

Standard Time Act 1987 No 149

[1987-149]



New South Wales

Status Information

Currency of version

Current version for 1 November 2007 to date (accessed 21 December 2024 at 19:28)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

Provisions in force

The provisions displayed in this version of the legislation have all commenced.

Authorisation

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File last modified 1 November 2007

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Standard Time Act 1987 No 149



New South Wales

An Act relating to standard time and daylight saving in New South Wales.

Part 1 Preliminary

1 Name of Act

This Act may be cited as the *Standard Time Act 1987*.

2 Definitions

In this Act:

Broken Hill means the County of Yancowinna.

Co-ordinated Universal Time means Co-ordinated Universal Time (UTC) as determined by the International Bureau of Weights and Measures and maintained under section 8AA of the *National Measurement Act 1960* of the Commonwealth.

legal instrument means:

- (a) an Act (including this Act),
- (b) a regulation, ordinance, rule, by-law, proclamation, order, notice, notification or other instrument made under an Act (including this Act),
- (c) any contract or agreement (whether oral or in writing or both), or
- (d) any deed or other instrument having legal effect.

New South Wales standard time means standard time as fixed by section 3.

New South Wales summer time means summer time as fixed by section 7.

summer time period—see section 2A.

2A Summer time period—definition

(1) In this Act, **summer time period** means:

- (a) a period starting at 2 am on the first Sunday in October in each year and ending

at 2 am on the first Sunday in the following April, or

(b) if a summer time period is prescribed by the regulations—that prescribed period.

- (2) Despite subsection (1), the summer time period commencing in the year 2007 is taken to be the period starting at 2 am on Sunday 28 October 2007 and ending at 2 am on Sunday 6 April 2008.

Part 2 Standard time

3 Standard time in New South Wales (except certain areas)

- (1) Standard time in New South Wales is 10 hours in advance of Co-ordinated Universal Time.
- (2) This section does not apply to Broken Hill or Lord Howe Island.

4 Standard time in Broken Hill

- (1) Standard time in Broken Hill is:
- (a) if an order under this section is not in force—9 hours and 30 minutes in advance of Co-ordinated Universal Time, or
- (b) if such an order is in force—the time in advance of Co-ordinated Universal Time specified in the order as the standard time for Broken Hill.
- (2) The Governor may, by order published in the Gazette, specify as standard time for Broken Hill the time in advance of Co-ordinated Universal Time specified in the order.

5 Standard time in Lord Howe Island

- (1) Standard time in Lord Howe Island is:
- (a) if an order under this section is not in force—10 hours and 30 minutes in advance of Co-ordinated Universal Time, or
- (b) if such an order is in force—the time in advance of Co-ordinated Universal Time specified in the order as the standard time for Lord Howe Island.
- (2) The Governor may, by order published in the Gazette, specify as standard time for Lord Howe Island the time in advance of Co-ordinated Universal Time specified in the order.

6 Construction of references to time (standard time)

- (1) A reference (express or implied) in any legal instrument to any time or period of time shall be construed:
- (a) in relation to an act or omission that occurs, or a state of affairs that exists, at a

particular place:

- (i) as a reference to standard time, as fixed by or under this Part, in that place, or
 - (ii) as a reference to that period as determined by reference to that standard time, and
- (b) except as provided by paragraph (a):
- (i) as a reference to New South Wales standard time, or
 - (ii) as a reference to that period as determined by reference to New South Wales standard time.
- (2) Subsection (1) does not apply to a reference to a time or period of time that is expressly required by the legal instrument in which the reference occurs or by any other legal instrument to be construed in some other way.
- (3) This section applies to a legal instrument even though it was made before the appropriate standard time was fixed by or under this Part.

Part 3 Daylight saving

7 Summer time in New South Wales (except certain areas)

- (1) During a summer time period, summer time in New South Wales is one hour in advance of New South Wales standard time.
- (2) This section does not apply to Broken Hill or Lord Howe Island.

8 Summer time in Broken Hill

- (1) During a summer time period, summer time in Broken Hill is:
 - (a) if an order under this section is not in force, one hour in advance of standard time as fixed for Broken Hill by or under section 4, or
 - (b) if such an order is in force—the time specified in the order as summer time for Broken Hill.
- (2) The Governor may, by order published in the Gazette, specify as summer time for Broken Hill such time as the Governor thinks fit.

9 Summer time in Lord Howe Island

- (1) During a summer time period, summer time in Lord Howe Island is:
 - (a) if an order under this section is not in force, 30 minutes in advance of standard time as fixed for Lord Howe Island by or under section 5, or

(b) if such an order is in force—the time specified in the order as summer time for Lord Howe Island.

(2) The Governor may, by order published in the Gazette, specify as summer time for Lord Howe Island such time as the Governor thinks fit.

10 Construction of references to time (summer time)

In section 6:

(a) a reference to standard time shall, in respect of a summer time period, be construed as a reference to the appropriate summer time as fixed by or under this Part, and

(b) a reference to New South Wales standard time shall, in respect of a summer time period, be construed as a reference to New South Wales summer time.

Part 4 Miscellaneous

11 Savings

(1) Nothing in Part 3 affects:

(a) the use of standard time, as fixed by or under Part 2, for the purposes of astronomy, meteorology or navigation, or

(b) the construction of any document mentioning or referring to a point of time in connection with any of those purposes.

(2) For the purposes of section 30 of the *Interpretation Act 1987*, an order under this Act shall be regarded as amending this Act.

12 Repeal and transitional provisions

(1) The *Standard Time Act 1971* is repealed.

(2) An amendment made by the *Standard Time Amendment (Co-ordinated Universal Time) Act 2005* applies to a legal instrument even though the instrument was made before the commencement of the amendment.

(3)–(6) (Repealed)

13 Regulations

The Governor may make regulations, not inconsistent with this Act, for or with respect to any matter that by this Act is required or permitted to be prescribed or that is necessary or convenient to be prescribed for carrying out or giving effect to this Act.