



New South Wales

# Corporations (New South Wales) Regulation 1996

under the

Corporations (New South Wales) Act 1990

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Corporations (New South Wales) Act 1990*.

JEFFREY SHAW, Q.C., M.L.C.,  
Attorney General

## Explanatory note

The object of this Regulation is to repeal and remake, with no changes in substance, the *Corporations (New South Wales) Regulation 1990*. The new Regulation deals with the way in which references in certain statutory provisions are to be read as a consequence of the enactment of the *Corporations Law*.

This Regulation is made under the *Corporations (New South Wales) Act 1990*, including section 80 (the general regulation making power) and section 90.

This Regulation relates to matters of a machinery nature.

This Regulation is made in connection with the staged repeal of subordinate legislation under the *Subordinate Legislation Act 1989*.

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## Corporations (New South Wales) Regulation 1996

### 1 Name of Regulation

This Regulation is the *Corporations (New South Wales) Regulation 1996*.

### 2 Commencement

This Regulation commences on 1 September 1996.

### 3 Definitions

In this Regulation:

*Code regulations and instrument* have the same meanings as in section 90 of the Act.

*co-operative scheme law* means a law referred to in section 84 of the Act.

*the Act* means the *Corporations (New South Wales) Act 1990*.

### 4 Notes

The explanatory note and table of contents do not form part of this Regulation.

### 5 Provisions in State laws that are not to include reference to corresponding Corporations Law

(1) In this clause:

*prescribed reference* means a reference to a co-operative scheme law, to Code regulations or to a provision of a co-operative scheme law or of Code regulations.

(2) Section 90 (2), (3) and (4) of the Act do not apply in relation to prescribed references in, or in any instrument made under, the following Acts and provisions of Acts:

- (a) *Centenary Institute of Cancer Medicine and Cell Biology Act 1985* (except section 17),
- (b) *Garvan Institute of Medical Research Act 1984* (except section 13),

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- (c) *Gas Industry Restructuring Act 1986*, sections 40, 43 and 44,
  - (d) *Jusdices Act 1902*, section 1001,
  - (e) *Legal Profession Act 1987*,
  - (f) *National Trust of Australia (New South Wales) Act 1990*,
  - (g) *Sydney Turf Club Act 1943*.
- (3) Section 90 (2), (3) and (4) of the Act have effect in relation to prescribed references in the *Gas Industry Restructuring Act 1986* (except sections 40, 43 and 4) as if in section 90 (2), (3) and (4), the words “be taken to be” were substituted for the words “be taken to include”.

### 6 Certain references to Corporate Affairs Commission

For the purposes of section 96 (2) of the Act, the reference to the Corporate Affairs Commission in section 29D (2) (a) of the *Trustee Companies Act 1964* is taken to be a reference to the Director-General of the Attorney General’s Department.

### 7 Repeal

- (1) The *Corporations (New South Wales) Regulation 1990* is repealed.
- (2) Any act, matter or thing that, immediately before the repeal of the *Corporations (New South Wales) Regulation 1990*, had effect under that Regulation continues to have effect under this Regulation.