



New South Wales

Statute Law (Miscellaneous Provisions) Bill 2023

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The objects of this Bill are to—

- (a) make minor amendments to various Acts (Schedule 1), and
- (b) amend certain other Acts and instruments for the purpose of effecting statute law revision (Schedule 2), and
- (c) amend the *Interpretation Act 1978* and other Acts and instruments for the purpose of effecting statute law revision (Schedule 3), and
- (d) make other provisions of a consequential or ancillary nature (Schedule 4).

Outline of provisions

Clause 1 sets out the name, also called the short title, of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on 14 July 2023.

Schedule 1 Minor amendments

Schedule 1.1[1] and [2] amend the *Community Land Management Act 2021* to correct inconsistent wording to reflect the wording of the *Community Land Management Act 2021*, section 194, which provides that the Tribunal may make an order that a schedule of unit entitlements for a community scheme, precinct scheme or neighbourhood scheme be “replaced”, rather than “substituted” or “allocated”.

Schedule 1.1[3] amends the *Community Land Management Act 2021* to correct inconsistent wording to clarify that the *Community Land Management Act 2021*, section 206(1)(a) applies to orders replacing the schedule of unit entitlements for community schemes, precinct schemes and neighbourhood schemes. This wording is consistent with the power of the Tribunal under the *Community Land Management Act 2021*, section 194.

Schedule 1.1[4] amends the *Community Land Management Act 2021* to remove incorrect wording which describes that the schedule of unit entitlements is found in the folio of the Register for the common property. For community schemes, precinct schemes and neighbourhood schemes, the schedule of unit entitlements is included as part of the scheme plan, rather than in the folio of the Register for common property.

Schedule 1.2[1] and [3] amend the *Community Services (Complaints, Reviews and Monitoring) Act 1993* to update references to the Minister.

Schedule 1.2[2] amends the *Community Services (Complaints, Reviews and Monitoring) Act 1993* to update references to the Minister and clarifies that, for the purposes of the *Community Services (Complaints, Reviews and Monitoring) Act 1993*, a service provider includes a person or organisation funded, authorised or licensed by a public service agency responsible to the Minister.

Schedule 1.3 amends the *Contaminated Land Management Act 1994* to omit a reference to a repealed guideline.

Schedule 1.4[1] and [2] amend the *Conveyancers Licensing Act 2003* to relocate an existing provision to a new section and omit an obsolete reference to a statutory declaration no longer required to be provided in certain circumstances under the *Conveyancers Licensing Act 2003*, section 77.

Schedule 1.5 amends the *Criminal Procedure Act 1986* to make a necessary consequential amendment arising from the amendment made by Schedule 1.12[3].

Schedule 1.6[1] amends the *District Court Act 1973* to update the name of a court.

Schedule 1.6[2] amends the *District Court Act 1973* to update the jurisdictional limits that apply to actions at the time an action was commenced to reflect the amendments made to the District Court's jurisdictional limits by the *District Court Amendment Act 2022*.

Schedule 1.6[3] amends the *District Court Act 1973* to replace a reference to provisions of the repealed *Victims Compensation Act 1996* with a reference to the equivalent provisions of the *Victims Rights and Support Act 2013*.

Schedule 1.7 amends the *Drug Misuse and Trafficking Act 1985* to remove particular words that provided an exception that anabolic and androgenic steroidal agents, testosterone and trenbolone could be used in the implant preparations for use in animals. The exception is not required in the Schedule because the exception is dealt with by the *Drug Misuse and Trafficking Act 1985*, section 8 and other legislation authorising the use of these drugs in animals.

Schedule 1.8[1] amends the *Fisheries Management Act 1994* to omit an entitlement that has not been used for many years. Fishing licences are as a matter of course issued based on the entitlements under section 103(2)(a) or (c). The proposed repeal of section 103(2)(b) is expected to have no impact on persons who hold or are eligible to hold a licence.

Schedule 1.8[2] amends the *Fisheries Management Act 1994* to update a reference to a form.

Schedule 1.8[3] amends the *Fisheries Management Act 1994* to allow the charging of an administrative fee if the holder of an aquaculture permit applies to the Minister for revocation or variation of the conditions of the holder's permit.

Schedule 1.9 amends the *Game and Feral Animal Control Act 2002* to permit the Secretary of the Department of Regional NSW to waive or refund fees for game hunting licences and applications for game hunting licences. The waiver and refund of the fees was authorised under the *Game and Feral Animal Control Regulation 2012* before its repeal on 26 August 2022.

Schedule 1.10[1] amends the *Hemp Industry Act 2008* to make it clear that the definition of *low-THC hemp*, which includes plants with a concentration of THC of no more than 1%, extends to resins derived from those plants. **Schedule 1.10[2]** amends the *Hemp Industry Act 2008* to substitute a note consequent on item [1] and the enactment of the *Narcotic Drugs Amendment (Medicinal Cannabis) Act 2021*.

Schedule 1.11 amends the *Human Tissue Act 1983* to remove redundant provisions. In accordance with the *Human Tissue Act 1983*, section 34(4), the Minister published a notice in the Gazette specifying 1 November 2021 as the date the relevant provisions ceased to have effect.

Schedule 1.12 amends the *Hunter Water Act 1991* to enable the regulations to provide for the Secretary of the Department of Planning and Environment to issue approvals or give directions in relation to activities in special areas and to delegate the functions to certain persons.

Schedule 1.13[1] and [2] amend the *Law Enforcement (Powers and Responsibilities) Act 2002* to correct cross-references in provisions relating to the terms of a digital evidence access order issued on an application made by telephone. **Schedule 1.13[3]** makes consequential amendments that should have been made by the *Law Enforcement (Powers and Responsibilities) Amendment (Digital Evidence Access Orders) Act 2022* and the *Dedicated Encrypted Criminal Communication Device Prohibition Orders Act 2022*. **Schedule 1.13[4]** inserts a missing word.

Schedule 1.14[1] and [2] amend the *Medicines, Poisons and Therapeutic Goods Act 2022* to ensure that the offence of prescribing, supplying or administering prescribed Schedule 8 substances and other prescribed therapeutic goods without an approval of the Health Secretary applies to veterinary practitioners in the same way as it applies to health practitioners.

Schedule 1.15 amends the *Mental Health and Cognitive Impairment Forensic Provisions Act 2020* to recast the language of section 96(3) for greater consistency with the language of that Act, sections 94 and 95 and involves no change in policy.

Schedule 1.16[1] and [2] amend the *Pesticides Act 1999* to make changes consequential to the renaming of the National Registration Authority as the Australian Pesticides and Veterinary Medicines Authority (the *APVMA*) in 2004.

Schedule 1.17[1], [2], [4], [6], [9] and [11] amend the *Plantations and Reafforestation Act 1999* to update references to the repealed *Threatened Species Conservation Act 1995* with equivalent references to the *Biodiversity Conservation Act 2016*. **Schedule 1.17[5]** makes a consequential amendment to the *Plantations and Reafforestation Act 1999*.

Schedule 1.17[3], [7] and [8] amend the *Plantations and Reafforestation Act 1999* to replace references to the Minister administering the *National Parks and Wildlife Act 1974* with the Minister administering the *Biodiversity Conservation Act 2016*, following the repeal of parts of the *National Parks and Wildlife Act 1974* and the commencement of the *Biodiversity Conservation Act 2016*.

Schedule 1.17[10] amends the *Plantations and Reafforestation Act 1999* to replace references to repealed provisions of the *National Parks and Wildlife Act 1974* with the equivalent provisions of the *Biodiversity Conservation Act 2016*.

Schedule 1.18[1] and [2] amend the *Plastic Reduction and Circular Economy Act 2021* to clarify that the requirement for a prohibited plastic item to be either unnecessary or problematic applies only to items prescribed by the regulations and not to items listed in that Act, Schedule 1, Part 1. **Schedule 1.18[3]** is consequential to the amendment made by Schedule 1.17[1].

Schedule 1.19[1] and [2] amend the *Property and Stock Agents Act 2002* to relocate an existing provision to a new section and omit an obsolete reference to a statutory declaration no longer required to be provided in certain circumstances under a repealed provision of the *Property and Stock Agents Act 2002*, Part 8, Division 2.

Schedule 1.20[1] amends the *Protection of the Environment Operations Act 1997* to remove a reference to an agency which has ceased to exist.

Schedule 1.20[2] amends the *Protection of the Environment Operations Act 1997* to correct an internal inconsistency in that Act, section 167A.

Schedule 1.20[3] and [4] amend the *Protection of the Environment Operations Act 1997* to recast the current section 287(1) to clarify its effect and make it clear that a person whose licence application is deemed to be refused may appeal within 21 days of the deemed refusal.

Schedule 1.21 amends the *Public Works and Procurement Act 1912* to enable a government agency head to delegate to a member of staff of the agency the power to issue a public interest certificate under that Act, section 176G.

Schedule 1.22[1] amends the *Subordinate Legislation Act 1989* to correct the name of an instrument. **Schedule 1.22[2]** amends the *Subordinate Legislation Act 1989* to postpone the date on which several regulations are automatically repealed by the *Subordinate Legislation Act 1989*. As the automatic repeal of each regulation has been postponed at least 5 times, it cannot be further postponed by order under the *Subordinate Legislation Act 1989*, section 11.

The regulations are currently due to be repealed on 1 September 2023 but they continue to be required. Their repeal is proposed to be further postponed for the following reasons—

- (a) A Bill is being prepared to repeal and replace the *Boarding Houses Act 2012*. The *Boarding Houses Regulation 2013* is required until the new Act and accompanying Regulation commence.
- (b) A review of the expenditure growth rate target is expected to occur in 2023. It is considered premature to remake the *Fiscal Responsibility Regulation 2013* before the conclusion of the review.
- (c) Heritage NSW is undertaking a significant review of the *Heritage Act 1997*. It is considered premature to remake the *Heritage Regulation 2012* before the conclusion of the review.
- (d) The NSW Government is in the process of reforming the animal welfare regulatory framework and has made public commitments to introduce new legislation and work towards the development of new supporting regulations. It is recommended that the staged repeal of the *Prevention of Cruelty to Animals Regulation 2012* and the *Veterinary Practice Regulation 2013* be deferred to allow time to develop the new regulations.
- (e) On 1 October 2023, the *Public Interest Disclosures Act 2022* will commence and will repeal both the *Public Interest Disclosures Act 1994* and the *Public Interest Disclosures Regulation 2011*. New regulations will be made pursuant to the *Public Interest Disclosures Act 2022*. It would be premature to remake the regulation prior to the commencement of the new legislation.
- (f) In December 2021, a report on the review of the *Radiation Control Act 1990* was tabled in Parliament. The review found that securing the objectives of the Act would be improved by adopting several recommended changes. The review noted that some of the recommendations could be appropriately addressed as part of the remake of the *Radiation Control Regulation 2013*. Cabinet approval has been given to amend the Act and the Bill is likely to be introduced to Parliament in mid-2023. Postponing the repeal of the *Radiation Control Regulation 2013* will enable the EPA to identify the necessary Regulation changes for the remake following the Act amendments.
- (g) The *Statutory and Other Offices Remuneration (Judicial and Other Office Holders) Regulation 2013* should be postponed to allow consideration of amendments related to the NSW Public Sector Wages Policy.
- (h) The Office of the Children’s Guardian will be commencing a review of the *Child Protection (Working with Children) Act 2012* in 2023. It is therefore considered premature to remake the *Child Protection (Working with Children) Regulation 2013*.

Schedule 1.22[2] also re-enacts an existing postponement of the automatic repeal of the *Explosives Regulation 2013*.

Schedule 1.23[1] amends the *Victims Rights and Support Act 2013* to update out of date cross-references to the repealed *Victims Rights and Support Regulation 2013*, which has been repealed and remade. **Schedule 1.23[2]** amends the *Victims Rights and Support Act 2013*, section 113 to insert a definition of *applicant* to make it clear who is an applicant for the purpose of the section.

Schedule 2 Amendments by way of statute law revision— miscellaneous amendments

Schedule 2.1 amends the *Aboriginal Land Rights Act 1983* to correct numbering errors.

Schedule 2.2[1] and [3] amend the *Casino Control Act 1992* to correct typographical errors. **Schedule 2.2[2]** amends that Act to insert a missing word.

Schedule 2.3 amends the *Child Protection (Working with Children) Regulation 2013* to omit a redundant provision.

Schedule 2.4[1] amends the *Children and Young Persons (Care and Protection) Act 1998* to remove unnecessary punctuation. **Schedule 2.4[2]** amends that Act to update the name of a court.

Schedule 2.5[1] and [2] amend the *Children (Community Service Orders) Act 1987* to omit expired provisions relating to the response to the COVID-19 pandemic. **Schedule 2.6** makes a consequential amendment to the *Children (Community Services Orders) Regulation 2020*.

Schedule 2.7[1] amends the *Children (Criminal Proceedings) Act 1987* to omit a redundant part. **Schedule 2.7[2]** makes a consequential amendment to that Act.

Schedule 2.8 amends the *Children (Detention Centres) Act 1987* to omit an expired provision relating to the response to the COVID-19 pandemic. **Schedule 2.9** makes a consequential amendment to the *Children (Detention Centres) Regulation 2015*.

Schedule 2.10[1] amends the *Civil and Administrative Tribunal Act 2013* to omit expired provisions relating to the response to the COVID-19 pandemic. **Schedule 2.10[2]** makes a consequential amendment.

Schedule 2.11 amends the *Co-operative Schemes (Administrative Actions) Act 2001* to update the name of a court.

Schedule 2.12 amends the *Corporations (Administrative Actions) Act 2001* to update the name of a court.

Schedule 2.13 amends the *Court Security Regulation 2021* to omit an expired provision relating to the response to the COVID-19 pandemic.

Schedule 2.14 amends the *Crimes Act 1900* to correct a cross-reference.

Schedule 2.15[1] amends the *Crimes (Administration of Sentences) Act 1999* to update the name of a court. **Schedule 2.15[2]** omits provisions expired provisions relating to the response to the COVID-19 pandemic.

Schedule 2.16 amends the *Crimes (Domestic and Personal Violence) Act 2007* to omit expired provisions relating to the response to the COVID-19 pandemic.

Schedule 2.17 amends the *Crimes (Domestic and Personal Violence) Regulation 2019* to omit an expired provision relating to the response to the COVID-19 pandemic.

Schedule 2.18 amends the *Crimes (Sentencing Procedure) Act 1999* to correct a cross-reference.

Schedule 2.19[1] and [2] amend the *Criminal Procedure Act 1986* to update cross-references. **Schedule 2.19[3]** omits a reference to a unit within the Department of Communities and Justice.

Schedule 2.20[1] amends the *Criminal Procedure Regulation 2017* to omit a reference to a unit within the Department of Communities and Justice. **Schedule 2.20[2]** omits an expired provision relating to the response to the COVID-19 pandemic.

Schedule 2.21 amends the *Crown Land Management Act 2016* to update the name of a court.

Schedule 2.22 amends the *Drug Misuse and Trafficking Act 1985* to correct a typographical error.

Schedule 2.23 amends the *Drug Supply Prohibition Order Pilot Scheme Act 2020* to correct a grammatical error.

Schedule 2.24 amends the *Electronic Transactions (ECM Courts) Order 2005* to correct terminology.

Schedule 2.25 amends the *Electronic Transactions Regulation 2017* to omit an expired provision relating to the response to the COVID-19 pandemic.

Schedule 2.26 amends the *Environmental Planning and Assessment Act 1979* to correct a cross-reference.

Schedule 2.27[1] amends the *Environmental Planning and Assessment Regulation 2021* to omit a redundant word. **Schedule 2.27[2]** amends that regulation to correct numbering errors.

Schedule 2.28 amends the *Evidence (Audio and Audio Visual Links) Act 1998* to omit a redundant provision relating to the 2007 APEC meeting in Sydney and an expired provision relating to the response to the COVID-19 pandemic.

Schedule 2.29 amends the *Evidence (Audio and Audio Visual Links) Regulation 2015* to expired provisions relating to the response to the COVID-19 pandemic.

Schedule 2.30 amends the *Government Sector Finance Act 2018* to correct numbering errors.

Schedule 2.31 amends the *Health Practitioner Regulation National Law Regulation 2018* to update the name of a court.

Schedule 2.32 amends the *Interpretation Act 1987* to update the name of a court.

Schedule 2.33[1] and [2] amend the *Jurisdiction of Courts (Cross-vesting) Act 1987* to update the name of a court.

Schedule 2.34 amends the *Law Enforcement Conduct Commission Act 2016* to update the name of a court.

Schedule 2.35[1] and [2] amend the *Local Government Act 1993* to correct cross-references.

Schedule 2.36 amends the *Mining Act 1992* to correct a numbering error.

Schedule 2.37[1] amends the *NSW Reconstruction Authority Act 2022* to correct a typographical error. **Schedule 2.37[2]** updates wording in that Act to be consistent with the *Land Acquisition (Just Terms Compensation) Act 1991*.

Schedule 2.38[1] and [2] amend the *Oaths Act 1900* to update the name of a court and a reference to a Judge of that court.

Schedule 2.39 amends the *Privacy and Personal Information Protection Act 1998* to insert a missing word.

Schedule 2.40 amends the *Private Health Facilities Regulation 2017* to omit an expired provision relating to the response to the COVID-19 pandemic.

Schedule 2.41[1] and [2] amend the *Property (Relationships) Act 1984* to update the name of a court.

Schedule 2.42 amends the *Protection of the Environment Operations (Clean Air) Regulation 2022* to correct a numbering error.

Schedule 2.43 amends the *Residential Tenancies Act 2010* to omit a duplicated word.

Schedule 2.44 amends the *Retirement Villages Act 1999* to correct a typographical error.

Schedule 2.45 amends the *Road Transport (Vehicle Registration) Regulation 2017* to correct punctuation.

Schedule 2.46 amends the *Sheriff Act 2005* to omit an expired provision relating to the response to the COVID-19 pandemic.

Schedule 2.47[1] and [2] amend *State Environmental Planning Policy (Precincts—Regional) 2021* to correct numbering errors.

Schedule 2.48[1] and [2] amend the *Succession Act 2006* to update the name of a court.

Schedule 2.49 amends the *Surveillance Devices Act 2007* to correct a grammatical error.

Schedule 2.50 amends the *Sydney Public Reserves (Public Safety) Act 2017* to update a reference to an Act.

Schedule 2.51[1] and [2] amend the *Victims Rights and Support Regulation 2019* to correct terminology.

Schedule 2.52[2] amends the *Voluntary Assisted Dying Act 2022* to correct a cross-reference. **Schedule 2.52[1]** corrects a grammatical error.

Schedule 2.53 amends the *Water Management (General) Regulation 2018* to correct numbering.

Schedule 2.54 amends the *Water Sharing Plan for the Barwon-Darling Unregulated River Water Source 2012* to correct formatting.

Schedule 2.55[1], [3], [4], [8], [11], [14], [17], [19] and [20] amend the *Water Sharing Plan for the Macquarie and Cudgegong Regulated Rivers Water Source 2016* to correct punctuation.

Schedule 2.55[2], [6], [7], [9], [10], [12], [13] and [18] correct typographical errors. **Schedule 2.55[5]** omits a redundant word. **Schedule 2.55[15] and [16]** correct numbering.

Schedule 2.56[1] amends the *Water Sharing Plan for the Murrumbidgee Regulated River Water Source 2016* to insert a missing word. **Schedule 2.56[2]** corrects punctuation. **Schedule 2.56[3]** omits a redundant word.

Schedule 2.57[1] and [4] amends the *Water Sharing Plan for the New South Wales Murray and Lower Darling Regulated Rivers Water Sources 2016* to omit duplicate numbering. **Schedule 2.57[2], [3] and [5]** correct punctuation errors.

Schedule 3 Amendments relating to interpretation

Schedule 3 includes amendments to the *Interpretation Act 1987* to insert definitions for a number of frequently referenced courts, tribunals, statutory offices, bodies and officers to remove the need for these to be separately defined in individual Acts and instruments across the NSW statute book. The amendments also move the *Interpretation Act 1987*, section 21(1) to a Dictionary at the end of that Act to align with contemporary drafting practice. Schedule 3 also makes amendments to a number of Acts and instruments consequential on the relocation of the *Interpretation Act 1987*, section 21(1).

Schedule 4 General savings, transitional and other provisions

Proposed section 1 ensures that an amendment made by the proposed Act to a repealing or amending provision of an Act or instrument will, if the repealing or amending provision commences before the amendment made by the proposed Act, be taken to have commenced on the date the repealing or amending provision commences.

Proposed section 2 ensures the amendment or repeal of a provision will not, unless expressly provided, vitiate an act done or decision made under the provision as in force before the amendment or repeal.

Proposed section 3 ensures that, unless expressly provided, an instrument that is in force and made under a provision of an Act that is amended or substituted by the proposed Act will be taken to have been made under the Act as amended.

Proposed section 4 enables the Governor, by proclamation, to revoke the repeal of any Act or instrument, or a provision of an Act or instrument, by the proposed Act. The Act or instrument, or provision, the subject of the revocation of repeal is taken not to be, and never to have been, repealed.

Proposed section 5 enables the making of regulations of a savings or transitional nature relating to incidental matters arising out of the proposed Act.



New South Wales

Statute Law (Miscellaneous Provisions) Bill 2023

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New South Wales

Statute Law (Miscellaneous Provisions) Bill 2023

No. , 2023

A Bill for

An Act to amend certain other Acts and instruments in various respects and for the purpose of effecting statute law revision; and to make certain savings.

The Legislature of New South Wales enacts—

1

1 Name of Act

2

This Act is the *Statute Law (Miscellaneous Provisions) Act 2023*.

3

2 Commencement

4

This Act commences on 14 July 2023.

5

Schedule 1	Minor amendments	1
1.1	Community Land Management Act 2021 No 7	2
[1]	Sections 188(4)(d) and 206, heading	3
	Omit “allocating” wherever occurring. Insert instead “replacing”.	4
[2]	Section 194, heading	5
	Omit “substituting”. Insert instead “replacing”.	6
[3]	Section 206(1)(a)	7
	Omit “allocating unit entitlements among lots in a”.	8
	Insert instead “replacing the schedule of unit entitlements for a community scheme, precinct scheme or”.	9 10
[4]	Section 206(2)	11
	Omit the subsection. Insert instead—	12
	(2) The Registrar-General must make the recordings in the Register that are necessary to give effect to the order.	13 14
1.2	Community Services (Complaints, Reviews and Monitoring) Act 1993 No 2	15 16
[1]	Section 4 Definitions	17
	Omit section 4(1), definition of <i>relevant Minister</i> . Insert instead—	18
	<i>relevant Minister</i> means—	19
	(a) for a service provider that is a Public Service agency—the Minister to whom the agency is responsible, or	20 21
	(b) for a person or organisation authorised, licensed or funded by a Minister to provide a service—that Minister, or	22 23
	(c) otherwise—the Minister.	24
[2]	Sections 4(1), definition of “service provider”, paragraphs (c) and (d)	25
	Omit the paragraphs. Insert instead—	26
	(c) a person or organisation funded by the Minister or by a public service agency responsible to the Minister, or	27 28
	(d) a person or organisation authorised or licensed by the Minister or by a public service agency responsible to the Minister, or	29 30
[3]	Sections 5(1)(b) and (c), 28(2), definition of “relevant decision maker”, paragraph (a) and 45(4), definition of “relevant decision maker”, paragraph (a)	31 32
	Omit “the Attorney General, and Minister for the Prevention of Domestic Violence” wherever occurring.	33 34
	Insert instead “the Minister”.	35
1.3	Contaminated Land Management Act 1997 No 140	36
	Schedule 2 Savings and transitional provisions	37
	Omit clause 5(d).	38

1.4 Conveyancers Licensing Act 2003 No 3	1
[1] Section 80 Duties of auditors	2
Omit section 80(3).	3
[2] Section 80A	4
Insert after section 80—	5
80A Secretary must make information available to other auditors	6
(1) The Secretary must make a relevant document available for inspection by an auditor appointed to make an audit of the records and documents of a person who has been the subject of an earlier audit.	7 8 9
(2) In this section—	10
<i>audit</i> means an audit carried out for the purposes of this Division.	11
<i>relevant document</i> means either of the following that relate to the person the subject of the audit—	12 13
(a) a report on an audit received under section 80(1),	14
(b) a notice given to the Secretary under section 77.	15
1.5 Criminal Procedure Act 1986 No 209	16
Schedule 1 Indictable offences triable summarily	17
Omit “76AG(1)” from Schedule 1, Table 2, clause 10J. Insert instead “76AO”.	18
1.6 District Court Act 1973 No 9	19
[1] Section 18 Acting Judges	20
Omit “Family Court of Australia” from section 18(4A).	21
Insert instead “Federal Circuit and Family Court of Australia (Division 1)”.	22
[2] Section 51 Consent jurisdiction	23
Insert at the end of section 51(3)(b)—	24
, and	25
(c) the jurisdictional limit of the Court in relation to an action commenced on or after 18 July 1997 but before 16 December 2022 is taken to be \$750,000.	26 27 28
[3] Section 171 Criminal procedure rules	29
Omit section 171(2)(j). Insert instead—	30
(j) prescribing the procedure for proceedings in the Court under the <i>Criminal Procedure Act 1986</i> , section 126 and the <i>Victims Rights and Support Act 2013</i> , Part 6,	31 32 33
1.7 Drug Misuse and Trafficking Act 1985 No 226	34
Schedule 1	35
Omit “, other than in implant preparations for use in animals” wherever occurring.	36

1.8 Fisheries Management Act 1994 No 38	1
[1] Section 103 Who may hold licence	2
Omit section 103(2)(b).	3
[2] Section 127K Method for transferring charter fishing businesses and their components	4
Omit “an approved form” from section 127K(3).	5
Insert instead “a form approved by the Secretary”.	6
[3] Section 152 Conditions of permits	7
Insert after section 152(4)—	8
(4A) The Minister may revoke or vary the conditions of an aquaculture permit—	9
(a) on the Minister’s own initiative, or	10
(b) on written application from the permit holder.	11
(4B) A written application under subsection (4A)(b) must—	12
(a) be in a form approved by the Minister, and	13
(b) be accompanied by the prescribed fee.	14
1.9 Game and Feral Animal Control Act 2002 No 64	15
Section 26 Fees for applications and licences	16
Insert at the end of the section—	17
(2) The Regulatory Authority may waive or refund all or part of a fee payable for an application for, or grant of, a licence.	18
1.10 Hemp Industry Act 2008 No 58	19
[1] Section 3 Definitions	20
Omit “or fibre” from section 3(1), definition of <i>low-THC hemp</i> .	21
Insert instead “, fibre or resin”.	22
[2] Section 5 Licence to cultivate or supply low-THC hemp	23
Omit the second note to the section. Insert instead—	24
Note— See section 3 for the definition of <i>low-THC hemp</i> , which includes resins and other products derived from certain low-THC Cannabis plants.	25
1.11 Human Tissue Act 1983 No 164	26
Section 34 Act does not prevent specified removals of tissue	27
Omit section 34(1)(b5), (4) and (5).	28
1.12 Hunter Water Act 1991 No 53	29
Section 57 Regulations concerning special areas	30
Omit section 57(1). Insert instead—	31
(1) The regulations may make provision about special areas, including the following—	32
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(a)	charges or payments for the abstraction of water in a special area,	1
(b)	the abstraction, use, pollution or contamination of water in a special area,	2 3
(c)	the issue of approvals by the Secretary to engage in activities in a special area,	4 5
(d)	the giving of directions by the Secretary in relation to engaging in activities in a special area.	6 7
(1A)	The Secretary may delegate the Secretary's functions under regulations made under subsection (1)(c) or (d) to—	8 9
(a)	an employee of the Department of Planning and Environment, or	10
(b)	a person prescribed by the regulations.	11
1.13 Law Enforcement (Powers and Responsibilities) Act 2002 No 103		12
[1]	Section 76AE Applications for digital evidence access orders by telephone	13
	Omit "subsection (5)" from section 76AE(5)(a).	14
	Insert instead "subsection (4)(b)(ii)".	15
[2]	Section 76AE(6)	16
	Omit "subsection (6)". Insert instead "subsection (5)".	17
[3]	Section 234 Proceedings for offences	18
	Omit "section". Insert instead "sections 76AO, 80O and".	19
[4]	Section 238 Regulations	20
	Insert "and" at the end of the section 238(3)(b).	21
1.14 Medicines, Poisons and Therapeutic Goods Act 2022 No 73		22
[1]	Section 69 Offence—supplying or issuing prescriptions for therapeutic goods without approval	23 24
	Insert "or veterinary practitioner" after "health practitioner" in section 69(1).	25
[2]	Section 69(3)	26
	Insert at the end of section 69—	27
(3)	This section does not apply to a veterinary practitioner—	28
(a)	acting under the direction of another veterinary practitioner who is authorised under an approval, or	29 30
(b)	carrying out an activity authorised under Part 2.6.	31
1.15 Mental Health and Cognitive Impairment Forensic Provisions Act 2020 No 12		32 33
Section 96 Leave for forensic patients and correctional patients in emergencies or special circumstances		34 35
	Omit section 96(3). Insert instead—	36
(3)	The Secretary must not allow a patient to be absent from a mental health facility if, in the same or similar circumstances—	37 38

(a)	for a forensic patient—the Tribunal has refused to make an order allowing the patient to be absent from a mental health facility, or	1 2
(b)	for a correctional patient—the Commissioner of Corrective Services has refused to make an order allowing the patient to be absent from a mental health facility.	3 4 5
1.16	Pesticides Act 1999 No 80	6
[1]	Section 38 Making of pesticide control order	7
	Omit “National Registration Authority” from section 38(2). Insert instead “APVMA”.	8
[2]	Section 38(6)	9
	Omit the subsection. Insert instead—	10
(6)	In this section—	11
	<i>APVMA</i> has the same meaning as it has in <i>Agricultural and Veterinary Chemicals (New South Wales) Act 1994</i> .	12 13
1.17	Plantations and Reafforestation Act 1999 No 97	14
[1]	Section 7 Land excluded from operation of Act	15
	Omit “Part 3 of the <i>Threatened Species Conservation Act 1995</i> or” from section 7(1)(i).	16
[2]	Section 7(1)(l)	17
	Insert after section 7(1)(k)—	18
(l)	land in a declared area of outstanding biodiversity value within the meaning of the <i>Biodiversity Conservation Act 2016</i> .	19 20
[3]	Section 15 Provisions relating to threatened species conservation	21
	Omit “ <i>National Parks and Wildlife Act 1974</i> ” from section 15(5)(a).	22
	Insert instead “ <i>Biodiversity Conservation Act 2016</i> ”.	23
[4]	Section 27 Content of Code	24
	Omit section 27(2)(f). Insert instead—	25
(f)	The conservation of—	26
(i)	threatened species, populations and ecological communities, and their habitats, and	27 28
(ii)	critical habitats.	29
(f1)	The conservation of threatened species and threatened ecological communities, and their habitats, within the meaning of the <i>Biodiversity Conservation Act 2016</i> .	30 31 32
[5]	Section 27(3)	33
	Insert after section 27(2)—	34
(3)	In subsection (2)(f)—	35
	<i>critical habitat</i> has the same meaning as in the <i>Fisheries Management Act 1994</i> , Part 7A.	36 37
	<i>habitat</i> has the same meaning as in the <i>Fisheries Management Act 1994</i> .	38
	<i>threatened species, populations and ecological communities</i> has the same meaning as in the <i>Fisheries Management Act 1994</i> , Part 7A.	39 40

[6] Section 32 Meaning of unique or special wildlife values	1
Omit “species presumed extinct (within the meaning of the <i>Threatened Species Conservation Act 1995</i>)” from section 32(2)(a).	2 3
Insert instead “extinct species, within the meaning of the <i>Biodiversity Conservation Act 2016</i> ”.	4 5
[7] Section 34 Evaluation of impact on unique or special wildlife values	6
Omit “The Minister is to notify the Minister administering the <i>National Parks and Wildlife Act 1974</i> of those arrangements.” from section 34(1).	7 8
[8] Section 34(1A)	9
Insert after section 34(1)—	10
(1A) The Minister must notify the Minister administering the <i>Biodiversity Conservation Act 2016</i> of the arrangements made under subsection (1).	11 12
[9] Section 48, heading	13
Omit “ Threatened Species Conservation Act 1995 ”.	14
Insert instead “ Biodiversity Conservation Act 2016 ”.	15
[10] Section 48(1)	16
Omit the subsection. Insert instead—	17
(1) A person carrying out plantation operations on an authorised plantation is exempt from the <i>Biodiversity Conservation Act 2016</i> , sections 2.1–2.4.	18 19
[11] Section 48(3)	20
Omit section 48(3) and (4). Insert instead—	21
(3) The following orders must not be made to prevent or interfere with the carrying out of plantation operations on an authorised plantation—	22 23
(a) a stop work order or interim protection order within the meaning of the <i>Biodiversity Conservation Act 2016</i> , Part 11,	24 25
(b) a stop work order under the <i>National Parks and Wildlife Act 1974</i> , Part 6A, Division 1,	26 27
(c) an interim protection order within the meaning of the <i>National Parks and Wildlife Act 1974</i> .	28 29
1.18 Plastic Reduction and Circular Economy Act 2021 No 31	30
[1] Section 7 Prohibited plastic items	31
Omit section 7(1). Insert instead—	32
(1) In this Act—	33
<i>prohibited plastic item</i> means a plastic item that is—	34
(a) specified in Schedule 1, Part 1, or	35
(b) prescribed by the regulations.	36
[2] Section 7(2)	37
Omit “A plastic item is taken to be unnecessary or problematic if”.	38

Insert instead “The Minister must not recommend the making of a regulation to prescribe a prohibited plastic item unless”.	1 2
[3] Schedule 1 Prohibited items and design standards	3
Omit “sections 7(1)(b) and 8(3)”. Insert instead “sections 7(1) and 8(3)”.	4
1.19 Property and Stock Agents Act 2002 No 66	5
[1] Section 116 Duties of auditors	6
Omit section 116(3).	7
[2] Section 116A	8
Insert after section 116—	9
116A Secretary must make audit reports available to other auditors	10
(1) The Secretary must make an audit report about a person available for inspection by an auditor appointed to make a subsequent audit of the records and documents of the person.	11 12 13
(2) In this section—	14
<i>audit</i> means an audit carried out for the purposes of this Division.	15
<i>audit report</i> means a report on an audit received under section 116(1).	16
1.20 Protection of the Environment Operations Act 1997 No 156	17
[1] Section 6 Appropriate regulatory authority	18
Omit “the Marine Parks Authority and certain other” from the note.	19
Insert instead “certain”.	20
[2] Section 167A False or misleading information	21
Omit “gives” wherever occurring in section 167A(1) and (3). Insert instead “supplies”.	22
[3] Section 287 Appeals regarding licence applications and licences	23
Omit section 287(1). Insert instead—	24
(1) The following persons aggrieved by a decision of the appropriate regulatory authority about a licence or licence application may, within the prescribed period, appeal the decision to the Land and Environment Court—	25 26 27
(a) for a licence—a person who has held the licence,	28
(b) for a licence application—the applicant.	29
[4] Section 287(7)	30
Insert after section 287(6)—	31
(7) In this section—	32
<i>prescribed period</i> , for a person, means—	33
(a) the period prescribed by the regulations, or	34
(b) if no period is prescribed—	35
(i) 21 days after the person is given notice of the decision of the appropriate regulatory authority, or	36 37

(ii)	21 days after the person’s licence application is taken to have been refused under subsection (3).	1 2
1.21	Public Works and Procurement Act 1912 No 45	3
	Section 177 Delegation of functions by government agencies	4
	Omit section 177(c). Insert instead—	5
(c)	the following—	6
(i)	a provision of Division 5,	7
(ii)	section 176G,	8
(iii)	regulations made under section 178(1A)(a).	9
1.22	Subordinate Legislation Act 1989 No 146	10
[1]	Schedule 5 Further postponement of repeal of statutory rules	11
	Omit “ <i>Poisons, Therapeutic Goods Act 1966</i> ” from clause 1.	12
	Insert instead “ <i>Poisons and Therapeutic Goods Act 1966</i> ”.	13
[2]	Schedule 5	14
	Omit clause 3. Insert instead—	15
3	Postponement of repeal of statutory rules until 1 September 2024	16
	The following statutory rules remain in force until 1 September 2024, unless sooner repealed—	17 18
(a)	<i>Boarding Houses Regulation 2013,</i>	19
(b)	<i>Explosives Regulation 2013,</i>	20
(c)	<i>Fiscal Responsibility Regulation 2013,</i>	21
(d)	<i>Heritage Regulation 2012,</i>	22
(e)	<i>Prevention of Cruelty to Animals Regulation 2012,</i>	23
(f)	<i>Public Interest Disclosures Regulation 2011,</i>	24
(g)	<i>Radiation Control Regulation 2013,</i>	25
(h)	<i>Statutory and Other Offices Remuneration (Judicial and Other Office Holders) Regulation 2013,</i>	26 27
(i)	<i>Veterinary Practice Regulation 2013.</i>	28
4	Postponement of repeal of Child Protection (Working with Children) Regulation 2013	29 30
	The <i>Child Protection (Working with Children) Regulation 2013</i> remains in force until 1 September 2025, unless sooner repealed.	31 32
1.23	Victims Rights and Support Act 2013 No 37	33
[1]	Section 40 Time for making, and duration of, applications	34
	Omit “clause 8 (2) (b) or (d) of the <i>Victims Rights and Support Regulation 2013</i> ” from section 40(7).	35 36
	Insert instead “the <i>Victims Rights and Support Regulation 2019</i> , clause 10(3)(b) or (d)”.	37

[2] Section 113 Inadmissibility and use of certain evidence in subsequent legal proceedings	1
	2
Insert after section 113(3)—	3
(4) In this section—	4
<i>applicant</i> means a person who has made an application for—	5
(a) victims support under this Act, or	6
(b) statutory compensation or payment for approved counselling services under the <i>Victims Support and Rehabilitation Act 1996</i> .	7
	8

Schedule 2	Amendments by way of statute law revision— miscellaneous amendments	1 2
2.1	Aboriginal Land Rights Act 1983 No 42	3
	Section 132 Grounds for disqualification from office	4
	Renumber subparagraphs (a) and (b) as (i) and (ii) respectively in section 132(1)(f).	5
2.2	Casino Control Act 1992 No 15	6
[1]	Section 37B Revocation of interim approval of controlled contract	7
	Omit “given” from section 37B(4). Insert instead “give”.	8
[2]	Section 42A Requirement for approval of close associate	9
	Insert “or” at the end of section 42A(2)(b).	10
[3]	Section 42K Requirement for exempt close associate to notify NICC of change in circumstances	11 12
	Omit “am” from section 42K(1). Insert instead “an”.	13
2.3	Child Protection (Working with Children) Regulation 2013	14
	Clause 19A COVID-19 pandemic—repeal of special provisions	15
	Omit the clause.	16
2.4	Children and Young Persons (Care and Protection) Act 1998 No 157	17
[1]	Section 93 General nature of proceedings	18
	Omit “and (2),” from section 93(3). Insert instead “and (2),”.	19
[2]	Section 245I Commonwealth and interstate agencies	20
	Omit sections 245I(a1) and (b). Insert instead—	21
	(b) the Federal Circuit and Family Court of Australia,	22
2.5	Children (Community Service Orders) Act 1987 No 56	23
[1]	Section 9A COVID-19 pandemic—availability of work	24
	Omit the section.	25
[2]	Section 14A COVID-19 pandemic—presentation for work	26
	Omit the section.	27
2.6	Children (Community Service Orders) Regulation 2020	28
	Clause 16A COVID-19 pandemic—extension of prescribed period	29
	Omit the clause.	30

2.7 Children (Criminal Proceedings) Act 1987 No 55	1
[1] Part 4A Youth conduct orders	2
Omit the part.	3
[2] Section 50 Act is generally subject to Bail Act 2013	4
Omit “Subject to Part 4A, the”. Insert instead “The”.	5
2.8 Children (Detention Centres) Act 1987 No 57	6
Section 110 Visits to detention centres during COVID-19 pandemic	7
Omit the section.	8
2.9 Children (Detention Centres) Regulation 2015	9
Clause 157 COVID-19 pandemic—extension of prescribed period	10
Omit the clause.	11
2.10 Civil and Administrative Tribunal Act 2013 No 2	12
[1] Schedule 1 Savings, transitional and other provisions	13
Omit Part 5, Divisions 1–5, other than clause 31.	14
[2] Schedule 1, clause 31	15
Omit “during the prescribed period”.	16
Insert instead “during the period starting on 25 March 2020 and ending on 26 March 2022 (the <i>prescribed period</i>)”.	17
	18
2.11 Co-operative Schemes (Administrative Actions) Act 2001 No 45	19
Section 3 Definitions	20
Omit “, the Family Court of Australia or the Federal Circuit Court of Australia” from the definition of <i>Commonwealth authority</i> .	21
	22
Insert instead “or the Federal Circuit and Family Court of Australia”.	23
2.12 Corporations (Administrative Actions) Act 2001 No 33	24
Section 3 Definitions	25
Omit “, the Family Court of Australia or the Federal Circuit Court of Australia” from the definition of <i>Commonwealth authority</i> .	26
	27
Insert instead “or the Federal Circuit and Family Court of Australia”.	28
2.13 Court Security Regulation 2021	29
Clause 7A COVID-19 pandemic—repeal of special provisions	30
Omit the clause.	31

2.14 Crimes Act 1900 No 40	1
Section 193E Alternative verdicts	2
Omit “section 193BA(1) or (2)” from section 193E(1).	3
Insert instead “section 193BA(1) or (3)”.	4
2.15 Crimes (Administration of Sentences) Act 1999 No 93	5
[1] Section 77 Attendance of inmates before courts and court officers	6
Omit section 77(5), definition of <i>court</i> , paragraphs (c) and (d). Insert instead—	7
(c) the Federal Circuit and Family Court of Australia,	8
[2] Part 15 Special provisions for COVID-19 pandemic	9
Omit the part.	10
2.16 Crimes (Domestic and Personal Violence) Act 2007 No 80	11
Section 29 Provisional order taken to be application for court order	12
Omit section 29(4) and (5).	13
2.17 Crimes (Domestic and Personal Violence) Regulation 2019	14
Clause 5A COVID-19 pandemic—extension of prescribed period	15
Omit the clause.	16
2.18 Crimes (Sentencing Procedure) Act 1999 No 92	17
Section 10 Dismissal of charges and conditional discharge of offender	18
Omit “Part 4 of the <i>Victims Compensation Act 1996</i> ” from section 10(4)(b).	19
Insert instead “the <i>Victims Rights and Support Act 2013</i> , Part 6”.	20
2.19 Criminal Procedure Act 1986 No 209	21
[1] Section 200 When court may require prosecution to provide additional evidence	22
Omit “Division 3 of Part 2 of Chapter 3” from section 200(2)(a).	23
Insert instead “Chapter 6, Part 3A”.	24
[2] Section 200(2)(a)	25
Omit “under that Division”. Insert instead “under that part”.	26
[3] Schedule 2 Savings, transitional and other provisions	27
Omit “Victims Services in the Department of Justice” from Schedule 2, clause 89(1).	28
Insert instead “The Department of Communities and Justice”.	29
2.20 Criminal Procedure Regulation 2017	30
[1] Clause 110 Suspension or revocation of inclusion of children’s champions on panel	31
Omit “Victims Services in the”. Insert instead “The”.	32

[2] Clause 120 COVID-19 pandemic—repeal of special provisions	1
Omit the clause.	2
2.21 Crown Land Management Act 2016 No 58	3
Schedule 4 Purchaseable leases	4
Omit “Family Court” from clause 24(5), definition of <i>transfer</i> , paragraph (f).	5
Insert instead “Federal Circuit and Family Court of Australia (Division 1)”.	6
2.22 Drug Misuse and Trafficking Act 1985 No 226	7
Schedule 1	8
Omit “0.125g” from Column 4 of the matters relating to	9
N-Methyl-1-(3,4-methylenedioxyphenyl)-butanamine	10
N-Methyl-1-(3,4-methylenedioxyphenyl)-2-butanamine.	11
Insert instead “0.125kg”.	12
2.23 Drug Supply Prohibition Order Pilot Scheme Act 2020 No 39	13
Section 15 Oversight Commissioner	14
Omit “and” from subsection (3)(a). Insert instead “or”.	15
2.24 Electronic Transactions (ECM Courts) Order 2005	16
Clause 3 Definitions	17
Omit “Court” from clause 3(1), definition of <i>DCFA</i> . Insert instead “Case”.	18
2.25 Electronic Transactions Regulation 2017	19
Clause 8B COVID-19 pandemic—repeal of special provisions	20
Omit the clause.	21
2.26 Environmental Planning and Assessment Act 1979 No 203	22
Section 4.17 Imposition of conditions	23
Omit “section 97” from section 4.17(3). Insert instead “section 8.7”.	24
2.27 Environmental Planning and Assessment Regulation 2021	25
[1] Section 137 Compliance with Building Code of Australia	26
Omit “to to” from section 137(5). Insert instead “to”.	27
[2] Schedule 3 Designated development	28
Re-number paragraphs (i) and (ii) as (a) and (b) respectively in section 45(4A).	29
2.28 Evidence (Audio and Audio Visual Links) Act 1998 No 105	30
Sections 22B and 22C	31
Omit the sections.	32

2.29 Evidence (Audio and Audio Visual Links) Regulation 2015	1
Clauses 4A and 4B	2
Omit the clauses.	3
2.30 Government Sector Finance Act 2018 No 55	4
Schedule 1 Savings, transitional and other provisions	5
ReNUMBER clause 32 (Extension of deemed appropriation money) as clause 32A.	6
2.31 Health Practitioner Regulation National Law Regulation 2018	7
Clause 19 Miscellaneous modifications	8
Omit “Federal Circuit Court of Australia” from clause 19(d)(iii).	9
Insert instead “Federal Circuit and Family Court of Australia (Division 2)”.	10
2.32 Interpretation Act 1987 No 15	11
Section 21 Meanings of commonly used words and expressions	12
Insert in alphabetical order in section 21(1)—	13
<i>Federal Circuit and Family Court of Australia</i> has the same meaning as in	14
the <i>Federal Circuit and Family Court of Australia Act 2021</i> of the	15
Commonwealth.	16
2.33 Jurisdiction of Courts (Cross-vesting) Act 1987 No 125	17
[1] Preamble, sections 5(1) and (4)(a), 6A(2) and (3), 7(1), (2), (4)(a) and (6), 8(1)(b)(i) and 16(4)	18
Omit “Family Court” wherever occurring.	19
Insert instead “Federal Circuit and Family Court of Australia”.	20
[2] Section 3 Definitions	21
Omit section 3(1), definition of <i>Family Court</i> .	22
2.34 Law Enforcement Conduct Commission Act 2016 No 61	23
Section 5 References to special legal qualifications	24
Omit “Family Court of Australia” from section 5, note.	25
Insert instead “Federal Circuit and Family Court of Australia (Division 1)”.	26
2.35 Local Government Act 1993 No 30	27
[1] Section 52, heading	28
Omit “sec 28”. Insert instead “EPA Act, s 31.6”.	29
[2] Section 52	30
Omit “section 28” wherever occurring. Insert instead “section 3.16”.	31
	32

2.36 Mining Act 1992 No 29	1
Section 73 Rights under mining lease	2
Renumber section 73(9) as section 73(3).	3
2.37 NSW Reconstruction Authority Act 2022 No 80	4
[1] Section 10 Functions	5
Omit “Minster” from section 10(1)(b)(i). Insert instead “Minister”.	6
[2] Section 45 Particular powers of Authority in relation to declarations	7
Omit “by compulsory acquisition under” from section 45(a)(ii).	8
Insert instead “by compulsory process in accordance with”.	9
2.38 Oaths Act 1900 No 20	10
[1] Section 21 Declarations in cases not specifically provided for	11
Omit section 21(3), definition of <i>federal judicial officer</i> , paragraphs (b) and (c). Insert instead—	12
(b) a Judge of the Federal Circuit and Family Court of Australia.	13
[2] Section 34 Identification of person making statutory declaration or affidavit	14
Omit section 34(4A)(a)(iii) and (iv). Insert instead—	15
(iii) the Federal Circuit and Family Court of Australia, or	16
2.39 Privacy and Personal Information Protection Act 1998 No 133	17
Section 61A Annual report	18
Insert “to” after “is” in section 61A(3).	19
2.40 Private Health Facilities Regulation 2017	20
Clause 23A COVID-19 pandemic—repeal of special provisions	21
Omit the clause.	22
2.41 Property (Relationships) Act 1984 No 147	23
[1] Section 22, heading	24
Omit “Family Court of Australia”.	25
Insert instead “Federal Circuit and Family Court of Australia (Division 1)”.	26
[2] Section 22	27
Omit “Family Court of Australia” from section 22(1).	28
Insert instead “Federal Circuit and Family Court of Australia (Division 1)”.	29
2.42 Protection of the Environment Operations (Clean Air) Regulation 2022	30
Section 123 Records for prescribed blended patrol	31
Omit “(1)”.	32
	33

2.43 Residential Tenancies Act 2010 No 42	1
Section 186A Regulations may establish rental bond roll-over scheme	2
Omit “not been not” from section 186A(2)(g)(i). Insert instead “not been”.	3
2.44 Retirement Villages Act 1999 No 81	4
Section 197B Provision, sharing and publication of relevant village information	5
Omit “resident right types” from section 197B(3), definition of <i>relevant village information</i> , paragraph (d).	6
Insert instead “residence right types”.	7
2.45 Road Transport (Vehicle Registration) Regulation 2017	9
Clause 45 Suspension or cancellation of registration by TfNSW	10
Omit “section 2.8.” from section 45(1)(d), note. Insert instead “section 2.8”.	11
2.46 Sheriff Act 2005 No 6	12
Section 7C COVID-19 pandemic—powers when assisting in COVID-19 response	13
Omit the section.	14
2.47 State Environmental Planning Policy (Precincts—Regional) 2021	15
[1] Schedule 1E Complying development—Chapter 3	16
Rename section 20 (Construction safety) as section 21.	17
[2] Schedule 1E	18
Rename section 21 (Transport of hazardous materials, emergencies and safety management) as section 22.	19
2.48 Succession Act 2006 No 80	21
[1] Section 13 What is the effect of divorce or an annulment on a will?	22
Omit “Family Court of Australia” from section 13(6), definition of <i>annulment</i> , paragraph (a).	23
Insert instead “Federal Circuit and Family Court of Australia (Division 1)”.	24
[2] Section 13(6), definition of “divorce”, paragraph (b)	26
Omit “Family Court of Australia”.	27
Insert instead “Federal Circuit and Family Court of Australia (Division 1)”.	28
2.49 Surveillance Devices Act 2007 No 64	29
Section 51A Surveillance Devices Commissioner	30
Omit “and” from subsection (3)(a). Insert instead “or”.	31

2.50 Sydney Public Reserves (Public Safety) Act 2017 No 35	1
Section 8 Seizure and removal of things to remove or remedy interference or unlawful occupation	2
Omit “ <i>Impounding Act 1993</i> ” from section 8(5).	3
Insert instead “ <i>Public Spaces (Unattended Property) Act 2021</i> ”.	4
2.51 Victims Rights and Support Regulation 2019	6
[1] Clause 10 Primary victims	7
Omit “loss of actual earnings” from clause 10(3)(a) and (b), wherever occurring.	8
Insert instead “actual loss of earnings”.	9
[2] Clause 11 Parent, step-parent or guardian of primary victim	10
Omit “loss of actual earnings” from clause 11(2)(a) and (b), wherever occurring.	11
Insert instead “actual loss of earnings”.	12
2.52 Voluntary Assisted Dying Act 2022 No 17	13
[1] Section 144 Chairperson and deputy chairperson	14
Omit “and” from subsection (1)(a). Insert instead “or”.	15
[2] Schedule 1A Consequential amendment of other Acts	16
Omit “section 42(1A)(b)” from Schedule 1A.1[2], section 49, proposed subsection (3A).	17
Insert instead “section 42(3)(b)”.	18
2.53 Water Management (General) Regulation 2018	19
Part 2 Access licences	20
Re-number clause 23A as clause 23AA.	21
2.54 Water Sharing Plan for the Barwon-Darling Unregulated River Water Source 2012	22
Clause 71 General	23
Re-number clause 71(2)(a)i.–iii. as clause 71(2)(a)(i)–(iii).	24
2.55 Water Sharing Plan for the Macquarie and Cudgegong Regulated Rivers Water Source 2016	26
[1] Clause 4 Application of Plan	27
Omit “the Act,” from section 4(2), note 1. Insert instead “the Act.”.	28
[2] Clause 10 Economic objectives	29
Omit “water- dependent” from clause 10(2)(b). Insert instead “water-dependent”.	30
[3] Clause 10(6)(a)	31
Omit “complied with”. Insert instead “complied with,”.	32
	33

[4] Clause 12 Social and cultural objectives	1
Omit “new licences” from clause 12(6)(d). Insert instead “new licences,”.	2
[5] Clause 13 Bulk access regime	3
Omit “the the” from clause 13(2)(b). Insert instead “the”.	4
[6] Part 4 Environmental water provisions	5
Omit “sections” from Part 4, note. Insert instead “section”.	6
[7] Clause 30 Assessment of compliance with the long-term average annual extraction limit	7
Omit “extractionlimit” from clause 30(1). Insert instead “extraction limit”.	8
[8] Clause 34 Action following non-compliance	10
Omit “licences,” from section 34(5). Insert instead “licences.”.	11
[9] Part 7 Rules for granting access licences and water supply work approvals	12
Omit “theAct” from Part 7, note 1. Insert instead “the Act”.	13
[10] Clause 43, heading	14
Omit “flood-dependant”. Insert instead “flood-dependent”.	15
[11] Clause 43(5)	16
Omit “apply””. Insert instead “apply—”.	17
[12] Clause 54 Announcement of supplementary water event	18
Omit “Minster’s opinion” from clause 54(2)(c). Insert instead “Minister’s opinion,”.	19
[13] Clause 55 Taking of uncontrolled flows under floodplain harvesting (regulated river) access licences	20
Omit “theAct” from clause 55, note 1. Insert instead “the Act”.	21
[14] Clause 60 Assignment of rights dealings (within the water source or within a water management area)	23
Omit “determined.” from Table A wherever occurring. Insert instead “determined”.	24
[15] Clause 60	26
Renumber clause 60(5) as clause 60(4).	27
[16] Clause 62 Assignment of water allocations dealings	28
Omit “(1)”.	29
[17] Clause 67 General	30
Omit “2022”. Insert instead “2022”.	31
[18] Clause 74 Release rules for translucent sub-allowance water	32
Omit “subclauses (2),” from 74(6), note 2. Insert instead “subclauses (2)”.	33
[19] Clause 102 Other amendments (general)	34
Omit “Sources” from clause 102(3)(a). Insert instead “Sources,”.	35

[20] Dictionary	1
Omit “Plan” from the definition of <i>SDL adjustment amount</i> . Insert instead “Plan.”.	2
2.56 Water Sharing Plan for the Murrumbidgee Regulated River Water Source 2016	3
	4
[1] Clause 9 Economic objectives	5
Insert “of” after “Chapter 3” in clause 9(2)(a), note.	6
[2] Clause 17 Application	7
Omit “rights () and” from clause 17(1). Insert instead “rights and”.	8
[3] Clause 72 Maintenance of water supply	9
Omit “licence, and” from clause 72(5)(c). Insert instead “licence.”.	10
2.57 Water Sharing Plan for the New South Wales Murray and Lower Darling Regulated Rivers Water Sources 2016	11
	12
[1] Clause 11 Social and cultural objectives	13
Omit “(d) the” from clause 11(5)(d). Insert instead “the”.	14
[2] Clause 39 Available water determinations for regulated river (general security) access licences	15
	16
Omit “(referred” from clause 39(2)(g)(ii). Insert instead “referred”.	17
[3] Clause 68 Priority of delivery for access licences and EWA water	18
Omit “(EWA” from clause 68(1)(c)(iv). Insert instead “EWA”.	19
[4] Clause 77 General	20
Omit “(1) For”. Insert instead “For”.	21
[5] Dictionary	22
Omit “relevant” from definition of <i>EWA</i> . Insert instead “relevant.”.	23

Schedule 3 Amendments relating to interpretation

3.1 Interpretation Act 1987 No 15

[1] Section 3 Definitions

Insert after section 3(2)—

- (3) The Dictionary in Schedule 4 defines certain terms used in Acts and instruments.

[2] Section 21, heading

Omit the heading. Insert instead—

21 References to Colony and punishments for offences

[3] Section 21(1)

Insert in alphabetical order—

Ageing and Disability Commissioner means the Ageing and Disability Commissioner under the *Ageing and Disability Commissioner Act 2019*.

Ambulance Service of NSW means the Ambulance Service of NSW under the *Health Services Act 1997*.

Anti-Discrimination Board means the Anti-Discrimination Board under the *Anti-Discrimination Act 1977*.

Auditor-General means the Auditor-General under the *Government Sector Audit Act 1983*.

Chief Commissioner of State Revenue means the Chief Commissioner of State Revenue under the *Taxation Administration Act 1996*.

Children's Court means the Children's Court of New South Wales under the *Children's Court Act 1987*.

Children's Guardian means the Children's Guardian under the *Children's Guardian Act 2019*.

Civil and Administrative Tribunal means the Civil and Administrative Tribunal of New South Wales under the *Civil and Administrative Tribunal Act 2013*.

Commissioner of Fire and Rescue NSW means the Commissioner under the *Fire and Rescue NSW Act 1989*.

Commissioner of Police means the Commissioner of Police under the *Police Act 1990*.

Court of Appeal means the Court of Appeal under the *Supreme Court Act 1970*, Part 2, Division 6.

Court of Criminal Appeal means the Court of Criminal Appeal under the *Criminal Appeal Act 1912*.

Crown Prosecutor means a Crown Prosecutor under the *Crown Prosecutors Act 1986*.

Director of Public Prosecutions means the Director of Public Prosecutions under the *Director of Public Prosecutions Act 1986*.

District Court means the District Court of New South Wales under the *District Court Act 1973*.

Drug Court means the Drug Court of New South Wales under the *Drug Court Act 1998*.

Dust Diseases Tribunal means the Dust Diseases Tribunal of New South Wales under the <i>Dust Diseases Tribunal Act 1989</i> .	1
	2
Electoral Commissioner means the Electoral Commissioner under the <i>Electoral Act 2017</i> .	3
	4
Health Care Complaints Commission means the Health Care Complaints Commission under the <i>Health Care Complaints Act 1993</i> .	5
	6
ICAC or Independent Commission Against Corruption means the Independent Commission Against Corruption under the <i>Independent Commission Against Corruption Act 1988</i> .	7
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	9
Industrial Relations Commission means the Industrial Relations Commission of New South Wales under the <i>Industrial Relations Act 1996</i> .	10
	11
Information Commissioner means the Information Commissioner under the <i>Government Information (Information Commissioner) Act 2009</i> .	12
	13
Inspector of Custodial Services means the Inspector of Custodial Services under the <i>Inspector of Custodial Services Act 2012</i> .	14
	15
Inspector of the Independent Commission Against Corruption means the Inspector of the Independent Commission Against Corruption under the <i>Independent Commission Against Corruption Act 1988</i> .	16
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	18
IPART or Independent Pricing and Regulatory Tribunal means the Independent Pricing and Regulatory Tribunal of New South Wales under the <i>Independent Pricing and Regulatory Tribunal Act 1992</i> .	19
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	21
Land and Environment Court means the Land and Environment Court under the <i>Land and Environment Court Act 1979</i> .	22
	23
Law Enforcement Conduct Commission means the Law Enforcement Conduct Commission under the <i>Law Enforcement Conduct Commission Act 2016</i> .	24
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	26
Mental Health Review Tribunal means the Mental Health Review Tribunal under the <i>Mental Health Act 2007</i> .	27
	28
New South Wales Crime Commission means the New South Wales Crime Commission under the <i>Crime Commission Act 2012</i> .	29
	30
NICC or NSW Independent Casino Commission means the NSW Independent Casino Commission under the <i>Casino Control Act 1992</i> .	31
	32
NSW Rural Fire Service means the NSW Rural Fire Service under the <i>Rural Fires Act 1997</i> .	33
	34
NSW Trustee and Guardian means the NSW Trustee and Guardian under the <i>NSW Trustee and Guardian Act 2009</i> .	35
	36
Ombudsman means the Ombudsman under the <i>Ombudsman Act 1974</i> .	37
Privacy Commissioner means the Privacy Commissioner under the <i>Privacy and Personal Information Protection Act 1998</i> .	38
	39
Registrar of Births, Deaths and Marriages means the Registrar under the <i>Births, Deaths and Marriages Registration Act 1995</i> .	40
	41
Service NSW means Service NSW under the <i>Service NSW (One-stop Access to Government Services) Act 2013</i> .	42
	43
Sheriff means the Sheriff under the <i>Sheriff Act 2005</i> .	44
State Emergency Service means the NSW State Emergency Service under the <i>State Emergency Service Act 1989</i> .	45
	46
Supreme Court means the Supreme Court of New South Wales under the <i>Supreme Court Act 1970</i> .	47
	48
Surveyor-General means the Surveyor-General under the <i>Surveying and Spatial Information Act 2002</i> .	49
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	<i>Valuer-General</i> means the Valuer-General under the <i>Valuation of Land Act 1916</i> .	1 2
[4]	Section 45B Definitions Omit the definition of <i>NSW legislation website</i> .	3 4
[5]	Section 69B References to Standards Association of Australia Omit the section.	5 6
[6]	Schedule 4 Dictionary Re-number section 21(1), as amended by Schedule 2.32 and this Schedule, item [3], as Schedule 4 Dictionary and relocate to after Schedule 3.	7 8 9
3.2	AGL Corporate Conversion Act 2002 No 16	10
	Section 4 Definitions Omit “Section 21 (1) of the” from section 4(1), definition of <i>instrument</i> , note. Insert instead “The”.	11 12 13
3.3	Building and Construction Industry Long Service Payments Act 1986 No 19	14 15
	Section 58 Power of entry and inspection Omit “section 21 (1) of” from section 58(2A)(b).	16 17
3.4	Community Gaming Act 2018 No 60	18
	Section 4 Definitions Omit “, section 21” from section 4(1), definition of <i>body</i> , note.	19 20
3.5	Contract Cleaning Industry (Portable Long Service Leave Scheme) Act 2010 No 122	21 22
	Section 91 Powers to inspect and seize things Omit “section 21 (1) of” from section 91(3)(b).	23 24
3.6	Crimes (Administration of Sentences) Regulation 2014	25
	Clause 174 Preservation of scenes of serious indictable offences and serious incidents Omit “Section 21 of the” from clause 174, note. Insert instead “The”.	26 27 28
3.7	Crimes (Serious Crime Prevention Orders) Act 2016 No 15	29
	Section 10 Dissolution of partnerships Omit “section 21 (1) of” from section 10(1), note.	30 31
3.8	Energy and Utilities Administration Act 1987 No 103	32
	Schedule 3 Coal Market Price Emergency Omit “, section 21” from Schedule 3, clause 16(8), note.	33 34

3.9 Entertainment Industry Act 2013 No 73	1
Section 43 Civil penalty for breaches	2
Omit “Section 21 of the” from section 43, note. Insert instead “The”.	3
3.10 Government Sector Finance Act 2018 No 55	4
Sections 2.1(1), note and 6.2(1), note	5
Omit “Section 21 (1) of the” wherever occurring. Insert instead “The”.	6
3.11 Health Care Complaints Act 1993 No 105	7
Section 4 Definitions	8
Omit “Section 21(1) of the” from section 4, definition of <i>relevant health organisation</i> , note.	9
Insert instead “The”.	10
3.12 Health Care Liability Act 2001 No 42	12
Section 4 Definitions	13
Omit section 4(1), definition of <i>health care provider</i> , note.	14
3.13 Health Services Act 1997 No 154	15
Section 103 Appeal rights	16
Omit “Section 21(1) of the” from section 103(2), note. Insert instead “The”.	17
3.14 Industrial Relations Act 1996 No 17	18
Section 357 Civil penalty for breach of industrial instruments	19
Omit “Section 21 of the” from section 357(1), note. Insert instead “The”.	20
3.15 James Hardie (Civil Liability) Act 2005 No 106	21
Section 6 Act to bind State and other jurisdictions	22
Omit “Section 21 (1) of the” from section 6(1), note. Insert instead “The”.	23
3.16 James Hardie Former Subsidiaries (Winding up and Administration) Act 2005 No 105	24
Section 7 Act to bind State and other jurisdictions	25
Omit “Section 21 (1) of the” from section 7(1), note. Insert instead “The”.	26
3.17 Law Enforcement Conduct Commission Act 2016 No 61	28
Section 114 Commission may monitor conduct of critical incident investigation	29
Omit “Section 21 of the” from section 114(3)(d), note. Insert instead “The”.	30

3.18 Marine Safety Act 1998 No 121	1
Schedule 1A, clauses 2(1), note and 3(1), note	2
Omit “section 21 of” wherever occurring.	3
3.19 Local Government Act 1993 No 30	4
Section 45 What dealings can a council have in community land?	5
Omit “, section 21(1)” from section 45(3), note.	6
3.20 National Parks and Wildlife Act 1974 No 80	7
Section 82A Meanings of “carbon sequestration” and “carbon sequestration right”	8
Omit “, section 21(1)” from section 82A(3), note.	9
3.21 Personal Injury Commission Act 2020 No 18	10
Section 20 Commission rules	11
Omit “section 21 of” from section 20(1), note.	12
3.22 Protection of the Environment Operations Act 1997 No 156	13
Section 253 Restraint of breaches of an Act or statutory rules that harm the environment	14
Omit “section 21 of” from section 253(1), note	15
3.23 Public Interest Disclosures Act 2022 No 14	16
Section 6 Legal personality and responsibilities of agency head	17
Omit “, section 21(1)” from section 6(1), note.	18
3.24 Residential (Land Lease) Communities Act 2013 No 97	19
Section 114 Operator to hold money in trust	20
Omit “, section 21,” from section 114, note.	21
3.25 Road Transport Act 2013 No 18	22
[1] Section 14 General relationship with other laws	23
Omit “section 21(1) of” from section 14, note.	24
[2] Sections 18(1), note, 19(1), note, 45, note, 134(1), note and 143(10), note	25
Omit “section 21 of” wherever occurring.	26
3.26 State Debt Recovery Act 2018 No 11	27
Section 11 Debt recovery action cannot be taken against minors	28
Omit “Section 21 (1) of the” from section 11, note. Insert instead “The”.	29
	30

3.27 Succession Act 2006 No 80	1
[1] Section 3 Definitions	2
Omit “that it is given by section 21 of” from section 3(1), definition of <i>document</i> , paragraph (a).	3
Insert instead “as it has in”.	4
[2] Section 14 How a will may be altered	6
Omit “Section 21 of the” from section 14, note. Insert instead “The”.	7
3.28 Superannuation Administration Act 1996 No 39	8
Schedule 2A Conversion of FSS Trustee Corporation into proprietary company	9
Omit “Section 21 (1) of the” from Schedule 2A, clause 1(1), definition of <i>instrument</i> , note.	10
Insert instead “The”.	11
3.29 Water Management (General) Regulation 2018	12
Clauses 244(2B), note and 244A(2), note	13
Omit “Section 21 of the” wherever occurring. Insert instead “The”.	14

Schedule 4	General savings, transitional and other provisions	1
		2
1	Effect of amendment of amending provisions	3
(1)	An amendment made by Schedule 1 to an amending provision contained in an Act or instrument is, if the amending provision has commenced before the Schedule 1 amendment, taken to have effect as from the commencement of the amending provision, whether or not the amending provision has been repealed.	4 5 6 7
(2)	In this section—	8
	amending provision means a provision of an Act or instrument that makes a direct amendment to an Act or instrument by—	9 10
(a)	the repeal or omission of matter contained in the amended Act or instrument without the insertion of matter instead of the repealed or omitted matter, or	11 12
(b)	the omission of matter contained in the amended Act or instrument and the insertion of matter instead of the omitted matter, or	13 14
(c)	the insertion into the amended Act or instrument of matter, not being matter inserted instead of matter omitted from the Act or instrument.	15 16
2	Effect of amendment or repeal on acts done or decisions made	17
	Unless expressly provided to the contrary, if this Act—	18
(a)	amends a provision of an Act or an instrument, or	19
(b)	repeals and re-enacts, with or without modification, a provision of an Act or an instrument,	20 21
	an 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 amended or repealed.	22 23 24
3	Effect of amendment on instruments	25
	Unless expressly provided to the contrary, an instrument made under an Act amended by this Act, that is in force immediately before the commencement of the amendment, is taken to have been made under the Act as amended.	26 27 28
4	Revocation of repeal	29
	The <i>Interpretation Act 1987</i> , section 29A applies to the repeal of Acts or instruments, or provisions of Acts or instruments, by this Act.	30 31
5	Regulations	32
(1)	The Governor may make regulations containing provisions of a savings or transitional nature consequent on the enactment of this Act.	33 34
(2)	The provisions may, if the regulations so provide, take effect from the date of assent to this Act or a later date.	35 36
(3)	To the extent to which the provisions take effect from a date that is earlier than the date of its publication on the NSW legislation website, the provision does not operate—	37 38 39
(a)	to affect, in a way prejudicial to a person, other than the State or an authority of the State, the rights of the person existing before the date of its publication, or	40 41 42

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| (b) | to impose liabilities on a 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. | 1 |
| | | 2 |
| | | 3 |