

**ACTS REPRINTING ACT.**

**New South Wales**



ANNO VICESIMO PRIMO

**ELIZABETHÆ II REGINÆ**

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**Act No. 48, 1972.**

An Act to make provision for the reprinting of certain Acts by the Government Printer; to provide for the amendment of certain Acts so as to convert words therein referring to the numbers of Parts, sections, subsections, paragraphs and other provisions to figures and so as to omit certain expressions rendered unnecessary by the Interpretation (Amendment) Act, 1972; to repeal the Amendments Incorporation Act, 1906; to amend the Local Government Act, 1919, and certain other Acts; and for purposes connected therewith. [Assented to, 9th October, 1972.]

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**No. 48, 1972** **B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same. as follows :—

**Short title.** **1.** This Act may be cited as the "Acts Reprinting Act, 1972".

**Repeal and amendments.** **2.** (1) The Amendments Incorporation Act, 1906, is repealed.

(2) Each Act specified in Column 1 of the Schedule is amended in the manner specified opposite that Act in Column 2 of the Schedule.

**Saving.** **3.** An Act, ordinance, regulation or by-law in respect of which a certificate of the Attorney-General has, before the commencement of this Act, been issued under the Amendments Incorporation Act, 1906, or under a provision of an Act amended by this Act, may be reprinted by the Government Printer pursuant to the certificate as if this Act had not been enacted.

**Interpretation.** **4.** In this Act—  
 "amending provision" means a provision of an Act, or of any other instrument, being a provision that has commenced and that makes a direct amendment of an Act by—

- (a) the repeal or omission of matter contained in the amended Act without the insertion of any matter instead of the repealed or omitted matter;

(b)

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- (b) the omission of matter contained in the amended Act and the insertion of matter instead of the omitted matter; or
  - (c) the insertion into the amended Act of matter, not being matter inserted instead of matter omitted from the Act,

whether the provision was enacted before or after the commencement of this Act;

“excluded law” means—

- (a) a section of an Act, being a section that is not divided into subsections and that is the subject of amendment by an uncommenced amending provision;
- (b) a subsection of a section, being a subsection that is the subject of amendment by an uncommenced amending provision;
- (c) an amending provision or an uncommenced amending provision;
- (d) an agreement set forth in an Act; or
- (e) section 7A of the Constitution Act, 1902;

“uncommenced amending provision” means a provision which, if commenced, would be an amending provision.

5. (1) An Act that has been amended by an amending provision may be reprinted, as so amended, by the Government Printer in the form certified as correct by the Attorney-General. <sup>Reprinting of Act in certified form.</sup>

(2) An Act that has not been amended by an amending provision may be reprinted by the Government Printer in the form certified as correct by the Attorney-General.

(3)

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**No. 48, 1972** (3) Where an Act the subject of a certificate under subsection (1) or (2) is authorised under section 6 to be reprinted with the omission of any amending provisions, the certificate is not incorrect by reason that the form certified as correct does not contain those amending provisions.

Authority to omit certain provisions in reprinted Acts.

**6.** For the purpose of the reprinting of an Act under section 5, the Attorney-General may, at his discretion, authorise the Act to be reprinted with the omission of all or any of the amending provisions contained in the Act.

References and notes in reprinted Acts.

**7.** (1) Where an Act is reprinted under section 5, there shall be included in the reprint—

- (a) where applicable, references to the amending provisions by which the Act has been amended;
- (b) where applicable, a note to the effect that the Act is reprinted with the omission of amending provisions authorised to be omitted under section 6;
- (c) a note to the effect that the Act is reprinted under this Act; and
- (d) such other notes as the Attorney-General thinks fit.

(2) A note referred to in subsection (1) (c) shall not be included in a reprint of an Act unless the Act is reprinted under section 5.

Amendment of Acts: figures.

**8.** (1) For the purpose of the reprinting of an Act under section 5, the Attorney-General may, by order published in the Gazette, declare that—

- (a) that Act or a specified portion of that Act;
- (b) that Act other than a specified portion; or

(c)

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- (c) any specified provision of that Act other than a No. 48, 1972 specified portion,

is an enactment to which subsection (2) applies, and subsection (2) applies to that enactment accordingly.

(2) An enactment to which this subsection applies, except so much thereof as is an excluded law, is amended by omitting therefrom, wherever occurring, matter expressed in words (other than words expressing ordinal numbers) that refer to or designate the number of a Part, Division, Schedule, section, subsection, paragraph, subparagraph, clause, subclause, item, column or other portion of, to or in any Act, Commonwealth Act, Imperial Act or Act of another State and by inserting instead matter expressed in figures (together with parentheses where appropriate) that refer to or designate the same number.

9. (1) In this section—

“number” means—

- (a) a number expressed in words or figures;
- (b) a letter; or
- (c) a combination of a number so expressed and a letter,

with or without parentheses;

“referential expression” means an expression in or to the effect of the words “of this Act”, “to this Act”, “of this Schedule”, “of this Part”, “of this section”, “of this subsection”, “of this paragraph”, “of this clause”, “of this subclause”, “of this item”, “hereof” or “hereto”.

(2) For the purpose of the reprinting of an Act under section 5, the Attorney-General may, by order published in the Gazette, declare that—

- (a) that Act or a specified portion of that Act;

(b)

Amendment  
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expressions.

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(b) that Act other than a specified portion; or

(c) any specified provision of that Act other than a specified portion,

is an enactment to which subsection (3) applies, and subsection (3) applies to that enactment accordingly.

(3) An enactment to which this subsection applies, except so much thereof as is an excluded law, is amended by omitting therefrom, wherever occurring, matter (including any unnecessary punctuation) that consists of a referential expression—

- (a) occurring in conjunction with a number used to designate a Part, Division, Schedule, section, subsection, paragraph, subparagraph, clause, subclause, item or column of, to or in the Act in which the reference is contained;
- (b) occurring in conjunction with a reference to a Schedule not designated by a number, being the only Schedule to the Act in which the reference is contained;
- (c) being the referential expression “of this Act” occurring in conjunction with the words “this Part”; or
- (d) being the referential expression “of this Part” occurring in conjunction with the words “this Division”.

Orders generally.

**10.** (1) An order under section 8 or 9 shall, on its publication in the Gazette, take effect on and from the date of the order or, if a later date is specified in the order as the date on which it is to take effect, on and from that later date.

(2) Orders under sections 8 and 9, whether applying to the same or different enactments, may be contained in the same instrument or in different instruments.

**11.**

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**11.** (1) Nothing contained in or done under section 8 No. 48, 1972 or 9 affects the construction or meaning of any Act.

Construction  
of other  
Acts.

(2) A Private Act does not, by reason only of its being amended by section 8 or 9, become a Public Act.

**12.** (1) The Attorney-General may, by instrument in writing, delegate to the Parliamentary Counsel the exercise or performance of such of his powers, authorities, duties and functions under this Act (other than this power of delegation) as may be specified in the instrument of delegation, and may in like manner revoke wholly or in part any such delegation.

Delegation.

(2) Any act or thing done by the Parliamentary Counsel when acting in the exercise of a delegation under this section shall have the like force and effect as if the act or thing had been done by the Attorney-General.

(3) Notwithstanding any delegation made under this section, the Attorney-General may continue to exercise or perform all or any of the powers, authorities, duties or functions delegated.

**13.** The provisions of sections 4, 5, 6 and 7 apply to and in respect of an ordinance made under the Local Government Act, 1919, and a regulation or by-law made under the Metropolitan Water, Sewerage, and Drainage Act, 1924, the Hunter District Water, Sewerage and Drainage Act, 1938, or the Broken Hill Water and Sewerage Act, 1938, in the same way as they apply to and in respect of an Act.

Application  
of certain  
provisions  
of this Act  
to certain  
instruments.

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SCHEDULE.

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## SCHEDULE.

Sec. 2 (2).

Column 1.		Column 2.
Number of Act.	Short title.	Amendment.
No. 41, 1919	Local Government Act, 1919.	Omit section 578.
No. 50, 1924	Metropolitan Water, Sewerage, and Drainage Act, 1924.	Omit section 129.
No. 11, 1938	Hunter District Water, Sewerage and Drainage Act, 1938.	Omit section 132.
No. 20, 1938	Broken Hill Water and Sewerage Act, 1938.	Omit section 123.
No. 33, 1965	Decimal Currency Act, 1965.	Omit paragraph (a) (iv) and (v) of the definition of "Special law" in section 2 (1); insert instead the following subparagraphs:— (iv) that is an amending provision (within the meaning of the Acts Reprinting Act, 1972); (v) that, being a provision of an Act, has been amended otherwise than by an amending provision (within the meaning of the Acts Reprinting Act, 1972).
No. 52, 1970	Supreme Court Act, 1970	Omit from section 4 (3) the words "Amendments Incorporation Act, 1906"; insert instead the words "Acts Reprinting Act, 1972". Omit section 129.

GOVERNMENT