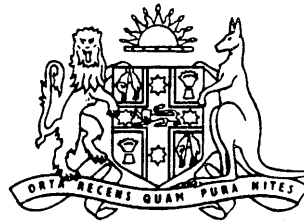


[Act 1996 No 30]



New South Wales

## **Statute Law (Miscellaneous Provisions) Bill 1996**

### **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 replace gender-specific language with gender-neutral language (Schedule 3), and
- (d) to transfer certain savings and transitional and other provisions of on-going effect from some amending Acts into the relevant Principal Acts, so as to permit the repeal of the otherwise obsolete amending Acts (Schedule 4), and
- (e) to repeal certain Acts (Schedule 5), and
- (f) to make other provisions of a consequential or ancillary nature (Schedule 6).

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

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## Outline of provisions

**Clauses 1–5** are machinery provisions specifying the name (also called 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.

## Schedules

### **Schedule 1    Minor amendments**

Schedule 1 makes amendments to the following Acts:

Anatomy Act 1977 No 126

Area Health Services Act 1986 No 50

Australian Mutual Provident Society Act 1988 No 47

Bush Fires Act 1949 No 31

Charitable Trusts Act 1993 No 10

Chiropractors and Osteopaths Act 1991 No 7

Classification (Publications, Films and Computer Games) Enforcement Act 1995 No 63

Commercial Tribunal Act 1984 No 98

Community Services (Complaints, Appeals and Monitoring) Act 1993 No 2

Consumer Claims Tribunals Act 1987 No 206

Consumer Credit (New South Wales) Act 1995 No 7

Conveyancing Act 1919 No 6

Crown Lands Act 1989 No 6

Defamation Act 1974 No 18

District Court Act 1973 No 9

Electricity Supply Act 1995 No 94

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Energy Services Corporations Act 1995 No 95  
Environmentally Hazardous Chemicals Act 1985 No 14  
Fair Trading Act 1987 No 68  
Independent Commission Against Corruption Act 1988 No 35  
Motor Dealers Act 1974 No 52  
Motor Vehicles Taxation Act 1988 No 111  
Podiatrists Act 1989 No 23  
Poisons Act 1966 No 31  
Property, Stock and Business Agents Act 1941 No 28  
Psychologists Act 1989 No 51  
Roads Act 1993 No 33  
State Owned Corporations Act 1989 No 134  
Statute Law (Miscellaneous Provisions) Act (No 2) 1990 No 108  
Statutory and Other Offices Remuneration Act 1975 (1976 No 4)  
Stock Medicines Act 1989 No 182  
Strata Titles Act 1973 No 68  
Strata Titles (Leasehold) Act 1986 No 219  
Subordinate Legislation Act 1989 No 146  
Supreme Court Act 1970 No 52  
Sydney Cove Redevelopment Authority Act 1968 No 56  
Trade Measurement Administration Act 1989 No 234  
Travel Agents Act 1986 No 5  
Women's College Act 1902 No 71

## **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. It is intended that the statute law revision program will continue the process of removal of that language until it has all been replaced.

The Schedule adopts 2 approaches:

- (a) it amends particular groups of Acts (those relating to employment and to health administration), and
- (b) it amends Acts chosen from a chronological list, beginning with the *Water Act 1912*.

### **Schedule 4 Amendments transferring provisions**

**Schedule 4** transfers into their parent Acts 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 in reprints or are spent. The removal of those provisions from the amending Acts permits the repeal (by Schedule 5 to the proposed Act) of those Acts.

### **Schedule 5 Repeals**

**Schedule 5** 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 other amending Acts, the on-going provisions of which are transferred (by Schedule 4) to their parent Acts and repeals several Acts which are no longer of practical utility.

### **Schedule 6 General savings, transitional and other provisions**

**Schedule 6** 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 6.