



New South Wales

Better Regulation Legislation Amendment Bill 2020

Explanatory note

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

Overview of Bill

The object of this Bill is to amend various Acts and regulations, and to repeal a regulation, administered by the Minister for Better Regulation and Innovation, including as follows—

- (a) to amend the *Motor Dealers and Repairers Act 2013*—
 - (i) to allow the Secretary to cancel licences issued due to misrepresentations or in error, and
 - (ii) to ensure that repair work for transport service vehicles is carried out by the holder of a motor vehicle repairer’s licence, and
 - (iii) to allow the regulations to specify the maximum amount of compensation payable from the Motor Dealers and Repairers Compensation Fund, and
 - (iv) to ensure that a person is not required to be licensed as a motor dealer to sell a trailer in connection with the sale of a second-hand boat,
- (b) to amend the *Gas and Electricity (Consumer Safety) Act 2017*—
 - (i) to expand investigation powers under that Act to include investigations into autogas installations, and
 - (ii) to enable the Minister to grant exemptions from the Act for certain gas appliances, gas installations and autogas installations, and
 - (iii) to make it clear that a person must hold the relevant trade certificate to carry out autogas work on an installation that is designed for use with liquefied natural gas,
- (c) to amend the *Pawnbrokers and Second-hand Dealers Act 1996* to allow the Secretary to grant exemptions from provisions of that Act,

- (d) to amend the *Contract Cleaning Industry (Portable Long Service Leave Scheme) Act 2010* with respect to the membership of the Long Service Leave Committee under that Act,
- (e) to amend the *Retail Trading Act 2008* with respect to the granting of exemptions from provisions of that Act,
- (f) to amend the *Charitable Fundraising Act 1991*, *Community Gaming Act 2018*, *Entertainment Industry Act 2013*, *Home Building Act 1989*, *Motor Dealers and Repairers Act 2013*, *Residential (Land Lease) Communities Act 2013* and *Residential Tenancies Act 2010* with respect to the execution of search warrants,
- (g) to amend the *Storage Liens Act 1935* to provide that unclaimed proceeds from the sale of goods under that Act are to be dealt with under the *Unclaimed Money Act 1995*,
- (h) to amend the *Residential Tenancies Act 2010* to require a landlord to disclose the jurisdiction in which they ordinarily reside,
- (i) to amend the *Property, Stock and Business Agents Act 2002* to ensure that proceedings for an indictable offence under the Act are not subject to the time limit in that Act for summary offences,
- (j) to make other amendments of a minor or consequential nature.

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.

Schedule 1 Amendments relating to motor dealers and repairers licences, repairs on transport service vehicles and the Motor Dealers and Repairers Compensation Fund

Schedule 1.1[1] provides that a person is not required to be licensed as a motor dealer in order to sell a boat trailer in connection with the sale of a second-hand boat.

Schedule 1.1[3] defines *transport service vehicle* as a motor vehicle used for the carriage of passengers or goods in connection with a business. **Schedule 1.1[2]** makes a consequential amendment.

Schedule 1.1[5] provides that it is an offence for the owner of a transport service vehicle or other person having control of a transport service vehicle to enter into an agreement for repair work to be done on the vehicle by a person who is not a licensed motor vehicle repairer. **Schedule 1.1[4] and [9]** make consequential amendments.

Schedule 1.1[7] provides that it is an offence for the owner of a transport service vehicle or other person having control of a transport service vehicle to permit an employee to do repair work on the vehicle, unless the person is qualified to do that work. **Schedule 1.1[6] and [9]** make consequential amendments.

Schedule 1.1[8] provides that the Secretary may cancel a licence issued under the Act if the Secretary is satisfied that the licence was issued as a result of a misrepresentation or error.

Schedule 1.1[10] removes the maximum amount of loss that may be certified by the Secretary in respect of a claim for compensation from the Motor Dealers and Repairers Compensation Fund, and provides that the maximum amount may be prescribed by the regulations.

Schedule 1.2 amends the *Motor Dealers and Repairers Regulation 2014* to prescribe the maximum amount of loss that may be certified by the Secretary in respect of a claim for compensation from the Motor Dealers and Repairers Compensation Fund to be \$40,000.

Schedule 2 Amendments relating to search warrants

Schedule 2.1–2.4 and 2.6–2.8 amend the *Charitable Fundraising Act 1991*, *Community Gaming Act 2018*, *Entertainment Industry Act 2013*, *Home Building Act 1989*, *Motor Dealers and Repairers Act 2013*, *Residential (Land Lease) Communities Act 2013* and *Residential Tenancies Act 2010*, respectively, by—

- (a) removing the requirement that a person executing a search warrant under those Acts must be accompanied by a police officer when doing so, and
- (b) making it clear that a police officer may accompany a person executing a search warrant under those Acts as if the police officer were named in the warrant.

Schedule 2.4 also amends the *Home Building Act 1989* to ensure that the provision of that Act relating to search warrants is consistent with equivalent provisions of the other Acts amended by Schedule 2. **Schedule 2.5** makes a consequential amendment.

Schedule 3 Amendments relating to unclaimed money under Storage Liens Act 1935

Schedule 3.1[1] amends the *Storage Liens Act 1935* to provide that the surplus (if any) remaining after the storer of goods sells the goods to settle a debt owed to the storer is to be dealt with as unclaimed money under the *Unclaimed Money Act 1995*, if it is not claimed within 14 days after the sale. **Schedule 3.2** makes a consequential amendment to the *Storage Liens Regulation 2019*.

Schedule 3.1[2] provides for the making of savings and transitional regulations consequent on the amendment of the *Storage Liens Act 1935* and provides that the amendment made by **Schedule 3.1[1]** does not extend to a surplus arising from goods sold before that amendment was made.

Schedule 4 Amendments relating to exemptions under Retail Trading Act 2008

Schedule 4.1[1] amends the *Retail Trading Act 2008* to provide that an application for an exemption from trading restrictions under that Act is to be in the form approved by the Secretary, rather than the form prescribed by the regulations.

Schedule 4.1[2] provides for the public exhibition of an application for an exemption from a trading restriction before the application is determined by the Secretary. **Schedule 4.2** repeals the *Retail Trading Regulation 2014* as a consequence.

Schedule 4.1[3] provides that clause 6 of the *Retail Trading Regulation 2014* continues to apply in respect of an application for an exemption made, but not finally determined, before the repeal of that Regulation.

Schedule 5 Amendments relating to landlords not ordinarily residing in New South Wales and standard form agreement

Schedule 5.1 amends the *Residential Tenancies Act 2010* to require a landlord who does not ordinarily reside in New South Wales to disclose the State, Territory or, if not in Australia, country in which the landlord ordinarily resides. **Schedule 5.2[1] and [2]** make consequential amendments to the standard form agreement under the *Residential Tenancies Regulation 2019*.

Schedule 5.2[3] and [4] make minor amendments in the nature of statute law revision.

Schedule 6 Amendments relating to exemptions under Pawnbrokers and Second-hand Dealers Act 1996

Schedule 6.1[1] amends the *Pawnbrokers and Second-hand Dealers Act 1996* to authorise the Secretary to grant exemptions from the operation of that Act or of specified provisions of that Act. **Schedule 6.1[2]** and **6.2** make consequential amendments.

Schedule 6.1[3] provides that existing exemptions, prescribed by the regulations, continue to apply.

Schedule 7 Miscellaneous amendments to other Acts

Contract Cleaning Industry (Portable Long Service Leave Scheme) Act 2010 No 122

Schedule 7.1[1] updates a reference to the United Workers Union (NSW Branch).

Schedule 7.1[2] provides that 2 of the members of the Long Service Leave Committee are to be persons who, in the opinion of the Minister, have knowledge of, and experience in, the contract cleaning industry. **Schedule 7.1[3]** makes a consequential amendment.

Gas and Electricity (Consumer Safety) Act 2017 No 15

Schedule 7.2[1] provides that an electrical installation under the *Gas and Electricity (Consumer Safety) Act 2017* (*the Act*) does not include meters that are used, or intended for use, in the generation, transmission or distribution of electricity and are owned by an electricity supply authority and located at a place owned or occupied by the authority.

Schedule 7.2[2] provides that regulations under the Act relating to the examination and testing of gas meters extend to gas meters associated with certain autogas installations or gas appliances in a workplace.

Schedule 7.2[3] authorises the Secretary to exempt persons from the operation of provisions of the Act relating to the sale and connection of gas appliances that have not been certified. **Schedule 7.2[5]** makes a consequential amendment.

Schedule 7.2[4] makes it clear that a person must hold the relevant trade certificate to carry out autogas work on an autogas installation that is designed for use with liquefied natural gas.

Schedule 7.2[6]–[25] expand the investigation and inspection powers set out in Division 2 of Part 7 of the Act to include the inspection and investigation of autogas installations.

Property, Stock and Business Agents Act 2002 No 66

Schedule 7.3 amends the *Property, Stock and Business Agents Act 2002* to ensure that the time limit for commencing proceedings for summary offences under that Act does not extend to the commencement of proceedings for an indictable offence (whether or not the proceedings are taken on indictment).



New South Wales

Better Regulation Legislation Amendment Bill 2020

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New South Wales

Better Regulation Legislation Amendment Bill 2020

No. , 2020

A Bill for

An Act to amend various Acts and Regulations administered by the Minister for Better Regulation and Innovation; and for related purposes.

The Legislature of New South Wales enacts—

1

1 Name of Act

2

This Act is the *Better Regulation Legislation Amendment Act 2020*.

3

2 Commencement

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This Act commences on the date of assent to this Act, except as follows—

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(a) Schedule 2.1 commences on the later of the following—

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(i) the date of assent to this Act,

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(ii) the commencement of Schedule 1[26] to the *Charitable Fundraising Amendment Act 2018*,

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(b) Schedules 3 and 7.2[3] and [5] commence on a day or days to be appointed by proclamation.

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Schedule 1	Amendments relating to motor dealers and repairers licences, repairs on transport service vehicles and the Motor Dealers and Repairers Compensation Fund	1
		2
		3
		4
1.1	Motor Dealers and Repairers Act 2013 No 107	5
[1]	Section 5 Motor dealers	6
	Insert after section 5(4)—	7
	(5) A person does not carry on the business of a motor dealer merely because the person sells a trailer for the conveyance of a second-hand boat sold by the person.	8 9 10
[2]	Section 10, heading	11
	Omit the heading. Insert instead—	12
	10 Definition	13
[3]	Section 10, definition of “transport service vehicle”	14
	Omit the definition of <i>transport service owner</i> .	15
	Insert instead—	16
	<i>transport service vehicle</i> means a motor vehicle used for the carriage of passengers or goods in connection with a business.	17 18
[4]	Section 15 Repair work must be done by licensed motor vehicle repairers	19
	Omit “or a transport service owner” from section 15(1).	20
[5]	Section 15(1A)	21
	Insert after section 15(1)—	22
	(1A) The owner of a transport service vehicle or other person having control of a transport service vehicle must not, in the course of business, enter into an agreement for any repair work to be done on the vehicle by a person who is not the holder of a motor vehicle repairer’s licence.	23 24 25 26
	Note. An offence against subsection (1A) committed by a corporation is an executive liability offence attracting executive liability for a director or other person involved in the management of the corporation—see section 159.	27 28 29
[6]	Section 16 Repair work must be done by holder of tradesperson’s certificate	30
	Omit “, a motor dealer or a transport service owner” from section 16(1).	31
	Insert instead “or a motor dealer”.	32
[7]	Section 16(1A)	33
	Insert after section 16(1)—	34
	(1A) The owner of a transport service vehicle or other person having control of a transport service vehicle must not permit an employee of the owner or person to do repair work on the vehicle unless the person doing the work—	35 36 37
	(a) holds a tradesperson’s certificate for a class of repair work that includes that work, or	38 39

(b)	is doing the work in the course of an apprenticeship or traineeship under the supervision of a person who holds a tradesperson’s certificate for a class of repair work that includes that work, or	1 2 3
(c)	is doing the work in other circumstances prescribed by the regulations for the purposes of this section.	4 5
	Note. An offence against subsection (1A) committed by a corporation is an executive liability offence attracting executive liability for a director or other person involved in the management of the corporation—see section 159.	6 7 8
[8]	Section 22A	9
	Insert after section 22—	10
	22A Revocation of licences by Secretary	11
(1)	The Secretary may, by notice in writing given to a licence holder (a <i>cancellation notice</i>), cancel the licence if the Secretary is satisfied that—	12 13
(a)	the licence was granted, renewed or restored because of a misrepresentation made by the holder, or	14 15
(b)	the licence was granted, renewed or restored in error (whether as a result of a misrepresentation by the holder or not).	16 17
(2)	A cancellation notice takes effect on the day that it is given to the licence holder or on a later day specified in the notice.	18 19
(3)	The Secretary may, by further notice given to the licence holder (a <i>restoration notice</i>), restore a licence cancelled under this section if the Secretary is satisfied that—	20 21 22
(a)	the licence holder acted in good faith, or	23
(b)	the error has been rectified, or	24
(c)	the licence should be restored.	25
(4)	A restoration notice takes effect on the day that it is given to the licence holder, or on a later day specified in the notice.	26 27
[9]	Section 159 Liability of directors etc for offences by corporation—offences attracting executive liability	28 29
	Omit section 159(1)(b). Insert instead—	30
(b)	section 15(1) or (1A) or 16(1) or (1A).	31
[10]	Section 171 Certification of loss	32
	Omit “\$40,000” from section 171(2).	33
	Insert instead “the amount prescribed by the regulations”.	34
1.2	Motor Dealers and Repairers Regulation 2014	35
	Clause 53A	36
	Insert after clause 53—	37
	53A Certification of loss	38
	For the purposes of section 171(2) of the Act, the amount of \$40,000 is prescribed.	39 40

Schedule 2	Amendments relating to search warrants	1
2.1	Charitable Fundraising Act 1991 No 69	2
[1]	Section 25I Search warrants (as inserted by the Charitable Fundraising Amendment Act 2018)	3
	Omit “, when accompanied by a police officer,” from section 25I(2).	4
		5
[2]	Section 25I(2A)	6
	Insert after section 25I(2)—	7
	(2A) A police officer may accompany an authorised officer who enters premises and searches for evidence under a search warrant as if the police officer were named in the warrant.	8
		9
		10
2.2	Community Gaming Act 2018 No 60	11
[1]	Section 26 Search warrants	12
	Omit “, when accompanied by a police officer,” from section 26(2).	13
[2]	Section 26(2A)	14
	Insert after section 26(2)—	15
	(2A) A police officer may accompany an authorised officer who enters premises and searches for evidence under a search warrant as if the police officer were named in the warrant.	16
		17
		18
2.3	Entertainment Industry Act 2013 No 73	19
[1]	Section 28 Search warrants	20
	Omit “, when accompanied by a police officer,” from section 28(2).	21
[2]	Section 28(2A)	22
	Insert after section 28(2)—	23
	(2A) A police officer may accompany an authorised officer who enters premises and searches for evidence under a search warrant as if the police officer were named in the warrant.	24
		25
		26
2.4	Home Building Act 1989 No 147	27
[1]	Section 126 Power of entry	28
	Omit section 126 (4)–(6) and (7).	29
[2]	Section 126A	30
	Insert after section 126—	31
126A	Search warrants	32
(1)	An authorised person may apply to an issuing officer for a search warrant if the applicant has reasonable grounds for believing that a provision of this Act or the regulations has been or is being contravened on premises.	33
		34
		35
(2)	An issuing officer to whom an application for a search warrant is made under this section may, if satisfied that there are reasonable grounds for doing so,	36
		37

issue a search warrant authorising an authorised person named in the warrant and any other person named in the warrant—	1 2
(a) to enter the premises concerned, and	3
(b) to search the premises for evidence of a contravention of this Act or the regulations.	4 5
(3) A police officer may accompany an authorised person who enters premises and searches for evidence under a search warrant as if the police officer were named in the warrant.	6 7 8
(4) Division 4 of Part 5 of the <i>Law Enforcement (Powers and Responsibilities) Act 2002</i> applies to a search warrant issued under this section.	9 10
(5) In this section—	11
<i>authorised person</i> means a person authorised to enter premises by section 126.	12 13
<i>issuing officer</i> means an authorised officer within the meaning of the <i>Law Enforcement (Powers and Responsibilities) Act 2002</i> .	14 15
2.5 Law Enforcement (Powers and Responsibilities) Act 2002 No 103	16
Schedule 2 Search warrants under other Acts	17
Omit “section 126” from the matter relating to the <i>Home Building Act 1989</i> .	18
Insert instead “section 126A”.	19
2.6 Motor Dealers and Repairers Act 2013 No 107	20
[1] Section 154 Search warrants	21
Omit “, when accompanied by a police officer,” from section 154(2).	22
[2] Section 154(2A)	23
Insert after section 154(2)—	24
(2A) A police officer may accompany an authorised officer who enters premises and searches for evidence under a search warrant as if the police officer were named in the warrant.	25 26 27
2.7 Residential (Land Lease) Communities Act 2013 No 97	28
[1] Section 183 Search warrants	29
Omit “, when accompanied by a police officer,” from section 183(2).	30
[2] Section 183(2A)	31
Insert after section 183(2)—	32
(2A) A police officer may accompany an investigator who enters premises and searches for evidence under a search warrant as if the police officer were named in the warrant.	33 34 35
2.8 Residential Tenancies Act 2010 No 42	36
[1] Section 200 Search warrants	37
Omit “, when accompanied by a police officer,” from section 200(2).	38

[2] Section 200(2A)

Insert after section 200(2)—

- (2A) A police officer may accompany an investigator who enters premises and searches for evidence under a search warrant as if the police officer were named in the warrant.

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Schedule 3	Amendments relating to unclaimed money under Storage Liens Act 1935	1
		2
3.1	Storage Liens Act 1935 No 19	3
[1]	Section 8 Disposition of proceeds of sale	4
	Omit section 8(2)–(4). Insert instead—	5
	(2) If the surplus is not demanded by a person entitled to the surplus within 14 days after the sale, the surplus is to be dealt with as if the storer were an enterprise and the surplus were unclaimed money for the purposes of the <i>Unclaimed Money Act 1995</i> .	6 7 8 9
[2]	Schedule 1	10
	Insert at the end of the Act—	11
	Schedule 1	
	Savings and transitional provisions	12
	Part 1	
	Preliminary	13
	1	
	Regulations	14
	(1) The regulations may contain provisions of a savings or transitional nature consequent on the enactment of this Act or any Act that amends this Act.	15 16
	(2) Any such provision—	17
	(a) may, if the regulations so provide, take effect from the date of assent to the Act concerned or a later date, and	18 19
	(b) has effect despite anything to the contrary in this Schedule.	20
	(3) To the extent to which any such provision takes effect from a date that is earlier than the date of its publication on the NSW legislation website, the provision does not operate so as—	21 22 23
	(a) to affect, in a manner prejudicial to any person (other than the State or an authority of the State), the rights of that person existing before the date of its publication, or	24 25 26
	(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.	27 28 29
	(4) Without limiting subclauses (1) and (2), regulations made for the purposes of this clause may amend this Schedule to provide for additional or different savings and transitional provisions instead of including the provisions in the regulations.	30 31 32 33
	Part 2	
	Provision consequent on enactment of Better Regulation Legislation Amendment Act 2020	34 35
	2	
	Disposition of proceeds of sale	36
	(1) Section 8(2)–(4), and the regulations made under those sections, as in force immediately before their repeal by the <i>Better Regulation Legislation Amendment Act 2020</i> , continue to apply in respect of the surplus proceeds arising from goods sold before that repeal.	37 38 39 40

- (2) Section 8(2), as substituted by the *Better Regulation Legislation Amendment Act 2020*, does not apply in respect of surplus proceeds arising from goods sold before that substitution. 1
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3.2 Storage Liens Regulation 2019 4

Clauses 5 and 6 5

Omit the clauses. 6

Schedule 4	Amendments relating to exemptions under Retail Trading Act 2008	1
		2
4.1	Retail Trading Act 2008 No 49	3
[1]	Section 11 Applications for exemptions	4
	Omit “prescribed by the regulations” from section 11(1)(a).	5
	Insert instead “approved by the Secretary”.	6
[2]	Section 11(4)	7
	Insert after section 11(3)—	8
	(4) Before determining an application, the Secretary must—	9
	(a) cause the application to be publicly exhibited for a period of at least 14 days, and	10
		11
	(b) seek public comment on the application during the public exhibition period, and	12
		13
	(c) have regard to any public comment received during that period.	14
[3]	Schedule 2 Savings, transitional and other provisions	15
	Insert after clause 10—	16
Part 5	Provision consequent on repeal of Retail Trading Regulation 2014	17
		18
11	Existing applications for exemptions	19
	Clause 6 of the <i>Retail Trading Regulation 2014</i> continues to apply in respect of an application made, but not finally determined, before the repeal of that Regulation.	20
		21
		22
4.2	Retail Trading Regulation 2014	23
	Repeal	24
	The <i>Retail Trading Regulation 2014</i> is repealed.	25

Schedule 5	Amendments relating to landlords not ordinarily residing in New South Wales and standard form agreement	1
		2
		3
5.1	Residential Tenancies Act 2010 No 42	4
	Section 27 Names and addresses to be provided	5
	Omit section 27(1)(a). Insert instead—	6
	(a) the name and telephone number or other contact details of the landlord,	7
	(a1) if the landlord does not ordinarily reside in New South Wales, the State, Territory or, if not in Australia, country in which the landlord ordinarily resides,	8
		9
		10
	(a2) if there is a landlord’s agent, the name, telephone number and business address of the landlord’s agent,	11
		12
5.2	Residential Tenancies Regulation 2019	13
[1]	Schedule 1 Standard Form Agreement	14
	Omit “[<i>Insert name and telephone number or other contact details of landlord(s)</i>]” from the matter under the heading Landlord .	15
		16
	Insert instead—	17
	<i>[Insert name and telephone number or other contact details of landlord(s). If the landlord does not ordinarily reside in New South Wales, specify the State, Territory or, if not in Australia, country in which the landlord ordinarily resides]</i>	18
		19
		20
		21
[2]	Schedule 1, clause 37	22
	Insert at the end of clause 37.4—	23
	, and	24
	37.5 if the State, Territory or country in which the landlord ordinarily resides changes, to give the tenant notice in writing of the change within 14 days.	25
		26
		27
[3]	Schedule 2 Condition report	28
	Omit “a a minimum” from paragraph (b) of the matter under the heading “WATER USAGE CHARGING AND EFFICIENCY DEVICES”.	29
		30
	Insert instead “a minimum”.	31
[4]	Schedule 3 Declaration by competent person	32
	Omit “ <i>child if not</i> ” from Part 4. Insert instead “ <i>child</i> ” <i>if not</i> ”.	33

Schedule 6	Amendments relating to exemptions under Pawnbrokers and Second-hand Dealers Act 1996	1 2
6.1	Pawnbrokers and Second-hand Dealers Act 1996 No 13	3
[1]	Section 4A	4
	Insert after section 4—	5
	4A Exemptions	6
	(1) The Secretary may, by notice in writing given to a person, exempt the person from the operation of this Act or specified provisions of this Act.	7 8
	(2) An exemption under this section—	9
	(a) takes effect on the day the notice is given to the person or a later day specified in the notice, and	10 11
	(b) if the notice provides for the expiry of the exemption, expires in accordance with the notice, and	12 13
	(c) is subject to the conditions (if any) specified in the notice, and	14
	(d) may be amended, varied or revoked by the Secretary by further notice in writing to the person.	15 16
	(3) As soon as practicable after giving a person an exemption under this section, the Secretary is to publish details of exemptions granted under this section on a publicly accessible website.	17 18 19
[2]	Section 43 Regulations	20
	Insert “for classes of persons” after “exemptions” in section 43(1)(i).	21
[3]	Schedule 2 Savings and transitional provisions	22
	Insert at the end of the Schedule—	23
Part 6	Provision consequent on enactment of Better Regulation Legislation Amendment Act 2020	24 25
23	Existing exemptions	26
	(1) In this clause—	27
	<i>amendment day</i> means the day on which section 4A was inserted into the Act by the <i>Better Regulation Legislation Amendment Act 2020</i> .	28 29
	<i>existing exemption</i> means an exemption under clause 39 of the <i>Pawnbrokers and Second-hand Dealers Regulation 2015</i> , as in force immediately before the amendment day.	30 31 32
	(2) An existing exemption remains in force, as if it were an exemption granted under section 4A until the later of the following—	33 34
	(a) the day on which the Secretary grants an exemption under section 4A replacing the existing exemption,	35 36
	(b) 6 months after the amendment day.	37

6.2 Pawnbrokers and Second-hand Dealers Regulation 2015	1
Clause 39 Specific exemptions from certain requirements	2
Omit the clause.	3

Schedule 7	Miscellaneous amendments to other Acts	1
7.1	Contract Cleaning Industry (Portable Long Service Leave Scheme) Act 2010 No 122	2
		3
[1]	Section 9 Constitution of Long Service Leave Committee	4
	Omit “United Voice (NSW Branch)” from section 9(2)(c).	5
	Insert instead “United Workers Union (NSW Branch)”.	6
[2]	Section 9(2)(e)	7
	Omit the paragraph. Insert instead—	8
	(e) 2 persons appointed by the Minister who, in the opinion of the Minister, have knowledge of, and experience in, the contract cleaning industry.	9
		10
[3]	Section 9(4)	11
	Omit “(2)(b), (c), (d) or (e)”. Insert instead “(2)(b), (c) or (d)”.	12
7.2	Gas and Electricity (Consumer Safety) Act 2017 No 15	13
[1]	Section 4 Definitions	14
	Insert after paragraph (a) of the definition of <i>electrical installation</i> in section 4(1)—	15
	(a1) a meter used, or intended for use, in the generation, transmission or distribution of electricity that is—	16
	(i) owned or used by an electricity supply authority, and	17
	(ii) located at a place owned or occupied by the authority,	18
		19
[2]	Section 5 Act not to apply to certain gas or autogas installations or gas appliances	20
	Insert “(other than regulations made under this Act relating to the examination and testing of gas meters)” after “This Act”.	21
		22
[3]	Section 21 Restrictions on sale of gas appliances	23
	Insert after section 21(1)—	24
	(1A) The Secretary may, by order in writing, exempt a person or a specified class of persons, or gas appliance or type of gas appliance, from subsection (1).	25
		26
	(1B) An exemption takes effect when—	27
	(a) in relation to a person—it is given to the person, or	28
	(b) in relation to a class of persons or a gas appliance or class of gas appliances—it is published on a publicly accessible website that, in the opinion of the Secretary, is appropriate for the publication.	29
		30
		31
	(1C) An exemption is subject to the terms and conditions (if any) specified in the order.	32
		33
[4]	Section 33 Work to be carried out by qualified persons	34
	Insert at the end of paragraph (b) of the definition of <i>trade certificate</i> in section 33(3)—	35
	, or	36
	(c) in relation to autogas work carried out on an installation that is designed for use with liquefied natural gas (LN Gas), a tradesperson’s certificate granted under the <i>Motor Dealers and Repairers Act 2013</i> in respect of	37
		38
		39

	a class of repair work that includes work of a liquefied natural gas mechanic.	1 2
[5]	Section 37 Restrictions on connection of gas appliances to certain gas installations	3
	Insert after section 37(2)—	4
	(2A) Subsections (1) and (2) do not apply in respect of a person or class of persons, or gas appliance or class of gas appliances exempt from section 21(1).	5 6
[6]	Section 46, heading	7
	Omit the heading. Insert instead—	8
	46 Definitions	9
[7]	Section 46, definition of “autogas installation”	10
	Insert in alphabetical order—	11
	<i>autogas installation</i> includes the vehicle, vessel or machine that an autogas installation is installed in, or forms part of.	12 13
[8]	Section 48 Inspection of documents evidencing prohibited conduct	14
	Insert after section 48(b)—	15
	(b1) an autogas installation, or	16
[9]	Section 50, heading	17
	Omit the heading. Insert instead—	18
	50 Prohibition of sale of certain electrical articles, gas appliances and autogas installations and labelling of those articles, appliances and installations	19 20
[10]	Section 50(1)	21
	Omit “or a gas appliance or more than one gas appliance of a particular type”.	22
	Insert instead “a gas appliance or more than one gas appliance of a particular type, or an autogas installation or more than one autogas installation of a particular class”.	23 24
[11]	Section 50(1)(a)(ii) and (iii)	25
	Omit “, and” from section 50(1)(a)(ii). Insert instead—	26
	, or	27
	(iii) having possession of the autogas installation or autogas installations of that class, prohibit the sale by that person of the autogas installation or of all autogas installations of that class, and	28 29 30 31
[12]	Section 50(1)(b)(i)	32
	Omit “or the gas appliance or each of the gas appliances”.	33
	Insert instead “, the gas appliance or each of the gas appliances or the autogas installation or each of the autogas installations”.	34 35
[13]	Section 50(1)(b)	36
	Omit “electrical article or gas appliance” wherever occurring.	37
	Insert instead “electrical article, gas appliance or autogas installation”.	38

[14]	Section 50(1)(b)	1
	Omit “article or appliance”. Insert instead “article, appliance or installation”.	2
[15]	Section 50(3)(a) and (b)	3
	Omit “electrical article or a gas appliance” wherever occurring.	4
	Insert instead “electrical article, gas appliance or autogas installation”.	5
[16]	Section 51, heading	6
	Omit the heading. Insert instead—	7
	51 Investigation of unsafe use of electrical articles, gas appliances or autogas, electrical or gas installations	8 9
[17]	Section 51	10
	Omit “electrical installation or a gas installation”.	11
	Insert instead “electrical installation or autogas installation or a gas installation”.	12
[18]	Section 51(a)–(c)	13
	Omit “electrical or gas installation” wherever occurring.	14
	Insert instead “electrical, autogas or gas installation”	15
[19]	Section 52, heading	16
	Omit the heading. Insert instead—	17
	52 Prohibition of unsafe use of electrical articles, gas appliances or autogas, electrical or gas installations	18 19
[20]	Section 52(1) and (3)	20
	Omit “electrical installation or a gas installation” wherever occurring.	21
	Insert instead “electrical installation, an autogas installation or a gas installation”.	22
[21]	Section 52(1)	23
	Omit “electrical or gas installation”.	24
	Insert instead “electrical, autogas or gas installation”.	25
[22]	Section 54, heading	26
	Omit the heading. Insert instead—	27
	54 Inspection of electrical, autogas and gas installations	28
[23]	Section 54(1)	29
	Insert “, autogas installation” before “or gas installation”.	30
[24]	Section 54(2)(a) and (b)	31
	Insert “, autogas work” before “or gasfitting work” wherever occurring.	32
[25]	Section 54(2)(b)	33
	Omit “that gasfitting work”. Insert instead “that autogas work or gasfitting work”.	34

[26] Section 54(3)	1
Insert “, autogas work” before “or gasfitting work”.	2
7.3 Property, Stock and Business Agents Act 2002 No 66	3
Section 217 Time for laying information	4
Omit “proceedings that are to be dealt with on indictment”.	5
Insert instead “proceedings for an indictable offence, whether or not proceedings for the offence are taken on indictment”.	6
	7