

Act No. 108 of 1990

**STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL (No. 2)
1990**

NEW SOUTH WALES



EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

The objects of this Bill are:

- (a) to make minor amendments to various Acts (Schedule 1) ; and
- (b) to amend certain other Acts for the purpose of effecting statute law revision (Schedule 2); and
- (c) to repeal certain Acts containing only
 - amendments to repealed Acts; or
 - amendments to other Acts that have been incorporated in a reprint under the Reprints Act 1972; or
 - spent or unnecessary provisions of a saving or transitional nature; or
 - validation provisions,(Schedule 3); and
- (d) to repeal certain Acts containing uncommenced provisions (Schedule 3); and
- (e) to make other provisions of a consequential or ancillary nature (Schedule 4).

SCHEDULE 1—MINOR AMENDMENTS

Schedule 1 makes amendments to the following Acts:

- Anti-Discrimination Act 1977 No. 48
- Area Health Services Act 1986 No. 50
- Auctioneers and Agents Act 1941 No. 28

Statute Law (Miscellaneous Provisions) Bill (No. 2) 1990

Banks and Bank Holidays Act 1912 No. 43
Bishopsgate Insurance Australia Limited Act 1983 No. 81
Commercial Tribunal Act 1984 No. 98
Community Justice Centres Act 1983 No. 127
Community Land Development Act 1989 No. 201
Community Service Orders Act 1979 No. 192
Community Welfare Act 1987 No. 52
of Proceeds of Crime Act 1989 No. 90
Conveyancing Act 1919 No. 6
Crimes Act 1900 No. 40
Criminal Appeal Act 1912 No. 16
Crown Lands Act 1989 No. 6
Crown Lands (Continued Tenures) Act 1989 No. 7
Dental Technicians Registration Act 1075 No. 40
Dentists Act 1989 No. 139
District Court. Act 1973 No. 9
Dried Fruits Act 1939 No. 7
Environmental Restoration and Rehabilitation Trust Act 1990 No. 24
Fisheries and Oyster Farms Act 1935 No. 58
Fluoridation of Public Water Supplies Act 1957 No. 58
Food Act 1989 No. 231
Government Insurance Act 1927 No. 18
Hay Irrigation Act 1902 No. 57
Hunter Water Board Act 1988 No. 119
Irrigation Act 1912 No. 73
Jury Act 1977 No. 18
Law Foundation Act 1979 No. 32
Legal Aid Commission Act 1979 No. 78
Legal Profession Act 1987 No. 109
Maritime Services Act 1935 No. 47
Medical Practitioners Act 1938 No. 37
Mental Health Act 1990 No. 9
Motor Vehicles Taxation Act 1988 No. 111
National Crime Authority (State Provisions) Act 1984 No. 157
National Parks and Wildlife Act 1974 No. 80
New South Wales Institute of Psychiatry Act 1964 No. 44
New South Wales State Cancer Council Act 1955 No. 25
Nurses Registration Act 1953 No. 10
Pesticides Act 1978 No. 57
Pharmacy Act 1964 No. 48
Pharmacy (Amendment) Act 1989 No. 224
Physiotherapists Registration Act 1945 No. 9
Podiatrists Act 1989 No. 23
Poisons Act 1965 No. 31
Prices Regulation Act 1948 No. 26
Prisons Act 1952 No. 9
Protected Estates Act 1983 No. 179
Psychologists Act 1989 No. 51
Public Finance and Audit Act 1983 No. 152

Statute Law (Miscellaneous Provisions) Bill (No. 2) 1990

Public Sector Management Act 1988 No. 33
Radiation Control Act 1990 No. 13
Returned Sailors and Soldiers' Imperial League of Australia (New South
Wales Branch) Incorporation Act 1935 No. 39
Road Obstructions (Special Provisions) Act 1979 No. 9
Rural Lands Protection Act 1989 No. 197
Small Business Development Corporation Act 1984 No. 119
Sporting Injuries Insurance Act 1978 No. 141
State Emergency and Rescue Management Act 1989 No. 165
State Emergency Service Act 1989 No. 164
State Owned Corporations Act 1989 No. 134
Statutory and Other Offices Remuneration Act 1975 (1976 No. 4)
Stock (Artificial Breeding) Act 1985 No. 196
Stock (Chemical Residues) Act 1975 No. 26
Supreme Court Act 1970 No. 52
Teacher Housing Authority Act 1975 No. 27
Therapeutic Goods and Cosmetics Act 1972 No. 14
Tow Truck Act 1989 No. 158
Traffic Act 1909 No. 5
Transport Administration Act 1988 No. 109
University of New England Act 1989 No. 67
University of Technology, Sydney, Act 1989 No. 69
Veterinary Surgeons Act 1986 No. 55
Water Board Act 1987 No. 141
Wentworth Irrigation Act 1890 (54 Vic. No. 7)
Western Lands Act 1901 No. 70
Wilderness Act 1987 No. 196
Workers Compensation Act 1987 No. 70

The amendments to each Act are explained in detail in the explanatory note relating to the Act concerned set out in Schedule 1.

Where necessary, provisions of a saving or transitional nature relating to the amendment concerned have also been set out in Schedule 1.

The expression "penalty unit" used in the explanatory note relating to an amendment to an Act set out in Schedule 1 has its basis in section 56 of the Interpretation Act 1987. At present, 1 penalty unit is equivalent to \$100.

**SCHEDULE 2 — AMENDMENTS BY WAY OF STATUTE
LAW REVISION**

Schedule 2 amends certain other Acts for the purpose of effecting statute law revision. A number of amendments are made relating to formal drafting matters and minor corrections.

The amendments to each Act are explained in detail in the explanatory note relating to the Act concerned set out in Schedule: 2.

SCHEDULE 3 - REPEALS

Schedule 3 repeals a number of Acts. Since the Statute Law (Miscellaneous Provisions) Act 1985 the number of Acts in force has been gradually reduced by repealing amending Acts once the amendments contained in the Acts have been incorporated in a reprint. The Schedule continues this process.

The Schedule also repeals amending Acts and Acts containing uncommenced provisions which are superfluous because the Principal Acts they amend or to which they relate have been repealed.

The effect of the repeal of amending Acts is explained in detail in the explanatory note set out in Schedule 3.

SCHEDULE 4—GENERAL SAVINGS, TRANSITIONAL AND OTHER PROVISIONS

Schedule 4 contains savings, transitional and other provisions of a more general effect than those set out in Schedule 1 and certain validations relating to fees.

The purpose of each provision is explained in detail in the explanatory note relating to the provision concerned set out in Schedule 4
