



New South Wales

Statute Law (Miscellaneous Provisions) Act (No 2) 1995 No 99

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New South Wales

Statute Law (Miscellaneous Provisions) Act (No 2) 1995 No 99

Act No 99, 1995

An Act to repeal certain Acts and to amend certain other Acts in various respects and for the purpose of effecting statute law revision; and to make certain savings. [Assented to 21 December 1995]

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Statute Law (Miscellaneous Provisions) Act (No 2) 1995*.

2 Commencement

- (1) This Act commences on the date of assent, except as provided by subsections (2) and (3).
- (2) The amendments made by Schedule 1 or 2 commence on the dates specified in that Schedule in relation to the amendments concerned. If a commencement date is not specified, the amendments commence on the date of assent.
- (3) The amendments made by Schedule 3 commence on the date that is 3 months after the date of assent, or on such earlier day or days as may be appointed by proclamation.

3 Amendments

Each Act specified in Schedules 1–4 is amended as set out in those Schedules.

4 Repeals

Each Act specified in Schedule 5 is repealed.

5 General savings, transitional and other provisions

Schedule 6 has effect.

6 Explanatory notes

The matter appearing under the heading “Explanatory note” in any of the Schedules does not form part of this Act.

Schedule 1 Minor amendments

(Section 3)

1.1 Australian Jockey Club Act 1873

Section 2 Interpretation clause

Omit the definition of *Minister*.

Explanatory note

At present, section 2 provides (among other things) that, in the Act, the term “Minister” means “the Minister of the Crown for the time being administering the *Australian Jockey Club (Amendment) Act 1935*”. However, the latter Act was repealed by the Statute Law (Miscellaneous Provisions) Act 1985.

The proposed amendment removes the definition of the term *Minister*. The effect of this is that the ordinary rules relating to the interpretation of the term “the Minister” will apply. By virtue of section 15 (2) of the *Interpretation Act 1987*, references in the Act to “the Minister” are references to the Minister administering the Act.

1.2 Biological Control Act 1995 No 1

[1] Section 3 Definitions

Omit the definition of *Council* from section 3 (1). Insert instead:

Council means the body known as the Agricultural and Resource Management Council of Australia and New Zealand.

[2] Section 8 New South Wales Biological Control Authority

Omit subsection (2). Insert instead:

- (2) The Authority shall be the Minister of the Crown of the State of New South Wales who is for the time being:
 - (a) a member of the Council, and
 - (b) the Minister administering this Act.

Explanatory note

Name change

Item [1] of the proposed amendments is consequential on the change of name of the Australian Agricultural Council.

Constitution of New South Wales Biological Control Authority

At present, section 8 (2) is to the effect that the New South Wales Minister who is for the time being a member of the Australian Agricultural Council constitutes the New South Wales Biological Control Authority established by section 8 (1). However, since the widening of the composition of the Council (which led to its change of name), there is more than one such Minister among its membership. Item [2] of the proposed amendments makes clear which of those Ministers constitutes the Authority.

1.3 Catchment Management Act 1989 No 235

[1] Schedule 2 Urban Area

Insert "Rockdale," after "Randwick," in paragraph (a).

[2] Schedule 2

Insert "Pittwater," after "North Sydney," in paragraph (b).

[3] Schedule 2

Omit "Rockdale," from paragraph (b).

Explanatory note

Schedule 2 to the *Catchment Management Act 1989* lists the cities (in paragraph (a)) and local government areas (in paragraph (b)) that constitute "urban areas" for the purposes of that Act.

The proposed amendments are consequential on the proclamation of the local government area of Rockdale as a City and the division of the Warringah local government area into the local government areas of Warringah and Pittwater. Items [1] and [3] of the proposed amendments insert a reference to Rockdale in the list of cities and remove it from the list of other local government areas. Item [2] inserts a reference to Pittwater in the list of local government areas. (There is already a reference to Warringah in that list.)

1.4 Clean Air Act 1961 No 69

[1] Section 5 Definitions

Insert in alphabetical order in section 5 (1):

open fire means any fire (whether or not constituting, or occurring in connection with the operation of, any fuel burning equipment) in which the products of combustion are not directed to the open air by means of a stack or chimney.

[2] Section 24 Power to prohibit use of fuel, fuel burning equipment or industrial plant in certain areas or to prohibit open burning

Omit section 24 (3).

[3] Section 32 Penalties

Omit “or an order given under section 33A” from subsection (2).

Explanatory note

Item [2] of the proposed amendments repeals a subsection that defines *open fire* for the purposes of that particular section only. Item [1] inserts the definition in section 5 (1) of the Act, so that the term will have the same meaning wherever it is used in the Act.

Item [3] of the proposed amendments removes a reference to a repealed section.

1.5 Commercial Arbitration Act 1984 No 160

[1] Section 17 Parties may obtain subpoenas

Omit section 17 (1). Insert instead:

- (1) The Court may, on the application of any party to an arbitration agreement, and subject to and in accordance with rules of court, issue a subpoena requiring a person:
 - (a) to attend for examination before the arbitrator or umpire, or
 - (b) to produce to the arbitrator or umpire the documents specified in the subpoena, or
 - (c) to do both of those things.

[2] Section 18 Refusal or failure to attend before arbitrator or umpire or to produce document

Insert after section 18 (1) (a):

, or

(ba) refuses or fails to produce a document that the person is required under a subpoena or by the arbitrator or umpire to produce, or

[3] Section 18 (1) (b) (iii)

Omit the subparagraph.

[4] Section 21 Effect of appointment of new arbitrator or umpire on evidence previously given and awards and determinations previously made

Insert “, or for the purposes of,” after “in the course of” wherever occurring in paragraph (a).

Explanatory note

At present, section 17 (1) provides for the issue of 2 types of subpoenas: those requiring a person to attend for examination before the arbitrator or umpire and those requiring a person both to attend for examination and to produce documents.

Item [1] of the proposed amendments repeals and re-enacts section 17 (1) so as to provide for the issue of a third type of subpoena: that requiring the production of documents only (that is, without also requiring attendance).

Items [2], [3] and [4] make consequential amendments.

1.6 Dangerous Goods Act 1975 No 68

Section 11 Offence of unlicensed conveyance

Insert “or a Territory” after “another State” in section 11 (3).

Explanatory note

Under section 11 (1), a person is guilty of an offence if he or she carries certain dangerous goods in any container that is in or on, or forms part of, a vehicle or vessel unless the person is authorised by section 10 (3) to do so. However, section 11 (2) provides that the person is not guilty of the offence if (among other things) the person (or the person's employer) is authorised to carry the goods in

the container under a law “which has been declared to be a corresponding law for the purposes of this section”. Section 11 (3) empowers the Governor to declare “a law of another State” to be such a corresponding law.

The proposed amendment enables the Governor to make the same declaration in respect of the law of a Territory.

1.7 Environmental Offences and Penalties Act 1989 No 150

[1] Section 8A Offences under the Clean Air Act 1961

Insert “If Part 1 of the Schedule indicates that the maximum penalty varies according to whether the offender is an individual or a corporation, the penalty is to be imposed accordingly.” after “subsection (1).” in section 8A (2).

[2] Section 8B Offences under the Clean Waters Act 1970

Insert “If the Schedule indicates that the maximum penalty varies according to whether the offender is an individual or a corporation, the penalty is to be imposed accordingly.” after “subsection (1).” in section 8B (2).

[3] Schedule 1 Penalties for tier 2 offences

Omit “Section 21G (3) (a)” from Column 1 of Part 1.
Insert instead “Section 21G (1)”.

[4] Schedule 1

Omit “Section 21G (3) (b)” from Column 1 of Part 1.
Insert instead “Section 21G (1)”.

[5] Schedule 1

Omit “Section 23 (3) (a)” from Column 1 of Part 1.
Insert instead “Section 23 (1)”.

[6] Schedule 1

Omit “Section 23 (3) (b)” from Column 1 of Part 1.
Insert instead “Section 23 (1)”.

[7] Schedule 1

Omit “Section 23A (4) (a)” from Column 1 of Part 1.
Insert instead “Section 23A (1)”.

[8] Schedule 1

Omit “Section 23A (4) (b)” from Column 1 of Part I.
Insert instead “Section 23A (1)”.

[9] Schedule 1

Omit “Section 27 (5) (d)” from Column 1 of Part I.
Insert instead “Section 27 (5)”.

[10] Schedule 1

Omit “Section 27 (5) (e)” from Column 1 of Part 1.
Insert instead “Section 27 (5)”.

[11] Schedule 1

Omit “Section 28 (2) (a)” from Column 1 of Part 2.
Insert instead “Section 28 (2)”.

[12] Schedule 1

Omit “Section 28 (2) (b)” from Column 1 of Part 2.
Insert instead “Section 28 (2)”.

Explanatory note

The *Environmental Offences and Penalties (Amendment) Act 1990*, among other things, amended certain individual Acts such as the *Clean Air Act 1961* and the *Clean Waters Act 1970* (the individual Acts) so as to make offences arising under those Acts offences against the *Environmental Offences and Penalties Act 1989* (the Principal Act). The provisions of the individual Acts creating the offences as offences against the individual Acts were repealed.

The *Environmental Offences and Penalties (Amendment) Act 1990* also provided for a uniform scale of penalties within the Principal Act, and inserted a Schedule (Schedule 1) of lesser penalties for particular offences arising under the individual Acts. Schedule 1 refers to the relevant provisions of the individual Acts. However, some of the references in that Schedule are to the repealed provisions of the individual Acts.

Items [3]–[12] of the proposed amendments correct those references. items [1] and [2] clarify the way in which a penalty is to be imposed in relation to offences for which the Schedule specifies a maximum penalty that varies according to whether the offender is an individual or a corporation.

1.8 Freedom of Information Act 1989 No 5

Section 52A

Insert after section 52:

52A Redetermination of applications following action by the Ombudsman

- (1) An agency may, under this section, review a determination:
 - (a) in accordance with a written suggestion made by the Ombudsman in the course of a preliminary inquiry referred to in section 13AA of the *Ombudsman Act 1974*, being an inquiry that is undertaken as the result of a complaint, or
 - (b) as a result of a written undertaking given in a conciliation under section 13A of that Act, or
 - (c) in accordance with a recommendation given by the Ombudsman in accordance with that Act.

- (2) The review is to be conducted under section 34 or 47, as the case requires, as if the suggestion, undertaking or recommendation were an application referred to in that section.
- (3) Despite any other provision of this Act, there is no right to complain to the Ombudsman in respect of any determination arising out of a review under this section.

Explanatory note

The proposed amendment allows an agency (within the meaning of the *Freedom of Information Act 1989*) to review its determination of an application for access to the agency's documents, or for the amendment of an agency's records, in accordance with a suggestion or recommendation of the Ombudsman or as a result of an undertaking given during the course of a conciliation of a complaint made to the Ombudsman in connection with that determination. There is no right to complain to the Ombudsman in respect of the result of a review. A person aggrieved by a determination arising out of a review has a right of appeal (conferred by section 53 of the *Freedom of Information Act 1989*) to the District Court.

1.9 Independent Commission Against Corruption Act 1988 No 35

[1] Section 72C Functions of committee

Omit "Within 12 months after the commencement of this Division, " from subsection (5).
Insert instead "No later than 31 July 1996,".

[2] Section 72E Functions

Omit "Within 12 months after the commencement of this Division," from subsection (5).
Insert instead "No later than 31 July 1996,".

Explanatory note

Section 72C deals with the functions of the committee of the Legislative Council designated under section 72B. One of the functions of that committee is to prepare for consideration by the Legislative Council draft codes of conduct for members of the Legislative Council. Section 72C (5) requires the committee to present a draft code "[w]ithin 12 months after the commencement" of the Division in which the section is located (Division 1 of Part 7A—Parliamentary Ethical Standards).

Section 72E is a similar provision relating to the Standing Ethics Committee of the Legislative Assembly constituted by Division 2 of Part 7A.

Both Divisions commenced on 20 January 1995. Accordingly, each draft code of conduct must be presented to the relevant House by 20 January 1996.

The proposed amendments extend that deadline to 31 July 1996.

1.10 Interpretation Act 1987 No 15

[1] Section 21 Meaning of commonly used words and expressions

Insert in alphabetical order in subsection (1):

local council means a council within the meaning of the *Local Government Act 1993*.

[2] Section 30 Effect of amendment or repeal of Acts and statutory rules

Omit section 30 (1). Insert instead:

- (1) The amendment or repeal of an Act or statutory rule does not:
 - (a) revive anything not in force or existing at the time at which the amendment or repeal takes effect, or
 - (b) affect the previous operation of the Act or statutory rule or anything duly suffered, done or commenced under the Act or statutory rule, or
 - (c) affect any right, privilege, obligation or liability acquired, accrued or incurred under the Act or statutory rule, or
 - (d) affect any penalty incurred in respect of any offence arising under the Act or statutory rule, or
 - (e) affect any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability or penalty,

and any such penalty may be imposed and enforced, and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, as if the Act or statutory rule had not been amended or repealed.

[3] Section 30 (2) (a)

Insert “or” after “thing;”.

[4] Section 30 (2) (d)

Insert at the end of paragraph (c):

, or

- (d) the operation of any savings or transitional provision contained in the Act or statutory rule.

Explanatory note

Meaning of "local council" (item[1])

Item [1] of the proposed amendments provides a definition of local council for the purposes of New South Wales legislation generally. It does this by inserting a definition in a section that usually applies to all Acts and instruments.

Section 30 (items [2]–[4])

Section 30 deals with the effect of the amendment or repeal of an Act or statutory instrument.

Item [2] of the proposed amendments to that section replaces existing subsection (1) and inserts an additional paragraph, as paragraph (a). This paragraph expressly negates the old common law rule that, in the absence of a contrary intention, the repeal of an Act revives (among other things) the common law that it displaced. (Section 28 of the *Interpretation Act 1987* precludes the revival of repealed legislation on the repeal or amendment of the Act or statutory rule that repealed the legislation.) A similar provision to the inserted paragraph (a) is contained in the Acts interpretation legislation of all other Australian jurisdictions and the substituted subsection conforms to, and is consistent with, that legislation.

The proposed amendment to the *Marketing of Primary Products Act 1983* referred to elsewhere in this Schedule, is consequential on the amendment made by item [2].

Item [4] of the amendments to section 30 makes it clear that the amendment or repeal of an Act or statutory rule does not affect the continuing operation (if any) of a provision of a savings or transitional nature that is contained in the Act or statutory rule. The insertion of this provision enables the repeal of otherwise obsolete legislation that contains unincorporable transitional provisions. Item [3] is a consequential amendment.

1.11 Justices Act 1902 No 27

Section 100I Interpretation

Insert “or (1 A)” after “section 30D (1)” in the matter relating to the *Maritime Services Act 1935* in the definition of penalty notice in subsection (1).

Explanatory note

The proposed amendment is consequential on an amendment to the *Maritime Services Act 1935* proposed to be made elsewhere in this Schedule.

1.12 Maritime Services Act 1935 No 47

[1] Section 30D Penalty notices for certain offences

Omit section 30D (1). Insert instead:

- (1) A police officer or a prescribed officer may serve a penalty notice on a person if it appears to the police officer or the prescribed officer that the person has committed:
 - (a) an offence under section 13SA, or
 - (b) a prescribed offence under any regulation, or
 - (c) a prescribed offence under the *Commercial Vessels Act 1979* or a regulation under that Act, or
 - (d) a prescribed offence under the *Navigation Act 1901*, being an offence arising under the *Navigation (Collision) Regulations 1983* that is committed by the owner or master of:
 - (i) a vessel to or in relation to which the *Commercial Vessels Act 1979* applies, or
 - (ii) a vessel referred to in section 4A (2) of that Act, or
 - (iii) a vessel the subject of an exemption under section 48 of that Act, or
 - (iv) a recreational vessel (within the meaning of the *Ports Corporatisation and Waterways Management Act 1995*).

- (1A) A police officer or a prescribed officer may also serve a penalty notice on a person if it appears to the police officer or the prescribed officer that the person is, by virtue of section 30C, guilty of a parking offence (within the meaning of that section) that is a prescribed offence.
- (1B) A penalty notice is a notice to the effect that, if the person served does not wish to have the matter determined by a court, the person may pay, within the time and to the person specified in the notice, the amount of penalty prescribed by the regulations for the offence if dealt with under this section.

[2] Section 30D (2)

Insert “or (1A)” after “subsection (1)”.

Explanatory note

Section 30D allows penalty notices (“on-the-spot” fines) to be issued under the *Maritime Services Act 1935* for the following offences:

- an offence under section 13SA (Speed limits of vessels within navigable waters) of that Act
- prescribed offences under a regulation made under that Act
- prescribed offences under the *Commercial Vessels Act 1979* or a regulation made under that Act.

Item [1] of the proposed amendments adds another category of offences to that list. It will enable the issue of penalty notices for prescribed offences under the *Navigation Act 1901* arising under the *Navigation (Collision) Regulations 1983*. However, the penalty notices will be able to be issued in relation to recreational vessels and commercial vessels only.

The proposed amendment repeals and re-enacts section 30D (1) in a more modern style (as section 30D (1), (1A) and (1B)). In so doing, it transfers a reference to section 30C (which is concerned only with the liability of vehicle owners for parking offences under any regulation made under the Act) to subsection (1A), separating that reference from the references in subsection (1) to more general offences.

Item [2] of the proposed amendments makes a consequential amendment.

1.13 Marketing of Primary Products Act 1983 No 176

Section 84 Provisions relating to marketing orders

Omit section 84 (4). Insert instead:

- (4) The rescission, revocation, amendment or alteration, whether in whole or in part, of any marketing order does not:
- (a) revive anything not in force or existing at the time at which the rescission, revocation, amendment or alteration takes effect, or
 - (b) affect the previous operation of the order or any thing duly suffered, done or commenced under the order, or
 - (c) affect any right, privilege, obligation or liability acquired, accrued or incurred under the order, or
 - (d) affect any penalty, forfeiture or punishment incurred in respect of any offence against the order, or
 - (e) affect any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment,

and any such penalty, forfeiture or punishment may be imposed and enforced, and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, as if the rescission, revocation, amendment or variation had not occurred.

Explanatory note

The proposed amendment is consequential on the amendment contained in item [2] of the amendments to the Interpretation Act 1987 set out elsewhere in this Schedule and makes section 84 (4) consistent with section 30 (1) of that Act.

1.14 Mental Health Act 1990 No 9

Schedule 6 Provisions relating to members of the Tribunal

Omit clause 4. Insert instead:

4 Remuneration and allowances for members

- (1) The President and a Deputy President are entitled to be paid:
 - (a) remuneration in accordance with the *Statutory and Other Offices Remuneration Act 1975*, and
 - (b) such travelling and subsistence allowances as the Minister may from time to time determine in respect of the President and a Deputy President, respectively.
- (2) A member, other than the President or a Deputy President, is entitled to be paid such remuneration (including travel and subsistence allowances) as the Minister may from time to time determine in respect of the member.

Explanatory note

At present, clause 4 provides that the President, a Deputy President (of whom there may be more than one) and other full-time members of the Mental Health Review Tribunal are entitled to be paid such remuneration as the Governor may from time to time determine in respect of the member. The travelling and subsistence allowance entitlements of those members, and the remuneration and allowance entitlements of the part-time members, are such as the Minister may from time to time determine in respect of the member.

The proposed amendment provides, instead, that the remuneration and allowances of the President and a Deputy President are to be determined in accordance with the *Statutory and Other Offices Remuneration Act 1975*. The remuneration and allowances of all other members (both full-time and part-time) are to be determined by the Minister.

The proposed amendment reinstates the position that existed under the repealed *Mental Health Act 1983*.

A consequential amendment to the *Statutory and Other Offices Remuneration Act 1975* is proposed to be made elsewhere in this Schedule.

1.15 Motor Accidents Act 1988 No 102

Section 73 Payment of interest

Omit subsection (6). Insert instead:

- (6) **Rate of interest.** The rate of interest to be used in any such calculation is three-quarters of the rate prescribed for the purposes of section 95 of the *Supreme Court Act 1970* for the period concerned.

Explanatory note

At present, section 73 (6) provides that the rate of interest to be used in any calculation of interest payable on damages in relation to a motor accident is "three-quarters of the rate that would otherwise be applicable under the rules of court". The *Supreme Court Rules 1970* do not specifically provide a rate of interest for the purposes of section 73 of the *Motor Accidents Act 1988*, but do prescribe a rate of interest for the purposes of section 95 (Interest on debt under judgment or order) of the *Supreme Court Act 1970*.

The proposed amendment clarifies the rate at which any interest payable under section 73 of the *Motor Accidents Act 1988* is to be calculated by providing that the rate to be used is three-quarters of the rate so prescribed.

1.16 Ombudsman Act 1974 No 68

Section 13AA

Insert after section 13:

13AA Preliminary inquiries

- (1) The Ombudsman may make preliminary inquiries for the purpose of deciding whether to make particular conduct of a public authority the subject of an investigation under this Act.
- (2) The inquiries may be made whether or not any person has complained to the Ombudsman about the conduct under section 12.

Explanatory note

The proposed amendment removes any doubt as to the Ombudsman's power to make preliminary inquiries to determine whether to make particular conduct of a public authority the subject of an investigation under the Act.

**1.17 Parliamentary Contributory Superannuation Act 1971
No 53**

[1] Section 3 Definitions

Insert in alphabetical order in section 3 (1):

federal member means a member of either House of the Parliament of the Commonwealth.

**[2] Section 22B Preservation of minimum benefits
superannuation guarantee legislation**

Insert after section 22B (5):

(6) Payment for purposes of Commonwealth law

Nothing in this section prevents payment, in pursuance of an election under section 26A, of the whole or part of a benefit preserved under this section to the Parliamentary Retiring Allowances Trust established under the *Parliamentary Contributory Superannuation Act 1948* of the Commonwealth, for the purposes of section 22Q of that Act.

**[3] Section 26 Suspension of pension where another parliamentary
pension received**

Insert after section 26 (3):

- (4) This section does not apply so as to suspend a person's rights under this Part on account of the person's entitlement to a pension under the *Parliamentary Contributory Superannuation Act 1948* of the Commonwealth if the person (or the person's spouse, in a case where the entitlement concerned is that of a spouse):
- (a) made an election under section 20A (1AC) of that Act, or
 - (b) became a federal member on or after 1 July 1994.

[4] Section 26A

Insert after section 26:

26A Arrangements for transfer to Commonwealth scheme

(1) Election to pay transfer value to Commonwealth

A former member who was a federal member as at 1 July 1994 or who afterwards becomes a federal member may elect to pay to the Commonwealth the amount of the transfer value payable to or in respect of the former member under this Act in relation to the period during which the former member served as a member.

(2) Provisions relating to election

The election must be in writing and given to the trustees. The trustees may decline to accept an election if it appears that the payment of the transfer value will not be effective for the purposes of the *Parliamentary Contributory Superannuation Act 1948* of the Commonwealth.

(3) Nature of transfer value

The transfer value is:

- (a) in the case of a former member who has been entitled to salary for a period of at least 7 years, the actuarially assessed future benefits (as determined by the trustees after receiving actuarial advice) that would, but for the election under this section, be payable under this Act in respect of the former member's past service as a member, and
- (b) in the case of a former member who has been entitled to salary for a period of less than 7 years, the amount (as determined by the trustees) that would, but for the election under this section, be payable under section 22A.

(4) **Payment of transfer value**

The trustees are authorised to pay as a lump sum from the Fund an amount equal to the transfer value to the Commonwealth in accordance with the election.

(5) **Consequences of payment of transfer value**

When the amount equal to the transfer value is paid to the commonwealth, the former member ceases to be entitled to any rights or benefits (present or future) under this Act in respect of any period of past service as a member to which the transfer value relates. However, the former member can become entitled to rights or benefits in respect of any future period of service as a member.

Commencement

The amendments to the *Parliamentary Contributory Superannuation Act 1971* are taken to have commenced on 1 July 1995.

Explanatory note

Former members who become members of Commonwealth Parliament—
Reduction of State scheme benefits by other benefit entitlements

Section 26 of the Act currently provides that the rights of a person to be paid a pension under Part 3 of the Act are suspended when the person becomes entitled to a pension under another scheme arising from membership of another Parliament. While the suspension is in force, the trustees of the fund established under the Act may nevertheless, at their discretion, pay benefits to the person from the fund, but only to, the extent that those benefits, when added to the person's pension entitlements from service with the other Parliament, do not exceed the amount of the person's pension entitlements under Part 3 of the Act. Historically the Trustees' preference has been to exercise their discretion in favour of the former member and so the section, in effect, has operated to reduce benefits under the Act by an amount equal to the benefits being received by the former member from elsewhere.

The *Parliamentary Contributory Superannuation Act 1948* of the Commonwealth, which governs benefits under the scheme established for Commonwealth Parliamentarians, used to contain similar provisions that reduced a Commonwealth Parliamentary pension by amounts equal to the benefits being received from other Parliamentary schemes. With effect from 1 July 1994, however, Commonwealth law has been amended so that the reduction provisions do not apply to persons becoming Commonwealth Parliamentarians on or after that date. Moreover, a person who was a Commonwealth Parliamentarian on 1 July 1994 may, by election in writing, declare himself or herself exempt from those provisions. This, in effect, allows every person who is now a member of the Parliament of the Commonwealth and was a member of another Parliament to

receive his or her full entitlements under the Commonwealth scheme based on Commonwealth Parliamentary service, regardless of benefits received from service with the other Parliament.

Item [3] amends section 26 in line with the Commonwealth law, by providing that suspension of benefit entitlements in terms of the section will not apply to persons who are not subject to similar benefit-reduction provisions under the Commonwealth law. The two cases are:

- (a) where the person became a federal member on or after 1 July 1994, and
- (b) where the person (having been a member of the Commonwealth Parliament on 1 July 1994) made an election under section 20A (1AC) of the *Parliamentary Contributory Superannuation Act 1948* of the Commonwealth (as a result of which he or she is no longer subject to Commonwealth benefit-reduction provisions).

Transfer values

With effect from 1 July 1994, Commonwealth law has permitted a Commonwealth member who also served in another Parliament, at the member's option, to have additional service, represented by a benefit payable from another Parliamentary superannuation scheme (following cessation of membership of the other Parliament), regarded as service with the Commonwealth Parliament for the purposes of the Commonwealth scheme. This is achieved by paying to the administrators of the Commonwealth scheme an amount of money (called a transfer value) actuarially calculated to represent future benefit payments from that other scheme forgone by the member. Item [4] inserts a new section 26A, the effect of which is to allow a Commonwealth Parliamentarian who was a member of the New South Wales Parliament, at his or her option, to have the trustees of the State scheme pay any benefits to which the former member is entitled under the State scheme to the administrators of the Commonwealth scheme as a transfer value for the purposes of that scheme.

Minor amendments

Item [1] provides a definition of federal member for the purposes of the provisions inserted by the Bill.

Item [2] makes a consequential amendment.

1.18 Protection of the Environment Administration Act 1991 No 60

[1] Section 21 Delegation of functions

Insert after section 21 (1):

- (1A) The Director-General may delegate to an authorised person any of the functions (other than this power of delegation) conferred or imposed on the Director-General by or under the environment protection legislation or any other legislation.

[2] Section 21 (2)

Omit the subsection. Insert instead:

- (2) A delegate may sub-delegate to an authorised person any function delegated:
 - (a) by the Authority, if the delegate is authorised in writing to do so by the Authority, or
 - (b) by the Director-General, if the delegate is authorised in writing to do so by the Director-General.

[3] Section 21 (3) (c) and (d)

Omit paragraph (c). Insert instead:

- (c) a council (within the meaning of the *Local Government Act 1993*, or
- (d) a person of a class prescribed by the regulations for the purposes of delegations from the Authority or the Director-General or both.

Explanatory note

Delegation of functions (item [1])

Item [1] of the proposed amendments enables the Director-General of the Environment Protection Authority to delegate his or her functions in the same way as that Authority may delegate its functions.

Sub-delegation (item [2])

At present, section 21 (2) allows a delegate of the Environment Protection Authority to sub-delegate. Item [2] of the proposed amendments confers the same power on a delegate of the Director-General of that Authority.

Meaning of “authorised person” (item [3])

Functions of the Environment Protection Authority and the Director-General of that Authority may be delegated only to an authorised person as defined in section 21 (3). Item [3] of the proposed amendments brings an additional category of persons (local councils) within the meaning of that term.

Item [3] of the proposed amendments also enables the making of regulations that prescribe different classes of persons as authorised persons for the purposes of delegations from the Environment Protection Authority on the one hand and the Director-General of that Authority on the other. However, a class of persons may also be prescribed as authorised persons for the purposes of delegations from both the Authority and the Director-General.

1.19 Radiation Control Act 1990 No 13

Section 39A

Insert after section 39:

39A Personal liability

A matter or thing done or omitted by:

- (a) the Council or a member of the Council, or
- (b) a member of a committee of the Council, or
- (c) an inspector, or
- (d) a person acting under the direction of the Council,

does not subject a member, inspector or person so acting personally to any action, liability, claim or demand if the matter or thing was done or omitted in good faith for the purposes of executing this Act.

Explanatory note

The proposed amendment provides protection from personal liability for members of the Radiation Advisory Council, members of committees of that Council and inspectors appointed under the Act in relation to things done (or omitted to be done) in good faith for the purposes of executing the *Radiation Control Act 1990*.

1.20 Roman Catholic Church Trust Property Act 1936 No 24

Section 5A

Insert after section 5:

5A Change of name of diocese

- (1) If the name of a diocese is changed, the Bishop of the diocese concerned is, by notification signed by the Bishop and published in the Gazette, to announce the change of name of the diocese and of the body corporate consisting of the trustees of Church trust property for the diocese.

- (2) A printed paper purporting to be a copy of the Gazette and to have been printed by the Government Printer and containing what purports to be a copy of a notification published under subsection (1) is conclusive evidence of the statements so published.
- (3) The body corporate of the diocese concerned continues in existence under its new name so that its identity is not affected.
- (4) A reference in any Act or instrument, or in any other document, to the diocese (or body corporate) under its former name is to be read (except in relation to matters that occurred before the change took place) as a reference to the diocese (or body corporate) under its new name.
- (5) Subsections (3) and (4) apply to the change of name of the Diocese of Maitland to the Diocese of Maitland-Newcastle (and the corresponding change of name of the body corporate of that Diocese) as if the change of name had been announced in accordance with subsection (1).

Explanatory note

Section 3 of the Act provides for trustees of Church trust property for each diocese of the Roman Catholic Church. Section 4 constitutes those trustees as bodies corporate and specifies the corporate names of the trustees for the various dioceses existing at the commencement of the Act (1 August 1936). Section 5 provides for the creation of new dioceses and for the naming of the bodies corporate for those dioceses.

However, the Act does not make provision for the alteration of any of those names. Consequently, when the name of the Diocese of Goulburn was changed to “the Archdiocese of Canberra and Goulburn”, it was necessary to amend the Act by means of the *Roman Catholic Church Trust Property (Amendment) Act 1950* (which inserted section 4A into the Act).

The proposed amendment removes the necessity for legislative amendment to the Act in the case of such changes in the future by providing for the way in which such changes are to be announced and specifying the effect of the changes.

The proposed amendment also deals with the recent change of name of the Diocese of Maitland (which, like the Diocese of Goulburn, was in existence at the commencement of the Act) to “the Diocese of Maitland-Newcastle”.

1.21 Rural Lands Protection Act 1989 No 197

[1] Sections 18 (3) and 79 (3) and clause 2 (IA) of Schedule 1

Omit “The secretary” wherever occurring.
Insert instead “The Administrative Officer”.

[2] Sections 19 (5) and 24 (1)

Omit “a secretary” wherever occurring.
Insert instead “an Administrative Officer”.

[3] Sections 19 (5) and 180 (paragraph (a) of definition of “district registrar”) and clauses 2 (1) (c) and (IA) of Schedule 1 and 39 (1) (b) of Schedule 5

Omit “the secretary” wherever occurring.
Insert instead “the Administrative Officer”.

[4] Sections 212 (2) (d) and (3) (b) and 214

Omit “secretary” wherever occurring.
Insert instead “Administrative Officer”.

[5] Section 217 (2) (i)

Omit “secretaries”. Insert instead “Administrative Officers”.

Explanatory note

The proposed amendments are consequential on a change of name made by the Rural Lands Protection Boards Conditions (State) Award handed down by the Industrial Relations Commission of New South Wales on 3 April 1995.

1.22 Soccer Football Pools Act 1975 No 45

[1] Section 15 Prize fund

Insert at the end of section 15 (3) (c):

, and

- (d) towards the payment of unclaimed prizes or disputed money in accordance with regulations under subsection (4).

[2] Section 15 (4)

Insert after section 15 (3):

- (4) The regulations may make provision for or with respect to the disposal of unclaimed prizes or of money as to which any dispute has arisen.

Explanatory note

Item [2] of the proposed amendments enables the making of regulations under the Act with respect to unclaimed prizes and disputed money. There is an identical provision in the *Lotto Act 1979*

Item [1] makes a consequential amendment.

1.23 Statutory and Other Offices Remuneration Act 1975 (1976 No 4)

Schedule 2 Public offices

Insert at the end of Part 1:

President of the Mental Health Review Tribunal.

Deputy President of the Mental Health Review Tribunal.

Explanatory note

The proposed amendment is consequential on an amendment to the *Mental Health Act 1990* proposed to be made elsewhere in this Schedule.

Schedule 2 Amendments by way of statute law revision

(Section 3)

2.1 Anti-Discrimination Act 1977 No 48

Section 49ZYS Superannuation

Omit “and (e)” from subsection (3).

Explanatory note

The proposed amendment removes a reference to a repealed paragraph.

2.2 Competition Policy Reform (New South Wales) Act 1995 No 8

[1] Section 3 Definitions

Insert “a day of” after “beginning of” where firstly occurring in the definition of *month* in subsection (1).

[2] Section 15 Activities that are not business

Omit “an authority of the Commonwealth or” from section 15 (1) (c) (i).

[3] Section 15 (1) (c) (ii), (iv) and (vi)

Omit the subparagraphs.

[4] Section 15 (1) (c) (iii), (v) and (vii)

Renumber the subparagraphs as subparagraphs (ii), (iii) and (iv).

[5] Section 15 (3), definition of “government body”

Omit “the Commonwealth,” and “, an authority of the Commonwealth”.

[6] Section 15 (4)

Omit “an authority of the Commonwealth or”.

[7] Section 38 Regulations

Omit “Government”. Insert instead “Governor”.

[8] Section 42 Section 51 exceptions

Omit “section 29” from subsection (2). Insert instead “section 33”.

Explanatory note

Item [1] of the proposed amendments brings the definition of *month* into line with the definition of that word as contained in the *Acts Interpretation Act 1901* of the Commonwealth, on which it is based.

Items [2]–[6] bring section 15 into line with uniform legislation of the States, by removing unnecessary references to the Commonwealth, which appear appropriately in the corresponding legislation of the Commonwealth.

Item [7] corrects a typographical error.

Item [8] corrects a cross-reference to the corresponding Act of the Commonwealth, which was amended in committee in the Senate, resulting in a renumbering of provisions of the Commonwealth Act.

2.3 Courts Legislation Amendment Act 1995 No 21

Schedule 5 Amendments relating to Deputy Registrar of Compensation Court

Insert “where firstly occurring” after ‘ ‘omitted by’ ’ in item [6].

Explanatory note

The proposed amendment clarifies an incorporating direction.

2.4 Crimes Act 1900 No 40

[1] Section 407AA Compellability of spouses to give evidence in certain proceedings

Omit “apprehended domestic violence order” from subsection (1) (b) and (d) wherever occurring.

Insert instead “apprehended violence order”.

[2] Section 577A Disclosure of address or telephone number of witness

Renumber the last 2 subsections as subsections (7) and (8).

Explanatory note

Cross-references(item[1])

Item [1] of the proposed amendments corrects cross-references that are incorrect as a consequence of the change of name of the orders with which Part 15A of the *Crimes Act 1900* is concerned from “apprehended domestic violence” orders to “apprehended violence” orders.

Renumbering (item [2])

Item [2] of the proposed amendments corrects duplicated numbering.

2.5 Crimes Amendment (Child Pornography) Act 1995 No 49

Schedule 3 Certain other amendments relating to age

Omit “1985” from the heading to item 3.2. Insert instead “1984”.

Explanatory note

The proposed amendment corrects an incorrect citation.

2.6 Evidence Act 1995 No 25

Section 128 Privilege in respect of self-incrimination in other proceedings

Omit “an Australian court” from section 128 (7).
Insert instead “a NSW court”.

Explanatory note

The proposed amendment corrects an incorrect reference.

2.7 Factories, Shops and Industries Act 1962 No 43

Section 89B Exemption of holiday resorts

Omit “the area of” wherever occurring in section 89B (1).

Explanatory note

At present, section 89B (1) of the *Factories, Shops and Industries Act 1962* refers to “an area (within the meaning of the *Local Government Act 1993*) outside the County of Cumberland, the area of the City of Newcastle and the area of the City of Wollongong”. The *Local Government Act 1993* defines area as “an area constituted under Division 1 of Part 1 of Chapter 9” (that is, sections 204–213). The Governor may, by proclamation, constitute any part of New South Wales as an area (section 204 of that Act), and may in the same way constitute an area as a city (section 206). Accordingly, it is not necessary to refer to “the area of” a city. The proposed amendment omits the superfluous words.

2.8 Irrigation Corporations Act 1994 No 41

[1] Section 4 Definitions

Omit “Part 1 of” from the definition of *class 1 irrigation corporation*.

[2] Section 6 Establishment of corporations as SOCs

Omit “Part 1 of” from section 6 (1) and (5) wherever occurring.

Commencement

The proposed amendments are taken to have commenced on 1 July 1995.

Explanatory note

The proposed amendments are consequential on amendments made to the Bill for the *State Owned Corporations Amendment Act 1995* in the committee stage of its passage through Parliament. They are taken to have commenced on the Commencement of that Act.

2.9 Land Tax Management Act 1956 No 26

[1] Section 21B Joint owners of block of flats deemed to be owners of strata lots

Omit “considered” wherever occurring. Insert instead “deemed”.

[2] Section 21C Liability of lessees of land owned by Crown or council

Omit “to be considered” where firstly occurring in section 21C (2). Insert instead “deemed to be”.

[3] Section 21C (3)

Omit “to be considered”. Insert instead “deemed”.

[4] Section 46A Collection of land tax from persons owing money to taxpayer

Omit “the money’s becoming or being held” from section 46A (1). Insert instead “the money’s becoming due or being held”.

Explanatory note

Meaning of “deemed to be” and “considered to be” (items [1]–[3])

The definitions of joint owner and owner (in relation to land) in section 3 include persons who, “by virtue of this Act”, are “deemed to be” joint owners or owners.

Various sections of the Act “deem” persons accordingly. However, sections 21 B and 21C, which were inserted in 1991, avoid the word “deemed”, providing instead that certain persons are “considered” to be the joint owners or owners of the property concerned. Section 21C also provides that particular parts of buildings are “considered” to be strata lots in certain circumstances.

Items [1]–[3] of the proposed amendments replace “considered” with “deemed” in sections 21B and (where appropriate) 21C to avoid any suggestion that “considered” is intended to carry a different meaning from “deemed” in those contexts.

Missing word (item [4])

Item [4] of the proposed amendments inserts a missing word.

2.10 Liquor Act 1982 No 147

Section 116D Offence by adult accompanying minor

Omit paragraph (b). Insert instead:

- (b) leaves the minor on the licensed premises deprived of the company and immediate presence of the adult without first informing the licensee or an employee of the licensee,

the adult is guilty of an offence against this Act.

Explanatory note

The proposed amendment corrects incorrect ranging.

2.11 Lotto Act 1979 No 53

[1] Section 14 Prize funds

Omit “unclaimed money in accordance with subsection (8)” from section 14 (2) (b).

Insert instead “unclaimed prizes or disputed money in accordance with regulations under subsection (8)”.

[2] Section 14 (3) (c)

Omit “unclaimed money, in accordance with subsection (8)”.
Insert instead “unclaimed prizes or disputed money, in accordance with regulations under subsection (8)”.

[3] Section 14 (7) (b)

Omit “section 6 (n)”. Insert instead “section 6 (1) (n)”.

Explanatory note

Items [1] and [2] of the proposed amendments ensure that cross-references in section 14 (2) and (3) to “subsection (8)” (of section 14) accurately reflect the substance of that subsection.

Item [3] corrects an incomplete cross-reference.

2.12 Olympic Co-ordination Authority Act 1995 No 10

Section 2 Commencement

Omit “a day or days to be appointed by proclamation”.
Insert instead “30 June 1995”.

Explanatory note

The proposed amendment confirms the commencement of the Act on 30 June 1995 in accordance with a proclamation to that effect that was not published until 21 July 1995.

2.13 Pay-roll Tax Act 1971 No 22

Section 10 Exemption from pay-roll tax

Omit “patriotic work of the charity” from section 10 (2).
Insert instead “patriotic work of the non-profit organisation”.

Explanatory note

The proposed amendment renders the language of section 10 (2) consistent with that of section 10 (1) (j), (j1) and (k).

**2.14 Ports Corporation and Waterways Management Act
1995 No 13**

**[1] Section 6 Establishment of Newcastle Port Corporation as
statutory SOC**

Omit “Part 1 of” from section 6 (2).

**[2] Section 7 Establishment of Port Kembla Port Corporation as
statutory SOC**

Omit “Part 1 of” from section 7 (2).

**[3] Section 8 Establishment of Sydney Ports Corporation as
statutory SOC**

Omit “Part 1 of” from section 8 (2).

[4] Schedule 4 Amendment of Acts

Omit item [14] of Schedule 4.19. Insert instead:

[14] Section 50 Disclosure of confidential information

Omit “Board, an approved contractor” from the definition of *confidential report* in subsection (2).

Insert instead “Minister, the pilotage service provider”.

Commencement

The amendments to the *Ports Corporatisation and Waterways Management Act 1995* are taken to have commenced on 1 July 1995.

Explanatory note

Items [1]–[3] of the proposed amendments are consequential on amendments made to the Bill for the *State Owned Corporations Amendment Act 1995* in the committee stage of its passage through Parliament.

Item [4] repeals an unincorporable amendment to the *Marine Pilotage Licensing Act 1971* and re-enacts that amendment in the correct form.

2.15 Public Sector Management Amendment Act 1995 No 36

Section 2 Commencement

Omit “a day or days to be appointed by proclamation”.
Insert instead “ 1 3October 1995”.

Explanatory note

The proposed amendment confirms the commencement of the Act in accordance with the proclamation published in the Gazette on that date.

2.16 Roads Act 1993 No 33

Schedule 2 Savings, transitional and other provisions

Omit “it” from clause 61.

Explanatory note

The proposed amendment omits an unnecessary word.

2.17 Royal Commissions Act 1923 No 29

Section 14A No prohibition against Royal Commission

Omit the section.

Explanatory note

The proposed amendment repeals a provision that is no longer of effect. Section 14A relies on section 210 (2) of the *Companies Act 1936*. That Act has been repealed, and the Corporations Law does not contain an equivalent provision.

2.18 Sporting Injuries Insurance Act 1978 No 141

Section 31 Rules

Omit “non-reimbursement” from section 31 (1) (f).
Insert instead “non-reimbursement”.

Explanatory note

The proposed amendment corrects incorrect spelling.

2.19 Traffic Act 1909 No 5

Section 3 Regulations

Omit “radar speed measuring devices” from section 3 (1) (p2).
Insert instead “speed measuring devices”.

Explanatory note

The *Motor Traffic (Radar Detected Offences) Amendment Act 1987* inserted section 4AB, relating to approved radar speed measuring devices, into the Traffic Act 1909. It also provided, in the new section 3 (1) (p2), a regulation-making power with respect to those devices.

The *Traffic (Photographic Evidence) Amendment Act 1990* amended section 4AB by (among other things) replacing references to “radar speed measuring device” with references to “speed measuring device”.

The proposed amendment is consequential on the latter amendment.

2.20 Workers Compensation Legislation Amendment Act 1995 No 30

Section 5 Amendment of Workers’ Compensation (Dust Diseases) Act 1942 No 14

Omit “1987”. Insert instead “1942”.

Explanatory note

The proposed amendment corrects an incorrect citation.

Schedule 3 Amendments replacing gender-specific language

(Section 3)

Explanatory note

The amendments proposed to be made by this Schedule replace gender-specific language with gender-neutral language.

3.1 Annual Holidays Act 1944 No 31

[1] **Section 2 (1) definition of “ordinary pay”**

Insert “or her” after “his”.

[2] **Section 2 (1) definition of “worker”**

Omit “salesman”. Insert instead “the person”.

[3] **Sections 2 (1) definition of “worker” and 11 (2) (a)**

Omit “he” wherever occurring. Insert instead “the salesperson”.

[4] **Sections 2 (2) and (3), 3, 4, 4A (4) and 7 (2)**

Omit “his” wherever occurring. Insert instead “the worker’s”.

[5] **Sections 2 (2), (3), (4) and (5), 4, 4A (3), (4), (5), (6) and (7), 7 (1) and 13 (2)**

Omit “he” wherever occurring. Insert instead “the worker”.

[6] **Sections 2 (2), (3) and (4), 4 (3) and 7 (1)**

Omit “him” wherever occurring. Insert instead “the worker”.

[7] **Section 3 (4)**

Omit “him”. Insert instead “such Registrar”.

[8] **Section 3 (4)**

Insert “or she” after “he”.

[9] **Section 4A (2)**

Omit “his”. Insert instead “the employer’s”.

[10] **Section 4A (3)**

Omit “his” wherever occurring.

[11] **Section 4A (6)**

Insert “or her” after “his” wherever occurring.

[12] **Section 10 (1) (a)**

Omit “he”. Insert instead “the inspector”.

[13] **Section 10A (1)**

Omit “him”. Insert instead “the person”.

[14] **Section 10A (3)**

Omit “he”. Insert instead “the Minister”.

Schedule 3 Amendments replacing gender-specific language

- [15] **Section 11 (2) (b)**
Omit “his”. Insert instead “the inspector’s”.
- [16] **Section 12 (5)**
Omit “his” where firstly occurring. Insert instead “the”.
- [17] **Section 12 (5)**
Omit “his” where secondly occurring. Insert instead “a”.
- [18] **Section 12 (5)**
Omit “by him”. Insert instead “the prosecutor”.
- [19] **Section 13 (3)**
Omit “by him”.
- 3.2 Bush Fires Act 1949 No 31**
- [1] **Sections 7 (3) (b) and 41H (9)**
Omit “he” wherever occurring. Insert instead “the delegate”.
- [2] **Sections 10 (1) and (2) (a) (i) and (ii), 12 (1) (d) and (4), 34A (3), 41E and 44 (2)**
Omit “he” wherever occurring. Insert instead “the person”.
- [3] **Section 10 (2) (a) (ii)**
Omit “him”. Insert instead “the person”.
- [4] **Section 12 (2) (b) and (4)**
Omit “his” wherever occurring. Insert instead “the person”.
- [5] **Sections 14A and 15 (4)**
Omit “him” wherever occurring. Insert instead “the owner”.
- [6] **Section 14A**
Omit “himself”. Insert instead “the owner”.
- [7] **Sections 15 (1) and (4), 24 and 44**
Insert “or her” after “his” wherever occurring.
- [8] **Section 15 (4)**
Omit “stipendiary magistrate on application made to him”.
Insert instead “magistrate on application made to the magistrate”.
- [9] **Sections 16 (1) and 19 (c)**
Omit “he” wherever occurring. Insert instead “the Minister”.
- [10] **Section 16 (3)**
Omit “his” wherever occurring. Insert instead “the Minister’s”.
- [11] **Sections 17 (3) and 22 (1)**
Insert “or she” after “he” wherever occurring.
- [12] **Section 17 (5) and (6)**
Omit “his” wherever occurring. Insert instead “the person’s”.

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- [13] **Section 17 (7)**
Omit “he”. Insert instead “the deputy”.
- [14] **Section 17 (8)**
Omit “his”. Insert instead “the emergency fire controller’s”.
- [15] **Section 22 (1) (b)**
Omit “His Majesty” wherever occurring. Insert instead “the Sovereign”.
- [16] **Section 23**
Insert “or her” after “him”.
- [17] **Section 27 (2) (a) and (e)**
Omit “he” wherever occurring. Insert instead “the fire control officer”.
- [18] **Section 27 (2) (e)**
Omit “him”. Insert instead “the fire control officer”.
- [19] **Sections 28 (3), 29 (4), 31 and 33 (3)**
Omit “him” wherever occurring. Insert instead “the Minister”.
- [20] **Section 29 (2), (3) and (4)**
Omit “his” wherever occurring. Insert instead “the Minister’s”.
- [21] **Sections 31 and 33 (3)**
Omit “he” wherever occurring. Insert instead “the Minister”.
- [22] **Section 32 (3)**
Omit “he”. Insert instead “the Treasurer”.
- [23] **Section 32 (5)**
Omit “he”. Insert instead “the Governor”.
- [24] **Section 34A (1) and (3)**
Omit “him” wherever occurring. Insert instead “the Auditor-General”.
- [25] **Section 34A (3)**
Omit “his powers”. Insert instead “the Auditor-General’s or officer’s powers”.
- [26] **Section 34A (3)**
Omit “his duties”. Insert instead “the Auditor-General’s or officer’s duties”.
- [27] **Section 34A (3)**
Omit “his possession”. Insert instead “the person’s possession”.
- [28] **Section 34A (3)**
Omit “his control”. Insert instead “the person’s control”.
- [29] **Sections 41B (1) (c), (g) and (2) (e), 41F (5) and 41H (2) and (6)**
Omit “him” wherever occurring. Insert instead “the Chief Co-ordinator”.
- [30] **Sections 41E and 41H (2)**
Omit “his” wherever occurring. Insert instead “the Chief Co-ordinator’s”.
- [31] **Section 41F (1) and (2)**
Omit “he” wherever occurring. Insert instead “the Chief Co-ordinator”.
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- [32] **Section 41H (8)**
Omit "him". Insert instead "the delegate".
- [33] **Sections 43 and 45**
Omit "his" wherever occurring. Insert instead "the fire patrol officer's".
- [34] **Section 43**
Omit "he" wherever occurring. Insert instead "the fire patrol officer".
- [35] **Section 51A (1) (a)**
Omit "him". Insert instead "the member".
- [36] **Section 51A (1) (a)**
Omit "his". Insert instead "the member's".
- [37] **Section 51A (1) (b)**
Omit "he". Insert instead "the member".
- [38] **Section 52**
Omit "he" wherever occurring. Insert instead "the occupier".
- [39] **Section 55 (1)**
Omit "him". Insert instead "each such person".
- [40] **Section 55 (1)**
Omit "his". Insert instead "such a person's".
- [41] **Section 56 (3)(a) (ii)**
Omit "his". Insert instead "the owner's".
- 3.3 Coal and Oil Shale Mine Workers (Superannuation) Act 1941
No 45**
- [1] **Sections 2 (2), 2J (7) and (8) and 29 (2)**
Omit "he" wherever occurring. Insert instead "the person".
- [2] **Sections 2 (2) and 5 (1) and (5)**
Omit "his" wherever occurring. Insert instead "the person's".
- [3] **Sections 2 (3), 5 (3) 5A (1), 5AA (1), 19B (4) (b) and 19F (1)**
Omit "he" wherever occurring. Insert instead "the mine worker".
- [4] **Section 5 (2) (a) and (b)**
Omit "his" wherever occurring.
- [5] **Sections 5A (1), 19B (3), 19E (1), 19F (1) (a) and (d) and (2) and 19H (1)**
Omit "his" wherever occurring. Insert instead "the mine worker's".
- [6] **Sections 19B (2) (b), 19E (1) and 19F (1) (d)**
Omit "him" wherever occurring. Insert instead "the mine worker".
- [7] **Section 24 (2)**
Omit "he" wherever occurring. Insert instead "the defendant".

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- [8] **Section 24 (2)**
Omit "him". Insert instead "the defendant".
- 3.4 Coal Industry Act 1946 No 44**
- [1] **Section 10 (1) (f) and (g)**
Omit "his or her" wherever occurring. Insert instead "the member's".
- [2] **Section 22 (2) (a)**
Omit "his or her". Insert instead "the person's".
- [3] **Section 56 (2)**
Omit "he or she". Insert instead "the inspector".
- [4] **Sections 56 (2) (a) and 57 (2)**
Omit "his or her" wherever occurring. Insert instead "the inspector's".
- 3.5 Coal Mines Regulation Act 1982 No 67**
- [1] **Sections 10 (1) (a) and (b), 65 (2), 135 (1) and 167 (1) (b)**
Omit "him" wherever occurring. Insert instead "the Chief Inspector".
- [2] **Section 10 (2) (a) and (b)**
Omit "him" wherever occurring.
Insert instead "the Deputy Chief Inspector of Coal Mines".
- [3] **Sections 12 (1), 59 (1) (a) (ii), 61, 62 (f) and 63 (1) (b)**
Omit "his" wherever occurring. Insert instead "the inspector's".
- [4] **Section 13 (5) and Schedule 2, clauses 1, 2 and 4 (2)**
Omit "chairman" wherever occurring. Insert instead "chairperson".
- [5] **Section 15 (2)**
Omit "his". Insert instead "the officer's or temporary employee's".
- [6] **Sections 15 (2) and 36 (4) (b) (ii)**
Insert "or her" after "him" wherever occurring.
- [7] **Sections 23 (1) (a) and (b), 26 (3) (c) and (e), 34 (4) (c), 35 (3) (c), 46 (1) (c), 54 (1) (b), 60 (2), 62 (e), 67, 68 (1), 96 (d), 160 (d), (m), (n) and (o) and 164 (3) (a) and (b)**
Omit "him" wherever occurring. Insert instead "the person".
- [8] **Sections 23 (1) (c), 50 (4), 54 (1) (c) (ii), 62 (e), 65 (1), 100 (a), 127 (3), 131, 136 (5) (a), 160 (e), (f) and (i), 164 (1) and (3) (b) and 168 (1) (b) and (3)**
Omit "he" wherever occurring. Insert instead "the person".
- [9] **Sections 25 (a) and (b), 29, 34 (4) (b), 35 (3) (b), 46 (1) (b), 65 (1), 84 (a), 135 (1), 160 (i) and 164 (1)**
Omit "his" wherever occurring. Insert instead "the person's".
- [10] **Sections 25 (c) and (d), 140 (1) and (2) and 141 (1)**
Omit "he" wherever occurring. Insert instead "the Chief Inspector".
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Schedule 3 Amendments replacing gender-specific language

- [11] **Sections 25 (e) and 172**
Omit “his” wherever occurring. Insert instead “that person’s”.
- [12] **Section 26 (1)**
Omit “his” where firstly occurring. Insert instead “the person’s”.
- [13] **Section 26 (1)**
Insert “or her” after “his” where secondly occurring.
- [14] **Section 26 (2)**
Omit “his” where firstly occurring. Insert instead “the person’s”.
- [15] **Section 26 (2)**
Insert “or her” after “his” where secondly occurring.
- [16] **Sections 26 (2) (a), 148 (1) and 167 (1) (a)**
Omit “him” wherever occurring. Insert instead “the Minister”.
- [17] **Section 26 (3) (a)**
Omit “his” where firstly occurring. Insert instead “the person’s”.
- [18] **Section 26 (3) (a)**
Insert “or her” after “his” where secondly occurring.
- [19] **Section 26 (3) (b)**
Omit “his” where firstly occurring. Insert instead “the person’s”.
- [20] **Section 26 (3) (b)**
Insert “or her” after “his” where secondly occurring.
- [21] **Section 26 (3) (c)**
Omit “his” where firstly occurring. Insert instead “the person’s”.
- [22] **Section 26 (3) (c)**
Insert “or her” after “his” where secondly occurring.
- [23] **Sections 28 (1) (b) (ii), 59 (1) (c), 96 (d), 140 (4), 160 (a) and 162 (1) (a) and (b) and Schedule 2, clause 3 (4)**
Insert “or her” after “his” wherever occurring.
- [24] **Section 28 (3)**
Omit “his”. Insert instead “the holder’s”.
- [25] **Sections 33 (2), 36 (2) and (4) and 144 (2)**
Insert “or herself” after “himself” wherever occurring.
- [26] **Section 33 (5)**
Omit “him”. Insert instead “the contractor”.
- [27] **Sections 34 (4), 129 (3), 132 (1), 147 (b) and 164 (2) (a) and (b)**
Omit “he” wherever occurring. Insert instead “the owner”.
- [28] **Section 35 (1)**
Omit “his”. Insert instead “the superintendent’s”.

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- [29] **Section 36 (4)**
Omit “he,”. Insert instead “the owner”.
- [30] **Section 37 (1)**
Omit “him” where firstly occurring. Insert instead “the manager of a mine”.
- [31] **Section 37 (1)**
Omit “him” where secondly occurring. Insert instead “the manager”.
- [32] **Sections 37 (2) (g) and (3) (b) (ii), 42 (I), 43 (1) and 56 (4) (a) and (b)**
Omit “his” wherever occurring. Insert instead “the manager’s”.
- [33] **Sections 37 (2) (h) and 3 (b) (i) and (ii), 57 (5), 109 (I)(a) and (b), 116 and 141 (4)**
Omit “he” wherever occurring. Insert instead “the manager”.
- [34] **Section 37 (2) (i)**
Omit “his”. Insert instead “the manager”.
- [35] **Sections 37 (3) (b) (i), 54 (1) (c), 56 (1), 57 (4) (b), 58 (1), 87, 92 (2) and 107 (1)**
Omit “him” wherever occurring. Insert instead “the manager”.
- [36] **Sections 41 (1) and (2) and 50 (1) (a) and (2) (a)**
Omit “his” wherever occurring. Insert instead “the under-manager’s”.
- [37] **Section 41 (3)**
Omit “he”. Insert instead “the under-manager”.
- [38] **Section 50 (5)**
Omit “him”. Insert instead “the under-manager”.
- [39] **Sections 53 (1), 128 (1), 129 (3), 132 (1) and 164 (2) (b) and (c)**
Omit “his” wherever occurring. Insert instead “the owner’s”.
- [40] **Sections 56 (9) and 167 (6)**
Omit “him” wherever occurring. Insert instead “the delegate”.
- [41] **Section 57 (2) and (3)**
Omit “he” wherever occurring. Insert instead “the delegate”.
- [42] **Section 57 (3)**
Omit “his”. Insert instead “the delegate’s”.
- [43] **Sections 59 (1) (c) and 60 (1) (c) and (f)**
Omit “him” wherever occurring. Insert instead “the inspector”.
- [44] **Sections 59 (1) (c), 60 (1) (a) (i) and 63 (1)**
Omit “he” wherever occurring. Insert instead “the inspector”.
- [45] **Section 61**
Omit “him under section 59 or 60, an inspector”.
Insert instead “an inspector under section 59 or 60, the inspector”.
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- [46] **Section 61**
Omit "he" where firstly occurring. Insert instead "the inspector".
- [47] **Section 61**
Omit "he" where secondly occurring. Insert instead "the manager".
- [48] **Section 65 (3)**
Insert "or she" after "he" wherever occurring.
- [49] **Section 73 (5)**
Omit "his" where firstly occurring. Insert instead "the check inspector's".
- [50] **Sections 73 (5) and 76 (1)**
Omit "he" wherever occurring. Insert instead "the check inspector".
- [51] **Section 73 (5)**
Insert "or her" after "his" where secondly occurring.
- [52] **Section 74**
Omit "him". Insert instead "the check inspector".
- [53] **Section 77 (3)**
Omit "he" wherever occurring. Insert instead "the district check inspector".
- [54] **Section 77 (3) (d) and (e)**
Omit "his" wherever occurring. Insert instead "the district check inspector's".
- [55] **Section 77 (5) (b)**
Omit "he" where firstly occurring. Insert instead "the mining official".
- [56] **Section 77 (5) (b)**
Insert "or she" after "he" where secondly occurring.
- [57] **Section 77 (8)**
Omit "him". Insert instead "the mining official".
- [58] **Sections 82 (1) and 83 (1)**
Omit "he" wherever occurring. Insert instead "the electrical check inspector".
- [59] **Section 84 (b)**
Omit "them his". Insert instead "the manager and district inspector the person's".
- [60] **Sections 94 (d), 115, 126 (1), 138 (1) and (2) (e) and 139 (6) and Schedule 2, clause 3 (5)**
Omit "he" wherever occurring. Insert instead "the Minister".
- [61] **Section 100**
Omit "him" where firstly occurring. Insert instead "the person".
- [62] **Section 100**
Insert "or her" after "him" where secondly occurring.

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- [63] **Sections 105 (2) and 128 (1)**
Omit “him” wherever occurring. Insert instead “the district inspector”
- [64] **Sections 106, 127 (2) and 129 (4)**
Omit “he” wherever occurring. Insert instead “the district inspector”.
- [65] **Section 129 (6)**
Omit “him”. Insert instead “the owner”.
- [66] **Section 160 (j)**
Insert “, herself” after “himself”.
- [67] **Section 165**
Omit “he”. Insert instead “the owner, superintendent or manager”.
- [68] **Section 167 (2)**
Omit “his”. Insert instead “the Minister’s or Chief Inspector’s”.
- [69] **Schedule 2, clause 1**
Omit “chairman” wherever occurring. Insert instead “chairperson”.
- [70] **Schedule 2, clause 2, heading**
Omit “Chairman”. Insert instead “Chairperson”.
- [71] **Schedule 2, clause 2 (1)**
Omit “he”. Insert instead “the chairperson”.
- [72] **Schedule 2, clause 3 (2) (a), (c) and (d)**
Omit “his” wherever occurring. Insert instead “the appointed member’s”.
- [73] **Schedule 2, clause 5**
Omit “him”. Insert instead “the member”.
- [74] **Schedule 2, clause 7 (d)**
Omit “his”. Insert instead “the member’s”.
- 3.6 Co-operation Act 1923 (1924 No 1)**
- [1] **Sections 12A (1) (a), 47 (10) (a), (13), (14) and (15), 48 (5), 50, 51, 54 (3) (a), 54B (b), 77 (1), 79 (2), 82 (2) (i) and 118B (2) (b) (ii)**
Omit “him” wherever occurring. Insert instead “the member”.
- [2] **Section 12A (7)**
Omit “him”. Insert instead “the Treasurer”.
- [3] **Section 128 (8) (a)**
Omit “he”. Insert instead “the Treasurer”.
- [4] **Section 17AB (3) (d)**
Omit “himself, his family and his”.
Insert instead “the borrower, his or her family and his or her”.

Schedule 3 Amendments replacing gender-specific language

- [5] **Sections 18A (3), 18E (3), 33E (2), 61 (4A), 69A (4), 69B (3), 69C (3), (4) and (5), 84 (6), 91 (4), 92 (5), 95A (2) and (3), 116 (3), 118 (5) and (11) and 118B (1)**
Omit “he” wherever occurring. Insert instead “the registrar”.
- [6] **Sections 18B (1), 39 (7) (b), 76 (2A), 91 (4) (a), (5), (5A) and (5B), 116 (3), 118 (6) and 123**
Omit “him” wherever occurring. Insert instead “the registrar”.
- [7] **Sections 18B (1), 18C (2) and (3), 44A (2A), 69D (2), 91 (4) (b), 92 (4), 115 (6C) 122 (1) and 123**
Omit “his” wherever occurring. Insert instead “the registrar’s”.
- [8] **Sections 18C (3) and 18E (1)**
Omit “he may” wherever occurring. Insert instead “the registrar may”.
- [9] **Sections 18C (3) and 18E (1)**
Omit “he has” wherever occurring. Insert instead “the Minister has”.
- [10] **Sections 18G (1), 21 (2), 46 (9) (i), 70 (10) (b), 75B (2), 79 (3), 88B (4), 104 (2), 105 and 114C (5)**
Insert “or she” after “he” wherever occurring.
- [11] **Sections 18G (1), 21 (14), 22 (3) and (5), 24 (1) (b), (k) and (o), 25, 26, 38 (5), 46 (9), 47AA (2), 47B (4) (d), 48 (5) (c) and (7), 54 (3), 54A, 58 (1), (2) and (6), 66AA (4), 67A (1), 68 (3), 70 (10) (b), 73, 84 (4), (5), (11) and (13), 84AA (2) and (3), 84AB (1), 84AC (5), 84B (5), 86 (8), 88 (2A) and (3), 88A (1), 88AA (3), (4) and (6) (e), 88B (5), 91 (1), 92 (5A), 95A (11), 101 (1) (f) and (2), 109 (1), 114A (1), 114B (1), 114C (2) (b), 115 (6A) and (6B), 117 (3) and 118A (2)**
Insert “or her” after “his” wherever occurring.
- [12] **Sections 21 (15) and 24 (2)**
Omit “him” wherever occurring. Insert instead “the lender”.
- [13] **Sections 38 (5), 46 (9) (e) and (f), 59 (1), 61 (5), 84 (7), 84AA (2), 84AC (1), 86 (9) (a), 106, 107 and 109 (1) and (3)**
Omit “he” wherever occurring. Insert instead “the person”.
- [14] **Sections 39 (5), 80 (2) and (3), 84 (9), 86 (7A), 88B (4), 99 (1), 114A (1) (b) and (4), 114B (1) (b) and (4), 114C (2) (b) and (4) and 118 (6)**
Omit “chairman” wherever occurring. Insert instead “chairperson”.
- [15] **Section 39 (5) (e)**
Omit “him”. Insert instead “each applicant”.
- [16] **Section 44A (2) (d)**
Omit “him”. Insert instead “each shareholder”.
- [17] **Section 46 (9)**
Omit “him” wherever occurring. Insert instead “the person”.

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- [18] **Sections 47 (10) (a), 69B (2), 79 (1), 86 (8), 114 (6), 114A (5) and 114B (5)**
Omit "he" wherever occurring. Insert instead "the member".
- [19] **Sections 48 (6), 58 (2), 67A (1), 72A (5), 88A (1) (c), 88AA (3), 92 (6) (b) and (7A) (b) and 117 (3)**
Insert "or her" after "him" wherever occurring.
- [20] **Section 61 (4) (a)**
Omit "he". Insert instead "the Governor".
- [21] **Section 67A (2) and (28)**
Omit "his" wherever occurring.
- [22] **Section 75B (1)**
Omit "himself". Insert instead "the director".
- [23] **Sections 79 (3), 84 (11) (d) and 109A (1) (b)**
Insert "or herself" after "himself" wherever occurring.
- [24] **Section 82 (1) (i)**
Omit "him". Insert instead "the borrower".
- [25] **Sections 84 (11), (12B) and (13), 84AB (2)–(5), 84AC (5) and 84A (6)**
Omit "he" wherever occurring. Insert instead "the director".
- [26] **Sections 84 (11) (g) and (12B), 84AB (1) and 84AC (2) (a) and (5) (b)**
Omit "him" wherever occurring. Insert instead "the Director".
- [27] **Sections 101 (1), 110 (1) and 115 (66)**
Omit "he" wherever occurring. Insert instead "the officer".
- [28] **Sections 114 (2), 114A (2), 114B (2) and 114C (3)**
Omit "he" wherever occurring. Insert instead "the Minister".
- 3.7 Dams Safety Act 1978 No 96**
- [1] **Sections 4 (1), 9, 12 (2) and 29 and Schedule 2, clause 6**
Omit "chairman" wherever occurring. Insert instead "chairperson".
- [2] **Section 6**
Omit " , his". Insert instead "or the person's".
- [3] **Sections 8 (3), 12 (1) and 16 (3) and Schedule 2, clause 5 (1)**
Omit "he" wherever occurring. Insert instead "the person".
- [4] **Section 16 (7)**
Insert "or her" after "his".
- [5] **Sections 17, 20 (1) and 28 (6) and Schedule 2, clause 3 (1)**
Omit "his" wherever occurring. Insert instead "the person's".
- [6] **Section 20 (3) and (4) and Schedule 2, clause 3 (1)**
Omit "him" wherever occurring. Insert instead "the person".
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- [7] **Section 20 (5)**
Insert “or her” after “him”.
- [8] **Section 20 (5)**
Insert “or she” after “he”.
- [9] **Section 21 (1)**
Omit “him” wherever occurring. Insert instead “the Minister”.
- [10] **Schedule 2, clauses 2, 5, 7 (1) (b), (c) and (f) and 8**
Omit “his” wherever occurring. Insert instead “the member’s”.
- [11] **Schedule 2, clause 6 (1)**
Omit “he”. Insert instead “the deputy chairperson”.
- [12] **Schedule 2, clause 6**
Omit “his” wherever occurring.
- [13] **Schedule 2, clause 7 (1)**
Omit “his office”. Insert instead “the office of member”.
- [14] **Schedule 2, clause 7**
Omit “he” wherever occurring. Insert instead “the member”.
- [15] **Schedule 2, clause 9**
Omit “chairman” wherever occurring. Insert instead “chairperson”.
- [16] **Schedule 2, clause 10**
Omit “chairman” wherever occurring. Insert instead “chairperson”.
- [17] **Schedule 2, clause 10 (3)**
Omit “he”. Insert instead “the chairperson”.
- 3.8 Drainage Act 1939 No 29**
- [1] **Section 7 (4)**
Omit the subsection.
- [2] **Sections 16 (2) and 28**
Omit “he” wherever occurring. Insert instead “the person”.
- [3] **Section 16 (2) and Schedule (1), clause 9 (1)**
Omit “him” wherever occurring. Insert instead “the person”.
- [4] **Sections 16 (2), 21 (3), 24 (3), 31 (3), 39 (2), 50 (1) and (2), 53 (1) and 75**
Insert “or her” after “his” wherever occurring.
- [5] **Sections 17 (2) and 20 (b)**
Omit “his”. Insert instead “the”.
- [6] **Sections 17 (3) and 19 (2)**
Omit “his”.

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- [7] **Section 17 (3)**
Omit “he is”.
- [8] **Section 18 (a)**
Omit “his election thereto”. Insert instead “election”.
- [9] **Section 18 (b)**
Omit “his”. Insert instead “the director’s”.
- [10] **Section 21 (1) and (2) (a)**
Omit “he” wherever occurring. Insert instead “the director”.
- [11] **Sections 24 (3), 30 and 73 (2) and Schedule 1, clause 7 (5)**
Omit “chairman” wherever occurring. Insert instead “chairperson”.
- [12] **Sections 24 (3), 37 (2) and 50 (2)**
Insert “or she” after “he” wherever occurring.
- [13] **Section 37 (1)**
Omit “his or its”. Insert instead “the director’s or the board’s”.
- [14] **Section 37 (1) (b)**
Omit “him”. Insert instead “the manager”.
- [15] **Sections 43 (4) and 76 (1)**
Omit “his” wherever occurring. Insert instead “the owner’s”.
- [16] **Section 48 (1) (f)**
Insert “or her” after “him”.
- [17] **Section 48 (1)**
Omit “by him”. Insert instead “by that person”.
- [18] **Section 49 (2) (b)**
Omit “his”. Insert instead “that person’s”.
- [19] **Section 56 (3)**
Omit “him”. Insert instead “the Governor”.
- [20] **Sections 67 and 68 (a)**
Omit “his” wherever occurring. Insert instead “the receiver’s”.
- [21] **Section 68**
Omit “him”. Insert instead “the receiver”.
- [22] **Schedule 1, clauses 5 (1) (a) and 7 (1) (b)**
Omit “he” wherever occurring. Insert instead “the valuer”.
- [23] **Schedule 1, clause 5 (2)**
Insert “or her” after “him”.
- [24] **Schedule 1, clause 5 (3)**
Omit “his” where firstly occurring. Insert instead “the valuer’s”.
- [25] **Schedule 1, clause 5 (3)**
Omit “his” where secondly occurring. Insert instead “the person’s”.
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- [26] **Schedule 1, clause 8 (1) (d)**
Omit "his". Insert instead "the person's".
- [27] **Schedule 1, clause 10 (1) (e)**
Omit "he". Insert instead "the objector".
- 3.9 Dried Fruits Act 1939 No 7**
- [1] **Section 3**
Omit "Chairman" from the definition of that word. Insert instead "Chairperson"
- [2] **Sections 3, 5 (3) (a) and (5) (a), 10 (2) (b), 13 (1), (3) and (4) (a) and (b) and 25**
Omit "chairman" wherever occurring. Insert instead "chairperson".
- [3] **Section 3**
Omit "his" from the definition of *drawback fruit*.
Insert instead "the grower's".
- [4] **Section 5 (4)**
Omit "his". Insert instead "the person's".
- [5] **Section 6 (5)**
Omit "he" wherever occurring. Insert instead "the person".
- [6] **Section 6 (6)**
Insert "or her" after "his".
- [7] **Section 6 (6) (a) and (b)**
Omit "he" wherever occurring. Insert instead "the grower".
- [8] **Section 6 (7)**
Omit "his". Insert instead "the person's".
- [9] **Section 8 (1)**
Omit "he". Insert instead "the member".
- [10] **Section 8 (2)**
Insert "or her" after "his".
- [11] **Sections 9, 10 (1) and 11 (1)**
Omit "his" wherever occurring. Insert instead "the member's".
- [12] **Section 10 (2)**
Omit "he" wherever occurring. Insert instead "the member".
- [13] **Section 10 (2) (a)**
Insert "or her" after "his" where firstly occurring.
- [14] **Section 10 (2) (a)**
Omit "under his hand".
- [15] **Section 10 (2) (c) and (d)**
Insert "or her" after "his" wherever occurring.

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- [16] **Section 11 (2)**
Omit “he”. Insert instead “the deputy”.
- [17] **Section 13 (3)**
Omit “he”. Insert instead “the chairperson”.
- [18] **Sections 23, 25 and 37**
Omit “His Majesty” wherever occurring. Insert instead “the Crown”.
- [19] **Sections 32 (3) and 33**
Omit “his” wherever occurring. Insert instead “the person’s”.
- [20] **Section 35 (1) (b)**
Insert “or her” after “his”.
- [21] **Section 35 (2)**
Omit “he”. Insert instead “the inspector, officer or member of the police force”.
- 3.10 Farm Produce Act 1983 No 30**
- [1] **Sections 4 (1) (paragraph (a) of definition of “farm produce agent”), 7 (6), 35 (2) and (3), 39 and 43 (1) (a)**
Insert “or her” after “his” wherever occurring.
- [2] **Sections 4 (1) (paragraph (a) of definition of “farm produce merchant”), 8 (2), 10 (1) (g), (h) and (j), 14 (2), 38 (2) (a) and 53 (2) (b)**
Omit “his” wherever occurring. Insert instead “the person’s”.
- [3] **Section 5 (3)**
Omit “he” where firstly occurring. Insert instead “the registrar”.
- [4] **Section 5 (3) (b)**
Insert “,she” after “he”.
- [5] **Sections 8 (1) and (2), 10 (1) (a), (c), (e)–(g) and (3), 14 (2), 17 (1) (b) and (2), 37, 41 and 51 (a) (ii)**
Omit “he” wherever occurring. Insert instead “the person”.
- [6] **Section 8 (2)**
Insert “or herself” after “himself”.
- [7] **Sections 9 (4) (a) and (b), 15 (1), 16 (2), 17 (1), 19 (5), 35 (3), 38 (1) and 48 (1) and (2)**
Omit “he” wherever occurring. Insert instead “the registrar”.
- [8] **Sections 9 (4) (b) (i), 16 (2) (a) and 17 (1) (a)**
Omit “his” wherever occurring. Insert instead “the registrar’s”.
- [9] **Section 9 (5)**
Omit “him”. Insert instead “the applicant”.
- [10] **Sections 10 (1) (h), 14 (2), 15 (2), 17 (1) (a) and (2), 30 (1) (b), 31 (1), 37, 38 (6), 42, 46 (2) and 51 (a) (ii)**
Omit “him” wherever occurring. Insert instead “the person”.

- [11] **Section 10 (5)**
Omit “he” where firstly occurring. Insert instead “the person”.
- [12] **Section 10 (5)**
Omit “he” where secondly occurring. Insert instead “the registrar”.
- [13] **Section 13 (3)**
Omit “himself”. Insert instead “the holder”.
- [14] **Sections 14 (1) and 35 (1) (a) and (b)**
Omit “his” wherever occurring. Insert instead “the licensee’s”.
- [15] **Sections 15 (1) and 48 (2)**
Omit “him” wherever occurring. Insert instead “the registrar”.
- [16] **Section 20 (2)**
Omit “his”. Insert instead “the farm produce seller’s”.
- [17] **Sections 20 (2), 21 (1), 22 (2), 39 (excepting heading) and 55 (1) (h)**
Omit “him” wherever occurring. Insert instead “the farm produce seller”.
- [18] **Section 23 (1)**
Omit “him” where firstly occurring. Insert instead “the farm produce seller”.
- [19] **Section 23 (1)**
Insert “or her” after “him” where secondly occurring.
- [20] **Section 24 (2)**
Omit “him” where firstly occurring. Insert instead “the farm produce seller”.
- [21] **Section 24 (2)**
Insert “or her” after “him” where secondly occurring.
- [22] **Section 27 (2)**
Insert “or her” after “his” where firstly occurring.
- [23] **Section 27 (2)**
Omit “from the person his”. Insert instead “the person’s”.
- [24] **Section 28**
Omit “by himself or his”. Insert instead “by himself or herself or by his or her”.
- [25] **Section 28**
Omit “his” where secondly occurring. Insert instead “the farm produce seller’s”.
- [26] **Section 35 (1) (a)**
Insert “or her” after “his” where secondly occurring.
- [27] **Section 35 (2) and (3) (a)**
Omit “him” wherever occurring. Insert instead “the licensee”.
- [28] **Section 38 (2) (a)**
Omit “he”. Insert instead “the registrar or the inspector”.

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- [29] **Section 38 (2) (a)**
Omit "him". Insert instead "the registrar or the inspector".
- [30] **Section 38 (2) (b)**
Omit "his" where firstly occurring.
Insert instead "the registrar's or the inspector's".
- [31] **Section 38 (2) (b)**
Omit "his" where secondly and fourthly occurring. Insert instead "the person's".
- [32] **Section 38 (2) (b)**
Insert "or her" after "his" where thirdly and fifthly occurring.
- [33] **Section 38 (4)**
Omit "his". Insert instead "the registrar's or the inspector's".
- [34] **Section 39, heading**
Omit "him". Insert instead "seller".
- [35] **Sections 43 (1), 46 (2) and 55 (1) (i)**
Insert "or she" after "he" wherever occurring.
- [36] **Sections 47 and 48 (1)**
Omit "he" wherever occurring. Insert instead "the Minister".
- 3.11 Farm Water Supplies Act 1946 No 22**
- [1] **Sections 4 (3) and 5 (1)**
Omit "he" wherever occurring. Insert instead "the applicant".
- [2] **Section 12 (1)**
Omit "his". Insert instead "the owner's".
- 3.12 Fluoridation of Public Water Supplies Act 1957 No 58**
- [1] **Section 4 (2) (b) (v)**
Omit "he". Insert instead "the Minister".
- [2] **Section 4 (3) and (4) (c)**
Omit "chairman" wherever occurring. Insert instead "chairperson".
- [3] **Section 4 (3) (b)**
Omit "he". Insert instead "the chairperson".
- [4] **Section 4 (6)**
Omit "his". Insert instead "the".
- [5] **Section 4 (8)**
Omit "him". Insert instead "the Minister".
- [6] **Section 4 (9)**
Omit "him". Insert instead "the member or deputy member*".
- [7] **Section 8(1)**
Omit "him". Insert instead "the analyst".

3.13 Government Guarantees Act 1934 No 57

[1] Section 3 (4)

Omit "he". Insert instead "the Treasurer".

[2] Sections 3 (4) and 3A (3)

Omit "him" wherever occurring. Insert instead "the Treasurer".

[3] Section 4 (e)

Insert "or she" after "he".

3.14 Hunter Valley Flood Mitigation Act 1956 No 10

[1] Section 2 (1), definition of "Occupier"

Omit "his". Insert instead "the person's".

[2] Section 2 (3)

Omit "he". Insert instead "that Minister".

[3] Sections 11 (3) and 31 (2) (a)

Omit "in a proper and workmanlike manner" wherever occurring. Insert instead "in accordance with good trade practice".

[4] Section 15 (2)

Omit "him". Insert instead "the person".

[5] Section 27

Omit "he". Insert instead "the owner".

[6] Section 27

Omit "him". Insert instead "the owner".

[7] Section 27

Insert "or her" after "his".

[8] Section 31 (2) (d) (i) and (3) (c) (i)

Insert "or her" after "his" wherever occurring.

[9] Section 31 (2) (d) (ii)

Insert "or she" after "he".

[10] Section 31 (3) (b)

Omit "he". Insert instead "that Minister".

[11] Section 31 (3) (c) (i)

Omit "he". Insert instead "the riparian owner".

[12] Section 32 (1) (b) and (c)

Omit "he" wherever occurring. Insert instead "the person".

[13] Section 35

Omit "his". Insert instead "the claimant's".

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- [14] **Section 40 (6) (a)**
Omit “who may refer the matter for inquiry to some person appointed by him in that behalf, or may himself make such inquiry”.
Insert instead “who may inquire into the matter or appoint a person and refer the matter to that person for inquiry”.
- [15] **Section 40 (6) (b)**
Omit “to him proper”. Insert instead “proper to that Minister”.
- [16] **Section 46**
Omit “he” wherever occurring. Insert instead “the person”.
- [17] **Section 49 (3)**
Omit “him” where firstly occurring. Insert instead “to such owner”.
- [18] **Section 49 (3)**
Omit “him” where secondly occurring. Insert instead “the owner”.
- [19] **Section 51 (3)**
Omit “him”. Insert instead “to the landholder or person”.
- [20] **Section 51 (4)**
Omit “his” wherever occurring. Insert instead “the person’s”.
- [21] **Section 51 (4) (b)**
Omit “he”. Insert instead “the person”.
- 3.15 **Liquefied Petroleum Gas Act 1961 No 3**
- [1] **Section 4 (4) (a)**
Omit “he” wherever occurring. Insert instead “the officer”.
- [2] **Section 4 (4) (b)**
Omit “he” wherever occurring. Insert instead “the person”.
- [3] **Section 4 (4) (b)**
Omit “him” where firstly occurring. Insert instead “the person”.
- [4] **Section 4 (4) (b)**
Omit “him” where secondly occurring. Insert instead “the officer”.
- [5] **Section 4 (4) (c)**
Omit “his”. Insert instead “the officer’s”.
- [6] **Section 4 (4) (c)**
Omit “he”. Insert instead “the person”.
- 3.16 **Meat industry Act 1978 No 54**
- [1] **Section 4 (1) definition of “chief meat inspector”**
Omit “the instrument of whose appointment designated him as chief meat inspector”.
Insert instead “who is designated as chief meat inspector by the meat inspector’s instrument of appointment”.

- [2] **Sections 4 (1) definitions of “licensing inspector” and “meat inspector”, 8, 2 9 (2), 3 5 (d), 40 (2) and 4 3 B and Schedule 6**
Omit “his” wherever occurring. Insert instead “the person’s”.
- [3] **Sections 8, 39 (5), 4 3 B and 74 (2) and Schedule 6**
Omit “him” wherever occurring. Insert instead “the person”.
- [4] **Sections 10, 2 8, 39 (3) and (5), 4 2 (2), 43 (4), 4 3 B and 4 8 (3) and Schedule 6**
Omit “he” wherever occurring. Insert instead “the person”.
- [5] **Section 10 (3)**
Omit the subsection. Insert instead:
- (3) The holder of a licence must comply with any conditions or restrictions specified in the licence.
- [6] **Section 11B (3)**
Omit “a licensee at his address specified in his licence”.
Insert instead “the holder of a licence at the address specified in the licence”.
- [7] **Sections 11D (1) and 3 6**
Omit “his” wherever occurring. Insert instead “the”.
- [8] **Section 12**
Omit the section. Insert instead:

12 Licensee to exhibit licence

- (1) The holder of a licence must affix the licence, and must keep it affixed, in some conspicuous place within or on the premises or vehicle for which the licence was issued.
- (2) Subsection (1) does not apply to the holder of a licence who has surrendered the licence to the Authority in accordance with the regulations.
- [9] **Section 15 (1)**
Omit the subsection. Insert instead:
- (1) The holder of a licence must not make:
- (a) structural alterations or additions to the premises to which the licence relates, or
- (b) alterations or additions to the part of the vehicle to which the licence relates (being a part in which meat is conveyed), or
- (c) alterations or additions to equipment that is used solely or mainly for the purposes of that part,
- without first having obtained the approval in writing of the Authority.
- Maximum penalty: 20 penalty units.

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- [10] **Section 17 (2)**
Omit “in respect of him”.
- [11] **Section 19 (1)**
Omit “on him”.
- [12] **Sections 19 (2), 23, 24 and 31 (1)**
Omit “him” wherever occurring. Insert instead “the inspector”.
- [13] **Sections 19 (3) and 26 (5)**
Omit “he” wherever occurring. Insert instead “the Minister”.
- [14] **Sections 19 (4) and 31 (3)**
Omit “any of his functions” wherever occurring. Insert instead “a function”.
- [15] **Sections 20, 21, 22B (2), 26 (4), 29 (1), 35 (a), 36 and 40 (1)**
Omit “he” wherever occurring. Insert instead “the inspector”.
- [16] **Section 20 (2)**
Omit “his functions”. Insert instead “a function”.
- [17] **Section 22 (3)**
Omit “he” where firstly occurring. Insert instead “the inspector”.
- [18] **Sections 22 (3) and 22A (3)**
Omit “he is” wherever occurring.
- [19] **Section 22A (3)**
Omit “he” where firstly occurring. Insert instead “the inspector”.
- [20] **Section 25 (1)**
Omit “him”. Insert instead “the licensee or person in charge”.
- [21] **Section 25 (2)**
Omit “him”. Insert instead “the licensee or person”.
- [22] **Section 29 (2)**
Omit “any stipendiary magistrate”. Insert instead “a Magistrate”.
- [23] **Section 29 (2)**
Omit “he” wherever occurring. Insert instead “the Magistrate”.
- [24] **Section 29 (4)**
Omit “he”. Insert instead “that person”.
- [25] **Section 32 (2)**
Omit “him” where firstly occurring. Insert instead “the licensing inspector”.
- [26] **Section 32 (2)**
Omit “him” where secondly occurring. Insert instead “the meat inspector”.
- [27] **Section 37**
Omit “his” wherever occurring. Insert instead “the inspector’s”.

Schedule 3 Amendments replacing gender-specific language

- [28] **Section 39 (3) and (4)**
Omit "of him" wherever occurring.
- [29] **Section 39 (4)**
Omit "his so doing". Insert instead "a refusal".
- [30] **Section 39 (4)**
Omit "him" where secondly and thirdly occurring. Insert instead "the person".
- [31] **Section 40 (1)**
Omit "from that person his". Insert instead "that person's".
- [32] **Section 41**
Omit "by him" wherever occurring.
- [33] **Section 41 (4)**
Omit "he". Insert instead "the defendant".
- [34] **Section 41A (4)**
Omit "he or she" Insert instead "the defendant".
- [35] **Section 45 (3)**
Omit "his". Insert instead "that person's".
- [36] **Section 47 (2)**
Omit "receipt by him of". Insert instead "receiving".
- [37] **Section 48 (4)**
Omit "he" wherever occurring. Insert instead "the officer".
- [38] **Section 48 (4)**
Omit "his". Insert instead "the officer's".
- [39] **Section 48 (4)**
Omit "him". Insert instead "the officer".
- [40] **Section 74 (2)**
Omit "has meat in his possession**". Insert instead "is in possession of meat".
- [41] **Section 74 (2)**
Omit "him". Insert instead "the person".
- [42] **Section 75**
Omit "his office or employment" wherever occurring.
Insert instead "the office or employment of the member, inspector, officer or employee".
- [43] **Schedule 2, clause 2**
Omit "his" wherever occurring. Insert instead "the member's".
- [44] **Schedule 2, clauses 3 and 9 (1)**
Omit "he" wherever occurring. Insert instead "the member".

- [45] **Schedule 2, clause 6**
Omit “he is”.
- [46] **Schedule 2, clause 6**
Omit “him”. Insert instead “the member”.
- [47] **Schedule 2, clause 7**
Omit the clause. Insert instead:

7 Part-time members eligible to hold other full-time offices

If, by or under any Act, provision is made:

- (a) requiring a person who is the holder of a specified office to devote the whole of his or her time to the duties of that office, or
- (b) prohibiting the person from engaging in employment outside the duties of that office,

the provision does not operate to disqualify the person from holding that office and also the office of a member, or from accepting and retaining any remuneration payable to the person under this Act as a member.

- [48] **Schedule 2, clause 9 (1)**
Omit “his” where firstly, thirdly and fourthly occurring.
- [49] **Schedule 2, clause 9 (1)**
Omit “his” where secondly and fifthly occurring.
Insert instead “the member’s”.
- [50] **Schedule 2, clause 9 (1) (f)**
Omit “to him”.
- [51] **Schedule 2, clause 9 (2)**
Omit “to him seems sufficient”.
Insert instead “seems to the Governor sufficient”.
- [52] **Schedule 2, clause 10**
Omit “his” where firstly and secondly occurring. Insert instead “the”.
- [53] **Schedule 2, clause 10 (3)**
Omit “his predecessor’s term of office”.
Insert instead “the term of office of the member’s predecessor”.

3.17 Museum of Applied Arts and Sciences Act 1945 No 31

[1] Section 5

Omit the section. Insert instead:

5 Vacation of office

- (1) A trustee is taken to have vacated office if the trustee:
 - (a) dies, or
 - (b) resigns office by instrument in writing addressed to the Governor, or
 - (c) becomes a mentally incapacitated person, or
 - (d) is absent from 3 consecutive meetings of the trustees without leave granted by the trustees before the expiration of 6 weeks after the last of those meetings, or
 - (e) is removed from office by the Governor.
- (2) A trustee is taken to have vacated office on the day on which the trustee attains the age of 70 years.

[2] Section 6

Omit "him". Insert instead "the Governor".

3.18 Petroleum (Submerged Lands) Act 1982 No 23

[1] Sections 11, 17 (1), 33 (3) (d), 43 (2), 56 (4) (d), 60 (3), (4), (8) and (11), 63 (3), 65 (2), 66 (4) (d), 70 (3) W, 72 (5), 76 (1), 83, 84 (1), 85 (1), 87 (2), 106 (2) (d), 113 (4) (d), 114 (2) and 122

Omit "him" wherever occurring. Insert instead "the Minister".

[2] Section 14

Omit "him". Insert instead "the public servant".

[3] Sections 15 (5) (c), 79 (1), 116 (2), 131 and 136 (1) (b)

Omit "his" wherever occurring. Insert instead "the person's".

[4] Sections 17(1), 33(3) (a), 56(4) (a), 60 (3), 66(4) (a), 70(3), 73 (1) (b), 83, 87 (2), 89, 106 (2) (a) and 113 (4) (a)

Omit "his" wherever occurring. Insert instead "the Minister's".

[5] Sections 21 (2), 26(1), 31 (3), 32(6)(b) and (7), 43 (2), 50 (1), 55 (3), 59(1), 61, 69(3), 72(4) and (5), 93, 95(2), 103(3), 104(1), 106(2)(a), (b) and (d), 109, 111 (2), 113(a), 114 and 122(2)

Omit "he" wherever occurring. Insert instead "the Minister".

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- [6] **Sections 2 2 (1) (d) (ii) and 6 5 (1) (c) (iv)**
Omit “his” wherever occurring. Insert instead “the applicant’s”.
- [7] **Sections 22(4), 23(3) and (4), 24(5), 26(1) and (2), 27, 28, 42(2), 48 (7), 49 (1) (b) (i) and (3), 50 (1), (5) and (7) and 51**
Omit “him” wherever occurring. Insert instead “the applicant”.
- [8] **Sections 22(4), 42(2), 48(7), 50 (2)(b), 65(4), 72(3), 107 (1) and (2)**
Omit “his” wherever occurring. Insert instead “the”.
- [9] **Sections 2 4 (4) (d) and 2 5 (3)**
Omit “to him” wherever occurring.
- [10] **Section 2 6 (2)**
Omit “if he”. Insert instead “if the Minister”.
- [11] **Sections 2 6 (2) (b), 4 8 (2) (a) and (b) and 4 9 (1) (b) (i)**
Omit “he” wherever occurring. Insert instead “the applicant”.
- [12] **Section 2 6 (2)**
Omit “him that he”. Insert instead “the applicant that the Minister”.
- [13] **Section 3 3 (3)**
Omit “he” wherever occurring except in section 33 (3) (c) (ii).
Insert instead “the Minister”.
- [14] **Sections 33(3)(c) (ii), 56(4)(c) (ii), 66(4)(c) (ii), 96(6), 102(3) and 113(11)**
Insert “or she” after “he” wherever occurring.
- [15] **Section 3 3 (6)**
Omit “him”. Insert instead “the permittee”.
- [16] **Sections 4 1 (2) (a) and 4 1 (3)**
Omit “his” wherever occurring. Insert instead “the permittee’s”.
- [17] **Section 4 1 (2) (b)**
Omit “his”. Insert instead “the holder’s”.
- [18] **Section 4 5 (1)**
Omit “on him” wherever occurring.
- [19] **Section 4 8 (2)**
Omit “to him on his” wherever occurring. Insert instead “on the”.
- [20] **Section 4 8 (3)**
Omit “he” and “him” wherever occurring. Insert instead “the Minister”.
- [21] **Section 5 0 (2)**
Omit “if he”. Insert instead “if the Minister”.
- [22] **Section 5 0 (2)**
Omit “that he”. Insert instead “that the applicant”.
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- [23] **Section 50 (6)**
Omit “him” wherever occurring except where secondly occurring.
Insert instead “the applicant”.
- [24] **Section 50 (6)**
Omit “him” where secondly occurring. Insert instead “the Minister”.
- [25] **Section 52 (1)**
Omit “him”. Insert instead “the licensee”.
- [26] **Section 53**
Omit “he”. Insert instead “the licensee”.
- [27] **Section 56 (4)**
Omit “he” wherever occurring except in section 56 (4) (c) (ii).
Insert instead “the Minister”.
- [28] **Section 56 (9)**
Omit “him”. Insert instead “the licensee”.
- [29] **Sections 62, 63(1), 65 (4), 72(3), 85 (2), 95 (2), 100 (2), 108 (2), 110(1), 117(1), 126 (3) and 131 (1)**
Omit “him” wherever occurring. Insert instead “the person”.
- [30] **Section 66 (4)**
Omit “he” wherever occurring except in section 66 (4) (c) (ii).
Insert instead “the Minister”.
- [31] **Section 66 (9)**
Omit “him” where firstly occurring. Insert instead “the person”.
- [32] **Section 66 (9)**
Omit “him” where secondly occurring. Insert instead “the Minister”.
- [33] **Section 70 (3)**
Omit “he” wherever occurring except in section 70 (3) (c) (ii).
Insert instead “the Minister”.
- [34] **Section 70 (6)**
Omit “him”. Insert instead “the licensee”.
- [35] **Sections 79 (2) and 105 (3)**
Omit “he is” wherever occurring.
- [36] **Section 98 (2) and (3)**
Omit “he” wherever occurring. Insert instead “the operator”.
- [37] **Section 105 (2) and (3)**
Omit “his” wherever occurring.
- [38] **Section 105 (2)**
Omit “him”. Insert instead “the holder”.
- [39] **Sections 106 (1), 113 (1) and (3) and 116 (2)**
Insert “or her” after “him” wherever occurring.

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- [40] **Sections 106 (2) (c) and 113 (4)**
Omit “he has” wherever occurring. Insert instead “the Minister has”.
- [41] **Section 106 (2) (c)**
Omit “he wishes”. Insert instead “the Minister wishes”.
- [42] **Section 107 (1)**
Omit “he” wherever occurring. Insert instead “the registered holder”.
- [43] **Section 109 (3) and (4)**
Omit “him” wherever occurring. Insert instead “the holder”.
- [44] **Section 113 (4) (c) (ii)**
Omit “he wishes”. Insert instead “the Minister wishes”.
- [45] **Section 116 (1)**
Omit “he”. Insert instead “the Minister or inspector”.
- [46] **Sections 116 (1) and 117 (1)**
Omit “him” wherever occurring. Insert instead “the Minister or inspector”.
- [47] **Sections 117 (2), 118 and 136(1) and Schedule 3, clause 3**
Omit “he” wherever occurring. Insert instead “the person”.
- [48] **Section 426 (2)**
Omit “he”. Insert instead “the inspector”.
- [49] **Section 127**
Omit “his” wherever occurring. Insert instead “the inspector’s”.
- [50] **Section 127 (1)**
Omit “him”. Insert instead “the inspector”.
- [51] **Schedule 3, clause 3 (4)**
Omit “his” wherever occurring. Insert instead “the Designated Authority’s”.
- [52] **Schedule 3, clause 9**
Omit “by him as he”.
Insert instead “by the Designated Authority as the Designated Authority”.
- [53] **Schedule 3, clause 9**
Omit “him” wherever occurring. Insert instead “the Designated Authority”.
- 3.19 Property, Stock and Business Agents Act 1941 No 28**
- [1] **Section 3 (1)**
Omit “his” from the definition of *Moneys received for or on behalf of any person*.
Insert instead “the person’s”.
- [2] **Sections 3 (3) (b) (ia), 29 (a), 32, 35 (3) (b), 36C (1) (a), 43A (3) (a), 60 (2) and 75 (1) and (2)**
Omit “his” wherever occurring. Insert instead “the person’s”.
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Schedule 3 Amendments replacing gender-specific language

- [3] **Sections 4 (1) (e) and (2) (a) (i), 36 (6) (a), 38 (1) and (2), 38A (1) (b) and (3), 38B (2), (2AA), (2AB) and (6) (a) and (b), 41, 42AA (1) (a) and (b), 42A (1) (a) and (b), 50B (3) (a), 60 (1), 75 (6), 83 (1), 83G (2), 83N, 83P (1), 83Q (1), 83Y, 84 (1) (a) and (2), 85C (a), 86A (2) and 92 (2A)**
Insert “or her” after “his” wherever occurring.
- [4] **Sections 4 (2) (b), 21 (1) (b), (2) (b), (2A) (b) and (2C), 36 (1), 38A (7), 38D (2A) and (3), 45 (1) and (2) (e), 83 (6), 84 (3), 84A (3), 86 (2) (a) and (b) and 86A (3)**
Omit “he” wherever occurring. Insert instead “the person”.
- [5] **Sections 21 (1) (a) and (b), (2) (a) and (b), (2A) (a) and (b), (2B) and (26) and 50L (a)**
Omit “his” wherever occurring.
- [6] **Section 21 (1) (b), (2) (b), (2A) (b) and (2C)**
Omit “himself” wherever occurring. Insert instead “personally”.
- [7] **Sections 23 (7) (a), 36B (a) and (b), 38E (1) (a), (b) and (d), 57 (4F) (a), 83E (1), 83G (1), 83I (2) (c), 83K (1), 83P (2), 84 (1) and (2), 85C and 91**
Insert “or she” after “he” wherever occurring.
- [8] **Section 23 (96)**
Omit “him”. Insert instead “the Minister”.
- [9] **Section 23 (10) (c) (i)**
Omit “he”. Insert instead “the director or the secretary”.
- [10] **Section 23 (10A) (c)**
Omit “he” wherever occurring. Insert instead “the applicant”.
- [11] **Sections 29 (1), 29A (2), 31 (4) (b) (iii), 38 (1), 38B (2) (b) and (2AB) (b), 39A (1), 39B (1), 57 (4C) and (4CA) (c), 63, 74 (3), 83 (3), 83M (4), 84 (1) (b) and (c) and 92 (2) (e1)**
Insert “or her” after “him” wherever occurring.
- [12] **Section 29(1) (b)**
Omit “he or it”. Insert instead “the licensee”.
- [13] **Sections 29 (1) (c), 34 (5), 38D (6), 40 (1), 42AA (5), 43 (1) (b) and (2), 43A (1), (2) (a) (iv), (3), (4) and (5), 72 (3) (a) and 83L (1)**
Omit “he” wherever occurring. Insert instead “the licensee”.
- [14] **Sections 29 (2), 36C (1) (a) and (5), 38B (2A) (b) and (6) (c), 38D (2), (2A) and (3), 39 (1) (c), 42 (1), 42A (13), 45 (2), 60 (2), 71 (1), 75 (2) and 83E (2)**
Omit “him” wherever occurring. Insert instead “the person”.
- [15] **Section 29A (2) (a)**
Omit “he” wherever occurring. Insert instead “the former licensee”.
- [16] **Section 29A (3)**
Omit “his”. Insert instead “the former licensee’s”.

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- [17] **Sections 33, 57 (9) (d), 59 (7), 62 and 63A**
Omit “he”. Insert instead “the holder”.
- [18] **Sections 35 (1), 36 (4A), 38B (2A), 39 (1), 39A (1), 43 (1) (a), (ai) and (b), 43A (2) (a), 83B, 83L (4), 84A (1), 86B (1) and 88 (a)**
Omit “his” wherever occurring. Insert instead “the licensee’s”.
- [19] **Sections 36A (1), 41, 42AA (1)(a) and (b), 42A (10)(c), 83L (1) and (2), 83Q (2) and 88**
Omit “him” wherever occurring. Insert instead “the licensee”.
- [20] **Section 36B**
Omit “him” where firstly occurring.
Insert instead “the personal representative”.
- [21] **Section 36B**
Omit “he” where firstly occurring.
Insert instead “the person or personal representative”.
- [22] **Section 36B (a) (i) and (b) (i)**
Omit “by him in his” wherever occurring. Insert instead “in the”.
- [23] **Section 38E (2)**
Omit “he”. Insert instead “the auditor”.
- [24] **Section 38E (2)**
Omit “him” wherever occurring. Insert instead “the auditor”.
- [25] **Section 38E (3)**
Omit “his” wherever occurring. Insert instead “the auditor’s”.
- [26] **Section 40 (1)**
Omit “his” where firstly occurring.
- [27] **Section 40 (1)**
Insert “or her” after “his” where secondly occurring.
- [28] **Section 42A (3)**
Insert “or her” after “him” where firstly occurring.
- [29] **Section 42A (3)**
Omit “him” where secondly occurring. Insert instead “the person”.
- [30] **Section 46 (2)**
Omit “he”. Insert instead “the auctioneer”.
- [31] **Section 46 (3) (a)**
Omit “he”. Insert instead “the bidder”.
- [32] **Section 46 (3)**
Omit “he” where secondly occurring. Insert instead “the auctioneer or employee”.
- [33] **Section 48**
Omit “him”. Insert instead “the auctioneer”.

- [34] **Sections 50B (1) and 50L (b)**
Omit "him" wherever occurring. Insert instead "the agent".
- [35] **Section 50B (2)**
Omit "his". Insert instead "the officer's".
- [36] **Section 50B (3) (b)**
Omit "him". Insert instead "the agent or subagent".
- [37] **Sections 57 (4C), (4CA) (a) and (c), (6), (7) (a) and (9) (c), 62 and 63**
Omit "his" wherever occurring. Insert instead "the".
- [38] **Section 60(1)**
Insert "or her" after "him" where firstly occurring.
- [39] **Section 60 (1)**
Omit "he" wherever occurring.
Insert instead "the salesperson or trainee managing agent".
- [40] **Section 60 (1) (c)**
Omit "him". Insert instead "the salesperson or trainee managing agent".
- [41] **Section 64A (1)**
Insert "or her" after "his" in the definition of *failure to account*.
- [42] **Section 83 (3)**
Omit "his" wherever occurring. Insert instead "the accountant's".
- [43] **Section 83 (3)**
Omit "he" where firstly occurring. Insert instead "the accountant".
- [44] **Section 83 (3)**
Omit "he" where secondly occurring. Insert instead "the person".
- [45] **Section 83 (4)**
Omit "his" where firstly and secondly occurring. Insert instead "the accountant's".
- [46] **Section 83 (4)**
Omit "his" where thirdly occurring. Insert instead "the assistant's".
- [47] **Section 83A**
Omit "his" from the definition of *Property*. Insert instead "the licensee's".
- [48] **Sections 83E (2), 83F (4), 83Q (3), 83S, 83T and 83W**
Omit "his" wherever occurring. Insert instead "the receiver's".
- [49] **Sections 83F (1) 83I (1) and 83S**
Omit "he" wherever occurring. Insert instead "the receiver".
- [50] **Sections 83F (1), 83G (2), 83I (2) (b), 83J, 83Q (1) and 83S**
Omit "him" wherever occurring. Insert instead "the receiver".
- [51] **Section 83F (1)**
Omit "his" where firstly occurring. Insert instead "the receiver's".

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- [52] **Section 83F (1)**
Omit “his” where secondly occurring. Insert instead “the licensee’s”.
- [53] **Section 83N (2) and (3)**
Omit “he” wherever occurring. Insert instead “the former receiver”.
- [54] **Section 85A (1)**
Omit “he”. Insert instead “the purchaser”.
- [55] **Section 86B (2)**
Omit “his” wherever occurring. Insert instead “the holder’s”.
- 3.20 Public Hospitals Act 1929 No 8**
- [1] **Sections 11 (4) and (5), 29M (1) and (1A), 33FF (2) (b), (3) and (4), 33I (2) (a) and 33K (2) (b) and (3)**
Omit “his” wherever occurring.
- [2] **Sections 11 (6) (b) (i), 30 (5), 33FF (2), (3) and (4), 33I (1) and (2) and 33K (2) (a)**
Omit “he” wherever occurring. Insert instead “the person”.
- [3] **Section 11B (1)**
Omit “he”. Insert instead “the Secretary”.
- [4] **Section 11B (4)**
Omit “his”. Insert instead “the delegate’s”.
- [5] **Section 11B (4)**
Omit “him”. Insert instead “the delegate”.
- [6] **Sections 13A (1) and 17 (6)**
Omit “he” wherever occurring. Insert instead “the Minister”.
- [7] **Sections 23A, 24A (1) (c), (d) and (g) (i), 24B and 33FC (4) and (5)**
Insert “or her” after “his” wherever Occurring.
- [8] **Sections 23C (1) (a), 24 (2A), 24A, 24B and 29G (5)**
Omit “he” wherever occurring. Insert instead “the director”.
- [9] **Sections 23C (1) (b) and (2) (b), 27 and 29G (5) (b)**
Omit “his” wherever occurring. Insert instead “the director’s”.
- [10] **Section 24 (2)**
Omit “he”. Insert instead “the subscriber”.
- [11] **Section 24A (1)**
Omit “his” where firstly occurring.
- [12] **Sections 28 (1) (b), 29AE (b), 29G (6), 33G and 33N (1)**
Omit “chairman” wherever occurring. Insert instead “chairperson”.
- [13] **Sections 29M (2), 29O (4) and 29Q (3)**
Omit “him” wherever occurring. Insert instead “the arbitrator”.

- [14] **Sections 29M (2), 29N (1) (a), 29O (2) and (3) and 29 P (1) and (2)**
Omit “he” wherever occurring. Insert instead “the arbitrator”.
- [15] **Section 29N (1) (a)**
Insert “or herself” after “himself”.
- [16] **Section 29 O (2)**
Omit “his” where firstly occurring. Insert instead “the person’s”.
- [17] **Section 29 O (2)**
Omit “his” where secondly occurring. Insert instead “the arbitrator’s”.
- [18] **Sections 29P (3) and 29 Q (1)**
Omit “his” wherever occurring. Insert instead “the arbitrator’s”.
- [19] **Section 30 (1)**
Omit “his”. Insert instead “the patient’s”.
- [20] **Sections 30 (5), 33FF (2) (a), (3), (4) and (5) and 33H (2)**
Omit “him” wherever occurring. Insert instead “the person”.
- [21] **Sections 30 (5) and (6), 33B (2), 33FF (2) (c) and (d) and (5) and 33I (2) (a)**
Omit “his” wherever occurring. Insert instead “the person’s”.
- [22] **Section 30 (7)**
Omit “himself”. Insert instead “the subscriber”.
- [23] **Section 30 (7)**
Omit “his” wherever occurring. Insert instead “the subscriber’s”.
- [24] **Section 30 (7)**
Omit “him”. Insert instead “the subscriber”.
- [25] **Section 30A (1)**
Omit “himself”. Insert instead “the person”.
- [26] **Sections 33FB, 33FC (4), (5) and (6), 33G, 33K (1), 33L, 33N (2) and 33O (2)**
Omit “Chairman” wherever occurring. Insert instead “Chairperson”.
- [27] **Sections 33FC (1) and 40BB (3)**
Omit “him” wherever occurring. Insert instead “the Minister”.
- [28] **Section 33FC (6)**
Omit “his” where firstly occurring. Insert instead “the Chairperson’s”.
- [29] **Section 33FC (6)**
Omit “he” wherever occurring. Insert instead “the Chairperson”.
- [30] **Section 33FC (6) (a)**
Omit “his” where firstly occurring.
- [31] **Section 33FC (6) (a)**
Insert “or her” after “his” where secondly occurring.

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- [32] **Section 33 FC (6) (a)**
Omit “his” where thirdly occurring. Insert instead “the”.
- [33] **Section 33 FC (6) (c) and (d)**
Omit “his” wherever occurring. Insert instead “the Chairperson’s”.
- [34] **Section 33 FF (2)**
Omit “his” where firstly occurring.
- [35] **Section 33 J (1)**
Omit “his”. Insert instead “the appellant’s”.
- [36] **Section 33 K (3)**
Omit “him”. Insert instead “the appellant”.
- [37] **Section 36 (1)**
Omit “him”. Insert instead “the medical practitioner”.
- [38] **Section 37 (8)**
Omit “his”. Insert instead “the trustee’s”.
- 3.21 Rivers and Foreshores Improvement Act 1948 No 20**
- [1] **Section 6 (1) (a)**
Omit “him”. Insert instead “the person”.
- [2] **Section 14**
Insert “or she” after “he”.
- [3] **Section 15 (1)**
Omit “his”. Insert instead “the Governor’s”.
- [4] **Sections 16 (6) and (8) and 18 (2)**
Omit “his” wherever occurring. Insert instead “the person’s”.
- [5] **Sections 16 (6) and (8) and 18 (2)**
Omit “he” wherever occurring. Insert instead “the person”.
- [6] **Section 16 (7)**
Insert “or her” after “his” where firstly occurring.
- [7] **Sections 16 (7) and 18 (3)**
Omit “after he transfers his estate or interest” wherever occurring.
Insert instead “after the transfer”*.
- [8] **Section 16 (7)**
Omit “he” where secondly occurring. Insert instead “the person”.
- [9] **Section 16 (7)**
Omit “whom he transfers his estate or interest”.
Insert instead “whom the estate or interest is transferred”.
- [10] **Sections 18 (1) (b) and 19 (4) and (5)**
Omit “him” wherever occurring. Insert instead “the owner”.

- [11] **Sections 18 (1) (b) and 19 (3)**
Omit “his” wherever occurring. Insert instead “the owner’s”.
- [12] **Section 18 (3)**
Insert “or her” after “his” where firstly occurring.
- [13] **Section 18 (3)**
Omit “after he transfers his estate or interest”.
Insert instead “after the transfer”.
- [14] **Section 18 (3)**
Omit “he” where secondly occurring. Insert instead “the person”.
- [15] **Section 18 (3)**
Omit “whom he transfers his estate or interest”.
Insert instead “whom the estate or interest is transferred”.
- [16] **Section 18 (4)**
Omit “he” wherever occurring. Insert instead “the ratable person”.
- [17] **Section 18 (4)**
Omit “his”. Insert instead “the ratable person’s”.
- [18] **Section 19 (3) (b) and (4)**
Omit “he” wherever occurring. Insert instead “the owner”.
- [19] **Section 221 (7)**
Omit “his or her”. Insert instead “the authorised officer’s”.
- 3.22 Snowy Mountains Hydro-electric Agreements Act 1958 No 20**
- [1] **Section 9**
Insert “or her” after “him”.
- [2] **Section 11 (3)**
Omit “he”. Insert instead “the Minister**”.
- [3] **Section 11 (3)**
Omit “Her Majesty”. Insert instead “the Crown”.
- [4] **Section 12 (2) (a)**
Omit “he”. Insert instead “that Minister”.
- [5] **Section 13 (2)**
Omit “he”. Insert instead “the person”.
- 3.23 Soil Conservation Act 1938 No 10**
- [1] **Sections 4 (1) and 4B (3)**
Omit “him” wherever occurring. Insert instead “the Commissioner”.
- [2] **Sections 4 (6) (a), 4A (3) (a) and 6 (1)**
Omit “his” wherever occurring. Insert instead “the Commissioner’s”.

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- [3] **Section 4 (6) (c)**
Omit “his”. Insert instead “the person’s”.
- [4] **Section 4A (2)**
Omit “his”. Insert instead “the Deputy Commissioner’s”.
- [5] **Sections 4A (3) (b) (ii), 4B (3) and 12 (a)**
Insert “or her” after “his” wherever occurring.
- [6] **Section 4A (3) (c)**
Omit “him”. Insert instead “the Deputy Commissioner”.
- [7] **Sections 8, 12 (a), 17 (1) and (5), 22 (1) and (4), 22C (2) and 28 (1)**
Omit “he” wherever occurring. Insert instead “the Minister”.
- [8] **Section 10 (4)**
Omit “his”. Insert instead “the Governor’s”.
- [9] **Section 11 (3)**
Omit “his land”. Insert instead “the land”.
- [10] **Section 11 (3)**
Omit “such land” wherever occurring. Insert instead “the land”.
- [11] **Sections 17 (7) (b) and 22N**
Omit “his” wherever occurring. Insert instead “the Minister’s”.
- [12] **Section 17 (7) (c)**
Omit “him”. Insert instead “the Governor”.
- [13] **Section 18 (1) (b) and (7)**
Omit “him” wherever occurring.
Insert instead “the owner, occupier or mortgagee”.
- [14] **Sections 18 (2) (c), 21CA (12) (a) and 30**
Omit “he” wherever occurring. Insert instead “the person”.
- [15] **Section 18B (2) (b)**
Omit “him”. Insert instead “the owner or occupier”.
- [16] **Section 21D (5)**
Omit “he remains”. Insert instead “remaining”.
- [17] **Sections 22C (2), 22G (1), 22H (3), 22L (2) and 22M (2)**
Omit “him” wherever occurring. Insert instead “the Minister”.
- [18] **Sections 22C (3) and 22D (1)**
Omit “he” wherever occurring. Insert instead “the applicant”.
- [19] **Section 25C (1) (b)**
Insert “, hers” after “his”.
- [20] **Section 28 (2)**
Omit “he”. Insert instead “that Minister”.
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- [21] **Section 30A (4)**
Omit "him". Insert instead "the Minister or the Commissioner".
- [22] **Fourth Schedule, clause 6 (1)**
Omit "his". Insert instead "the trustee's".
- [23] **Fourth Schedule, clauses 11 (1) and 12**
Omit "he" wherever occurring. Insert instead "the receiver".
- [24] **Fourth Schedule, clauses 12 and 13**
Omit "his" wherever occurring. Insert instead "the receiver's".
- [25] **Fourth Schedule, clause 13**
Omit "him". Insert instead "the receiver".
- 3.24 Stock Foods Act 1940 No 19**
- [1] **Section 5 (1) and (5) (a)**
Omit "he" wherever occurring. Insert instead "the person".
- [2] **Section 5 (1) (a)**
Omit "his". Insert instead "the person's".
- [3] **Section 5 (5)**
Omit "him". Insert instead "the person".
- [4] **Section 5A (1) (b)**
Omit "him". Insert instead "the Director-General".
- [5] **Section 5B (2) and (4)**
Omit "his" wherever occurring. Insert instead "the Director-General's".
- [6] **Section 5B (2) and (4)**
Omit "he" wherever occurring. Insert instead "the Director-General".
- [7] **Section 11A (1)**
Omit "him". Insert instead "the Minister".
- [8] **Section 21 (1) (a) and (b)**
Omit "he" wherever occurring. Insert instead "the inspector".
- [9] **Section 21 (2) (c)**
Omit "him". Insert instead "the inspector".
- [10] **Section 21 (2) (d)**
Omit "he". Insert instead "the person".
- [11] **Section 26 (1)**
Omit "His Majesty". Insert instead "the Crown".
- [12] **Section 26 (1)**
Omit "his". Insert instead "the defendant's".
- [13] **Section 28**
Omit "his". Insert instead "the inspector's".

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- [14] **Section 2 9**
Omit “he”. Insert instead “the person”.
- [15] **Section 3 3 (1)**
Omit “him”. Insert instead “the defendant”.
- [16] **Section 3 3 (1)**
Omit “he”. Insert instead “the defendant”.
- [17] **Section 3 7 (1) (b) and (c)**
Omit “his” wherever occurring. Insert instead “that person’s”.
- [18] **Section 37 (1) (b)**
Omit “him”. Insert instead “that person”.
- 3.25 Swine Compensation Act 1928 No 36**
- [1] **Section 5 (2) (b)**
Omit “his”. Insert instead “the employee’s”.
- [2] **Section 8 (4) (b)**
Omit “him”. Insert instead “the owner”.
- [3] **Section 8 (5)**
Omit “his”. Insert instead “the owner’s”.
- [4] **Section 8 (5)**
Omit “he”. Insert instead “the owner”.
- [5] **Section 9**
Omit “him”. Insert instead “the person*”.
- [6] **Section 11 (a) and (b)**
Omit “he” wherever occurring. Insert instead “the person”.
- [7] **Section 1 7 (1)**
Omit “his”. Insert instead “the person’s”.
- [8] **Section 1 7 (3)**
Omit “chairman”. Insert instead “chairperson”.
- [9] **Section 1 7 (3)**
Insert “or she” after “he”.
- 3.26 Sydney Turf Club Act 1943 No 22**
- [1] **Section 3 definition of “bookmaker”**
Omit “his”. Insert instead “a”.
- [2] **Section 4 (6)**
Insert “or she” after “he” wherever occurring.
- [3] **Section 5 (2) and First Schedule, clauses 13, 16 (b), 38 and 50 (3) (b)**
Omit “him” wherever occurring. Insert instead “the member”.
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- [4] **Section 5 (3)**
Omit "him" wherever occurring. Insert instead "the director".
- [5] **Section 6 (2) and (8) and First Schedule**
Omit "chairman" wherever occurring. Insert instead "chairperson".
- [6] **Section 6 (2) and (8)**
Omit "vice-chairman" wherever occurring. Insert instead "vice-chairperson".
- [7] **Section 6 (5) and First Schedule, clauses 12, 18, 41, 42 and 50 (3) (a)**
Omit "he" wherever occurring. Insert instead "the member".
- [8] **Sections 6 (6) and (8), 20 (3) and 24 (1) and (3) and First Schedule, clauses 14, 15 (1), 43 (3), 49, 50 (3) (b), 56, 65, 66, 71 and 72**
Insert "or her" after "his" wherever occurring.
- [9] **Section 20 (2) and First Schedule, clauses 18 and 42**
Omit "his" wherever occurring. Insert instead "the member's".
- [10] **Sections 21 (4), 22 (1) and 28 (2) and First Schedule**
Omit "Chairman" wherever occurring. Insert instead "Chairperson".
- [11] **Section 24 (3)**
Omit "him". Insert instead "the director, officer or servant".
- [12] **Section 24 (3)**
Omit "he" wherever occurring. Insert instead "the person".
- [13] **Section 25 (1)**
Omit "he is a person". Insert instead "the person is".
- [14] **Sections 25 (2) and 28 (1) and First Schedule, clauses 5 (c) and 19**
Omit "his" wherever occurring. Insert instead "the person's".
- [15] **Section 27**
Omit "his". Insert instead "the lessee's".
- [16] **Section 28 (1)**
Omit "he". Insert instead "the Minister".
- [17] **Section 28 (2)**
Omit "his" where firstly and secondly occurring. Insert instead "the person's".
- [18] **Section 28 (2)**
Omit "his" where thirdly occurring. Insert instead "the Minister's".
- [19] **Section 28 (2)**
Omit "Chairman" wherever occurring. Insert instead "Chairperson".
- [20] **Section 28 (2)**
Omit "him". Insert instead "the Chairperson".
- [21] **First Schedule**
Omit "Vice-Chairman" wherever occurring. Insert instead "Vice-Chairperson".

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- [22] **First Schedule, clauses 5 (b), 43 (3) and 50 (7)**
Omit “him” wherever occurring. Insert instead “the candidate”.
- [23] **First Schedule, clause 5 (c)**
Omit “him”. Insert instead “the person”.
- [24] **First Schedule, clause 8**
Omit “him”. Insert instead “the Secretary”.
- [25] **First Schedule, clause 9**
Omit “his” where firstly occurring. Insert instead “the Governor-General’s”.
- [26] **First Schedule, clause 9**
Omit “his” where secondly occurring. Insert instead “the Governor’s”.
- [27] **First Schedule, clause 1 2**
Omit “his” where firstly and thirdly occurring. Insert instead “an”.
- [28] **First Schedule, clause 1 2**
Omit “his” where secondly occurring. Insert instead “such”.
- [29] **First Schedule, clause 1 3**
Omit “his” where firstly and thirdly occurring. Insert instead “the member’s”.
- [30] **First Schedule, clause 1 3**
Omit “his” where secondly occurring.
- [31] **First Schedule, clause 1 3**
Omit “him”. Insert instead “the member”.
- [32] **First Schedule, clause 1 5 (1)**
Insert “or her” after “his” wherever occurring.
- [33] **First Schedule, clause 1 5 (2)**
Omit “his” wherever occurring. Insert instead “a”.
- [34] **First Schedule, clause 1 6 (b)**
Insert “or her” after “his” where firstly and thirdly occurring.
- [35] **First Schedule, clause 1 6 (b)**
Omit “his” where secondly occurring.
- [36] **First Schedule, clause 17**
Omit “his”.
- [37] **First Schedule, clause 19**
Omit “him” and “he” wherever occurring. Insert instead “the person”.
- [38] **First Schedule, clause 3 1**
Omit “his”. Insert instead “the Chairperson’s”.
- [39] **First Schedule, clause 43 (2)**
Omit “his term”. Insert instead “the director’s term”.
- [40] **First Schedule, clause 43 (2)**
Omit “he may not”. Insert instead “the member does not”.

Schedule 3 Amendments replacing gender-specific language

- [41] **First Schedule, clause 43 (2)**
Omit "his name". Insert instead "the member's name".
- [42] **First Schedule, clause 43 (2)**
Omit "him". Insert instead "the Secretary".
- [43] **First Schedule, clause 43 (2)**
Omit "he may deem". Insert instead "the Secretary may deem".
- [44] **First Schedule, clause 45 (2)**
Omit "he". Insert instead "the Chairperson".
- [45] **First Schedule, clause 45 (2)**
Omit "his". Insert instead "the Chairperson's".
- [46] **First Schedule, clause 46 (1)**
Omit "his" where firstly occurring.
- [47] **First Schedule, clause 46 (1)**
Omit "his" where secondly occurring. Insert instead "an".
- [48] **First Schedule, clause 46 (2)**
Omit "his". Insert instead "the director's".
- [49] **First Schedule, clause 48**
Omit "he" wherever occurring. Insert instead "the director".
- [50] **First Schedule, clause 48 (1) (c)**
Omit "his office be vacated". Insert instead "the director's office be vacated".
- [51] **First Schedule, clause 48 (1) (d)**
Omit "his office of director". Insert instead "the office of director".
- [52] **First Schedule, clause 48 (1) (e)**
Omit "removed from his office". Insert instead "removed from office".
- [53] **First Schedule, clause 48 (1) (g)**
Omit "vacate his office". Insert instead "vacate office".
- [54] **First Schedule, clause 48 (1) (g)**
Omit "by reason of his being". Insert instead "by reason of being".
- [55] **First Schedule, clause 48 (1) (g)**
Insert "or her" after "nature of his".
- [56] **First Schedule, clause 48 (1) (g)**
Insert "or her" after "so vote his".
- [57] **First Schedule, clause 48 (2)**
Omit "his". Insert instead "the director's".
- [58] **First Schedule, clause 49**
Omit "he". Insert instead "the director".
- [59] **First Schedule, clause 50 (3) (a)**
Omit "his" where firstly occurring. Insert instead "the".

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- [60] **First Schedule, clause 50 (3) (a)**
Omit “his” where secondly occurring. Insert instead “the member’s”.
- [61] **First Schedule, clause 50 (3) (a)**
Insert “or her” after ‘his.’ where thirdly.. occurring.
- [62] **First Schedule, clause 50 (4)**
Omit “he”. Insert instead “the Secretary”.
- [63] **First Schedule, clause 50 (4) and (5) (a)**
Omit “him” wherever occurring. Insert instead “the Secretary”.
- [64] **First Schedule, clause 50 (5) (c) and (e), (7)**
Omit “his” wherever occurring. Insert instead “the candidate’s”.
- [65] **First Schedule, clause 50 (5) (c) and (e)**
Omit “him” wherever occurring. Insert instead “that candidate”.
- [66] **First Schedule, clause 50 (7)**
Omit “him”. Insert instead “the candidate”.
- [67] **First Schedule, clause 72**
Insert “or her” after “him” where firstly occurring.
- [68] **First Schedule, clause 72**
Omit “he”. Insert instead “the director, officer or auditor”.
- [69] **First Schedule, clause 72**
Omit “him” where secondly occurring.
Insert instead “the director, officer or auditor”.
- 3.27 Timber Marketing Act 1977 No 72**
- [1] **Section 5 (2)**
Omit “that person proves that he”. Insert instead “it is proved that the person”.
- [2] **Sections 8 (1) (a) and (b) and 12 (a) and (b)**
Omit “him” wherever occurring. Insert instead “the person”.
- [3] **Sections 8 (1) (a) and (b), 12 (a) and (b) and 27 (1) and (2)**
Omit “his” wherever occurring. Insert instead “the person’s”.
- [4] **Sections 9 (2) (a) and (b), 10 (2) (a) and 11 (2) (a) and (b)**
Omit “he” wherever occurring. Insert instead “the defendant”.
- [5] **Sections 10 (2) (c) and 14 (2) (b)**
Omit “his” wherever occurring. Insert instead “that person’s”.
- [6] **Section 18 (3)**
Omit the subsection. Insert instead:
- (3) An applicant under subsection (1) who is not resident in New South Wales must, in the application, specify an address in New South Wales for the giving of notices under this Act.

- [7] **Sections 20 (4), 24 (4) and 25 (5)**
Omit "his" wherever occurring. Insert instead "the".
- [8] **Section 27 (3) (a) and (c)**
Omit "he" wherever occurring. Insert instead "the person".
- [9] **Section 33 (1) (a) (i) and (ii)**
Omit "him" wherever occurring. Insert instead "the individual".
- [10] **Section 33 (1) (a) (ii)**
Omit "his" where firstly occurring. insert instead "the individual's".
- [11] **Section 33 (1) (a) (ii)**
Omit "his" where secondly occurring.
- 3.28 Trustee Act 1925 No 14**
- [1] **Sections 5 (definition of "incapable person"), 37 (2), 51 (1) and (2), 64 (7), 77 (2) (b), 88 and 100 (2)**
Insert "or her" after "his" wherever occurring.
- [2] **Section 5 (definition of "insane person")**
Omit "himself or his affairs".
Insert instead "himself or herself or his or her affairs".
- [3] **Sections 5 (definition of "mortgagor"), 28 (6), (7) and (8), 33 (4), 37 (4), 44 (2), 46 (7) (a), (b), (c) and (d), 63 (10) and 91 (2)**
Omit "his" wherever Occuring. Insert instead "the person's".
- [4] **Sections 6 (2) (d), 22 (2), 39A (1) and (4), 39B (a), 40 (1), 50 (1), 56 (1), 59 (1), 70 (8), 71 (2) (i), 82 (4) (c) and 86 (1)**
Omit "him" wherever occurring. Insert instead "the trustee".
- [5] **Section 6 (8)**
Omit "him". Insert instead "the new trustee".
- [6] **Section 6 (8)**
Omit "he". Insert instead "the new trustee".
- [7] **Section 6 (11) (b)**
Omit "he". Insert instead "the refusing or retiring trustee".
- [8] **Sections 8 (1) and (2), 22 (2A), 25 (1), 27B (2), 39B (a) and (b) (i), 43 (1), 44 (1), 45 (6) (b), 55 (1), 56 (2), 58 (1), 59 (1), (2) and (4), 62, 63 (2) and (3) and 64 (2)**
Omit "his" wherever occurring. Insert instead "the trustee's".
- [9] **Section 11 (1)**
Omit "he" where firstly occurring. Insert instead "the person".
- [10] **Section 11 (1)**
Insert "or she" after "he" where secondly and thirdly occurring.
- [11] **Sections 12 (1) and 13 (2)**
Omit "he" wherever occurring. Insert instead "the executor".

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- [12] **Section 12 (4)**
Omit “he” where firstly occurring. Insert instead “the executor”.
- [13] **Section 12 (4)**
Omit “him”. Insert instead “the Registrar-General”.
- [14] **Section 12 (4)**
Omit “he” where secondly and thirdly occurring.
Insert instead “the Registrar-General”.
- [15] **Sections 16 (1) and (3), 17 (1), 18 (1) ,21 (1) ,(1A) and (3), 21A (1), 22 (1), 28 (10), 32 (1), 33 (1), 34 (2), 35 (2), 36 (1) (a) and (b), 38 (1), 39A (1) and (4), 40 (1) (a), (b) and (c), 43 (4), 46 (9), 52 (1), 60 (1), (4) and (7), 62, 63 (2), 64 (1) ,70 (8), 82A (2) and 85 (2)**
Omit “he” wherever occurring. Insert instead “the trustee”.
- [16] **Section 22 (2A)**
Omit “him”. Insert instead “the trustee.”.
- [17] **Sections 33 (4), 39B (b) (i) and (ii), 51 (1), 54A (2), 88 and 91 (2)**
Omit “him” wherever occurring. Insert instead “the person”.
- [18] **Section 39B**
Omit “him” where firstly occurring. Insert instead “the trustee”.
- [19] **Section 40 (2)**
Omit “his” where firstly occurring. Insert instead “that person’s”.
- [20] **Section 40 (2)**
Omit “his” where secondly occurring. Insert instead “the trustee’s”.
- [21] **Sections 40 (3), 43 (5), 46 (1) (c), (7) (d) and (8) (c), 54A (3), 58 (3), 71 (2) (k) and 75 (3) (b) and (c)**
Insert “or she” after “he” wherever occurring.
- [22] **Section 40 (3)**
Omit “his”. Insert instead “that person’s”.
- [23] **Section 41 (1)**
Omit “if he were acting for himself”.
Insert instead “if the person were acting on the person’s own behalf”.
- [24] **Section 43 (3)**
Omit “he”. Insert instead “that other person”.
- [25] **Section 43 (7)**
Omit “his”. Insert instead “the infant’s*”.
- [26] **Section 43 (9A)**
Omit “he”. Insert instead “the infant”.
- [27] **Sections 44 (2), 46 (5) and (7) (a), 51 (1), 63 (11), 65 (1) and 91 (2)**
Omit “he” wherever occurring. Insert instead “the person”.
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- [28] **Section 45 (1)**
Omit "his". Insert instead "the principal beneficiary's".
- [29] **Section 45 (3) and (6) (b)**
Omit "he" wherever occurring. Insert instead "the principal beneficiary".
- [30] **Section 45 (6) (a)**
Omit "his" where lastly occurring. Insert instead "the trustee's".
- [31] **Section 45A (2) and (3)**
Omit "him" wherever occurring. Insert instead "the life tenant".
- [32] **Section 47 (3)**
Omit "his or its". Insert instead "the public trustee's or the trustee company's".
- [33] **Section 48 (1)**
Omit "them or him". Insert instead "the trustees or the sole trustee".
- [34] **Section 49 (1)**
Omit "they or he".
Insert instead "the trustees or the majority, or the sole trustee,".
- [35] **Section 49 (1) (e)**
Omit "them or him".
Insert instead "the trustees or the majority, or the sole trustee,".
- [36] **Section 49 (2)**
Omit "he" wherever occurring. Insert instead "the executor or administrator".
- [37] **Section 49 (3)**
Omit "them or him".
Insert instead "the trustees, trustee, executor or administrator".
- [38] **Sections 59 (4) and 78 (7)**
Insert "or herself" after "himself*" wherever occurring.
- [39] **Section 60 (1)**
Omit "his intention". Insert instead "the intention".
- [40] **Section 61 (2)**
Omit "him". Insert instead "the lessor or grantor".
- [41] **Section 64 (7)**
Omit "he". Insert instead "the delegate".
- [42] **Section 75 (3) (b)**
Insert "or her" after "him".
- [43] **Section 75 (3) (d)**
Omit "his". Insert instead "the mortgagee's".
- [44] **Section 88**
Omit "he" where firstly occurring. Insert instead "the person".

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- [45] **Section 88**
Insert “or she” after “he” where secondly and thirdly occurring.
- [46] **Section 100 (1)**
Omit “His Majesty”. Insert instead “the Crown”.
- 3.29 Valuation of Land Act 1916 No 2**
Schedule 1
Insert “or her” after “him” wherever occurring in clause 10 (2) (d) and (e).
- 3.30 Wool, Hide and Skin Dealers Act 1935 No 40**
- [1] **Section 3 (2) (a), (4) (b) and (5)**
Omit “his” wherever occurring. Insert instead “the buyer’s”.
- [2] **Section 3 (4) (d)**
Omit “his”. Insert instead “the auctioneer’s”.
- [3] **Sections 5 (2A) and 14 (1) (d)**
Omit “him” wherever occurring. Insert instead “the clerk”.
- [4] **Sections 5 (3) (b) and 12 (6)**
Insert “or her” after “his” wherever occurring.
- [5] **Section 6 (2)**
Omit “his”. Insert instead “the”.
- [6] **Sections 7 (1), 10 and 14 (1) (c)**
Omit “his” wherever occurring. Insert instead “the licensee’s”.
- [7] **Sections 7 (2) and (3) and 10**
Omit “him” wherever occurring. Insert instead “the licensee”.
- [8] **Section 8**
Omit “he” wherever occurring. Insert instead “the member of the police force”
- [9] **Section 9**
Omit “him”. Insert instead “the member of the police force”.
- [10] **Section 11 (b)**
Omit “he”. Insert instead “the person”.
- [11] **Section 12 (4)**
Omit “he”. Insert instead “the defendant”.
- [12] **Section 12 (5)**
Omit “his”. Insert instead “the licensee’s or person’s”.

Schedule 4 Amendments transferring provisions

(Section 3)

4.1 Chipping Norton Lake Authority Act 1977 No 38

[1] Section 27

Insert after section 26:

27 Savings and transitional provisions

Schedule 3 has effect.

[2] Schedule 3

Insert after Schedule 2:

Schedule 3 Savings and transitional provisions

(Section 27)

1 Construction of certain references

- (1) On and from the day on which this clause commences, a reference (however expressed) in any other Act (whether assented to before, on or after that day), or in any regulation, by-law or other statutory instrument or in any other document, whether of the same or of a different kind, to the Chipping Norton Lake Authority Working Account is to be read and construed as a reference to the Chipping Norton Lake Authority Account.
- (2) This clause is taken to have commenced on 20 June 1986 (the day on which the amendment of this Act by the *Miscellaneous Acts (Special Deposits Account) Amendment Act 1985* took effect).

- (3) Subclauses (1) and (2) re-enact (with minor modification) clause 1 of Schedule 2 to the Miscellaneous Acts (Special Deposits Account) Amendment Act 1985. Subclauses (1) and (2) are transferred provisions to which section 30A of the Interpretation Act 1987 applies.

Explanatory note

Item [2] of the proposed amendments inserts a Schedule of savings and transitional provisions (Schedule 3) in the *Chipping Norton Lake Authority Act 1977*. The amendment transfers to that Schedule the substance of a transitional provision (of possible on-going effect) contained in clause 1 of Schedule 2 to the *Miscellaneous Acts (Special Deposits Account) Amendment Act 1985*. The enactment of Schedule 3 enables the repeal, by Schedule 5 to this Act, of that Act. In accordance with section 30A of the Interpretation Act 1987, the transfer does not affect the operation (if any) or meaning of the provision.

Item [1] is a formal provision that gives effect to the Schedule of savings and transitional provisions inserted in the Principal Act.

4.2 Clean Air Act 1961 No 69

[1] Section 5 Definitions

Omit “the Schedule” wherever occurring in the definitions of Scheduled equipment and Scheduled premises in section 5 (1).
Insert instead “Schedule 1”.

[2] Section 5 (3) (a)

Omit “the Schedule”. Insert instead “Schedule 1”.

[3] Section 36

Insert after section 35:

36 Savings and transitional provisions

Schedule 2 has effect.

[4] Schedule

Omit the heading to the Schedule.

Insert instead “**Schedule 1 Prescribed uses, equipment and plant**”.

[5] Schedule 2

Insert after Schedule 1:

Schedule 2 Savings and transitional provisions

(Section 36)

**Part 1 Provisions consequent on enactment of
Clean Air (Amendment) Act 1986**

1 Definition

In this Part, *amending Act* means the *Clean Air (Amendment) Act 1986*.

2 Saving of certain regulations

- (1) The amendments made by the amending Act to section 34 (1) (f5) of this Act do not affect the force or operation, on and after 27 June 1986 (the date of commencement of the amending Act), of any regulation in force under this Act immediately before that date.
- (2) This clause is taken to have commenced on 27 June 1986.
- (3) Subclause (1) re-enacts (with minor modification) clause 5 of Schedule 2 to the amending Act. Subclause (1) is a transferred provision to which section 30A of the Interpretation Act 1987 applies.

Explanatory note

Item [5] of the proposed amendments inserts a Schedule of savings and transitional provisions (Schedule 2) in the *Clean Air Act 1961*. The amendment transfers to that Schedule the substance of a savings provision (of possible on-going effect) that is contained in clause 5 of Schedule 2 to the *Clean Air (Amendment) Act 1986*. The enactment of Schedule 2 enables the repeal, by Schedule 5 to this Act, of that Act. In accordance with section 30A of the *Interpretation Act 1987*, the transfer does not affect the operation (if any) or meaning of the provision.

Item [3] is a formal provision that gives effect to the Schedule of savings and transitional provisions inserted in the Principal Act.

Items [1], [2] and [4] contain consequential amendments, numbering an unnumbered Schedule to the Principal Act as Schedule 1.

4.3 Clean Waters Act 1970 No 78

[1] Section 38

Insert after section 37:

38 Savings and transitional provisions

Schedule 1 has effect.

[2] Schedule 1

Insert at the end of the Act:

Schedule 1 Savings and transitional provisions

(Section38)

Part 1 Provisions consequent on enactment of Clean Waters (Amendment) Act 1987

1 Definition

In this Part, *amending Act* means the *Clean Waters (Amendment) Act 1987*.

2 Maintenance and operation of control equipment

- (1) Section 20 of this Act, as amended by the amending Act, applies to control equipment installed before or after 15 January 1988 (the date of commencement of Schedule 1 (5) to the amending Act).
- (2) This clause is taken to have commenced on 15 January 1988.
- (3) Subclause (1) re-enacts (with minor modification) section 5 of the amending Act. Subclause (1) is a transferred provision to which section 30A of the *Interpretation Act 1987* applies.

Explanatory note

Item [2] of the proposed amendments inserts a Schedule of savings and transitional provisions (Schedule 1) in the *Clean Waters Act 1970*. The amendment transfers to that Schedule the substance of a transitional provision (of possible on-going effect) that is contained in section 5 of the *Clean Waters (Amendment) Act 1987*. The enactment of Schedule 1 enables the repeal, by Schedule 5 to this Act, of that Act. In accordance with section 30A of the Interpretation Act 1987, the transfer does not affect the operation (if any) or meaning of the provision.

Item [1] is a formal provision that gives effect to the Schedule of savings and transitional provisions inserted in the Principal Act.

4.4 Insurance Act 1902 No 49

[1] Section 2 Repeals

Omit “the Schedule”. Insert instead “Schedule 1”.

[2] Section 22

Insert after section 21:

22 Savings and transitional provisions

Schedule 2 has effect.

[3] Schedule

Omit the heading to the Schedule.

Insert instead “**Schedule 1 Repeals**”.

[4] Schedule 2

Insert after Schedule 1:

Schedule 2 Savings and transitional provisions

(Section 22)

Part 1 Provisions consequent on enactment of Insurance (Amendment) Act 1983

1 Definition

In this Part, *amending Act* means the *Insurance (Amendment) Act 1983*.

2 Misrepresentation, non-disclosure and limitation on exclusion clauses

- (1) Sections 18A and 18B of this Act, as amended by the amending Act, in their application to contracts of insurance entered into, reinstated or renewed after the commencement of those sections, have effect with respect to statements, omissions, events or circumstances referred to in those sections and made, occurring, happening or existing before that commencement (as well as with respect to those so referred to and made, occurring, happening or existing after that commencement).
- (2) This clause is taken to have commenced on 1 April 1984 (the date of commencement of the amending Act).
- (3) Subclause (1) re-enacts (with minor modification) section 4 of the amending Act. Subclause (1) is a transferred provision to which section 30A of the *Interpretation Act 1987* applies.

Explanatory note

Item [4] of the proposed amendments inserts a Schedule of savings and transitional provisions (Schedule 2) in the *Insurance Act 1902*. The amendment transfers to that Schedule the substance of a transitional provision (of possible on-going effect) that is contained in section 4 of the *Insurance (Amendment) Act 1983*. The enactment of Schedule 2 enables the repeal, by Schedule 5 to this

Schedule 4 Amendments transferring provisions

Act, of that Act. In accordance with section 30A of the *Interpretation Act 1987*, the transfer does not affect the operation (if any) or meaning of the provision.

Item [2] is a formal provision that gives effect to the Schedule of savings and transitional provisions inserted in the Principal Act.

Items [1] and [3] contain consequential amendments, numbering an unnumbered Schedule to the Principal Act as Schedule 1.

4.5 Sale of Goods Act 6923 No 1

[1] Section 3 Repeals

Omit “the schedule” from section 3 (1).
Insert instead “Schedule 1”.

[2] Section 65

Insert after section 64:

65 Savings and transitional provisions

Schedule 2 has effect.

[3] Schedule

Omit the heading to the Schedule.
Insert instead “**Schedule 1 Repeals**”.

[4] Schedule 2

Insert after Schedule 1:

Schedule 2 Savings and transitional provisions

(Section65)

Part 1 Provisions consequent on enactment of Sale of Goods (Amendment) Act 1988

(1) Definition

In this Part, *amending Act* means the *Sale of Goods (Amendment) Act 1988*.

2 Operation of amendments

- (1) Subject to this clause, the amendments made by the amending Act apply to contracts made after, but not before, 1 April 1989 (the date of commencement of the amending Act).
- (2) The amendments made by Schedule 1 (1) (b) and (2) to the amending Act also apply to contracts made before 1 April 1989, but not so as to affect cases that were finally litigated or settled before that date.
- (3) The fact of the enactment of section 4 (2A) and section 38 (2) of this Act, and of this clause, is to be treated as affecting neither:
 - (a) the rights of the parties to a contract made before 1 April 1989, nor
 - (b) the construction of this Act in its application to such a contract.
- (4) This clause is taken to have commenced on 1 April 1989.
- (5) Subclauses (1)–(3) re-enact (with minor modification) section 4 of the amending Act. Subclauses (1)–(3) are transferred provisions to which section 30A of the *Interpretation Act 1987* applies.

Explanatory note

Item [4] of the proposed amendments inserts a Schedule of savings and transitional provisions (Schedule 2) in the *Sale of Goods Act 1923*. The amendment transfers to that Schedule the substance of a transitional provision (of possible on-going effect) that is contained in section 4 of the *Sale of Goods (Amendment) Act 1988*. The enactment of Schedule 2 enables the repeal, by Schedule 5 to this Act, of that Act. In accordance with section 30A of the *Interpretation Act 1987*, the transfer does not affect the operation (if any) or meaning of the provision.

Item [2] is a formal provision that gives effect to the Schedule of savings and transitional provisions inserted in the Principal Act.

Items [1] and [3] contain consequential amendments, numbering an unnumbered Schedule to the Principal Act as Schedule 1.

4.6 Teacher Housing Authority Act 1975 No 27

[1] Section 45 Amendment of Acts

Omit “the Schedule” wherever occurring.
Insert instead “Schedule 1”.

[2] Section 46

Insert after section 45:

46 Savings and transitional provisions

Schedule 2 has effect.

[3] Schedule

Omit the heading to the Schedule.
Insert instead “**Schedule 1 Amendment of Acts**”.

[4] Schedule 2

Insert after Schedule 1:

Schedule 2 Savings and transitional provisions

1 Preservation of rights of previous executive members

- (1) Despite the repeal of section 9 by the *Teacher Housing Authority (Amendment) Act 1987*, that section continues to have effect in relation to a person who at any time held office as the executive member.
- (2) This clause is taken to have commenced on 13 April 1987 (the date of commencement of the *Teacher Housing Authority (Amendment) Act 1987*).

- (3) Subclause (1) re-enacts (with minor modification) clause 3 of Schedule 3 to the *Teacher Housing Authority (Amendment) Act 1987*. Subclause 1 is a transferred provision to which section 30A of the *Interpretation Act 1987* applies.

Explanatory note

Item [4] of the proposed amendments inserts a Schedule of savings and transitional provisions (Schedule 2) in the *Teacher Housing Authority Act 1975*. The amendment transfers to that Schedule the substance of a transitional provision (of possible on-going effect) contained in clause 3 of Schedule 3 to the *Teacher Housing Authority (Amendment) Act 1987*. The enactment of Schedule 2 enables the repeal, by Schedule 5 to this Act, of that Act. In accordance with section 30A of the *Interpretation Act 1987*, the transfer does not affect the operation (if any) or meaning of the provision.

Item [2] is a formal provision that gives effect to the Schedule of savings and transitional provisions inserted in the Principal Act. Items [1] and [3] make consequential amendments relating to the numbering of an existing Schedule to the Principal Act.

4.7 Wills, Probate and Administration Act 1898 No 13

[1] Fifth Schedule Savings and transitional provisions arising from amendments to this Act

Insert before Part 1, heading:

Part 1 A Provisions consequent on enactment of Wills, Probate and Administration (De Facto Relationships) Amendment Act 1984

1 A Persons dying wholly or partially intestate before commencement of De Facto Relationships Act 1984

- (1) The amendments made to this Act by the *Wills, Probate and Administration (De Facto Relationships) Amendment Act 1984* do not apply to or in respect of the estate of a person who died wholly or partially intestate before 1 July 1985 (the day appointed and notified under section 2 (2) of the *De Facto Relationships Act 1984*), and any such estate is to be distributed in accordance with the enactments and rules of law in force at the date of death of that person.

Schedule 4 Amendments transferring provisions

- (2) This clause is taken to have commenced on 1 July 1985.
- (3) Subclause (1) re-enacts (with minor modification) section 4 of the *Wills, Probate and Administration (De Facto Relationships) Amendment Act 1984* and is a transferred provision to which section 30A of the *Interpretation Act 1987* applies.

[2] Fifth Schedule, Part 1, heading

Omit the heading.

Insert instead **“Part 1 Provisions consequent on enactment of Wills, Probate and Administration (Amendment) Act 1989”**.

Explanatory note

Item [1] of the proposed amendments inserts in the Fifth Schedule (Savings and transitional provisions arising from amendments to this Act) to the *Wills, Probate and Administration Act 1898* the substance of a transitional provision (of possible on-going effect) that is contained in section 4 of the *Wills, Probate and Administration (De Facto Relationships) Amendment Act 1984*. The enactment of clause 1A enables the repeat, by Schedule 5 to this Act, of that Act. In accordance with section 30A of the *Interpretation Act 1987*, the transfer of the provision does not affect its operation (if any) or meaning.

Item [2] of the proposed amendments is a consequential amendment.

Schedule 5 Repeals

(Section 4)

Repeal of Acts

Agreements Validating Act 1902 No 58***

Deaf, Dumb, and Blind Institution Vesting Act 1903 No 21***

Barren Jack Dam and Murrumbidgee Canals Construction Act 1906 No 46***

White Phosphorous Matches Prohibition Act 1915 No 1***

Companies (Receiver and Manager) Act 1934 No 21***

Workmen's Compensation (Broken Hill) Amendment Act 1934 No 55**

Keepit Dam Act 1937 No 42***

Apprentices (War Service) Act 1939 No 35***

Burrinjuck Dam Improvement Act 1940 No 18***

Workmen's Compensation (Broken Hill) Amendment Act 1942 No 30**

Workers' Compensation (Silicosis) Amendment Act 1942 No 31**

Darling River Waters Act 1945 No 27***

Lake Ballyrogan Storage Act 1946 No 21***

Glenbawn Dam Act 1946 No 30***

Burrendong Dam Act 1946 No 31***

Menindee Water Conservation Act 1949 No 7***

Glenbawn Dam (Amendment) Act 1957 No 11**

Workers' Compensation (Silicosis) Amendment Act 1957 No 26**

Gogeldrie Weir and Main Diversion Canals Act 1957 No 44***

Burrendong Dam (Amendment) Act 1960 No 14**

Darling River (Great Ana Branch) and Lake Tandou Water Supply Act 1960 No 43***

Wyangala Dam (Strengthening and Enlargement) Act 1961 No 28***

Coral Sea Park Act 1962 No 3***

Schedule 5 Repeals

Pindari Dam Act 1966 No 37***
Land Tax (Amendment) Act 1967 No 59**
Carcoar Dam Act 1967 No 75***
Copeton Dam Act 1967 No 76***
Lostock Dam Act 1967 No 79***
Toonumbar Dam Act 1967 No 83***
Land Tax (Amendment) Act 1968 No 62**
Workers' Compensation (Uninsured Liability Scheme) Act 1970 No 19**
Land Tax (Amendment) Act 1970 No 64**
Brogo Dam and Associated Works Act 1970 No 68***
Windamere Dam Act 1970 No 76***
Land Tax (Amendment) Act 1971 No 48**
Mollee, Gunidgera and Weeta Weirs Act 1972 No 56***
Swine Compensation (Amendment) Act 1972 No 59**
Cudal Dam Act 1973 No 60***
Land Tax (Amendment) Act 1973 No 70**
Gwydir River System Distributary Works Act 1974 No 22***
Metric Conversion (Savings) Act 1974 No 4 * * *
Metric Conversion Act 1974 No 51***
Metric Conversion Act 1975 No 72***
Workers' Compensation (Dust Diseases) Amendment Act 1977 No 123**
Workmen's Compensation (Broken Hill) Amendment Act 1977 No 125**
Tombullen Storage Act 1978 No 23***
Yanco Weir Reconstruction Act 1978 No 24***
Metric Conversion Act 1978 No 67***
Metric Conversion (Amendment) Act 1978 No 175**
Statutory and Other Offices Remuneration (Legal Services Commission)
Amendment Act 1979 No 83**

Height of Buildings (Amendment) Act 1979 No 207**
Hay Weir Act 1980 No 85***
Statutory and Other Offices Remuneration (Law Reform Commission) Amendment Act 1981 No 2**
Anti-Discrimination (Amendment) Act 1981 No 15**
Workers' Compensation (Dust Diseases) Amendment Act 1981 No 74**
Remuneration (Special Provisions) Act 1982 No 94***
Totalizator (Amendment) Act 1982 No 170**
Land Tax Management (Administration) Amendment Act No 14**
State Pollution Control Commission (Licences and Approvals) Amendment Act 1983 No 96**
Insurance (Amendment) Act 1983 No 97*
Glenbawn Dam (Enlargement) Act 1983 No 134***
Water (Amendment) Act 1983 No 142**
Split Rock Dam Act 1983 No 143***
Land Tax Management (Amendment) Act 1983 No 171**
Workers' Compensation (Dust Diseases) Amendment Act 1983 No 208**
Water (Amendment) Act 1984 No 66**
Wills, Probate and Administration (De Facto Relationships) Amendment Act 1984 No 159*
Land Tax Management (Amendment) Act 1985 No 147**
Miscellaneous Acts (Special Deposits Account) Amendment Act 1985 No 158*
Land Tax Management (Further Amendment) Act 1985 No 215**
Clean Air (Amendment) Act 1986 No 26*
Statutory and Other Offices Remuneration (Prices Commission) Amendment Act 1986 No 34**
Statutory and Other Offices Remuneration (Residential Tenancies Tribunal) Amendment Act 1986 No 64**
Statutory and Other Offices Remuneration (Main Roads) Amendment Act 1986 No 88**

Schedule 5 Repeals

Land Tax Management (Further Amendment) Act 1986 No 186**
Totalizator (Amendment) Act 1987 No 6**
Teacher Housing Authority (Amendment) Act 1987 No 14*
State Pollution Control Commission (Amendment) Act 1987 No 187***
Clean Waters (Amendment) Act 1987 No 189*
Sale of Goods (Amendment) Act 1988 No 78*
Water (Amendment) Act 1988 No 108**
Water Board (Amendment) Act 1988 No 120**
Workers Compensation (Amendment) Act 1988 No 132**
State Pollution Control Commission (Amendment) Act 1989 No 16**
Wills, Probate and Administration (Amendment) Act 1989 No 17**
Workers Compensation (Compensation Court) Amendment Act 1989
No 119**
Workers Compensation (Benefits) Amendment Act 1989 No 133**
Inclosed Lands Protection (Amendment) Act 1989 No 199**
Water Board (Amendment) Act 1990 No 15**
Environmental Offences and Penalties (Amendment) Act 1990 No 84**
Workers Compensation (Amendment) Act 1991 No 2**
State Roads and Traffic (Offences and Penalties) Amendment Act 1991
No 24**
Periodic Detention of Prisoners (Amendment) Act 1991 No 25**
Electricity and Other Legislation (Amendment) Act 1991 No 63**
Justices (Costs) Amendment Act 1991 No 79**
Pay-roll Tax (Amendment) Act 1991 No 83**
Workers Compensation (Benefits) Amendment Act 1991 No 99**
Totalizator (Amendment) Act 1992 No 25**
State Roads (Toll Works) Amendment Act 1992 No 42**
Hunter Water Board (Corporatisation) Amendment Act 1992 No 77**
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Parliamentary Committees Enabling Act 1992 No 108***

Periodic Detention of Prisoners (Amendment) Act 1992 No 109**
Public Health (Amendment) Act 1992 No 110**
Strata Titles (Staged Development) Amendment Act 1993 No 12**
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Land Acquisition (Just Terms Compensation) Amendment Act 1993
No 77**
Limitation of Actions (Recovery of Imposts) Amendment Act 1993
No 96**
Electricity (Broken Hill) Amendment Act 1994 No 35**
Defamation (Amendment) Act 1994 No 93**
Residential Tenancies (Caravan Parks and Manufactured Home Estates)
Amendment Act 1994 No 94**

Notes

- indicates repeal of an Act whose savings, transitional or other provisions of on-going effect are transferred (by Schedule 4 to this Act) to the Principal Act
- ** indicates repeal of an amending Act the provisions of which have been included in a reprint and which contains no provision of substantive effect that needs to be retained, or which amends a repealed Act
- *** indicates repeal of an Act that is no longer of practical utility

Explanatory note

The repeals are explained in detail in the explanatory note relating to this Act. In relation to the repeal of amending Acts, it should be noted that the Acts are repealed simply to rationalise the legislation in force and that the repeals have no substantive effect on the amendments made by the Acts or any associated provisions.

Section 30 (2) of the Interpretation Act ensures that, when an amending Act is repealed, no amendment made by the Act is affected. Section 30 (2) also ensures that the following matters are not affected:

- (a) the proof of any past act or thing,
- (b) any right, privilege, obligation or liability saved by the operation of the Act,
- (c) any validation made by the Act.

An amendment proposed to be made to section 30 (2) in Schedule 1 to this Act will also make it clear that the amendment or repeal of an Act or statutory rule does not affect the continuing operation (if any) of a provision of a savings or transitional nature that is contained in the Act or statutory rule.

Schedule 6 General savings, transitional and other provisions

(Section 5)

1 Effect of amendment of amending provisions

(1) An amendment made by Schedule 1 or 2 to an amending provision contained in an Act is, if the amending provision has commenced before the date of assent to this Act, taken to have effect as from the commencement of the amending provision.

(2) In this clause:

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 to 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, or
- (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 the *Reprints Act 1972*.

Explanatory note

This clause ensures that amendments correcting errors in the technical provisions (for example, headings indicating the section to be amended or directions as to where a new section is to be inserted) and rectifying minor drafting defects (for example, corrections in numbering of provisions, correction or insertion of cross-references, omission of unnecessary matter or insertion of omitted matter) will commence on the date the amendments to which they relate commenced.

2 Effect of amendment or repeal on acts done or decisions made

Except where it is expressly provided to the contrary, if this Act:

- (a) amends a provision of an Act, or
- (b) repeals and re-enacts (with or without modification) a provision of an Act,

any act done or decision made under the provision amended or repealed has effect after the amendment or repeal as if it had been done or made under the provision as so amended or repealed.

Explanatory note

This clause ensures that the amendment or repeal of a provision will not, unless expressly otherwise provided, vitiate any act done or decision made under the provision as in force before the amendment or repeal.

3 Amendments removing gender-specific language

The amendments made to an Act by Schedule 3 are made for the purposes of replacing gender-specific language with gender-neutral language. The amendments contained in that Schedule do not affect the construction or meaning of any Act.

Explanatory note

This clause ensures that amendments that are made solely for the purposes of removing gender-specific language from an Act do not have any unintended consequences. A similar provision is included in the *Reprints Act 1972* (section 11).

4 Regulations

- (1) The Governor may make regulations containing provisions of a savings or transitional nature consequent on the enactment of this Act.
- (2) Any such provision may, if the regulations so provide, take effect from the date of assent to this Act or a later date.
- (3) To the extent to which any such provision 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 any authority of the State), the rights of that person existing before the date of its publication, 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.

Explanatory note

This clause enables the making of regulations of a savings or transitional nature having a short term effect and relating to incidental matters arising out of the proposed Act with regard to which no specific, or sufficient, provision has been made in the Act.

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- Anti-Discrimination Act 1977 No 48—Sch 2
- Australian Jockey Club Act 1873—Sch 1
- Biological Control Act 1985 No 199—Sch 1
- Bush Fires Act 1949 No 31—Sch 3
- Catchment Management Act 1989 No 235—Sch 1
- Chipping Norton Lake Authority Act 1977 No 38—Sch 4
- Clean Air Act 1961 No 69—Schs 1, 4
- Clean Waters Act 1970 No 78—Sch 4
- Coal and Oil Shale Mine Workers (Superannuation) Act 1941 No 45—Sch 3
- Coal Industry Act 1946 No 44—Sch 3
- Coal Mines Regulation Act 1982 No 67—Sch 3
- Commercial Arbitration Act 1984 No 160—Sch 1
- Competition Policy Reform (New South Wales) Act 1995 No 8—Sch 2
- Co-operation Act 1923 (1924 No 1)—Sch 3
- Courts Legislation Amendment Act 1995 No 21—Sch 2
- Crimes Act 1900 No 40—Sch 2
- Crimes Amendment (Child Pornography) Act 1995 No 49—Sch 2
- Dams Safety Act 1978 No 96—Sch 3
- Dangerous Goods Act 1975 No 68—Sch 1
- Drainage Act 1939 No 29—Sch 3
- Dried Fruits Act 1939 No 7—Sch 3
- Environmental Offences and Penalties Act 1989 No 150—Sch 1
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Factories, Shops and Industries Act 1962 No 43—Sch 2
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Freedom of Information Act 1989 No 5—Sch 1
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Justices Act 1902 No 27—Sch 1
Land Tax Management Act 1956 No 26—Sch 2
Liquefied Petroleum Gas Act 1961 No 3—Sch 3
Liquor Act 1982 No 147—Sch 2
Lotto Act 1979 No 53—Sch 2
Maritime Services Act 1935 No 47—Sch 1
Marketing of Primary Products Act 1983 No 176—Sch 1
Meat Industry Act 1978 No 54—Sch 3
Mental Health Act 1990 No 9—Sch I
Motor Accidents Act 1988 No 102—Sch 1
Museum of Applied Arts and Sciences Act 1945 No 31—Sch 3
Olympic Co-ordination Authority Act 1995 No 10—Sch 2
Ombudsman Act 1974 No 68—Sch 1
Parliamentary Contributory Superannuation Act 1971 No 53—Sch 1
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Petroleum (Submerged Lands) Act 1982 No 23—Sch 3
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Deaf, Dumb, and Blind Institution Vesting Act 1903 No 21***
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[Minister's second reading speech made in—
Legislative Assembly on 23 November 1995
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