

**MISCELLANEOUS ACTS (PUBLIC FINANCE AND AUDIT)  
REPEAL AND AMENDMENT ACT, 1983, No. 153**

**New South Wales**



ANNO TRICESIMO SECUNDO

**ELIZABETHÆ II REGINÆ**

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**Act No. 153, 1983.**

An Act to repeal the Audit Act, 1902, the Trustees Audit Act, 1912, and certain other enactments, to amend certain Acts consequent upon the enactment of the Public Finance and Audit Act, 1983, and to enact savings, transitional and other provisions consequent upon the enactment of that Act. [Assented to, 29th December, 1983.]

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*Miscellaneous Acts (Public Finance and Audit) Repeal and Amendment.*

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**BE** 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 "Miscellaneous Acts (Public Finance and Audit) Repeal and Amendment Act, 1983".

**Commencement.**

2. (1) Sections 1 and 2 shall commence on the date of assent to this Act.

(2) Except as provided by subsection (1), this Act shall commence on the day appointed and notified under section 2 (2) of the Public Finance and Audit Act, 1983.

**Schedules.**

3. This Act contains the following Schedules:—

SCHEDULE 1.—REPEALS.

SCHEDULE 2.—AMENDMENTS.

SCHEDULE 3.—SAVINGS, TRANSITIONAL AND OTHER PROVISIONS.

**Repeals.**

4. Each Act specified in Column 1 of Schedule 1 is, to the extent specified opposite that Act in Column 2 of that Schedule, repealed.

**Amendments.**

5. Each Act specified in Schedule 2 is amended in the manner set forth in that Schedule.

**Savings, transitional and other provisions.**

6. Schedule 3 has effect.

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*Miscellaneous Acts (Public Finance and Audit) Repeal and Amendment.*

## SCHEDULE 1.

(Sec. 4.)

## REPEALS.

Column 1.		Column 2.
Year and number of Act.	Short title of Act.	Extent of repeal.
1902, No. 26	Audit Act, 1902	The whole Act.
1902, No. 32	Constitution Act, 1902	Section 44.
1912, No. 21	Trustees Audit Act, 1912	The whole Act.
1916, No. 2	Valuation of Land Act, 1916	Schedule 1, clause 4 (2).
1916, No. 55	Forestry Act, 1916	Section 14.
1918, No. 18	Audit (Amendment) Act, 1918	The whole Act.
1919, No. 52	Royal Society for the Welfare of Mothers and Babies' Incorporation Act, 1919	Section 5.
1921, No. 8	Architects Act, 1921	Sections 23A (1)-(7) and 23B.
1923, No. 27	Anzac Memorial (Building) Act, 1923	Section 7 (5).
1925, No. 12	Audit Amendment (Public Accounts Committee) Act, 1925	The whole Act.
1926, No. 15	Workers' Compensation Act, 1926	Section 42A.
1927, No. 18	Government Insurance Act, 1927	Sections 11 (1)-(7) and 11A.
1927, No. 34	Marketing of Primary Products Act, 1927	Section 23.
1928, No. 40	Special Purposes (Revenue) Fund Act, 1928	The unrepealed portion.
1929, No. 8	Public Hospitals Act, 1929	Section 16 (2).
1929, No. 12	Audit (Amendment) Act, 1929	The whole Act.
1930, No. 19	West Scholarships Act, 1930	Section 11.
1930, No. 37	Reclamation Act, 1930	Section 22.
1930, No. 38	Farrer Memorial Research Scholarship Fund Act, 1930	Section 9.
1934, No. 49	Public Hospitals (Further Amendment) Act, 1934.	Section 3 (d).
1935, No. 47	Maritime Services Act, 1935	Sections 28 (1)-(7) and 28A.
1937, No. 35	Statute Law Revision Act, 1937	So much of the Second Schedule as amends Act No. 26, 1902, Act No. 12, 1925 and Act No. 12, 1929.
1939, No. 29	Drainage Act, 1939	Section 74.
1941, No. 28	Auctioneers and Agents Act, 1941	Section 19A.
1942, No. 7	Audit (Amendment) Act, 1942	The whole Act.
1942, No. 14	Workers' Compensation (Dust Diseases) Act, 1942	Section 6 (11) and (12).
1946, No. 1	Audit (Amendment) Act, 1945	The whole Act.
1949, No. 18	Pastures Protection (Amendment) Act, 1949	Section 3.
1950, No. 22	Electricity Commission Act, 1950	Sections 53 (1)-(7) and 54.
1951, No. 3	Suitors' Fund Act, 1951	Section 3 (9).
1953, No. 2	Audit (Amendment) Act, 1953	The whole Act.
1953, No. 39	Lord Howe Island Act, 1953	Sections 35 (1)-(7) and 36.
1954, No. 36	Grain Handling Act, 1954	Sections 48 (1)-(7) and 48A.
1964, No. 1	Totalizator (Off-course Betting) Act, 1964	Section 6 (2) and (3).
1967, No. 95	Technical Education Trust Funds Act, 1967	Section 11.
1968, No. 53	King George V and Queen Mary Maternal and Infant Welfare Foundation (Amendment) Act, 1968	The whole Act.

*Miscellaneous Acts (Public Finance and Audit) Repeal and Amendment.*SCHEDULE 1—*continued.*REPEALS—*continued.*

Column 1.		Column 2.
Year and number of Act.	Short title of Act.	Extent of repeal.
1969, No. 59	Council of Law Reporting Act, 1969	Section 11.
1970, No. 26	Closer Settlement and Public Reserves Fund Act, 1970	So much of the Schedule as amends Act No. 26, 1902.
1971, No. 53	Parliamentary Contributory Superannuation Act, 1971	Section 12.
1972, No. 70	New South Wales Retirement Benefits Act, 1972	Sections 6 and 6A.
1973, No. 22	Audit (Amendment) Act, 1973	The whole Act.
1973, No. 35	Aborigines (Amendment) Act, 1973	Section 7.
1973, No. 81	Coal Mining Act, 1973	So much of the Fourth Schedule as amends Act No. 21, 1912.
1974, No. 37	Crown Lands and Other Acts (Reserves) Amendment Act, 1974.	So much of the Schedule as amends Act No. 21, 1912.
1974, No. 98	Building and Construction Industry Long Service Payments Act, 1974	Sections 6A (1)–(7) and 7.
1976, No. 34	Water Resources Commission Act, 1976	Section 8 (2).
1976, No. 63	Statute Law Revision Act, 1976	So much of Schedule 1 as amends Act No. 2, 1953.
1976, No. 62	Energy Authority Act, 1976	Sections 21 (1)–(7) and 22.
1978, No. 54	Meat Industry Act, 1978	Sections 61 (1)–(7) and 62.
1978, No. 72	Sydney Cricket and Sports Ground Act, 1978	Sections 20 (1)–(7) and 21.
1978, No. 141	Sporting Injuries Insurance Act, 1978	Sections 13 (1)–(7) and 15.
1979, No. 41	Plumbers, Gasfitters and Drainers Act, 1979	Sections 49 and 50.
1979, No. 78	Legal Services Commission Act, 1979	Section 66.
1979, No. 203	Environmental Planning and Assessment Act, 1979	Sections 144 (1)–(7) and 145.
1979, No. 208	Dairy Industry Marketing Authority Act, 1979	Sections 70 (1)–(7) and 71.
1980, No. 19	Royal Botanic Gardens and Domain Trust Act, 1980	Sections 17 (1)–(7) and 18.
1980, No. 65	Art Gallery of New South Wales Act, 1980	Sections 20 (1)–(7) and 21.
1980, No. 71	Motor Vehicles Repair Act, 1980	Sections 68 (1)–(7) and 69.
1980, No. 82	Drug and Alcohol Authority Act, 1980	Sections 17 (1)–(7), 18 and 19.
1980, No. 94	Historic Houses Act, 1980	Sections 18 (1)–(7) and 19.
1980, No. 103	Transport Authorities Act, 1980	Sections 60 (1)–(9), 61 and 62.
1980, No. 108	Audit (Transport Authorities) Amendment Act, 1980.	The whole Act.
1981, No. 64	Corporate Affairs Commission Act, 1981	Section 11 (2).
1981, No. 77	Audit (Amendment) Act, 1981	The whole Act.
1981, No. 89	State Bank Act, 1981	Sections 69 and 70.
1982, No. 96	Audit (Consolidated Fund) Amendment Act, 1982.	The whole Act.

*Miscellaneous Acts (Public Finance and Audit) Repeal and Amendment.*SCHEDULE 1—*continued.*REPEALS—*continued.*

Column 1.		Column 2.
Year and number of Act.	Short title of Act.	Extent of repeal.
1982, No. 125 ..	Audit (Public Accounts Committee) Amendment Act, 1982. .. .. .	The whole Act.
1982, No. 138 ..	Miscellaneous Acts (Health Administration) Amendment Act, 1982 .. .. .	So much of Schedule 1 as amends Act No. 21, 1912.
1982, No. 147 ..	Liquor Act, 1982 .. .. .	Section 76 (2).
1983, No. 57 ..	Egg Industry Act, 1983 .. .. .	Sections 57 (1)-(7) and 58.
1983, No. 42 ..	Aboriginal Land Rights Act, 1983 .. .. .	Sections 33 (3)-(7) and 34 (2) (6).

## SCHEDULE 2.

(Sec. 5.)

## AMENDMENTS.

**Albury-Wodonga Development Act, 1974, No. 47—**

Sections 27, 28—

Omit the sections, insert instead:—

**Financial year of the Corporation.**

27. The financial year of the Corporation shall be—

- (a) where no period is prescribed as referred to in paragraph (b)—the year commencing on 1st July; or
- (b) the period prescribed for the purposes of this section.

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*Miscellaneous Acts (Public Finance and Audit) Repeal and Amendment.*

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SCHEDULE 2—*continued.*

AMENDMENTS—*continued.*

**Archives Act, 1960, No. 46—**

Section 24—

Omit the section, insert instead:—

**Financial year of the Authority.**

24. The financial year of the Authority shall be—

- (a) where no period is prescribed as referred to in paragraph (b)—the year commencing on 1st July; or
- (b) the period prescribed for the purposes of this section.

**Australian Museum Trust Act, 1975, No. 95—**

Sections 16, 17—

Omit the sections, insert instead:—

**Financial year of the Trust.**

16. The financial year of the Trust shall be—

- (a) where no period is prescribed as referred to in paragraph (b)—the year commencing on 1st July; or
- (b) the period prescribed for the purposes of this section.

**Banana Industry Act, 1969, No. 38—**

Sections 14, 15—

Omit the sections, insert instead:—

**Financial year of the Committee.**

14. The financial year of the Committee shall be—

- (a) where no period is prescribed as referred to in paragraph (b)—the year commencing on 1st July; or
- (b) the period prescribed for the purposes of this section.

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*Miscellaneous Acts (Public Finance and Audit) Repeal and Amendment.*

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SCHEDULE 2—*continued.*AMENDMENTS—*continued.***Broken Hill Water and Sewerage Act, 1938, No. 20—**

- (1) (a) Section 107 (1)—  
Omit “and statements of accounts as prescribed”.
- (b) Section 107 (2)—  
Omit “and statements”.
- (2) Section 108—  
Omit the section.

**Builders Licensing Act, 1971, No. 16—**

- (1) Section 43—  
Omit the section, insert instead:—  
**Accounts.**  
43. The Board shall cause to be kept proper books of account in respect of each fund and the Builders Licensing Board Trust Account.
- (2) Section 44—  
Omit the section.

**Chipping Norton Lake Authority Act, 1977, No. 38—**

- Sections 21, 22—  
Omit the sections, insert instead:—  
**Financial year of the Authority.**  
21. The financial year of the Authority shall be—  
(a) where no period is prescribed as referred to in paragraph (b)—the year commencing on 1st July; or  
(b) the period prescribed for the purposes of this section.

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*Miscellaneous Acts (Public Finance and Audit) Repeal and Amendment.*

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SCHEDULE 2—*continued.*

AMENDMENTS—*continued.*

**Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, No. 45—**

Section 26—

Omit the section, insert instead:—

**Financial year of the Tribunal.**

26. The financial year of the Tribunal shall be—

- (a) where no period is prescribed as referred to in paragraph (b)—the year commencing on 1st July; or
- (b) the period prescribed for the purposes of this section.

**Cobar Water Supply Act, 1963, No. 44—**

(1) (a) Section 39 (1)—

Omit “and statements of accounts as prescribed”.

(b) Section 39 (2)—

Omit “and statements”.

(2) Section 40—

Omit the section.

**Colleges of Advanced Education Act, 1975, No. 11—**

Sections 19, 20—

Omit the sections, insert instead:—

**Financial year.**

19. The financial year of a corporate college shall be—

- (a) where no period is prescribed as referred to in paragraph (b)—the year commencing on 1st January; or
- (b) the period prescribed for the purposes of this section.



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*Miscellaneous Acts (Public Finance and Audit) Repeal and Amendment.*

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SCHEDULE 2—*continued.*AMENDMENTS—*continued.***Dried Fruits Act, 1939, No. 7—**

## Section 18—

Omit the section, insert instead:—

**Financial year of the Board.**

18. The financial year of the Board shall be—

- (a) where no period is prescribed as referred to in paragraph (b)—the year commencing on 1st January; or
- (b) the period prescribed for the purposes of this section.

**Election Funding Act, 1981, No. 78—**

## Sections 101–103—

Omit the sections, insert instead:—

**Financial year of the Authority.**

101. The financial year of the Authority shall be—

- (a) where no period is prescribed as referred to in paragraph (b)—the year commencing on 1st July; or
- (b) the period (not exceeding 2 years) prescribed for the purposes of this section.

**Fisheries and Oyster Farms Act, 1935, No. 58—**

## Sections 41O, 41P—

Omit the sections, insert instead:—

**Financial year of the Authority.**

41O. The financial year of the Authority shall be—

- (a) where no period is prescribed as referred to in paragraph (b)—the year commencing on 1st October; or
- (b) the period prescribed for the purposes of this section.

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*Miscellaneous Acts (Public Finance and Audit) Repeal and Amendment.*

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SCHEDULE 2—*continued.*

AMENDMENTS—*continued.*

**Gas and Electricity Act, 1935, No. 42—**

(1) Section 73—

Omit the section, insert instead:—

**Amount of limited overdraft.**

73. The Auditor-General shall certify the amount which the Sydney County Council may borrow by way of limited overdraft in pursuance of section 174 of the Principal Act.

(2) Section 74 (1)—

Omit the subsection.

(3) Sections 75–79—

Omit the sections.

**Growth Centres (Development Corporations) Act, 1974, No. 49—**

Sections 24–26—

Omit the sections, insert instead:—

**Financial year of a corporation.**

24. The financial year of a corporation shall be—

- (a) where no period is prescribed as referred to in paragraph (b)—the year commencing on 1st July; or
- (b) the period prescribed for the purposes of this section.

**Hunter District Water, Sewerage and Drainage Act, 1938, No. 11—**

(1) (a) Section 115 (1)—

Omit “and statements of accounts as prescribed”.

(b) Section 115 (2)—

Omit “and statements”.

(2) Section 116—

Omit the section.

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*Miscellaneous Acts (Public Finance and Audit) Repeal and Amendment.*

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SCHEDULE 2—*continued.*AMENDMENTS—*continued.***Hunter Valley Conservation Trust Act, 1950, No. 34—**

Sections 47, 48—

Omit the sections, insert instead:—

**Financial year of the Trust.**

47. The financial year of the Trust shall be—

- (a) where no period is prescribed as referred to in paragraph (b)—the year commencing on 1st January; or
- (b) the period prescribed for the purposes of this section.

**Industrial Arbitration Act, 1940, No. 2—**

(1) Section 92 (6A)—

Omit “section 31 of the Audit Act, 1902,”, insert instead “section 14 of the Public Finance and Audit Act, 1983,”.

(2) Section 92 (6A)—

Omit “section 30 of that Act”, insert instead “that section”.

**Land Commission Act, 1976, No. 62—**

Sections 20–22—

Omit the sections, insert instead:—

**Financial year of the Commission.**

20 The financial year of the Commission shall be—

- (a) where no period is prescribed as referred to in paragraph (b)—the year commencing on 1st July; or
- (b) the period prescribed for the purposes of this section.

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*Miscellaneous Acts (Public Finance and Audit) Repeal and Amendment.*

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SCHEDULE 2—*continued.*

AMENDMENTS—*continued.*

**Landlord and Tenant (Rental Bonds) Act, 1977, No. 44—**

Sections 23, 24—

Omit the sections, insert instead:—

**Financial year of the Board.**

23. The financial year of the Board shall be—

- (a) where no period is prescribed as referred to in paragraph (b)—the year commencing on 1st July; or
- (b) the period prescribed for the purposes of this section.

**Library Act, 1939, No. 40—**

Sections 6, 6A—

Omit the sections, insert instead:—

**Annual report.**

6. The Council shall, as soon as practicable after 30th June in each year, and not later than 30th September in each year, prepare and transmit to the Minister for presentation to Parliament a report of its work and activities during the period of 12 months ending on 30th June in that year.

**Financial year of the Council.**

6A. The financial year of the Council shall be—

- (a) where no period is prescribed as referred to in paragraph (b)—the year commencing on 1st July; or
- (b) the period prescribed for the purposes of this section.

**Local Government and Other Authorities (Superannuation) Act, 1927, No. 35—**

Sections 19, 19A—

Omit the sections, insert instead:—

**Financial year of the board.**

19. The financial year of the board shall be—

- (a) where no period is prescribed as referred to in paragraph (b)—the year commencing on 1st April; or
- (b) the period prescribed for the purposes of this section.

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*Miscellaneous Acts (Public Finance and Audit) Repeal and Amendment.*

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SCHEDULE 2—*continued.*AMENDMENTS—*continued.***Macquarie University Act, 1964, No. 29—**

## Sections 26, 27—

Omit the sections, insert instead:—

**Financial year.**

26. The financial year of the University shall be—

- (a) where no period is prescribed as referred to in paragraph (b)—the year commencing on 1st January; or
- (b) the period prescribed for the purposes of this section.

**Metropolitan Water, Sewerage, and Drainage Act, 1924, No. 50—**

## (1) (a) Section 111 (1)—

Omit “and statements of accounts as prescribed”.

## (b) Section 111 (2)—

Omit “and statements”.

## (2) Section 112—

Omit the section.

**Mine Subsidence Compensation Act, 1961, No. 22—**

## Section 9—

Omit the section, insert instead:—

**Financial year of the Board.**

9. The financial year of the Board shall be—

- (a) where no period is prescribed as referred to in paragraph (b)—the year commencing on 1st July; or
- (b) the period prescribed for the purposes of this section.

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*Miscellaneous Acts (Public Finance and Audit) Repeal and Amendment.*

---

SCHEDULE 2—*continued.*

AMENDMENTS—*continued.*

**Mines Rescue Act, 1925, No. 3—**

Section 4H—

Omit the section, insert instead:—

**Financial year of the Board.**

4H. The financial year of the Board shall be—

- (a) where no period is prescribed as referred to in paragraph (b)—the year commencing on 1st January; or
- (b) the period prescribed for the purposes of this section.

**Motor Vehicles (Third Party Insurance) Act, 1942, No. 15—**

Section 31A—

Omit the section, insert instead:—

**Financial year of the nominal defendant.**

31A. The financial year of the nominal defendant shall be—

- (a) where no period is prescribed as referred to in paragraph (b)—the year commencing on 1st January; or
- (b) the period prescribed for the purposes of this section.

**Museum of Applied Arts and Sciences Act, 1945, No. 31—**

Section 17—

Omit the section, insert instead:—

**Financial year of the trustees.**

17. The financial year of the trustees shall be—

- (a) where no period is prescribed as referred to in paragraph (b)—the year commencing on 1st July; or
- (b) the period prescribed for the purposes of this section.

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*Miscellaneous Acts (Public Finance and Audit) Repeal and Amendment.*

---

SCHEDULE 2—*continued.*AMENDMENTS—*continued.***New South Wales Film Corporation Act, 1977, No. 55—**

## Sections 20–22—

Omit the sections, insert instead:—

**Financial year of the corporation.**

20. The financial year of the corporation shall be—

- (a) where no period is prescribed as referred to in paragraph (b)—the year commencing on 1st July; or
- (b) the period prescribed for the purposes of this section.

**New South Wales Government Engineering and Shipbuilding Undertaking Act, 1943, No. 19—**

## Section 13—

Omit the section, insert instead:—

**Financial year of the Board.**

13. The financial year of the Board shall be—

- (a) where no period is prescribed as referred to in paragraph (b)—the year commencing on 1st April; or
- (b) the period prescribed for the purposes of this section.

**New South Wales Institute of Psychiatry Act, 1964, No. 44—**

## Sections 21, 22—

Omit the sections, insert instead:—

**Financial year of the Institute.**

21. The financial year of the Institute shall be—

- (a) where no period is prescribed as referred to in paragraph (b)—the year commencing on 1st July; or
- (b) the period prescribed for the purposes of this section.

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*Miscellaneous Acts (Public Finance and Audit) Repeal and Amendment.*

---

SCHEDULE 2—*continued.*

AMENDMENTS—*continued.*

**New South Wales State Cancer Council Act, 1955, No. 25—**

Sections 16, 17—

Omit the sections, insert instead:—

**Financial year of the Council.**

16. The financial year of the Council shall be—

- (a) where no period is prescribed as referred to in paragraph (b)—the year commencing on 1st July; or
- (b) the period prescribed for the purposes of this section.

**New South Wales State Conservatorium of Music Act, 1965, No. 5—**

Section 15—

Omit the section, insert instead:—

**Financial year of the Board.**

15. The financial year of the Board shall be—

- (a) where no period is prescribed as referred to in paragraph (b)—the year commencing on 1st July; or
- (b) the period prescribed for the purposes of this section.

**Public Servant Housing Authority Act, 1975, No. 38—**

Sections 20, 21—

Omit the sections, insert instead:—

**Financial year of the Authority.**

20. The financial year of the Authority shall be—

- (a) where no period is prescribed as referred to in paragraph (b)—the year commencing on 1st July; or
- (b) the period prescribed for the purposes of this section.

**Public Trustee Act, 1913, No. 19—**

Section 41—

Omit "The Auditor-General shall have in respect to the public trust office, and to all the officers and servants employed therein, all the powers which he possesses in respect to the officers and servants in the public service."



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*Miscellaneous Acts (Public Finance and Audit) Repeal and Amendment.*

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SCHEDULE 2—*continued.*AMENDMENTS—*continued.***State Brickworks Act, 1946, No. 16—**

## Section 10—

Omit the section, insert instead:—

**Financial year.**

10. The financial year in relation to the State Brickworks shall be—
- (a) where no period is prescribed as referred to in paragraph (b)—the year commencing on 1st April; or
  - (b) the period prescribed for the purposes of this section.

**State Coal Mines Act, 1912, No. 70—**

## Section 16—

Omit the section, insert instead:—

**Financial year of the authority.**

16. The financial year of the authority shall be—
- (a) where no period is prescribed as referred to in paragraph (b)—the year commencing on 1st July; or
  - (b) the period prescribed for the purposes of this section.

**State Tileworks Act, 1947, No. 29—**

## Section 10—

Omit the section, insert instead:—

**Financial year.**

10. The financial year in relation to the State Tileworks shall be—
- (a) where no period is prescribed as referred to in paragraph (b)—the year commencing on 1st April; or
  - (b) the period prescribed for the purposes of this section.

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*Miscellaneous Acts (Public Finance and Audit) Repeal and Amendment.*

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SCHEDULE 2—*continued.*

AMENDMENTS—*continued.*

**Statutory and Other Offices Remuneration Act, 1975 (1976, No. 4)—**

Section 11 (3)—

After section 11 (2), insert:—

(3) All remuneration payable to the holder of an office specified in Schedule 1 by virtue of a determination that is in force is payable out of the Consolidated Fund which, to the necessary extent, is appropriated accordingly.

**Superannuation Act, 1916, No. 28—**

Sections 8, 8A—

Omit the sections, insert instead:—

**Financial year of the Board.**

8. The financial year of the Board shall be—

- (a) where no period is prescribed as referred to in paragraph (b)—the year commencing on 1st July; or
- (b) the period prescribed for the purposes of this section.

**Sydney Cove Redevelopment Authority Act, 1968, No. 56—**

Sections 28, 29—

Omit the sections, insert instead:—

**Financial year of the Authority.**

28. The financial year of the Authority shall be—

- (a) where no period is prescribed as referred to in paragraph (b)—the year commencing on 1st July; or
- (b) the period prescribed for the purposes of this section.

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*Miscellaneous Acts (Public Finance and Audit) Repeal and Amendment.*

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SCHEDULE 2—*continued.*AMENDMENTS—*continued.***Sydney Farm Produce Market Authority Act, 1968, No. 11—**

Sections 23, 24—

Omit the sections, insert instead:—

**Financial year of the Authority.**

23. The financial year of the Authority shall be—

- (a) where no period is prescribed as referred to in paragraph (b)—the year commencing on 1st July; or
- (b) the period prescribed for the purposes of this section.

**Sydney Opera House Trust Act, 1961, No. 9—**

Section 23—

Omit the section, insert instead:—

**Financial year of the Trust.**

23. The financial year of the Trust shall be—

- (a) where no period is prescribed as referred to in paragraph (b)—the year commencing on 1st July; or
- (b) the period prescribed for the purposes of this section.

**Teacher Housing Authority Act, 1975, No. 27—**

Sections 22, 23—

Omit the sections, insert instead:—

**Financial year of the Authority.**

22. The financial year of the Authority shall be—

- (a) where no period is prescribed as referred to in paragraph (b)—the year commencing on 1st July; or
- (b) the period prescribed for the purposes of this section.

**Transport Act, 1930, No. 18—**

(1) Section 202 (1)—

After "Treasury", insert "in the Special Deposits Account".

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*Miscellaneous Acts (Public Finance and Audit) Repeal and Amendment.*

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SCHEDULE 2—*continued.*

AMENDMENTS—*continued.*

(2) Section 202A—

Omit the section.

**Transport Employees Retirement Benefits Act, 1967, No. 96—**

Section 6 (2)—

Omit the subsection, insert instead:—

(2) The Public Finance and Audit Act, 1983, applies to members and employees of the Board in the same manner as it applies to accounting officers and officers of authorities.

**Travel Agents Act, 1973, No. 71—**

Sections 61, 62—

Omit the sections, insert instead:—

**Financial year of the Board.**

61. The financial year of the Board shall be—

- (a) where no period is prescribed as referred to in paragraph (b)—the year commencing on 1st July; or
- (b) the period prescribed for the purposes of this section.

**Trotting Authority Act, 1977, No. 57—**

Sections 14–16—

Omit the sections, insert instead:—

**Financial year of the Authority.**

14. The financial year of the Authority shall be—

- (a) where no period is prescribed as referred to in paragraph (b)—the year commencing on 1st July; or
- (b) the period prescribed for the purposes of this section.

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*Miscellaneous Acts (Public Finance and Audit) Repeal and Amendment.*

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SCHEDULE 2—*continued.*AMENDMENTS—*continued.***University and University Colleges Act, 1900, No. 22—**

## Section 29—

Omit the section, insert instead:—

**Accounts and audit.**

29. Nothing in Part III of the Public Finance and Audit Act, 1983, prevents the Senate from employing a private auditor to examine the books of accounts of the University.

**University of New England Act, 1953, No. 34—**

## Sections 34, 35—

Omit the sections, insert instead:—

**Financial year.**

34. The financial year of the University shall be—

- (a) where no period is prescribed as referred to in paragraph (b)—the year commencing on 1st January; or
- (b) the period prescribed for the purposes of this section.

**University of New South Wales Act, 1968, No. 37—**

## Sections 26, 27—

Omit the sections, insert instead:—

**Financial year.**

26. The financial year of the University shall be—

- (a) where no period is prescribed as referred to in paragraph (b)—the year commencing on 1st January; or
- (b) the period prescribed for the purposes of this section.

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*Miscellaneous Acts (Public Finance and Audit) Repeal and Amendment.*

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SCHEDULE 2—*continued.*

AMENDMENTS—*continued.*

**University of Newcastle Act, 1964, No. 72—**

Sections 27, 28—

Omit the sections, insert instead:—

**Financial year.**

27. The financial year of the University shall be—

- (a) where no period is prescribed as referred to in paragraph (b)—the year commencing on 1st January; or
- (b) the period prescribed for the purposes of this section.

**University of Wollongong Act, 1972, No. 72—**

Sections 32, 33—

Omit the sections, insert instead:—

**Financial year.**

32. The financial year of the University shall be—

- (a) where no period is prescribed as referred to in paragraph (b)—the year commencing on 1st January; or
- (b) the period prescribed for the purposes of this section.

**Waste Disposal Act, 1970, No. 97—**

Sections 31, 32—

Omit the sections, insert instead:—

**Financial year of the Authority.**

31. The financial year of the Authority shall be—

- (a) where no period is prescribed as referred to in paragraph (b)—the year commencing on 1st July; or
- (b) the period prescribed for the purposes of this section.

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*Miscellaneous Acts (Public Finance and Audit) Repeal and Amendment.*

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SCHEDULE 2—*continued.*

AMENDMENTS—*continued.*

**Workmen's Compensation (Broken Hill) Act, 1920, No. 36—**

Schedule, Part III, paragraph 28—

Omit the paragraph, insert instead:—

28. The joint committee shall cause the accounts to be audited once in every year by the Auditor-General, and shall forward a copy of the report of the Auditor-General to the Minister for Industrial Relations and to the mine owners.

**Zoological Parks Board Act, 1973, No. 34—**

Sections 20, 21—

Omit the sections, insert instead:—

**Financial year of the Board.**

20. The financial year of the Board shall be—

- (a) where no period is prescribed as referred to in paragraph (b)—the year commencing on 1st July; or
- (b) the period prescribed for the purposes of this section.

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SCHEDULE 3.

(Sec. 6.)

SAVINGS, TRANSITIONAL AND OTHER PROVISIONS.

**Interpretation.**

1. In this Schedule—

“appointed day” means the day appointed and notified under section 2 (2) of the 1983 Act;

“the 1902 Act” means the Audit Act, 1902;

“the 1983 Act” means the Public Finance and Audit Act, 1983.

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*Miscellaneous Acts (Public Finance and Audit) Repeal and Amendment.*

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SCHEDULE 3—*continued.*

SAVINGS, TRANSITIONAL AND OTHER PROVISIONS—*continued.*

**Auditor-General.**

2. The person who, immediately before the appointed day, held office as Auditor-General under section 6 of the 1902 Act shall be deemed to have been appointed, on that day, as Auditor-General under section 28 (1) of the 1983 Act.

**Public Accounts Committee.**

3. (1) The persons who were members of the Public Accounts Committee pursuant to section 16A of the 1902 Act immediately before the appointed day shall be deemed to have been appointed, on that day, as members of the Public Accounts Committee pursuant to section 54 of the 1983 Act.

(2) The persons who were Chairman and Vice-Chairman of the Public Accounts Committee pursuant to section 16B of the 1902 Act immediately before the appointed day shall be deemed to have been elected, on that day, as Chairman and Vice-Chairman, respectively, of the Public Accounts Committee pursuant to section 55 of the 1983 Act.

(3) Any question which was, pursuant to section 16D (1) (f) of the 1902 Act, referred to the Public Accounts Committee as constituted immediately before the appointed day, and upon which that Committee had not reported to the Legislative Assembly before that day shall be deemed to have been referred to the Public Accounts Committee, on that day, pursuant to section 57 (1) (f) of the 1983 Act.

**Agreement with bank.**

4. An agreement made under section 17 of the 1902 Act and in force immediately before the appointed day shall be deemed, on that day, to have been made under section 15 of the 1983 Act.

**Bank accounts.**

5. (1) An account kept under section 18 of the 1902 Act with a bank immediately before the appointed day shall, on that day, be deemed to have been opened and kept in accordance with a written direction of the Treasurer under section 16 of the 1983 Act.

(2) An account opened under section 25 of the 1902 Act and kept with a bank immediately before the appointed day shall, on that day, be deemed to have been opened in accordance with a written authorisation of the Treasurer under section 17 (1) of the 1983 Act.



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*Miscellaneous Acts (Public Finance and Audit) Repeal and Amendment.*

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SCHEDULE 3—*continued.*SAVINGS, TRANSITIONAL AND OTHER PROVISIONS—*continued.*

(3) An overdraft existing immediately before the appointed day on a public or official account, being an overdraft authorised in writing by the Treasurer under section 25 of the 1902 Act shall, on that day, be deemed to be an overdraft in respect of which the written authorisation of the Treasurer has been given under section 17 (2) of the 1983 Act.

**Auditors.**

6. A person appointed under section 50 of the 1902 Act whose appointment is in force immediately before the appointed day shall, on that day, be deemed to have been appointed under section 35 of the 1983 Act.

**References to Audit Act, 1902.**

7. A reference in any other Act, or in any statutory instrument or in any other document, whether of the same or of a different kind, to—

- (a) the 1902 Act shall be read and construed as a reference to the 1983 Act; or
- (b) to any provision of the 1902 Act shall be read and construed as a reference to the corresponding provision, if any, of the 1983 Act.

**Financial year of certain bodies.**

8. The financial year which, immediately before the appointed day, was the financial year in relation to which accounts were prepared by a person, group of persons or body appointed, constituted or regulated under an Act, being accounts which, pursuant to the 1902 Act or any other Act or law, were required or authorised to be audited by the Auditor-General, shall, on and from that day, continue to be the financial year in relation to which those accounts are prepared, subject to the Act under which the person, group of persons or body is or are appointed, constituted or regulated.

**Effect of certain provision in the Health Administration Act, 1982.**

9. Clause 8 (1) of Schedule 2 to the Health Administration Act, 1982, shall not, on and from the appointed day, apply to the amendment made by the Health Commission Act, 1972, to the Trustees Audit Act, 1912.

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*Miscellaneous Acts (Public Finance and Audit) Repeal and Amendment.*

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SCHEDULE 3—*continued.*SAVINGS, TRANSITIONAL AND OTHER PROVISIONS—*continued.***Validation of certain appropriations and payments.**

10. To the extent, if any, to which it may be necessary to do so, expenditure appropriated or purporting to have been appropriated and a payment made out of the Consolidated Fund—

- (a) by way of salary, allowance or other remuneration to the holder of a statutory office;
- (b) by way of pension, retiring allowance or other similar allowance to a person formerly employed within the Sydney branch of the Royal Mint; or
- (c) in respect of the David Berry Hospital,

in accordance with the Estimates of the Consolidated Fund or the Estimates of the Consolidated Revenue Fund published for the financial year commencing on 1st July, 1983, or any preceding financial year is deemed to have been validly appropriated and, as the case may require, to have been validly made.

**Inconsistency between Acts.**

11. (1) Where, between 1st July, 1983, and the appointed day, there is an inconsistency between those provisions of the 1983 Act which, pursuant to section 2 (1) of that Act, are deemed to have commenced on 1st July, 1983, and the provisions of the 1902 Act, those provisions of the 1983 Act shall, to the extent of the inconsistency, prevail.

(2) Notwithstanding subclause (1), any act, matter or thing done or omitted by a person between 1st July, 1983, and the appointed day in compliance with a provision of the 1902 Act to which that subclause applies shall not render the person liable for an offence.

**Regulations.**

12. (1) The Governor may make regulations containing other provisions of a savings or transitional nature consequent on the enactment of this Act.

(2) A provision made under subclause (1) may take effect as from 1st July, 1983, or a later date.

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*Miscellaneous Acts (Public Finance and Audit) Repeal and Amendment.*

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SCHEDULE 3—*continued.*SAVINGS, TRANSITIONAL AND OTHER PROVISIONS—*continued.*

(3) To the extent to which a provision referred to in subclause (1) takes effect from a date that is earlier than the date of its publication in the Gazette, the provision does not operate so as—

- (a) to affect, in a manner prejudicial to any person (other than the State or an authority of the State), the rights of that person existing before the date of its publication therein; or
- (b) to impose liabilities on any person (other than the State or an authority of the State) in respect of anything done or omitted to be done before the date of its publication therein.

(4) A provision made under subclause (1) shall, if the regulations under this clause so provide, have effect notwithstanding the foregoing clauses (except clauses 2, 3 and 10) of this Schedule.

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