OFFICIAL

CATSI Act Review

# Part 12—Modernising publication requirements

Items 178 to 214 are based on recommendation 42 in the CATSI Act Review final report:

*It is recommended the CATSI Act be amended to allow the Registrar to publish notices on electronic communication platforms as well as in the Australian Government Gazette and/or in newspapers.*

This recommendation is being taken forward based on the same principle in a different way.

Existing sections 268-25, 493-1, 526-20, 546-5 and 546-40 are amended to change the requirement for the Registrar to publish notices in the *Australian Government Gazette.* Proposed changes broaden the range of ways in which the Registrar is able to publish an order or notice. In addition to publishing in the *Gazette*, an order or notice may be published on the Registrar’s website; in a national newspaper; or in a daily newspaper that circulates in each state or territory. This change provides greater flexibility to the Registrar to publish the order or notice in a way that is most likely to reach the intended audience.

Paragraphs in existing sections 187-15, 225-15, 310-15, 335-5, 336-15 and 353-10 that require the Registrar to publish a determination in the *Australian Government Gazette* are also repealed as legislative instruments must be published in the *Gazette* and so it is unnecessary to have provisions requiring the Registrar to do so. Further amendments are made to these sections to modernise them by removing the specific reference to making a determination in writing and reflecting instead that the Registrar may make a determination by legislative instrument. Paragraphs that empower the Registrar to revoke, vary or suspend a determination are also repealed as these powers are inherent in the power to make a determination by legislative instrument. Lastly, these sections are amended to deal only with classes of corporations or directors of classes of corporations. These changes complement amendments to existing sections 187-5, 225-5, 310-5 and 353-3 as outlined below.

Existing sections 187-5, 225-5, 310-5 and 353-3 are amended to reflect the short description in the relevant parts that deal with the the Registrar’s power to exempt a corporation or the directors of a corporation, from the exemptible provisions in relevant chapters of the CATSI Act. The changes clarify and tidy the provision. They explicitly empower the Registrar to exempt a corporation or its directors, on application or on his or her own initiative, from the exemptible provisions of this chapter. This power is useful where a corporation or its directors need an exemption but are not in a position to apply for one, such as in the event of natural disaster.