



Corporations (Ancillary Provisions) Regulation 2001

under the

Corporations (Ancillary Provisions) Act 2001

1 Name of Regulation

This Regulation is the *Corporations (Ancillary Provisions) Regulation 2001*.

2 Commencement

This Regulation commences on the commencement of the *Corporations Act 2001* of the Commonwealth.

3 Definitions

(1) In this Regulation:

the Act means the *Corporations (Ancillary Provisions) Act 2001*.

(2) Notes included in this Regulation do not form part of this Regulation.

4 Provisions in State laws that are not to include reference to corresponding new corporations legislation

(1) In this clause:

new reference means a reference to:

- (a) the new corporations legislation, or
- (b) the new ASIC legislation, or
- (c) a provision or group of provisions of that legislation.

old reference means a reference to a national scheme law of this jurisdiction.

(2) Section 11 (1) and (5) of the Act does not apply in relation to any old reference in, or taken immediately before the relevant time to be in, the

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following Acts and instruments (or provisions of Acts and instruments):

- (a) the *Associations Incorporation Act 1984*,
 - (b) the *Business Names Act 1962*,
 - (c) the *Conveyancing Act 1919*,
 - (d) the *Co-operative Housing and Starr-Bowkett Societies Act 1998* and the regulations made under that Act,
 - (e) the *Co-operatives Act 1992* and the regulations made under that Act,
 - (f) the *Duties Act 1997*,
 - (g) the *Gas Industry Restructuring Act 1986*,
 - (h) the *Grain Marketing Act 1991*,
 - (i) the *Legal Profession Act 1987* and the regulations made under that Act,
 - (j) the *National Rail Corporation (Agreement) Act 1991*,
 - (k) the *National Trust of Australia (New South Wales) Act 1990*,
 - (l) the *Revenue Laws (Reciprocal Powers) Act 1987*,
 - (m) the *Stamp Duties Act 1920*,
 - (n) the *Supreme Court Act 1970*,
 - (o) the *Sydney Turf Club Act 1943*,
 - (p) the *Totalizator Act 1997*, the *Totalizator Agency Board Privatisation Act 1997*, and the regulations made under those Acts,
 - (q) the *Westpac Banking Corporation Act 1995* and the *Westpac Banking Corporation Regulation 1996*.
- (3) Section 11 (5) of the Act does not apply to a new reference in a provision of an Act, instrument or law if, immediately before the relevant time, the provision did not expressly refer (or was not taken to be or include) a reference to a corresponding provision of the national scheme law of this jurisdiction.

Note. Immediately before the relevant time, certain references to the *Companies Act 1961* and other corporation laws in force in the State before the co-operative scheme laws did not include references to the national scheme law. Some of these references were replaced in the *Corporations (Consequential Amendments) Act 2001* by references to the new corporations legislation and the new ASIC legislation.

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- (4) Unless the contrary intention appears or the context of the reference requires otherwise, any new reference in a provision to which subclause (3) applies is taken to include a reference to a previous State corporations law (or provision of such a law) to which it referred immediately before the relevant time in relation to events, circumstances or things that happened or arose before the relevant time.