



Australian Capital Territory

COVID-19 Emergency Response Legislation Amendment Act 2021

A2021-1

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Authorised by the ACT Parliamentary Counsel—also accessible at www.legislation.act.gov.au

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Australian Capital Territory

COVID-19 Emergency Response Legislation Amendment Act 2021

A2021-1

An Act to amend legislation to provide for emergency measures in response to the COVID-19 emergency, and for other purposes

The Legislative Assembly for the Australian Capital Territory enacts as follows:

1 Name of Act

This Act is the *COVID-19 Emergency Response Legislation Amendment Act 2021*.

2 Commencement

- (1) This Act (other than schedule 1, amendments 1.5 and 1.7) commences on the day after its notification day.

Note The naming and commencement provisions automatically commence on the notification day (see [Legislation Act](#), s 75 (1)).

- (2) Schedule 1, amendment 1.5 commences on the commencement of the *COVID-19 Emergency Response Legislation Amendment Act 2020*, schedule 1, amendment 1.38.
- (3) Schedule 1, amendment 1.7 commences on the commencement of the *COVID-19 Emergency Response Legislation Amendment Act 2020*, schedule 1, amendment 1.39.

3 Legislation amended—sch 1

This Act amends the legislation mentioned in schedule 1

Schedule 1 COVID-19 emergency response—Amendments

(see s 3)

Part 1.1 Associations Incorporation Act 1991

[1.1] Section 70AA (7)

substitute

(7) This section expires on 8 October 2021.

[1.2] Section 120 (6)

substitute

(6) This subsection and subsections (3) to (5) expire on 8 October 2021.

Part 1.2 Bail Act 1992

[1.3] Section 28 (7)

substitute

(7) This subsection and subsections (2A) and (6) expire on the day the *COVID-19 Emergency Response Act 2020* expires.

Part 1.3 Corrections Management Act 2007

[1.4] Section 26 (7)

omit

12 months after the day this subsection commences

substitute

on the day the *COVID-19 Emergency Response Act 2020* expires

[1.5] Section 30 (7)

substitute

- (7) This subsection and subsections (2A) and (6) expire on the day the *COVID-19 Emergency Response Act 2020* expires.

[1.6] Section 205 (5)

omit

12 months after the day this subsection commences

substitute

on the day the *COVID-19 Emergency Response Act 2020* expires

[1.7] Section 216I

omit

120 days after the day

substitute

on the day

Part 1.4 **COVID-19 Emergency Response Act 2020**

[1.8] Section 3 (1)

omit

month

substitute

reporting period

[1.9] Section 3 (2) (a)

substitute

- (a) 1 month after the end of the reporting period to which the report applies; or

[1.10] Section 3 (4), new definition of *reporting period*

insert

reporting period means—

- (a) for a period in 2020—a month; and
(b) for a period in 2021 or later—a quarter.

[1.11] Section 3A (2)

omit

first sitting day

substitute

second sitting day

Part 1.5 Crimes Act 1900

[1.12] Section 194A (7)

substitute

- (7) This section expires on the day the *COVID-19 Emergency Response Act 2020* expires.

Part 1.6 Crimes (Sentence Administration) Act 2005

[1.13] Section 182 (2A) and (2B)

omit

[1.14] Section 185 (1A) and note

omit

[1.15] Section 322A

substitute

322A Expiry—COVID-19 emergency amendments

The following provisions expire on the day the *COVID-19 Emergency Response Act 2020* expires:

- (a) this section;
- (b) section 47A;
- (c) section 59A;
- (d) section 62 (2) (d);
- (e) section 64 (3A);
- (f) section 92A;

- (g) section 102A;
- (h) section 126 (2A) and (2B);
- (i) section 127 (2A);
- (j) section 143A;
- (k) section 322AA;
- (l) dictionary, definition of *COVID-19 emergency*.

Part 1.7 Crimes (Sentencing) Act 2005

[1.16] Section 13 (10)

substitute

- (10) This subsection and subsections (2A) and (9) expire on the day the *COVID-19 Emergency Response Act 2020* expires.

[1.17] Section 46C (9)

omit

12 months after the day the *COVID-19 Emergency Response Act 2020*, section 4 commenced

substitute

on the day the *COVID-19 Emergency Response Act 2020* expires

Part 1.8 Drugs of Dependence Act 1989

[1.18] Section 187A (5)

substitute

- (5) This section expires on the day the *COVID-19 Emergency Response Act 2020* expires.

Part 1.9 Education Act 2004

[1.19] Sections 84A (3), 88AA (3) and 153B (7)

omit everything after

This section expires

substitute

on the day the *COVID-19 Emergency Response Act 2020* expires.

Part 1.10 Evidence (Miscellaneous Provisions) Act 1991

[1.20] Section 164 (2)

substitute

- (2) This chapter and any regulation made under it expires on the day the *COVID-19 Emergency Response Act 2020* expires.

Part 1.11 Family Violence Act 2016

[1.21] Section 210

substitute

210 Expiry—pt 22

This part expires on the day the *COVID-19 Emergency Response Act 2020* expires.

Part 1.12 Gaming Machine Regulation 2004

[1.22] New section 69 (3)

insert

- (3) This subsection and subsection (1) (c), note expire when the [Act](#), section 166A expires.

[1.23] Section 69L

substitute

69L Expiry—COVID-19 emergency amendments

This section and section 69DA expire at the end of a 12-month period during which no COVID-19 emergency has been in force.

Part 1.13 Personal Violence Act 2016

[1.24] Section 209

substitute

209 Expiry—pt 22

This part expires on the day the [COVID-19 Emergency Response Act 2020](#) expires.

Part 1.14 Retirement Villages Act 2012

[1.25] Section 265

substitute

265 Expiry—COVID-19 Emergency Response Act 2020 amendments

- (1) The following provisions expire on 8 April 2021:
 - (a) section 107 (3A);
 - (b) section 159 (2A) and (2B).
- (2) The following provisions expire at the end of a 12-month period during which no COVID-19 emergency has been in force:
 - (a) this section;
 - (b) section 112A;
 - (c) section 117 (1A) and (1B);
 - (d) section 261A;
 - (e) dictionary, definition of *COVID-19 emergency*.

Part 1.15 Supreme Court Act 1933

[1.26] Section 68B (4), definition of *COVID-19 emergency period*

substitute

COVID-19 emergency period means the period beginning on 16 March 2020 and ending on 30 June 2021.

[1.27] Section 68B (5)

substitute

- (5) This subsection, subsection (3A) and subsection (4), definition of *COVID-19 emergency period* expire on 30 June 2021.

**Part 1.16 Working with Vulnerable People
(Background Checking) Act 2011**

[1.28] Sections 60B and 60C

substitute

**60BA Extending registration—COVID-19 emergency period—
further provisions**

- (1) Subsection (2) applies if a person's registration was extended under repealed section 60B.
- (2) The extension is replaced by an extension until 12 months after the day the registration would have expired if it had not been extended under repealed section 60B.
- (3) Subsection (4) applies if a person's registration was due to expire between 16 March 2020 and the commencement of repealed section 60B.
- (4) The registration is taken not to have expired and is extended by 12 months from the date it was due to expire.
- (5) In this section:

repealed section 60B means section 60B of this Act as in force at any time before the commencement of this section.

Endnotes

1 Presentation speech

Presentation speech made in the Legislative Assembly on 2 December 2020.

2 Notification

Notified under the [Legislation Act](#) on 19 February 2021.

3 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.

I certify that the above is a true copy of the COVID-19 Emergency Response Legislation Amendment Bill 2021, which originated in the Legislative Assembly as the COVID-19 Emergency Response Legislation Amendment Bill 2020 (No 3) and was passed by the Assembly on 10 February 2021.

Clerk of the Legislative Assembly

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