

[Act 1997 No 147]



New South Wales

## **Statute Law (Miscellaneous Provisions) Bill (No 2) 1997**

### **Explanatory note**

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

#### **Overview of Bill**

The objects of this Bill are:

- (a) to make minor amendments to various Acts and a regulation (Schedule 1), and
- (b) to amend certain other Acts for the purpose of effecting statute law revision (Schedule 2), and
- (c) to replace gender-specific language with gender-neutral language (Schedule 3), and
- (d) to repeal certain Acts (Schedule 4), and
- (e) to make other provisions of a consequential or ancillary nature (Schedule 5).

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\* Amended in committee—see table at end of volume.

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## 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.

**Clauses 3–5** are machinery provisions that give effect to the Schedules to the Act containing amendments, repeals and savings, transitional and other provisions.

**Clause 6** makes it clear that the explanatory notes contained in the Schedules do not form part of the proposed Act.

### **Schedule 1 Minor amendments**

**Schedule 1** makes amendments to the following Acts and regulation:

Associations Incorporation Act 1984 No 143

Children (Detention Centres) Act 1987 No 57

Co-operatives Act 1992 No 18

Co-operatives Amendment Act 1997 No 39

Dental Technicians Registration Act 1975 No 40

Environmental Planning and Assessment Act 1979 No 203

Evidence Act 1995 No 25

Factories, Shops and Industries Act 1962 No 43

Fair Trading Act 1987 No 68

Fines Act 1996 No 99

Fluoridation of Public Water Supplies Act 1957 No 58

Food Act 1989 No 231

Law Foundation Act 1979 No 32

Mental Health Act 1990 No 9

Motor Accidents Act 1988 No 102

National Parks and Wildlife Act 1974 No 80

Oaths Act 1900 No 20

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Parliamentary Contributory Superannuation Act 1971 No 53

Pawnbrokers and Second-hand Dealers Act 1996 No 13

Police Integrity Commission Act 1996 No 28

Protection of the Environment Administration Act 1991 No 60

Rural Fires Act 1997 No 65

State Authorities Superannuation Act 1987 No 211

State Emergency and Rescue Management Act 1989 No 165

Status of Children Act 1996 No 76

Stock (Chemical Residues) Act 1975 No 26

Strata Schemes Management Act 1996 No 138

Trustee Companies Act 1964 No 6

Trustee Companies Regulation 1994

Unclaimed Money Act 1995 No 75

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

### **Schedule 2 Amendments by way of statute law revision**

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

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

### **Schedule 3 Amendments replacing gender-specific language**

**Schedule 3** substitutes gender-neutral language for the gender-specific language in various Acts. A policy of using gender-neutral language in New South Wales legislation was formally announced by the Governor in his speech for the opening of Parliament on 16 August 1983 and has been strictly applied ever since. However, gender-specific language remains in many of the statutes currently in force that were enacted before the policy was implemented.

#### **Schedule 4 Repeals**

**Schedule 4** repeals a number of Acts. Since the *Statute Law (Miscellaneous Provisions) Act 1985*, the number of Acts in force has been gradually reduced by repealing amending Acts once the amendments contained in the Acts have been incorporated in a reprint. The Schedule continues this process, and also repeals amending Acts enacted at least 20 years ago, the provisions of which have not all been included in a reprint but which contain no provision of substantive effect that needs to be retained. The Acts that were amended by the Acts being repealed are up-to-date on the Legislation Database maintained by the Parliamentary Counsel's Office and are available electronically.

#### **Schedule 5 General savings, transitional and other provisions**

**Schedule 5** contains savings, transitional and other provisions of a more general effect than those set out in Schedule

The purpose of each provision is explained in detail in the explanatory note relating to the provision concerned set out in Schedule 5.