

STANDARD TIME ACT 1987 No. 149

NEW SOUTH WALES



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STANDARD TIME ACT 1987 No. 149

NEW SOUTH WALES



Act No. 149, 1987

An Act relating to standard time and daylight saving in New South Wales.
[Assented to 23 October 1987]

Standard Time 1987

The Legislature of New South Wales enacts:

PART 1—PRELIMINARY**Short title**

1. This Act may be cited as the Standard Time Act 1987.

Definitions

2. In this Act—

“Broken Hill” means the County of Yancowinna;

“legal instrument” means—

- (a) an Act (including this Act);
- (b) a regulation, ordinance, rule, by-law, proclamation, order, notice, notification or other instrument made under an Act (including this Act);
- (c) any contract or agreement (whether oral or in writing or both); or
- (d) any deed or other instrument having legal effect;

“New South Wales standard time” means standard time as fixed by section 3;

“New South Wales summer time” means summer time as fixed by section 7;

“summer time period” means a period starting at 2 a.m. on the last Sunday in October in each year and ending at 2 a.m. on the third Sunday in the following March.

PART 2—STANDARD TIME**Standard time in New South Wales (except certain areas)**

3. (1) Standard time in New South Wales is the mean time of the meridian of longitude 150 degrees east of Greenwich in England.

- (2) This section does not apply to Broken Hill or Lord Howe Island.

Standard time in Broken Hill

4. (1) Standard time in Broken Hill is—

- (a) if an order under this section is not in force—the mean time of the meridian of longitude 142 degrees 30 minutes east of Greenwich in England; or
- (b) if such an order is in force—the mean time of the meridian specified in the order as the standard time for Broken Hill.

- (2) The Governor may, by order published in the Gazette, specify as standard time for Broken Hill the mean time of the meridian of longitude specified in the order.

*Standard Time 1987***Standard time in Lord Howe Island**

5. (1) Standard time in Lord Howe Island is—

- (a) if an order under this section is not in force—the mean time of the meridian of longitude 157 degrees 30 minutes east of Greenwich in England; or
- (b) if such an order is in force—the mean time of the meridian specified in the order as the standard time for Lord Howe Island.

(2) The Governor may, by order published in the Gazette, specify as standard time for Lord Howe Island the mean time of the meridian of longitude specified in the order.

Construction of references to time (standard time)

6. (1) A reference (express or implied) in any legal instrument to any time or period of time shall be construed—

- (a) in relation to an act or omission that occurs, or a state of affairs that exists, at a particular place—
 - (i) as a reference to standard time, as fixed by or under this Part, in that place; or
 - (ii) as a reference to that period as determined by reference to that standard time; and
- (b) except as provided by paragraph (a)—
 - (i) as a reference to New South Wales standard time; or
 - (ii) as a reference to that period as determined by reference to New South Wales standard time.

(2) Subsection (1) does not apply to a reference to a time or period of time that is expressly required by the legal instrument in which the reference occurs or by any other legal instrument to be construed in some other way.

(3) This section applies to a legal instrument even though it was made before the appropriate standard time was fixed by or under this Part.

PART 3—DAYLIGHT SAVING**Summer time in New South Wales (except certain areas)**

7. (1) During a summer time period, summer time in New South Wales is one hour in advance of New South Wales standard time.

(2) This section does not apply to Broken Hill or Lord Howe Island.

Summer time in Broken Hill

8. (1) During a summer time period, summer time in Broken Hill is—

- (a) if an order under this section is not in force, one hour in advance of standard time as fixed for Broken Hill by or under section 4; or

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(b) if such an order is in force—the time specified in the order as summer time for Broken Hill.

(2) The Governor may, by order published in the Gazette, specify as summer time for Broken Hill such time as the Governor thinks fit.

Summer time in Lord Howe Island

9. (1) During a summer time period, summer time in Lord Howe Island is—

(a) if an order under this section is not in force, one hour in advance of standard time as fixed for Lord Howe Island by or under section 5; or

(b) if such an order is in force—the time specified in the order as summer time for Lord Howe Island.

(2) The Governor may, by order published in the Gazette, specify as summer time for Lord Howe Island such time as the Governor thinks fit.

Construction of references to time (summer time)

10. In section 6—

(a) a reference to standard time shall, in respect of a summer time period, be construed as a reference to the appropriate summer time as fixed by or under this Part; and

(b) a reference to New South Wales standard time shall, in respect of a summer time period, be construed as a reference to New South Wales summer time.

PART 4—MISCELLANEOUS

Savings

11. (1) Nothing in Part 3 affects—

(a) the use of standard time, as fixed by or under Part 2, for the purposes of astronomy, meteorology or navigation; or

(b) the construction of any document mentioning or referring to a point of time in connection with any of those purposes.

(2) For the purposes of section 30 of the Interpretation Act 1987, an order under this Act shall be regarded as amending this Act.

Repeal and transitional provisions

12. (1) The Standard Time Act 1971 is repealed.

(2) An order in force under section 3 (4) of the Standard Time Act 1971 immediately before the commencement of this Act in relation to standard time for Broken Hill shall be deemed to be an order in force under section 4 of this Act.

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(3) An order in force under section 3 (4) of the Standard Time Act 1971 immediately before the commencement of this Act in relation to standard time for Lord Howe Island shall be deemed to be an order in force under section 5 of this Act.

(4) An order in force under section 5 (2) of the Standard Time Act 1971 immediately before the commencement of this Act in relation to summer time for Broken Hill shall be deemed to be an order in force under section 8 of this Act.

(5) An order in force under section 5 (2) of the Standard Time Act 1971 immediately before the commencement of this Act in relation to summer time for Lord Howe Island shall be deemed to be an order in force under section 9 of this Act.

(6) If this Act commences during a summer time period, this Act has effect in relation to the remaining part of that period as if it were a summer time period.