

Act 1994 No. 95

**STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL
(No. 2) 1994**

NEW SOUTH WALES



EXPLANATORY NOTE

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

The objects of this Bill are:

- (a) to make minor amendments to various Acts (Schedule 1); and
- (b) to amend certain other Acts for the purpose of effecting statute law revision (Schedule 2); and
- (c) to 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).

Clauses 1–5 are machinery provisions specifying the short title of the proposed Act, providing for its commencement and giving 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:

- Annual Reports (Departments) Act 1985 No. 156
- Annual Reports (Statutory Bodies) Act 1984 No. 87

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

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Associations Incorporation Act 1984 No. 143
 Bush Fires Act 1949 No. 31
 Business Names Act 1962 No. 11
 Children (Criminal Proceedings) Act 1987 No. 55
 Compensation Court Act 1984 No. 89
 Disability Services Act 1993 No. 3
 District Court Act 1973 No. 9
 Election Funding Act 1981 No. 78
 Health Care Complaints Act 1993 No. 105
 Infants' Home, Ashfield, Act 1924 No. 13
 Justices Act 1902 No. 27
 Local Courts Act 1982 No. 164
 Mining Act 1992 No. 29
 Native Title (New South Wales) Act 1994 No. 45
 Occupational Health and Safety Act 1983 No. 20
 Ombudsman Act 1974 No. 68
 Petroleum (Onshore) Act 1991 No. 84
 Poisons Act 1966 No. 31
 Police Service Act 1990 No. 47
 Poultry Meat Industry Act 1986 No. 101
 Prevention of Cruelty to Animals Act 1979 No. 200
 Public Finance and Audit Act 1983 No. 152
 Reprints Act 1972 No. 48
 South-west Tablelands Water Supply Administration Act 1941 No. 36
 Sporting Injuries Insurance Act 1978 No. 141
 Strata Titles (Leasehold) Act 1986 No. 219
 Teacher Housing Authority Act 1975 No. 27
 Trade Measurement Act 1989 No. 233
 University of Technology, Sydney, Act 1989 No. 69
 Very Fast Train (Route Investigation) Act 1989 No. 44
 Women's College Act 1902 No. 71

The Schedule also amends the Local Courts Regulation 1994.

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

Where necessary, provisions of a saving, transitional or other nature relating to the amendment concerned have also been 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 gender-specific language in various Acts. A similar Schedule was introduced in the last Statute Law (Miscellaneous Provisions) Act, specifically aimed at removing gender-specific language from the statute book. It is intended that the statute law revision program will continue the process of removal until all gender-specific language has been replaced.

The Schedule adopts two approaches:

- (a) it amends Acts chronologically, beginning with the Real Property Act 1900; and
- (b) it amends a particular group of Acts (those relating to the administration of justice).

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. It also repeals certain Acts that amended repealed Acts, and Acts that are no longer of any practical utility.

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.
