

House of Representatives

# Supplementary Order Paper

Tuesday, 25 October 2022

Security Information in Proceedings Legislation Bill

*Proposed amendments*

Hon Kiritapu Allan, in Committee, to move the following amendments:

*Clause 138*

Delete *clause 138* (page 58, lines 5 to 10).

*Clause 143*

Replace *clause 143* (page 61, lines 23 to 25) with:

**143 Schedule 1AA amended**

In Schedule 1AA,—

- (a) insert the Part set out in **Schedule 9** of this Act as the last Part; and
- (b) make all necessary consequential amendments.

*Schedule 9*

Replace *Schedule 9* (page 73, lines 1 to 24) with:

**Schedule 9**  
**New Part 2 inserted into Schedule 1AA of Evidence Act**  
**2006**

## Part 2

### Provisions relating to Part 4 of Security Information in Proceedings Legislation Act 2021

#### 2 Interpretation

In this Part, unless the context otherwise requires,—

**2021 Act** means sections **137 to 143** of **Part 4 of the Security Information in Proceedings Legislation Act 2021**

**commencement date** means the date on which the **2021 Act** comes into force.

#### 3 Proceedings involving classified security information

- (1) The amendments made to this Act by the **2021 Act** (except for this clause) apply to proceedings commenced on or after the commencement date.
- (2) To avoid doubt, **subclause (1)** applies to proceedings that commence on or after the commencement date, but that relate to circumstances, events, or decisions that occurred before, on, or after the commencement date.
- (3) Proceedings commenced before the commencement date, and not finally determined before the commencement date (including any rehearing, retrial, or appeal), continue as if the amendments made to this Act by the **2021 Act** had not been enacted.

### Explanatory note

This Supplementary Order Paper makes minor, technical changes to the Security Information in Proceedings Legislation Bill to address an inconsistency resulting from amendment by other legislation. The Supplementary Order Paper deletes *clause 138* and replaces *clause 143* and *Schedule 9* of the Bill, which amend the Evidence Act 2006. The Bill currently provides for the insertion of a *new Schedule 1AA* into the Evidence Act 2006 for transitional, savings, and related provisions relating to the Bill. However, the Evidence Act 2006 was amended by the Sexual Violence Legislation Act 2021, which included the insertion of a *Schedule 1AA* for transitional, savings, and related provisions. This Supplementary Order Paper deletes *clause 138* to remove the now unnecessary insertion of a transitional provision into the Evidence Act 2006. It also reframes *clause 143* and *Schedule 9* to insert a *new Part 2* into *Schedule 1AA* of that Act.