

[Act 1999 No 85]



New South Wales

Statute Law (Miscellaneous Provisions) Bill (No 2) 1999

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 (Schedule 1), and
 - (b) to amend certain other Acts for the purpose of effecting statute law revision (Schedule 2), and
 - (c) to transfer certain savings and transitional provisions of on-going effect from some amending Acts into the relevant Principal Act, so as to permit the repeal of otherwise obsolete amending Acts (Schedule 3), and
 - (d) to repeal certain Acts and provisions of Acts (Schedule 4), and
 - (e) to make other provisions of a consequential or ancillary nature (Schedule 5).
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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 proposed 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:

Associations Incorporation Act 1984 No 143

Banana Industry Act 1987 No 66

Board of Adult and Community Education Act 1990 No 119

Board of Vocational Education and Training Act 1994 No 33

Charitable Trusts Act 1993 No 10

Children (Detention Centres) Act 1987 No 57

Children (Interstate Transfer of Offenders) Act 1988 No 85

Criminal Assets Recovery Act 1990 No 23

Crown Lands Act 1989 No 6

Dams Safety Act 1978 No 96

Electricity Supply Act 1995 No 94

Fair Trading Tribunal Act 1998 No 161

Fines Act 1996 No 99

Fisheries Management Act 1994 No 38

Guardianship Act 1987 No 257

Interpretation Act 1987 No 15

Liquor Act 1982 No 147

Macquarie University Act 1989 No 126

Meat Industry Act 1978 No 54

National Parks and Wildlife Act 1974 No 80

Police Integrity Commission Act 1996 No 28

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Residential Parks Act 1998 No 142

Southern Cross University Act 1993 No 69

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

Stock Foods Act 1940 No 19

Sydney Harbour Foreshore Authority Act 1998 No 170

University of Newcastle Act 1989 No 68

Unlawful Gambling Act 1998 No 113

Waste Minimisation and Management Act 1995 No 102

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

Schedule 2 Amendments by way of statute law revision

Schedule 2 amends certain 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 transferring provisions

Schedule 3 transfers into the relevant Principal Act a number of savings, transitional and other provisions of on-going effect contained in certain amending Acts, the other provisions of which have been incorporated into reprints or electronic versions of the Acts being amended or are spent. The removal of these provisions from the amending Acts permits the repeal (by Schedule 4 to the proposed Act) of those Acts.

Schedule 4 Repeals

Schedule 4 repeals a number of Acts and provisions in Acts. The Schedule repeals amending Acts enacted at least 2 years ago that contain no substantive provisions that need to be retained. The Schedule also repeals more recent amending Acts where the amendments have been incorporated in a reprint of the relevant Principal Act. Certain other amending Acts, the on-going provisions of which are transferred (by Schedule 3) to the relevant Principal Act are also repealed. The Schedule also repeals amending provisions of certain Principal Acts.

The Acts that were amended by the Acts or provisions being repealed are up-to-date on the Legislation Database maintained by the Parliamentary Counsel's Office and are available electronically.

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The *Wheat Marketing Act 1989*, and ten Appropriation Acts, which are no longer of practical utility, are also repealed.

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 1.

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