

[Act 2001 No 56]



New South Wales

Statute Law (Miscellaneous Provisions) Bill 2001

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 facilitating the implementation of SGML as a markup language for legislation (Schedule 3), and
- (c) to repeal certain Acts and provisions of Acts (Schedule 4), and
- (d) to make other provisions of a consequential or ancillary nature (Schedule 5).

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

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:

Art Gallery of New South Wales Act 1980 No 65

Conveyancers Licensing Act 1995 No 57

Environmental Planning and Assessment Act 1979 No 203

Fair Trading Tribunal Act 1998 No 161

Fisheries Management Act 1994 No 38

Freedom of Information Act 1989 No 5

Harness Racing New South Wales Act 1977 No 57

Law and Justice Foundation Act 2000 No 97

Local Government Act 1993 No 30

Ombudsman Act 1974 No 68

Passenger Transport Act 1990 No 39

Property, Stock and Business Agents Act 1941 No 28

Protected Disclosures Act 1994 No 92

Protection of the Environment Operations Act 1997 No 156

Radiation Control Act 1990 No 13

Residential Tenancies Act 1987 No 26

Residential Tribunal Act 1998 No 168

Statute Law (Miscellaneous Provisions) Act 2000 No 53

Sydney Water Act 1994 No 88

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Technical and Further Education Commission Act 1990 No 118

Travel Agents Act 1986 No 5

Water Management Act 2000 No 92

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 the explanatory note relating to the Act concerned set out in Schedule 2.

Schedule 3 Amendments to facilitate implementation of SGML as a markup language for legislation

The Parliamentary Counsel's Office, which is responsible for the compilation and maintenance of the New South Wales legislation database, is developing a new drafting and database system. The new system is based on SGML (Standard Generalised Markup Language) and will improve the portability and accessibility of legislative data. Some features of legislation, particularly older Acts, are incompatible with the proposed system.

Schedule 3 amends Acts to overcome these problems for the purpose of facilitating the implementation of SGML.

Schedule 4 Repeals

Schedule 4 repeals a number of Acts and provisions in Acts. The Schedule repeals amending Acts enacted in 1999 or earlier that contain no substantive provisions that need to be retained. The Schedule also repeals amending Acts where the reprints of relevant parent Acts incorporate the amendments made by those Acts.

The *Institute of Rural Studies Act 1973* and 4 Appropriation Acts, which are no longer of practical utility, and 29 Statute Law (Miscellaneous Provisions) Acts are also repealed.

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.

Explanatory note

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.