

Regulatory and Other Legislation (Amendments and Repeals) Act 2016 No 60

[2016-60]



New South Wales

Status Information

Currency of version

Historical version for 2 July 2017 to 28 June 2018 (accessed 14 December 2024 at 11:24)

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

Provisions in force

Some, but not all, of the provisions displayed in this version of the legislation have commenced.

Notes—

- **Does not include amendments by**
[Statute Law \(Miscellaneous Provisions\) Act 2018 No 25](#) (not commenced — to commence on 29.6.2018)
- **Note**
Amending Acts and amending provisions are subject to automatic repeal pursuant to sec 30C of the [Interpretation Act 1987 No 15](#) once the amendments have taken effect.

Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

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Regulatory and Other Legislation (Amendments and Repeals) Act 2016 No 60



New South Wales

An Act to amend regulatory and other Acts and instruments; and to repeal certain Acts and instruments for the purpose of statute law revision.

1 Name of Act

This Act is the *Regulatory and Other Legislation (Amendments and Repeals) Act 2016*.

2 Commencement

- (1) This Act commences on the date of assent to this Act, except as otherwise provided by this section.
- (2) Schedules 1 and 2 (except for items [1], [2], [4], [6] and [8]–[16] of Schedule 2.4) and clause 1 of Schedule 3 commence on a day or days to be appointed by proclamation.

Schedule 1 (Repealed)

Schedule 2 Amendment of other Acts and regulations

2.1 Conveyancers Licensing Act 2003 No 3

[1] Section 17

Omit the section. Insert instead:

17 Duration

- (1) A licence has effect for the term specified in the licence (not exceeding 3 years) unless it is sooner cancelled.
- (2) The suspension of a licence does not affect the term of the licence.

[2] Schedule 1 Savings and transitional provisions

Insert at the end of clause 2 (1):

any other Act that amends this Act

[3] Schedule 1

Insert at the end of the Schedule, with appropriate Part and clause numbering:

Part Provision consequent on enactment of [Regulatory and Other Legislation \(Amendments and Repeals\) Act 2016](#)

Duration of licences

Section 17, as in force immediately before its substitution by the [Regulatory and Other Legislation \(Amendments and Repeals\) Act 2016](#), continues to have effect in relation to a licence in force immediately before that substitution.

2.2 Conveyancers Licensing Regulation 2015

[1] Clause 5A

Insert after clause 5:

5A Refund of application fees for certain 3-year licences

- (1) This clause applies to an application fee paid by or on behalf of a person who has surrendered a licence granted under the Act or has died, but only if the term of the licence was 3 years.
- (2) A person may apply to the Secretary for a refund of an application fee to which this clause applies if the person:
 - (a) paid the application fee, or
 - (b) is the legal representative of a deceased person who paid the application fee, or
 - (c) is applying for or on behalf of the person who paid the application fee.
- (3) A person who makes an application under subclause (2) is:
 - (a) if the surrender or death occurred not more than one year after the date of the grant, renewal or restoration of the licence—to be refunded two-thirds of the application fee (excluding the processing component) so paid, or
 - (b) if the surrender or death occurred more than one year but not more than 2 years after the date of the grant, renewal or restoration of the licence—to be refunded one-third of the application fee (excluding the processing component) so paid.

(4) In this clause:

application fee means any of the following:

- (a) an application fee for the grant of a new licence,
- (b) an application fee for the renewal of a licence,
- (c) an application fee for the restoration of a licence.

processing component of an application fee is the amount set out in Column 3 of Schedule 2 in relation to the fee.

[2] Schedule 2 Fees

Omit the table to the Schedule. Insert instead:

Item	Column 1 Type of fee	Column 2 Fixed component	Column 3 Processing component
1	Application for grant of licence—1 year	\$229	\$209
2	Application for grant of licence—3 years	\$687	\$209
3	Application for renewal of licence—1 year	\$229	\$68
4	Application for renewal of licence—3 years	\$687	\$68
5	Application for restoration of licence—1 year	\$229	\$139
6	Application for restoration of licence—3 years	\$687	\$139
7	Application for replacement of licence	Nil	\$45

2.3, 2.4

(Repealed)

2.5 Pawnbrokers and Second-hand Dealers Act 1996 No 13

[1] Section 10

Omit the section. Insert instead:

10 Duration of licence

- (1) A licence has effect for the term specified in the licence (not exceeding 3 years) unless it is sooner cancelled.
- (2) The suspension of a licence does not affect the term of the licence.

[2] Section 43 Regulations

Insert after section 43 (1) (g):

- (g1) the waiver or refund of the whole or any part of a fee chargeable for any service provided by the Secretary under this Act or the regulations,

[3] Schedule 2 Savings and transitional provisions

Insert at the end of clause 2 (1):

any other Act that amends this Act

[4] Schedule 2

Insert at the end of the Schedule, with appropriate Part and clause numbering:

Part Provision consequent on enactment of [Regulatory and Other Legislation \(Amendments and Repeals\) Act 2016](#)

Duration of licences

Section 10, as in force immediately before its substitution by the [Regulatory and Other Legislation \(Amendments and Repeals\) Act 2016](#), continues to have effect in relation to a licence in force immediately before that substitution.

2.6 Pawnbrokers and Second-hand Dealers Regulation 2015

[1] Clause 8A

Insert after clause 8:

8A Refund of application fees for certain 3-year licences

- (1) This clause applies to an application fee paid by or on behalf of a person who has surrendered a licence granted under the Act or has died, but only if the term of the licence was 3 years.

- (2) A person may apply to the Secretary for a refund of an application fee to which this clause applies if the person:
- (a) paid the application fee, or
 - (b) is the legal representative of a deceased person who paid the application fee, or
 - (c) is applying for or on behalf of the person who paid the application fee.
- (3) A person who makes an application under subclause (2) is:
- (a) if the surrender or death occurred not more than one year after the date of the grant, renewal or restoration of the licence—to be refunded two-thirds of the application fee (excluding the processing component) so paid, or
 - (b) if the surrender or death occurred more than one year but not more than 2 years after the date of the grant, renewal or restoration of the licence—to be refunded one-third of the application fee (excluding the processing component) so paid.
- (4) In this clause:
- application fee** means any of the following:
- (a) an application fee for the grant of a new licence,
 - (b) an application fee for the renewal of a licence,
 - (c) an application fee for the restoration of a licence.

processing component of an application fee is the amount set out in Column 3 of Schedule 3 in relation to the fee.

[2] Schedule 3

Omit the table to the Schedule. Insert instead:

Item	Column 1	Column 2	Column 3	Column 4
	Type of fee	Fixed component	Processing component	Total
1	Application for granting of licence—1 year	\$329	\$188	\$517
2	Application for granting of licence—3 years	\$987	\$188	\$1,175

3	Application for renewal of licence—1 year	\$329	\$44	\$373
4	Application for renewal of licence—3 years	\$987	\$44	\$1,031
5	Application for restoration of licence—1 year	\$329	\$90	\$419
6	Application for restoration of licence—3 years	\$987	\$90	\$1,077
7	Application for replacement of licence	Nil	\$45	\$45
8	Application for extract of register (per entry)	\$18	Nil	\$18

2.7

(Repealed)

Schedules 3, 4 (Repealed)