]

**[topic]**

- (81) Heading to Part 3, page 99 (line 1), omit “**and companies**”. [, substitute “...”]

**[topic]**

- (82) Heading to Division 3, page 99 (line 1), omit “**and companies**”. [, substitute “...”]

**[topic]**

- (83) Heading to Subdivision A, page 99 (line 1), omit “**and companies**”. [, substitute “...”]

**[topic]**

- (84) Heading to clause 66, page 99 (line 1), omit “**and companies**”. [, substitute “...”]

**[topic]**

- (85) Heading to subclause 5(2), page 99 (line 7), omit “*and companies*”. [, substitute “...”] **[topic]**

**14 Omitting words from a clause (including a simplified outline), subclause, paragraph, definition, penalty, note, example etc.**

- (86) Clause 66, page 99 (line 27), omit “under any circumstances”. [, substitute “...”] **[topic]**

*[In this example, if the words “under any circumstances” occur several times on the same line and you intend to substitute more than one occurrence of the words, you should omit and substitute so much of the text as includes each relevant occurrence. This is because the “(wherever occurring)” form should generally not be used for parliamentary amendments.*

*Similarly, if the words “under any circumstances” occur several times within a unit (e.g. a subclause) that spans several lines and you intend to substitute each occurrence of the words, you should make separate amendments for each line.]*

- (87) Clause 66, page 99 (line 27), omit “Deputy” (wherever occurring). [, substitute “...”] **[topic]**

*[In this example, the word “Deputy” occurs several times on the same line and you intend to substitute each occurrence of the word. This form of amendment should not be used unless you consider it necessary to do so and only if you have obtained the approval of the head drafter. See instead the above form of amendment in example (86) and its notes.]*

- (88) Clause 66, page 99 (line 27), omit “Deputy” (second occurring). [, substitute “...”] **[topic]**

*[In this example, the word “Deputy” occurs several times on the same line and you only intend to substitute the second occurrence.]*

- (89) Clause 66, page 99 (lines 20 to 27), omit “Deputy” (wherever occurring). [, substitute “...”] **[topic]**

*[In this example, the word “Deputy” occurs several times within a unit (e.g. a subclause) that spans several lines and you intend to substitute each occurrence of the word. The line numbers identify the start and end of the unit, rather than identifying only the first line and last line in which the word appears. This form of amendment should not be used unless you consider it necessary to do so and only if you have obtained the approval of the head drafter. See instead the above form of amendment in example (86) and its notes.]*

- (90) Clause 66, page 99 (lines 20 to 27), omit all the words from and including “house” to and including “car”. [, substitute “...”] **[topic]**

- (91) Clause 66, page 99 (lines 20 to 27), omit all the words from and including “house” to the end of subclause (3). [, substitute “...”] **[topic]**

### **15 Omitting words from a table**

(92) Clause 66, page 99 (table item 3), omit “dog”. [, substitute “...”] **[topic]**

(93) Clause 66, page 99 (table item 3, column headed “Expense”), omit “dog”. [, substitute “...”] **[topic]**

*[If the columns in the table are numbered, the column is to be referred to by its column number, e.g. “column 5”.]*

### **16 Omitting words from the long title**

(94) Title, page 1 (line 5), omit “**and companies**”. [, substitute “...”] **[topic]**

## **A2: Adding**

### **17 Adding a Chapter, Part, Division or Subdivision at the end of the Bill**

(95) Page 99 (after line 20), at the end of the Bill, add: **[topic]**

*[To add a Chapter at the end of the Bill.]*

(96) Page 99 (after line 20), at the end of Chapter 3, add: **[topic]**

*[To add a Part at the end of the last Chapter in the Bill.]*

(97) Page 99 (after line 20), at the end of Part 3, add: **[topic]**

*[To add a Division at the end of the last Part in the Bill.]*

(98) Page 99 (after line 20), at the end of Division 3, add: **[topic]**

*[To add a Subdivision at the end of the last Division in the Bill.]*

### **18 Adding a Part, Division or Subdivision at the end of a Chapter, Part or Division etc.**

(99) Page 99 (after line 15), at the end of Chapter 5, add:

**[topic]**

(100) Page 99 (after line 15), at the end of Part 5, add:

**[topic]**

(101) Page 99 (after line 15), at the end of Division 5, add:

**[topic]**

**19 Adding a clause at the end of the Bill**

(102) Page 99 (after line 15), at the end of Chapter 3, add:

**[topic]**

*[In this example, the clause is being added at the end of the last Chapter in the Bill.]*

(103) Page 99 (after line 15), at the end of Part 3, add:

**[topic]**

*[In this example, the clause is being added at the end of the last Part in the Bill.]*

(104) Page 99 (after line 15), at the end of Division 3, add:

**[topic]**

*[In this example, the clause is being added at the end of the last Division in the Bill.]*

(105) Page 99 (after line 15), at the end of Subdivision B, add:

**[topic]**

*[In this example, the clause is being added at the end of the last Subdivision in the Bill.]*

(106) Page 99 (after line 15), at the end of the Bill, add:

**[topic]**

*[In this example, the clause is not being added at the end of a higher unit such as a Part or Division.]*

## **20 Adding a clause at the end of a Chapter, Part, Division or Subdivision**

(107) Page 99 (after line 15), at the end of Chapter 5, add:

**[topic]**

(108) Page 99 (after line 15), at the end of Part 5, add:

**[topic]**

(109) Page 99 (after line 15), at the end of Division 5, add:

**[topic]**

(110) Page 99 (after line 15), at the end of Subdivision E, add:

**[topic]**

## **21 Adding a subclause at the end of a clause**

(111) Clause 66, page 99 (after line 5), at the end of the clause, add:

**[topic]**

## **22 Adding a paragraph, subparagraph etc.**

(112) Clause 66, page 99 (line 5), at the end of the clause, add:

**[topic]**

*[This form is for adding a lettered paragraph at the end of a clause that is not divided into subclauses.]*

*[The additional material (whether it be punctuation and a paragraph, or punctuation, a conjunction and a paragraph) will start at the end of the relevant line, not after that line.]*

(113) Clause 66, page 99 (after line 5), at the end of the clause, add:

**[topic]**

*[This form is for adding a paragraph (whether formatted as a dot point or not, but not a lettered paragraph) at the end of a simplified outline.]*

(114) Clause 66, page 99 (line 5), at the end of subclause (6), add:

**[topic]**

*[The additional material (whether it be punctuation and a paragraph, or punctuation, a conjunction and a paragraph) will start at the end of the relevant line, not after that line.]*

(115) Clause 66, page 99 (line 5), at the end of the paragraph beginning “Registered political parties”, add:

--

**[topic]**

*[This form is for adding a lettered paragraph and the end of a “higher-level” paragraph of a simplified outline (whether or not the “higher-level” paragraph is formatted as a dot point).]*

*[The additional material (whether it be punctuation and a lettered paragraph, or punctuation, a conjunction and a lettered paragraph) will start at the end of the relevant line, not after that line.]*

(116) Clause 66, page 99 (after line 5), at the end of paragraph (6)(a), add:

**[topic]**

*[This form is used if a subparagraph is being added without any extra punctuation or conjunction before it.]*

(117) Clause 66, page 99 (line 5), at the end of paragraph (6)(a), add:

**[topic]**

*[This form is used if a punctuation and a subparagraph, or punctuation, a conjunction and a subparagraph are being added. In this case “line 5” is used instead of “after line 5”, because the addition starts at the end of line 5.]*

(118) Clause 66, page 99 (after line 5), at the end of subparagraph (6)(a)(i), add:

**[topic]**

*[This form is used if a sub-subparagraph is being added without any extra punctuation or conjunction before it.]*

(119) Clause 66, page 99 (line 5), at the end of subparagraph (6)(a)(i), add:

**[topic]**

*[This form is used if punctuation and a sub-subparagraph, or punctuation, a conjunction and a sub-subparagraph are being added. In this case “line 5” is used instead of “after line 5”, because the addition starts at the end of line 5.]*

### **23 Adding an item at the end of a table**

(120) Clause 66, page 99 (at the end of the table), add:

**[topic]**



*[In this example, the table ends on page 99. There is no need to specify the starting page.]*

**24 Adding words at the end of the heading to a Chapter, Part, Division, Subdivision, clause, subclause etc.**

- (121) Heading to Chapter 3, page 99 (line 1), at the end of the heading, add “**and companies**”.  
[topic]
- (122) Heading to Part 3, page 99 (line 1), at the end of the heading, add “**and companies**”.  
[topic]
- (123) Heading to Division 3, page 99 (line 1), at the end of the heading, add “**and companies**”.  
[topic]
- (124) Heading to Subdivision A, page 99 (line 1), at the end of the heading, add “**and companies**”.  
[topic]
- (125) Heading to clause 66, page 99 (line 1), at the end of the heading, add “**and companies**”.  
[topic]
- (126) Heading to subclause 9(6), page 99 (line 7), at the end of the heading, add “*and companies*”.  
[topic]

**25 Adding words at the end of a clause, subclause, paragraph etc.**

- (127) Clause 66, page 99 (line 5), at the end of the clause, add “or for any other purpose”.  
[topic]
- (128) Clause 66, page 99 (line 5), at the end of subclause (1), add “or for any other purpose”.  
[topic]
- (129) Clause 66, page 99 (line 5), at the end of paragraph (6)(a), add “or for any other purpose”.  
[topic]
- (130) Clause 66, page 99 (line 5), at the end of subparagraph (6)(a)(i), add “or for any other purpose”.  
[topic]
- (131) Clause 66, page 99 (line 5), at the end of sub-subparagraph (6)(a)(i)(A), add “or for any other purpose”.  
[topic]

**26 Adding words at the end of the long title**

- (132) Title, page 1 (line 5), at the end of the title, add “, **and for related purposes**”.  
[topic]

**A3: Inserting**

**27 Inserting a Chapter, Part, Division or Subdivision**

- (133) Page 99 (after line 15), after Chapter 5, insert:  
[topic]

*[To insert a Chapter between existing Chapters.]*

(134) Page 99 (after line 15), after Part 5, insert:

**[topic]**

*[To insert a Part between existing Parts.]*

(135) Page 99 (after line 15), after Division 5, insert:

**[topic]**

*[To insert a Division between existing Divisions.]*

(136) Page 99 (after line 15), after Subdivision B, insert:

**[topic]**

*[To insert a Subdivision between existing Subdivisions.]*

### **28 Inserting a clause**

(137) Page 99 (after line 15), after clause 66, insert:

**[topic]**

### **29 Inserting a subclause**

(138) Clause 66, page 99 (after line 15), after subclause (4), insert:

**[topic]**

### **30 Inserting a paragraph, subparagraph etc.**

(139) Clause 66, page 99 (after line 15), after paragraph (6)(b), insert:

**[topic]**

*[A separate amendment may be needed to add a conjunction at the end of the paragraph after which the new paragraph is being inserted.]*

(140) Clause 66, page 99 (after line 15), after subparagraph (6)(b)(i), insert:

**[topic]**

*[A separate amendment may be needed to add a conjunction at the end of the subparagraph after which the new subparagraph is being inserted.]*

(141) Clause 66, page 99 (after line 15), after sub-subparagraph (6)(b)(i)(A), insert:

**[topic]**

*[A separate amendment may be needed to add a conjunction at the end of the sub-subparagraph after which the new sub-subparagraph is being inserted.]*

### **30A Inserting a paragraph in a simplified outline**

(142) Clause 66, page 99 (after line 15), after the paragraph beginning “Registered political parties”, insert:

**[topic]**

*[This form is used whether or not the existing or new paragraph is formatted as a dot point.]*

*[Ensure that enough text is quoted for the existing paragraph to be identified without ambiguity and without relying on the line number.]*

(143) Clause 66, page 99 (after line 15), after paragraph (b) of the paragraph beginning “Registered political parties”, insert:

**[topic]**

*[This form is used whether or not the “higher-level” paragraph is formatted as a dot point.]*

*[Ensure that enough text is quoted for the “higher-level” paragraph to be identified without ambiguity and without relying on the line number.]*

*[A separate amendment may be needed to add a conjunction at the end of the lettered paragraph after which the new lettered paragraph is being inserted.]*

### **31 Inserting a definition**

(144) Clause 66, page 99 (after line 15), after the definition of *aardvark*, insert:

**[topic]**

*[The “insert” form is used even if the definition(s) will appear at the end of the existing definitions.]*

(145) Clause 66, page 99 (lines 16 to 25), insert:

**[topic]**

*[This form is used for inserting more than one definition by a single amendment (if those amendments are covered by the same topic), even if the new definitions will appear at the end of the existing definitions. The line numbers identify the unit (e.g. clause or subclause) that contains the existing definitions. There is no need to specify the order of the definitions in the amended definition provision—parliamentary officers will insert the*

*definitions in alphabetical order, on a letter-by-letter basis. If you are also including one or more separate amendments of definitions in the clause or subclause, the amendment to insert the new definitions is to be included before the amendments of the existing definitions. This is to ensure that the references to the page numbers are in correct sequence.]*

### **32 Inserting an item in a table**

(146) Clause 66, page 99 (after table item 3), insert:

**[topic]**

### **33 Inserting words in a clause, subclause, paragraph etc.**

(147) Clause 66, page 99 (line 15), after “dog”, insert “or house”.

**[topic]**

### **34 Inserting words in a number of provisions (multiple amendments)**

(148) Part 1 to Part 5, page 1 (line 5) to page 20 (line 15), before “National Security Legislation Monitor” (wherever occurring), insert “Independent”.

**[topic]**

*[If you are considering using this form of amendment, you should discuss it with the head drafter.]*

### **35 Inserting words in a table**

(149) Clause 66, page 99 (table item 3), after “dog”, insert “or house”.

**[topic]**

### **36 Inserting words in the long title**

(150) Title, page 1 (line 5), after “companies”, insert “or partnerships”.

**[topic]**

## **B: Non-amending Schedule**

314 Use these forms if the parliamentary amendment is amending a non-amending Schedule to a Bill for a new principal Act.

[*Note 1: For a non-amending Schedule, the Schedule itself is the only “primary unit”.*]

*Note 2: Non-amending Schedules have differing forms. The following examples are based on the assumption that the Schedule concerned is divided into “clauses”, and that the clauses are divided into “subclauses”. The forms may need to be modified to deal with a Schedule that has a different structure or a different manner of referring to its units.*

*Note 3: A Schedule to an amending Bill that contains application, saving or transitional provisions is to be treated as an amending Schedule (and not as a non-amending Schedule) for the purpose of working out the correct amending form of parliamentary amendments of the Schedule.*

*Note 4: For details of the content of topic notes, see discussion of general principles.]*

### **B1: Omitting [and substituting]**

#### **37 Omitting a non-amending Schedule**

(151) Schedule 2, page 99 (line 1) to page 100 (line 20), omit the Schedule. [, substitute:]

**[Substitute text (if any)]**

**[topic]**

[*SENATE: If there is no substitution, use “to be opposed” instead of “omit the Schedule”.*]

#### **38 Omitting a Part or Division of a non-amending Schedule**

(152) Schedule 2, page 99 (line 3) to page 100 (line 20), omit Part 3. [, substitute:]

**[Substitute text (if any)]**

**[topic]**

[*SENATE: If there is no substitution, use “Part 3 to be opposed” instead of “omit Part 3”.*]

(153) Schedule 2, page 99 (line 3) to page 100 (line 20), omit Division 3. [, substitute:]

**[Substitute text (if any)]**

**[topic]**

[*SENATE: If there is no substitution, use “Division 3 to be opposed” instead of “omit Division 3”.*]

#### **39 Omitting the heading to a Part, Division etc., or clause or subclause, of a non-amending Schedule**

(154) Schedule 2, page 99 (line 15), omit the heading to Part 3. [, substitute:]

**[Substitute text (if any)]**

**[topic]**

(155) Schedule 2, page 99 (line 15), omit the heading to Division 3. [, substitute:]

**[Substitute text (if any)]**

**[topic]**

(156) Schedule 2, page 99 (line 15), omit the heading to clause 9. [, substitute:]

**[Substitute text (if any)]**

**[topic]**

(157) Schedule 2, page 99 (line 15), omit the heading to subclause 18(9). [, substitute:]

*[Substitute text (if any)]*

**[topic]**

**40 Omitting a clause, subclause, paragraph etc. of a non-amending Schedule**

(158) Schedule 2, page 99 (line 1) to page 100 (line 20), omit clause 3. [, substitute:]

**[Substitute text (if any)]**

**[topic]**

*[SENATE: If there is no substitution, use “clause 3 to be opposed” instead of “omit clause 3”.]*

(159) Schedule 2, page 99 (line 1) to page 100 (line 20), omit clauses 3 and 4. [, substitute:]

**[Substitute text (if any)]**

**[topic]**

*[SENATE: If there is no substitution, use “clauses 3 and 4 to be opposed” instead of “omit clauses 3 and 4”.]*

(160) Schedule 2, page 99 (line 1) to page 100 (line 20), omit clauses 3 to 5. [, substitute:]

**[Substitute text (if any)]**

**[topic]**

*[SENATE: If there is no substitution, use “clauses 3 to 5 to be opposed” instead of “omit clauses 3 to 5”.]*

(161) Schedule 2, page 99 (line 1) to page 100 (line 20), omit subclause 27(2). [, substitute:]

[Substitute text (if any)]

**[topic]**

(162) Schedule 2, page 99 (line 1) to page 100 (line 20), omit subclauses 27(2) and (3).  
[, substitute:]

[Substitute text (if any)]

**[topic]**

(163) Schedule 2, page 99 (line 1) to page 100 (line 20), omit subclauses 27(2) to (5). [, substitute:]  
[Substitute text (if any)]

**[topic]**

(164) Schedule 2, page 99 (line 1) to page 100 (line 20), omit paragraph 15(2)(a). [, substitute:]  
[Substitute text (if any)]

**[topic]**

(165) Schedule 2, page 99 (line 1) to page 100 (line 20), omit paragraphs 15(2)(a) and (b).  
[, substitute:]  
[Substitute text (if any)]

**[topic]**

(166) Schedule 2, page 99 (line 1) to page 100 (line 20), omit paragraphs 15(2)(a) to (e).  
[, substitute:]  
[Substitute text (if any)]

**[topic]**

(167) Schedule 2, page 99 (line 1) to page 100 (line 20), omit subparagraph 12(2)(a)(i).  
[, substitute:]  
[Substitute text (if any)]

**[topic]**

(168) Schedule 2, page 99 (line 1) to page 100 (line 20), omit subparagraphs 12(2)(a)(i) and (ii).  
[, substitute:]  
[Substitute text (if any)]

**[topic]**

(169) Schedule 2, page 99 (line 1) to page 100 (line 20), omit subparagraphs 12(2)(a)(i) to (v).  
[, substitute:]  
[Substitute text (if any)]

**[topic]**

(170) Schedule 2, page 99 (line 1) to page 100 (line 20), omit sub-subparagraph 43(2)(a)(i)(A).  
[, substitute:]  
[Substitute text (if any)]

**[topic]**

#### **41 Omitting a note**

(171) Schedule 2, page 99 (lines 16 to 25), omit note 2. [, substitute:]  
[Substitute text (if any)]

**[topic]**

#### **42 Omitting words from a clause, subclause, paragraph, definition, penalty, note, example etc.**

(172) Schedule 2, page 99 (line 1), omit “without reasonable excuse”. [, substitute “...”]

**[topic]**

(173) Schedule 2, page 99 (lines 1 to 30), omit all the words from and including “house” to and including “car”. [, substitute “...”]

**[topic]**

(174) Schedule 2, page 99 (lines 1 to 30), omit all the words from and including “house” to the end of clause 3. [, substitute “...”]

**[topic]**

## **B2: Adding**

### **43 Adding a non-amending Schedule at the end of the Bill**

(175) Page 99 (after line 15), at the end of the Bill, add:

**[topic]**

### **44 Adding a Part at the end of a non-amending Schedule**

(176) Schedule 2, page 99 (after line 20), at the end of the Schedule, add:

**[topic]**

### **45 Adding a Division at the end of a Part of a non-amending Schedule**

(177) Schedule 2, page 99 (after line 20), at the end of Part 3, add:

**[topic]**

### **46 Adding a clause at the end of a non-amending Schedule**

(178) Schedule 2, page 99 (after line 20), at the end of the Schedule, add:

**[topic]**

### **47 Adding a clause at the end of a Part of a non-amending Schedule**

(179) Schedule 2, page 99 (after line 20), at the end of Part 3, add:

**[topic]**

### **48 Adding a subclause at the end of a clause**

(180) Schedule 2, page 99 (after line 20), at the end of clause 13, add:

**[topic]**



#### **49 Adding a paragraph, subparagraph etc.**

(181) Schedule 2, page 99 (line 5), at the end of clause 6, add:

**[topic]**

*[The additional material (whether it be punctuation and a paragraph, or punctuation, a conjunction and a paragraph) will start at the end of the relevant line, not after that line.]*

(182) Schedule 2, page 99 (line 5), at the end of subclause 4(6), add:

**[topic]**

*[The additional material (whether it be punctuation and a paragraph, or punctuation, a conjunction and a paragraph) will start at the end of the relevant line, not after that line.]*

(183) Schedule 2, page 99 (after line 5), at the end of paragraph 18(6)(b), add:

**[topic]**

*[This form is used if a subparagraph is being added without any extra punctuation or conjunction before it.]*

(184) Schedule 2, page 99 (line 5), at the end of paragraph 18(6)(b), add:

**[topic]**

*[This form is used if punctuation and a subparagraph, or punctuation, a conjunction and a subparagraph, are being added. In this case “line 5” is used instead of “after line 5”, because the addition starts at the end of line 5.]*

(185) Schedule 2, page 99 (after line 5), at the end of subparagraph 8(6)(b)(i), add:

**[topic]**

*[This form is used if a sub-subparagraph is being added without any extra punctuation or conjunction before it.]*

(186) Schedule 2, page 99 (line 5), at the end of the definition of **dog** in clause 3, add:

**[topic]**

*[This form is used if punctuation and a paragraph, or punctuation, a conjunction and a paragraph, are being added. In this case “line 5” is used instead of “after line 5”, because the addition starts at the end of line 5.]*

#### **50 Adding an item at the end of a table**

(187) Schedule 2, page 99 (at the end of the table), add:

**[topic]**

*[In this example, the table ends on page 99. There is no need to specify the starting page.]*

### **51 Adding a note**

(188) Schedule 2, page 99 (after line 5), at the end of subclause 8(6), add:

**[topic]**

(189) Schedule 2, page 99 (after line 5), at the end of paragraph 12(6)(b), add:

**[topic]**

### **52 Adding words at the end of the heading to a Part, Division etc. or clause or subclause**

(190) Schedule 2, page 99 (line 15), at the end of the heading to Part 3, add “**or companies**”.

**[topic]**

(191) Schedule 2, page 99 (line 15), at the end of the heading to Division 3, add “**or companies**”.

**[topic]**

(192) Schedule 2, page 99 (line 15), at the end of the heading to clause 6, add “**or companies**”.

**[topic]**

(193) Schedule 2, page 99 (line 15), at the end of the heading to subclause 27(3), add “*or companies*”.

**[topic]**

### **53 Adding words at the end of a clause, subclause, paragraph etc.**

(194) Schedule 2, page 99 (line 5), at the end of clause 34, add “or for any other purpose”.

**[topic]**

(195) Schedule 2, page 99 (line 5), at the end of subclause 34(4), add “or for any other purpose”.

**[topic]**

(196) Schedule 2, page 99 (line 5), at the end of paragraph 19(6)(a), add “or for any other purpose”.

**[topic]**

(197) Schedule 2, page 99 (line 5), at the end of subparagraph 82(6)(a)(i), add “or for any other purpose”.

**[topic]**

(198) Schedule 2, page 99 (line 5), at the end of sub-subparagraph 22(6)(a)(i)(A), add “or for any other purpose”.

**[topic]**

## **B3: Inserting**

### **54 Inserting a non-amending Schedule**

(199) Page 99 (after line 15), after Schedule 3, insert:

**[topic]**

**55 Inserting a Part or Division in a non-amending Schedule**

(200) Schedule 2, page 99 (after line 23), after Part 2, insert:

**[topic]**

(201) Schedule 2, page 99 (after line 23), after Division 2, insert:

**[topic]**

**56 Inserting a clause or subclause**

(202) Schedule 2, page 99 (after line 23), after clause 34, insert:

**[topic]**

(203) Schedule 2, page 99 (after line 23), after subclause 34(2), insert:

**[topic]**

**57 Inserting a paragraph, subparagraph etc.**

(204) Schedule 2, page 99 (after line 23), after paragraph 34(6)(b), insert:

**[topic]**

*[A separate amendment may be needed to add a conjunction at the end of the paragraph after which the new paragraph is being inserted.]*

(205) Schedule 2, page 99 (after line 23), after subparagraph 17(6)(b)(i), insert:

**[topic]**

*[A separate amendment may be needed to add a conjunction at the end of the subparagraph after which the new subparagraph is being inserted.]*

(206) Schedule 2, page 99 (after line 23), after sub-subparagraph 36(6)(b)(i)(A), insert:

**[topic]**

*[A separate amendment may be needed to add a conjunction at the end of the sub-subparagraph after which the new sub-subparagraph is being inserted.]*

**58 Inserting a definition**

(207) Schedule 2, page 99 (after line 15), after the definition of *aardvark*, insert:

**[topic]**

**59 Inserting a note**

(208) Schedule 2, page 99 (after line 15), after note 1, insert:

**[topic]**

**60 Inserting words in a clause, subclause, paragraph etc.**

(209) Schedule 2, page 99 (line 15), after “mining”, insert “or prospecting”.

**[topic]**

## **C: Amending Schedule—proposed blocks of text (not in quotes)**

315 Use these forms if the parliamentary amendment is amending text that a Bill for an amending Act is proposing to omit from, or add or insert in, another Act, other than text that is formatted in item style within quotes in the amending item.

316 Do not use these forms if the parliamentary amendment is amending elements of the Bill for the amending Act such as an amending Schedule heading, aat style heading, amending item headings, or any text formatted in item style. In that case, use the forms in Part D.

*[Note: For details of the content of topic notes, see discussion of general principles.]*

### **C1: Omitting [and substituting]**

#### **61 Omitting a proposed Chapter, Part, Division or Subdivision**

(210) Schedule 2, item 777, page 99 (line 15) to page 100 (line 20), omit Chapter 3A. [, substitute:]

**[Substitute text (if any)]**

**[topic]**

*[SENATE: If there is no substitution, use “Chapter 3A to be opposed” instead of “omit Chapter 3A”.]*

(211) Schedule 2, item 777, page 99 (line 15) to page 100 (line 20), omit Part 3A. [, substitute:]

**[Substitute text (if any)]**

**[topic]**

*[SENATE: If there is no substitution, use “Part 3A to be opposed” instead of “omit Part 3A”.]*

(212) Schedule 2, item 777, page 99 (line 15) to page 100 (line 20), omit Division 3A. [, substitute:]

**[Substitute text (if any)]**

**[topic]**

*[SENATE: If there is no substitution, use “Division 3A to be opposed” instead of “omit Division 3A”.]*

(213) Schedule 2, item 777, page 99 (line 15) to page 100 (line 20), omit Subdivision B. [, substitute:]

**[Substitute text (if any)]**

**[topic]**

*[SENATE: If there is no substitution, use “Subdivision B to be opposed” instead of “omit Subdivision B”.]*

**62 Omitting the heading to a proposed Chapter, Part, Division, Subdivision, section or subsection**

(214) Schedule 2, item 777, page 99 (line 15), omit the heading to Chapter 3A. [, substitute:]

**[Substitute text (if any)]**

**[topic]**

(215) Schedule 2, item 777, page 99 (line 15), omit the heading to Part 3A. [, substitute:]

**[Substitute text (if any)]**

**[topic]**

(216) Schedule 2, item 777, page 99 (line 15), omit the heading to Division 3A. [, substitute:]

**[Substitute text (if any)]**

**[topic]**

(217) Schedule 2, item 777, page 99 (line 15), omit the heading to Subdivision AA. [, substitute:]

**[Substitute text (if any)]**

**[topic]**

(218) Schedule 2, item 777, page 99 (line 15), omit the heading to section 6. [, substitute:]

**[Substitute text (if any)]**

**[topic]**

(219) Schedule 2, item 777, page 99 (line 15), omit the heading to subsection 8(4). [, substitute:]

*[Substitute text (if any)]*

**[topic]**

**63 Omitting a proposed Schedule**

(220) Schedule 2, item 777, page 99 (line 12) to page 100 (line 20), omit Schedule 3A.  
[, substitute:]

**[Substitute text (if any)]**

**[topic]**

*[SENATE: If there is no substitution, use “Schedule 3A to be opposed” instead of “omit Schedule 3A”.]*

**64 Omitting a proposed section or subsection**

(221) Schedule 2, item 777, page 99 (line 15) to page 100 (line 20), omit section 346AB.  
[, substitute:]

**[Substitute text (if any)]**

**[topic]**

*[SENATE: If there is no substitution, use “section 346AB to be opposed” instead of “omit section 346AB”.]*

(222) Schedule 2, item 777, page 99 (line 15) to page 100 (line 20), omit sections 346AB and 346AC. [, substitute:]

**[Substitute text (if any)]**

**[topic]**

*[SENATE: If there is no substitution, use “sections 346AB and 346AC to be opposed” instead of “omit sections 346AB and 346AC”.]*

(223) Schedule 2, item 777, page 99 (line 15) to page 100 (line 20), omit sections 346AB to 346AH. [, substitute:]

**[Substitute text (if any)]**

**[topic]**

*[SENATE: If there is no substitution, use “sections 346AB to 346AH to be opposed” instead of “omit sections 346AB to 346AH”.]*

(224) Schedule 2, item 777, page 99 (line 15) to page 100 (line 20), omit subsection 32(2A). [, substitute:]

[Substitute text (if any)]

**[topic]**

(225) Schedule 2, item 777, page 99 (line 15) to page 100 (line 20), omit subsections 32(2) and (3). [, substitute:]

[Substitute text (if any)]

**[topic]**

(226) Schedule 2, item 777, page 99 (line 15) to page 100 (line 20), omit subsections 32(2) to (5). [, substitute:]

[Substitute text (if any)]

**[topic]**

**65 Omitting a proposed paragraph, subparagraph etc.**

(227) Schedule 2, item 777, page 99 (lines 3 to 5), omit paragraph 16(4)(a). [, substitute:]

[Substitute text (if any)]

**[topic]**

(228) Schedule 2, item 777, page 99 (lines 3 to 5), omit paragraphs 16(4)(a) and (b). [, substitute:]

[Substitute text (if any)]

**[topic]**

(229) Schedule 2, item 777, page 99 (lines 3 to 5), omit paragraphs 16(4)(a) to (c). [, substitute:]

[Substitute text (if any)]

**[topic]**

(230) Schedule 2, item 777, page 99 (lines 3 to 5), omit paragraph (a) of the definition of *dog* in section 8. [, substitute:]

[Substitute text (if any)]

**[topic]**

(231) Schedule 2, item 777, page 99 (lines 14 to 18), omit paragraph (6)(d) (including the note).  
[, substitute:]  
[Substitute text (if any)]

**[topic]**

(232) Schedule 2, item 777, page 99 (lines 3 to 5), omit subparagraph 13(4)(a)(i). [, substitute:]  
[Substitute text (if any)]

**[topic]**

(233) Schedule 2, item 777, page 99 (lines 3 to 5), omit subparagraphs 13(4)(a)(i) and (ii).  
[, substitute:]  
[Substitute text (if any)]

**[topic]**

(234) Schedule 2, item 777, page 99 (lines 3 to 5), omit subparagraphs 13(4)(a)(i) to (iii).  
[, substitute:]  
[Substitute text (if any)]

**[topic]**

(235) Schedule 2, item 777, page 99 (lines 3 to 5), omit subparagraph (a)(i) of the definition of *dog* in section 6. [, substitute:]  
[Substitute text (if any)]

**[topic]**

(236) Schedule 2, item 777, page 99 (lines 3 to 5), omit sub-subparagraph 19(4)(a)(i)(A).  
[, substitute:]  
[Substitute text (if any)]

**[topic]**

(237) Schedule 2, item 777, page 99 (lines 3 to 5), omit sub-subparagraph (a)(i)(A) of the definition of *dog* in section 6. [, substitute:]  
[Substitute text (if any)]

**[topic]**

### **65A Omitting a proposed paragraph from a simplified outline**

(238) Schedule 2, item 777, page 99 (lines 14 to 18), omit the paragraph beginning “Registered political parties” in section 73. [, substitute:]

[Substitute text (if any)]

**[topic]**

*[This form is used whether or not the paragraph is formatted as a dot point.]*

*[Ensure that enough text is quoted for the paragraph to be identified without ambiguity and without relying on the line numbers.]*

(239) Schedule 2, item 777, page 99 (lines 14 to 18), omit paragraph (b) of the paragraph beginning “Registered political parties” in section 73. [, substitute:]



[Substitute text (if any)]

**[topic]**

*[The line number(s) should relate only to the lettered paragraph being omitted, and not the “higher-level” paragraph from the opening words of which text is quoted. This form is used whether or not the “higher-level” paragraph is formatted as a dot point.]*

*[Ensure that enough text is quoted for the “higher-level” paragraph to be identified without ambiguity.]*

### **66 Omitting a proposed definition**

(240) Schedule 2, item 777, page 99 (lines 3 to 9), omit the definition of **dog** in section 6.  
[, substitute:]

[Substitute text (if any)]

**[topic]**

### **67 Omitting a proposed penalty or note**

(241) Schedule 2, item 777, page 99 (line 16), omit the penalty. [, substitute:]

[Substitute text (if any)]

**[topic]**

(242) Schedule 2, item 777, page 99 (lines 16 to 25), omit the note. [, substitute:]

[Substitute text (if any)]

**[topic]**

(243) Schedule 2, item 777, page 99 (lines 16 to 25), omit note 2. [, substitute:]

[Substitute text (if any)]

**[topic]**

### **68 Omitting a proposed table**

(244) Schedule 2, item 777, page 99 (table), omit the table. [, substitute:]

[Substitute text (if any)]

**[topic]**

*[In this example, the whole table is on page 99.]*

### **69 Omitting an item from a proposed table**

(245) Schedule 2, item 777, page 99 (table item 3), omit the table item. [, substitute:]

[Substitute text (if any)]

**[topic]**

*[In this example, the whole of table item 3 is on page 99.]*

### **70 Omitting a cell from a proposed table**

(246) Schedule 2, item 777, page 99 (cell at table item 3, column 5), omit the cell. [, substitute:]

[Substitute text (if any)]

**[topic]**

*[If the columns in the table are not numbered, the column is to be referred to by reference to the text of the column heading (e.g. column headed “Expense”).]*

**71 Omitting words from the heading to a proposed Chapter, Part, Division, Subdivision or section**

(247) Schedule 2, item 777, page 99 (line 15), omit “**and companies**”. [, substitute “...”]

**[topic]**

**72 Omitting words from the heading to a proposed subsection**

(248) Schedule 2, item 777, page 99 (line 15), omit “*and companies*”. [, substitute “...”]

**[topic]**

**73 Omitting words from the heading to a proposed Schedule, Schedule Part etc.**

(249) Schedule 2, item 777, page 99 (line 15), omit “**and companies**”. [, substitute “...”]

**[topic]**

*[In this example, the words are being omitted from the heading to the proposed Schedule. Exactly the same form is used for the heading to a Part or Division of the proposed Schedule.]*

**74 Omitting words from a proposed section, subsection, paragraph, definition, penalty, note, example etc.**

(250) Schedule 2, item 777, page 99 (line 1), omit “without reasonable excuse”. [, substitute “...”]

**[topic]**

(251) Schedule 2, item 777, page 99 (lines 1 to 7), omit all the words from and including “house” to and including “car”. [, substitute “...”]

**[topic]**

(252) Schedule 2, item 777, page 99 (lines 1 to 7), omit all the words from and including “house” to the end of subsection 15(3). [, substitute “...”]

**[topic]**

**75 Omitting words from a proposed table**

(253) Schedule 2, item 777, page 99 (table item 3), omit “dog”. [, substitute “...”]

**[topic]**

(254) Schedule 2, item 777, page 99 (table item 3, column 5), omit “dog”. [, substitute “...”]

**[topic]**

*[If the columns in the table are not numbered, the column is to be referred to by reference to the text of the column heading (e.g. column headed “Expense”).]*

## **C2: Adding**

### **76 Adding a Part, Division or Subdivision at the end of a proposed Chapter etc.**

(255) Schedule 2, item 777, page 99 (after line 15), at the end of Chapter 6B, add:

**[topic]**

(256) Schedule 2, item 777, page 99 (after line 15), at the end of Part 6B, add:

**[topic]**

(257) Schedule 2, item 777, page 99 (after line 15), at the end of Division 6B, add:

**[topic]**

### **77 Adding a section at the end of a proposed Division etc.**

(258) Schedule 3, item 777, page 99 (after line 15), at the end of Chapter 3A, add:

**[topic]**

(259) Schedule 3, item 777, page 99 (after line 15), at the end of Part 3A, add:

**[topic]**

(260) Schedule 3, item 777, page 99 (after line 15), at the end of Division 3A, add:

**[topic]**

(261) Schedule 3, item 777, page 99 (after line 15), at the end of Subdivision AA, add:

**[topic]**

### **78 Adding a subsection at the end of a proposed section**

(262) Schedule 3, item 777, page 99 (after line 15), at the end of section 354A, add:

**[topic]**

### **79 Adding a paragraph, subparagraph etc.**

(263) Schedule 2, item 777, page 99 (line 5), at the end of section 12, add:

**[topic]**

*[This form is for adding a lettered paragraph at the end of a section that is not divided into subsections.]*

*[The additional material (whether it be punctuation and a paragraph, or punctuation, a conjunction and a paragraph) will start at the end of the relevant line, not after that line.]*

(264) Schedule 2, item 777, page 99 (after line 5), at the end of section 12, add:

--

**[topic]**

*[This form is for adding a paragraph (whether formatted as a dot point or not, but not a lettered paragraph) at the end of a simplified outline.]*

(265) Schedule 2, item 777, page 99 (line 5), at the end of subsection 12(6), add:

**[topic]**

*[This form is used if punctuation and a paragraph, or punctuation, a conjunction and a paragraph, are being added. In this case “line 5” is used instead of “after line 5”, because the addition starts at the end of line 5.]*

(266) Schedule 2, item 777, page 99 (line 5), at the end of the paragraph beginning “Registered political parties” in section 12, add:

--

**[topic]**

*[This form is for adding a lettered paragraph and the end of a “higher-level” paragraph of a simplified outline (whether or not the “higher-level” paragraph is formatted as a dot point).]*

*[The additional material (whether it be punctuation and a lettered paragraph, or punctuation, a conjunction and a lettered paragraph) will start at the end of the relevant line, not after that line.]*

(267) Schedule 2, item 777, page 99 (after line 5), at the end of paragraph 23(6)(a), add:

**[topic]**

*[This form is used if a subparagraph is being added without any extra punctuation or conjunction before it.]*

(268) Schedule 2, item 777, page 99 (line 5), at the end of paragraph 23(6)(a), add:

**[topic]**

*[This form is used if punctuation and a subparagraph, or punctuation, a conjunction and a subparagraph, are being added. In this case “line 5” is used instead of “after line 5”, because the addition starts at the end of line 5.]*

(269) Schedule 2, item 777, page 99 (after line 5), at the end of subparagraph 48(6)(a)(i), add:

**[topic]**

*[This form is used if a sub-subparagraph is being added without any extra punctuation or conjunction before it.]*

(270) Schedule 2, item 777, page 99 (line 5), at the end of subparagraph 48(6)(a)(i), add:

**[topic]**

*[This form is used if punctuation and a sub-subparagraph, or punctuation, a conjunction and a sub-subparagraph, are being added. In this case “line 5” is used instead of “after line 5”, because the addition starts at the end of line 5.]*

(271) Schedule 2, item 777, page 99 (line 5), at the end of the definition of **dog** in section 12, add:

**[topic]**

*[This form is used if punctuation and a paragraph, or punctuation, a conjunction and a paragraph, are being added. In this case “line 5” is used instead of “after line 5”, because the addition starts at the end of line 5.]*

#### **80 Adding a note or penalty at the end of a proposed section, subsection etc.**

(272) Schedule 2, item 777, page 99 (after line 5), at the end of section 6, add:

**[topic]**

(273) Schedule 2, item 777, page 99 (after line 5), at the end of subsection 6(6), add:

**[topic]**

#### **81 Adding an item at the end of a proposed table**

(274) Schedule 2, item 777, page 99 (at the end of the table), add:

**[topic]**

*[In this example, the table ends on page 99. There is no need to specify the starting page.]*

#### **82 Adding words at the end of a proposed heading**

(275) Schedule 2, item 777, page 99 (line 5), at the end of the heading to Chapter 3B, add “**and mining**”.

**[topic]**

(276) Schedule 2, item 777, page 99 (line 5), at the end of the heading to Part 3B, add “**and mining**”.

**[topic]**

(277) Schedule 2, item 777, page 99 (line 5), at the end of the heading to Division 3B, add “**and mining**”.

**[topic]**

(278) Schedule 2, item 777, page 99 (line 5), at the end of the heading to Subdivision BB, add “**and mining**”.

**[topic]**

(279) Schedule 2, item 777, page 99 (line 5), at the end of the heading to section 3B, add “**and mining**”.

**[topic]**

(280) Schedule 2, item 777, page 99 (line 5), at the end of the heading to subsection 18(3), add “*and mining*”.

**[topic]**

### **83 Adding words at the end of a proposed section, subsection, paragraph etc.**

(281) Schedule 2, item 777, page 99 (line 5), at the end of subsection 18(6), add “or for any other purpose”.

**[topic]**

(282) Schedule 2, item 777, page 99 (line 5), at the end of paragraph 17(2)(a), add “or for any other purpose”.

**[topic]**

(283) Schedule 2, item 777, page 99 (line 5), at the end of subparagraph 34(6)(a)(i), add “or for any other purpose”.

**[topic]**

(284) Schedule 2, item 777, page 99 (line 5), at the end of sub-subparagraph 11(6)(a)(i)(A), add “or for any other purpose”.

**[topic]**

### **C3: Inserting**

#### **84 Inserting a proposed Chapter, Part, Division or Subdivision**

(285) Schedule 2, item 777, page 99 (after line 15), after Chapter 3B, insert:

**[topic]**

(286) Schedule 2, item 777, page 99 (after line 15), after Part 3B, insert:

**[topic]**

(287) Schedule 2, item 777, page 99 (after line 20), after Division 2B, insert:

**[topic]**

(288) Schedule 2, item 777, page 99 (after line 15), after Subdivision BB, insert:

**[topic]**

**85 Inserting a proposed section or subsection**

(289) Schedule 2, item 777, page 99 (after line 23), after section 345AB, insert:

**[topic]**

(290) Schedule 2, item 777, page 99 (before line 23), before subsection 345AB(1), insert:

**[topic]**

(291) Schedule 2, item 777, page 99 (after line 35), after subsection 345AB(1), insert:

**[topic]**

**86 Inserting a proposed paragraph, subparagraph, etc.**

(292) Schedule 2, item 777, page 99 (after line 23), after paragraph 25(6)(b), insert:

**[topic]**

*[A separate amendment may be needed to add a conjunction at the end of the paragraph after which the new paragraph is being inserted.]*

(293) Schedule 2, item 777, page 99 (after line 23), after subparagraph 25(6)(b)(i), insert:

**[topic]**

*[A separate amendment may be needed to add a conjunction at the end of the subparagraph after which the new subparagraph is being inserted.]*

(294) Schedule 2, item 777, page 99 (after line 23), after sub-subparagraph 42(6)(b)(i)(A), insert:

**[topic]**

*[A separate amendment may be needed to add a conjunction at the end of the sub-subparagraph after which the new sub-subparagraph is being inserted.]*

**86A Inserting a proposed paragraph in a simplified outline**

(295) Schedule 2, item 777, page 99 (after line 23), after the paragraph beginning “Registered political parties” in section 12, insert:

**[topic]**

*[This form is used whether or not the existing or new paragraph is formatted as a dot point.]*

*[Ensure that enough text is quoted for the existing paragraph to be identified without ambiguity and without relying on the line number.]*

- (296) Schedule 2, item 777, page 99 (after line 23), after the paragraph (b) of the paragraph beginning “Registered political parties” in section 12, insert:

--

**[topic]**

*[This form is used whether or not the “higher-level” paragraph is formatted as a dot point.]*

*[Ensure that enough text is quoted for the “higher-level” paragraph to be identified without ambiguity and without relying on the line number.]*

*[A separate amendment may be needed to add a conjunction at the end of the lettered paragraph after which the new lettered paragraph is being inserted.]*

### **87 Inserting a proposed definition**

- (297) Schedule 2, item 777, page 99 (after line 15), after the definition of **aardvark** in section 2, insert:

**[topic]**

*[In this example, item 777 is inserting the whole of proposed section 2, and the amendment is inserting one or more consecutive proposed definitions into proposed section 2. Separate amendments should be used to insert proposed definitions that will not appear consecutively in the amending item. The “insert” form is used even if the definition(s) will appear at the end of the existing definitions.]*

- (298) Schedule 2, item 777, page 99 (before line 16), before the definition of **dog**, insert:

**[topic]**

*[In this example, item 777 is inserting a group of proposed definitions into an existing section or subsection, and the amendment is inserting one or more additional consecutive proposed definitions. Separate amendments should be used to insert proposed definitions that will not appear consecutively in the amending item.]*

### **88 Inserting a penalty or note**

- (299) Schedule 2, item 777, page 99 (after line 15), after note 1, insert:

**[topic]**

### **89 Inserting an item in a proposed table**

- (300) Schedule 2, item 777, page 99 (after table item 3), insert:



**[topic]**

*[In this example, table item 3 ends on page 99. There is no need to specify the starting page.]*

**90 Inserting words in the heading to a proposed Chapter, Part etc. or section etc.**

(301) Schedule 2, item 777, page 99 (line 15), after “companies”, insert “and partnerships”.

**[topic]**

**91 Inserting words in the heading to a proposed subsection etc.**

(302) Schedule 2, item 777, page 99 (line 15), after “companies”, insert “and partnerships”.

**[topic]**

**92 Inserting words in a proposed section, subsection, paragraph etc.**

(303) Schedule 2, item 777, page 99 (line 15), after “dog”, insert “or house”.

**[topic]**

**93 Inserting words in a proposed table**

(304) Schedule 2, item 777, page 99 (table item 3), after “dog”, insert “or house”.

**[topic]**

(305) Schedule 2, item 777, page 99 (table item 3, column 5, paragraph (a)), after “dog”, insert “or house”.

**[topic]**

*[If the columns in the table are not numbered, the column is to be referred to by reference to the text of the column heading (e.g. column headed “Expense”).]*

## **D: Amending Schedule—other than proposed blocks of text**

317 Use these forms if the parliamentary amendment is amending elements of the Bill for the amending Act such as an amending Schedule heading, aat style heading, headings to amending items or application, saving and transitional items, or any text formatted in item style.

318 Do not use these forms if the parliamentary amendment is amending text that a Bill for an amending Act is proposing to omit from, or add or insert in, another Act, other than text that is formatted in item style within quotes in the amending item. In that case, use the forms in Part C.

*[Note: For details of the content of topic notes, see discussion of general principles.]*

### **D1: Omitting [and substituting]**

#### **94 Omitting an amending Schedule**

(306) Schedule 2, page 99 (line 1) to page 100 (line 20), omit the Schedule. [, substitute:]

**[Substitute text (if any)]**

**[topic]**

*[SENATE: If there is no substitution, use “to be opposed” instead of “omit the Schedule”.]*

#### **95 Omitting a Part or Division of an amending Schedule**

(307) Schedule 2, Part 3, page 99 (line 3) to page 100 (line 20), omit the Part. [, substitute:]

**[Substitute text (if any)]**

**[topic]**

*[SENATE: If there is no substitution, use “to be opposed” instead of “omit the Part”.]*

(308) Schedule 2, Division 3, page 99 (line 3) to page 100 (line 20), omit the Division.  
[, substitute:]

**[Substitute text (if any)]**

**[topic]**

*[SENATE: If there is no substitution, use “to be opposed” instead of “omit the Division”.]*

#### **96 Omitting an Act title aat style heading in an amending Schedule**

(309) Schedule 2, page 99 (line 15), omit the heading. [, substitute:]

**[Substitute text (if any)]**

**[topic]**

#### **97 Omitting the heading to a Part or Division of an amending Schedule**

(310) Schedule 2, heading to Part 3, page 99 (line 15), omit the heading. [, substitute:]

**[Substitute text (if any)]**

**[topic]**

(311) Schedule 2, heading to Division 3, page 99 (line 15), omit the heading. [, substitute:]

**[Substitute text (if any)]**

**[topic]**

**98 Omitting an item, subitem or paragraph**

(312) Schedule 2, item 777, page 99 (line 1) to page 100 (line 20), omit the item. [, substitute:]

**[Substitute text (if any)]**

**[topic]**

*[SENATE: If there is no substitution, use “to be opposed” instead of “omit the item”.]*

(313) Schedule 2, items 777 and 778, page 99 (line 1) to page 100 (line 20), omit the items.  
[, substitute:]

**[Substitute text (if any)]**

**[topic]**

*[SENATE: If there is no substitution, use “to be opposed” instead of “omit the items”.]*

*[If an item has a note (formatted with note(margin) style) under it, the item and the note can be omitted (and substituted if necessary) using one amendment. Ensure that the line references cover the note.]*

*[If all the items amending a particular Act are being omitted, ensure that a separate amendment is included to omit the Act title at style heading.]*

(314) Schedule 2, items 777 to 788, page 99 (line 1) to page 100 (line 20), omit the items.  
[, substitute:]

**[Substitute text (if any)]**

**[topic]**

*[SENATE: If there is no substitution, use “to be opposed” instead of “omit the items”.]*

*[If an item has a note (formatted with note(margin) style) under it, the item and the note can be omitted (and substituted if necessary) using one amendment. Ensure that the line references cover the note.]*

*[If all the items amending a particular Act are being omitted, ensure that a separate amendment is included to omit the Act title at style heading.]*

(315) Schedule 2, item 777, page 99 (line 1) to page 100 (line 20), omit subitem (2). [, substitute:]

[Substitute text (if any)]

**[topic]**

(316) Schedule 2, item 777, page 99 (line 1) to page 100 (line 20), omit subitems (2) and (3).  
[, substitute:]  
[Substitute text (if any)]

**[topic]**

(317) Schedule 2, item 777, page 99 (line 1) to page 100 (line 20), omit paragraph (4)(b).  
[, substitute:]  
[Substitute text (if any)]

**[topic]**

(318) Schedule 2, item 777, page 99 (line 1) to page 100 (line 20), omit paragraphs (5)(a) and (b).  
[, substitute:]  
[Substitute text (if any)]

**[topic]**

### **99 Omitting a definition**

(319) Schedule 2, item 777, page 99 (line 15), omit the definition of *dog*. [, substitute:]  
[Substitute text (if any)]

**[topic]**

### **100 Omitting a note**

(320) Schedule 2, item 777, page 99 (lines 16 to 25), omit note 2. [, substitute:]  
[Substitute text (if any)]

**[topic]**

### **101 Omitting words from the heading to an amending Schedule**

(321) Schedule 2, heading, page 99 (line 1), omit “**and companies**”. [, substitute “...”]

**[topic]**

### **102 Omitting words from the heading to a Part or Division of an amending Schedule**

(322) Schedule 2, heading to Part 2, page 99 (line 1), omit “**and companies**”. [, substitute “...”]

**[topic]**

(323) Schedule 2, heading to Division 3, page 99 (line 1), omit “**and companies**”. [, substitute “...”]

**[topic]**

### **103 Omitting words from an amended Act title at style heading**

(324) Schedule 2, heading specifying Act to be amended, page 99 (line 10), omit “**and Companies**”. [, substitute “...”]

**[topic]**

### **104 Omitting words from an item heading**

(325) Schedule 2, item 777, page 99 (line 1), omit “, **27A, 27B**”. [, substitute “...”]

**[topic]**

**105 Omitting words from a subitem heading**

(326) Schedule 2, item 777, page 99 (line 1), omit “, 27A, 27B”. [, substitute “...”]

**[topic]**

**106 Omitting words from an item, subitem, paragraph etc.**

(327) Schedule 2, item 777, page 99 (line 1), omit “without reasonable excuse”. [, substitute “...”]

**[topic]**

(328) Schedule 2, item 777, page 99 (lines 3 to 7), omit all the words from and including “house” to and including “car”. [, substitute “...”]

**[topic]**

(329) Schedule 2, item 777, page 99 (lines 3 to 7), omit all the words from and including “house” to the end of the item. [, substitute “...”]

**[topic]**

**D2: Adding**

**107 Adding an amending Schedule at the end of the Bill**

(330) Page 99 (after line 15), at the end of the Bill, add:

**[topic]**

**108 Adding a Part at the end of an amending Schedule**

(331) Schedule 2, page 99 (after line 20), at the end of the Schedule, add:

**[topic]**

**109 Adding a Division at the end of a Part of an amending Schedule**

(332) Schedule 2, Part 3, page 99 (after line 20), at the end of the Part, add:

**[topic]**

**109A Adding amendments of an extra principal Act at the end of an amending Schedule**

(333) Schedule 2, page 99 (after line 20), at the end of the Schedule, add:

**[topic]**

*[The amendment should include both the aat style heading specifying the extra principal Act and the amending items (together with any items for application, saving or transitional provisions relating to the amendments of the principal Act).]*

### **110 Adding an item at the end of an amending Schedule**

(334) Schedule 2, page 99 (after line 20), at the end of the Schedule, add:

**[topic]**

### **111 Adding an item at the end of a Part of an amending Schedule**

(335) Schedule 2, Part 3, page 99 (after line 20), at the end of the Part, add:

**[topic]**

### **112 Adding a subitem at the end of an item**

(336) Schedule 2, item 777, page 99 (after line 5), at the end of the item, add:

**[topic]**

### **113 Adding a paragraph at the end of an item or subitem, or a subparagraph at the end of a paragraph**

(337) Schedule 2, item 777, page 99 (line 5), at the end of the item, add:

**[topic]**

*[This form is used if punctuation and a paragraph, or punctuation, a conjunction and a paragraph, are being added. In this case “line 5” is used instead of “after line 5”, because the addition starts at the end of line 5.]*

(338) Schedule 2, item 777, page 99 (line 5), at the end of subitem (6), add:

**[topic]**

*[This form is used if punctuation and a paragraph, or punctuation, a conjunction and a paragraph, are being added. In this case “line 5” is used instead of “after line 5”, because the addition starts at the end of line 5.]*

(339) Schedule 2, item 777, page 99 (after line 5), at the end of paragraph 23(6)(a), add:

**[topic]**

*[This form is used if a subparagraph is being added without any extra punctuation or conjunction before it.]*

(340) Schedule 2, item 777, page 99 (line 5), at the end of paragraph 23(6)(a), add:

**[topic]**

*[This form is used if punctuation and a subparagraph, or punctuation, a conjunction and a subparagraph, are being added. In this case “line 5” is used instead of “after line 5”, because the addition starts at the end of line 5.]*

#### **114 Adding an item at the end of a table**

(341) Schedule 2, item 777, page 99 (at the end of the table), add:

**[topic]**

*[In this example, the table ends on page 99. There is no need to specify the starting page.]*

#### **115 Adding a note**

(342) Schedule 2, item 777, page 99 (after line 5), at the end of subitem (6), add:

**[topic]**

#### **116 Adding words at the end of the heading to an amending Schedule**

(343) Schedule 2, heading, page 99 (line 1), at the end of the heading, add “**or companies**”.

**[topic]**

#### **117 Adding words at the end of the heading to a Part, Division, item or subitem of an amending Schedule**

(344) Schedule 2, heading to Part 2, page 99 (line 15), at the end of the heading, add “**or companies**”.

**[topic]**

(345) Schedule 2, heading to Division 3, page 99 (line 15), at the end of the heading, add “**or companies**”.

**[topic]**

(346) Schedule 2, heading to item 777, page 99 (line 15), at the end of the heading, add “**or companies**”.

**[topic]**

(347) Schedule 2, heading to subitem 777(6), page 99 (line 15), at the end of the heading, add “*or companies*”.

**[topic]**

#### **118 Adding words at the end of an amended Act title at style heading**

(348) Schedule 2, heading specifying *Public Order (Protection of Persons and Property)*, page 99 (line 10), at the end of the heading, add “**Act 2001**”.

**[topic]**

#### **119 Adding words at the end of an item, subitem, paragraph etc.**

(349) Schedule 2, item 777, page 99 (line 5), at the end of the item, add “or for any other purpose”.

**[topic]**

(350) Schedule 2, item 777, page 99 (line 5), at the end of subitem (6), add “or for any other purpose”.

**[topic]**

(351) Schedule 2, item 777, page 99 (line 5), at the end of paragraph (6)(a), add “or for any other purpose”.

**[topic]**

### **D3: Inserting**

#### **120 Inserting an amending Schedule**

(352) Page 99 (after line 15), after Schedule 2, insert:

**[topic]**

#### **121 Inserting a Part or Division in an amending Schedule**

(353) Schedule 2, page 99 (after line 23), after Part 2, insert:

**[topic]**

(354) Schedule 2, Part 3, page 99 (after line 23), after Division 2, insert:

**[topic]**

#### **121A Inserting amendments of an extra principal Act in an amending Schedule**

(355) Schedule 2, page 99 (after line 23), after item 34, insert:

**[topic]**

*[The amendment should include both the aat style heading specifying the extra principal Act and the amending items (together with any items for application, saving or transitional provisions relating to the amendments of the principal Act).]*

(356) Schedule 2, page 99 (before line 23), before the heading specifying *Acts Interpretation Act 1901*, insert:

**[topic]**

*[The amendment should include both the aat style heading specifying the extra principal Act and the amending items (together with any items for application, saving or transitional provisions relating to the amendments of the principal Act).]*

#### **122 Inserting an item or subitem**

(357) Schedule 2, page 99 (after line 23), after item 34, insert:



[topic]

(358) Schedule 2, item 777, page 99 (after line 23), after subitem (2), insert:

[topic]

### **123 Inserting a paragraph etc.**

(359) Schedule 2, item 777, page 99 (after line 15), after paragraph (6)(b), insert:

[topic]

*[A separate amendment may be needed to add a conjunction at the end of the paragraph after which the new paragraph is being inserted.]*

### **124 Inserting a definition**

(360) Schedule 2, item 777, page 99 (after line 15), after the definition of *aardvark* in subitem (3), insert:

[topic]

*[Separate amendments should be used to insert definitions that will not appear consecutively in the amending item.]*

### **125 Inserting a note**

(361) Schedule 2, item 777, page 99 (after line 15), after note 1, insert:

[topic]

### **126 Inserting words in the heading to an amending Schedule**

(362) Schedule 2, heading, page 99 (line 15), after “partnerships”, insert “or companies”.

[topic]

### **127 Inserting words in the heading to a Part or Division of an amending Schedule**

(363) Schedule 2, heading to Part 2, page 99 (line 15), after “partnerships”, insert “or companies”.

[topic]

(364) Schedule 2, heading to Division 3, page 99 (line 15), after “partnerships”, insert “or companies”.

[topic]

### **128 Inserting words in an amended Act title at style heading**

(365) Schedule 2, heading specifying *Public Order (Protection of Persons and Property) Act 1971*, page 99 (line 15), after “Public”, insert “Law and”.

[topic]

**129 Inserting words in an item heading**

(366) Schedule 2, item 777, page 99 (line 15), after “**27AB**”, insert “, **27AC**”.

**[topic]**

**130 Inserting words in a subitem heading**

(367) Schedule 2, item 777, page 99 (line 15), after “*27AB*”, insert “, *27AC*”.

**[topic]**

**131 Inserting words in an item, subitem, paragraph etc.**

(368) Schedule 2, item 777, page 99 (line 15), after “mining”, insert “or prospecting”.

**[topic]**

## **Appendix 2B—Amendments of amendments**

### **A. Senate amendment of Senate amendment**

Example:

## **Gadgets Amendment Bill 2002**

*(Government)*

AMENDMENTS TO OPPOSITION AMENDMENTS [SHEET 1969]

- (1) Amendment (1), omit “Department”, substitute “Secretary”.
- (2) Amendment (5), item 6F, subsection 185(3), omit “one month”, substitute “28 days”.
- (3) Amendment (7), item 12A, after subsection 293(4), insert:
  - (4A) Before making a declaration under subsection (4), the Minister must consult the Council.
- (4) Amendment (24), item 15A, at the end of section 118A, add:
  - (5) Subsection (1) does not apply to a resident of Australia.

*[The sheet number referred to in the heading is the sheet number of the original amending document. If the sheet number is unknown or missing, there is no need to refer to the sheet number in the heading.]*

## ***B. House of Representatives amendment that replaces a Senate amendment or modifies a Senate request***

Example:

### **Gadgets Amendment Bill 2002**

*(Government)*

- (1) Schedule 1, item 2, page 3 (line 29), after “these words”, insert “and some other words”.  
***[parliamentary topic note]***
- (2) Schedule 1, item 4, page 5 (line 17), after “these words”, insert “and some other words”.  
***[parliamentary topic note]***
- (3) Schedule 1, item 4, page 5 (line 23), after “these words”, insert “and some other words”.  
***[parliamentary topic note]***

*[In this case, the amendments or requests made by the Senate were in substantially the same form but different words were being inserted instead of “and some other words”. This example does not explicitly reflect the fact that the Senate amendments or requests to the same provisions were rejected and replaced with these amendments as this was dealt with in the motion moved in the House of Representatives.]*

## ***C. House of Representatives amendment of Senate amendment***

Example:

### **Gadgets Amendment Bill 2002**

*(Government)*

- (1) Senate amendment (2) (proposed new subsection 68(4) of the *Gadgets Act 1968*):

Omit “30 days”, substitute “one month”.

- (2) Senate amendment (8) (proposed new subsection 73(5) of the *Gadgets Act 1968*):

Omit “Minister”, substitute “Secretary”.

*[This is a non-standard approach. This approach would only be used in a case where the Senate has inserted a large amount of text, and the House of Representatives wants to make only a small change to that text. You should not use this approach unless you are specifically asked to do so, and in such a case you should discuss this approach with the head drafter and the Clerk’s office before finalising the amendments.]*