

2019

The Parliament of the
Commonwealth of Australia

HOUSE OF REPRESENTATIVES

Presented and read a first time

**Legislation Clean-up (Omnibus)
Amendment Bill 2019**

No. , 2019

(PineappleCrusher_)

**A Bill for an Act to clarify legislation in force, and
for other purposes**

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1 **A Bill for an Act to clarify legislation in force, and**
2 **for other purposes**

3 The Parliament of Australia enacts:

4 **1 Short title**

5 This Act is the *Legislation Clean-up (Omnibus) Bill 2019*.

6 **2 Commencement**

7 (1) Each provision of this Act specified in column 1 of the table
8 commences, or is taken to have commenced, in accordance with
9 column 2 of the table. Any other statement in column 2 has effect
10 according to its terms.
11

Commencement information

Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this act	The day this Act receives the Royal Assent.	

1 Note: This table relates only to the provisions of this Act as originally
2 enacted. It will not be amended to deal with any later amendments of
3 this Act.

4 (2) Any information in column 3 of the table is not part of this Act.
5 Information may be inserted in this column, or information in it
6 may be edited, in any published version of this Act.

7 **3 Schedules**

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9 repealed as set out in the applicable items in the Schedule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

1 **Schedule 1—Freedom of Speech Act 2017 and**
2 **consequential amendments**
3

4 *Freedom of Speech Act 2017*

5 **1 The whole act**

6 Repeal the act.

7 *Racial Discrimination Act 1975*

8 **2 Section 18C**

9 Repeal the section.

10 **3 Section 18D**

11 Repeal the section.

1 **Schedule 2— Marriage (Gender Equality)**
2 **Amendment Act 2017 and**
3 **consequential amendments**
4

5 *Marriage (Gender Equality) Amendment Act 2017*

6 **4 The whole act**

7 Repeal the act.

8 *Marriage Act 1961*

9 **5 Subsection 5(1) (definition of marriage)**

10 Omit “a man and a woman”, substitute “two people”.

11 **6 Paragraph 23(2)(b)**

12 Omit “a brother and a sister”, substitute “siblings”.

13 **7 Paragraph 23B(2)(b)**

14 Omit “a brother and a sister”, substitute “siblings”.

15 **8 Subsection 46(1)**

16 Omit “a man and a woman”, substitute “two people”.

17 **9 After Section 47**

18 Insert:

19 **47A People not bound to host solemnising of marriage, etc.**

- 20 (1) A marriage celebrant is any person appointed by the Attorney-
21 General that can legally perform marriages under the Marriage Act
22 1961.
- 23 (2) A religious institution is an entity that has been registered as an
24 entity under the definition set out in Item 1.3 in Section 25.5 of the
25 Australian Charities and Not-for-profits Commission Act 2012.
- 26 (3) Nothing in this part imposes an obligation on anyone defined by
27 47A(1) or 47A(2), to host or enable the solemnising of any
28 marriage.

1 **10 Section 88EA**

2 Repeal the section.

3 **11 After Section 120**

4 Insert:

5 **121 No voiding of non-heterosexual marriages**

6 (1) A marriage that took place after the 18th June 2017 that was
7 between two people, and was not between a man and a woman,
8 done in accordance with the purported passage of the Marriage
9 Amendment Act 2017, shall be taken to be valid.

10 (2) This section applies only if an issue under dispute is the fact that a
11 marriage allegedly took place between two people that was not
12 between a man and a woman between the 18th June 2017 and the
13 date of commencement of the Legislation Cleanup (Omnibus) Bill
14 2019.

15 **12 Schedule Part III (table item 1)**

16 Omit “a husband and a wife”, substitute “two people”.

1 **Schedule 3— Gambling Advertising**
2 **Restrictions Act 2017**

3 *Gambling Advertising Restrictions Act 2017*

4 **13 Section 7**

5 Omit “they reasonably confirm that they are 18 years or older”,
6 substitute “the gambling service takes reasonable steps to establish that
7 the user is 18 years or older”.

1 **Schedule 4— Net Neutrality Act 2018**

2 *Net Neutrality Act 2018*

3 **14 Subsection 6(1)**

4 Omit “when”, substitute “if the carriage service provider can
5 demonstrate that their actions that fall under section 5(1) were necessary
6 in the act of”.

7 **15 Subsection 6(1)(d)**

8 Omit “All reasonable steps have been taken by the provider”, substitute
9 “Taking reasonable steps”.

1 **Schedule 5— Online Gambling Restriction Act**
2 **2018**

3 *Online Gambling Restriction Act 2018*

4 **16 Before Section 1**

5 Insert:

6 **1A Short Title**

7 This Act may be cited as the Online Gambling Restriction Act 2018.

8 **17 Section 2**

9 Omit “The definitions in this Bill are”, substitute “In this Act, the
10 following definition are to apply”.

11 **18 Sections 3 and 4**

12 Omit “Bill”, substitute “Act”.

1 **Schedule 6— Disability Building Standard**
2 **Code Act 2018**

3 *Disability Building Standard Code Act 2018*

4 **19 Section 4**

5 After “1 in 7”, insert “in relation to rise and run respectively”.

6 **20 Section 4**

7 Omit “atleast”, substitute “at least”.

1 **Schedule 7— Parliamentary Participation**
2 **Requirement Act 2017 and**
3 **consequential amendments**

4 *Parliamentary Participation Requirement Amendment*
5 *(Better Debates) Act 2018*

6 **21 The whole act**

7 Repeal the act.

8 *Parliamentarian Participation Requirement Act 2017*

9 **22 Section 3**

10 Insert:

11 *Debate* means to speak formally to a motion in the chamber. It
12 does not include interjections.

13 **23 Section 3 (definition of *Official business*)**

14 Repeal the definition, substitute:

15 *Official business* means any item before the chamber that requires
16 a vote or allows for debate. It does not include the election of
17 *Chairperson*.

18 **24 Section 3 (definition of *Vote*)**

19 After “any”, insert “relevant”.

20 **25 Section 4 (first occurring)**

21 Omit “by”, substitute “onto”.

22 **26 Section 4 (second occurring)**

23 Renumber as section 6.

24 **27 Section 4 (second occurring)**

25 Repeal the heading, substitute:

1 **6 Expectations and procedures for suspected non-voting elected**
2 **representatives etc.**

3 **28 Subsection 6(1)**

4 Omit “vote on”, substitute “respond to”.

5 **29 After Subsection 6(3)**

6 Insert:

7 (3A) An elected representative who has not been excused under (2),
8 who has failed to debate on at least one of the previous 3 bills and
9 more than five days have elapsed, must be referred to the Judiciary
10 by the relevant Chair.

1 **Schedule 8— Code of Conduct Act 2017**

2 *Code of Conduct Act 2017*

3 **30 The whole act**

4 Repeal the act.

1 **Schedule 9— Electoral Modifiers Act 2018**

2 *Electoral Modifiers Act 2018*

3 **31 The whole act**

4 Repeal the act.

5