

Coal Mines Regulation (Transitional Provisions) Regulation 1984

[1984-127]



New South Wales

Status Information

Currency of version

Repealed version for 23 March 1984 to 6 January 2011 (accessed 16 August 2024 at 22:16)

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.

Notes—

- **Repeal**

The Regulation was repealed by Sch 4 to the [Statute Law \(Miscellaneous Provisions\) Act \(No 2\) 2010 No 119](#) with effect from 7.1.2011.

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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Coal Mines Regulation (Transitional Provisions) Regulation 1984



New South Wales

1 Name of Regulation

This Regulation may be cited as the *Coal Mines Regulation (Transitional Provisions) Regulation 1984*.

2 Authority

This Regulation is made under clause 12 of Schedule 4 to the *Miscellaneous Acts (Coal Mines Regulation) Repeal and Amendment Act 1982*.

3 Certain provisions of 1912 Act deemed to continue in force for transitional period

- (1) The following provisions of the *Coal Mines Regulation Act 1912* shall be deemed to continue and remain in force up to and including 29 June 1984, namely:
 - (a) sections 3–5A, 11–13, 20, 22, 22A, 30–36A, 37A, 38A–39A, 41–43, 50–52, 53A–64, 65B, 67–74, 76, 76A, 79 and 79A, and
 - (b) the Fifth, Sixth and Seventh Schedules.
- (2) The Eighth Schedule to the *Coal Mines Regulation Act 1912* shall be deemed to continue and remain in force up to and including 29 June 1984 but only in so far as that Schedule applies in relation to provisions of that Act that are referred to in subclause (1).

4 Certain provisions of 1982 Act deemed not to be in force for transitional period

- (1) The following provisions of the *Coal Mines Regulation Act 1982* shall be deemed to be of no effect while the provisions referred to in clause 3 are deemed to continue and remain in force, namely:
 - (a) Part 3,
 - (b) Divisions 4, 5, 6, 7, 8 and 10 of Part 4,
 - (c) Divisions 2 and 3 of Part 5, and

(d) Part 7.

- (2) The regulations referred to in paragraphs (a)–(d) of clause 2 of the *Coal Mines Regulation (Postponement of Commencement) Regulation 1984* shall have the force and effect that they would have had if subclause (1) had not come into operation, and, in the event of an inconsistency between those regulations and the continued provisions (as defined in clause 5), the continued provisions shall prevail.

5 Consequential and miscellaneous provisions

- (1) In this clause:

continued provisions means the provisions referred to in clause 3 (1).

postponed provisions means:

- (a) the provisions referred to in clause 4 (1), and
- (b) the provisions of the regulations amended by the *Coal Mines Regulation (Postponement of Commencement) Regulation 1984* being the regulations taking effect as from 30 June 1984.
- (2) A reference in the *Coal Mines Regulation Act 1982* other than the postponed provisions, to an act, matter or thing mentioned or provided for in the postponed provisions shall, as far as practicable, be read and construed as a reference to the relevant act, matter or thing mentioned or provided for in the continued provisions.
- (3) Without limiting the generality of subclause (2), any power, authority, duty or function that would or could, but for this Regulation or the *Coal Mines Regulation (Postponement of Commencement) Regulation 1984*, have been exercised or performed under the *Coal Mines Regulation Act 1982*, other than the postponed provisions, in relation to an act, matter or thing mentioned or provided for in the postponed provisions shall or may (as the case requires) be exercised or performed, as far as practicable, in relation to the relevant act, matter or thing mentioned or provided for in the continued provisions.
- (4) Subclauses (2) and (3) do not have effect on or after 30 June 1984.
- (5) The provisions of clauses 3 and 4, and the foregoing subclauses of this clause, have effect notwithstanding anything in Schedule 4 to the *Miscellaneous Acts (Coal Mines Regulation) Repeal and Amendment Act 1982*, except clause 12 of that Schedule.