

# Reprints Act 1972 No 48

[1972-48]



New South Wales

## Status Information

### Currency of version

Repealed version for 3 December 1999 to 7 June 2006 (accessed 19 December 2024 at 14:50)

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—

- **Previously named**  
Acts Reprinting Act 1972
- **Repeal**  
The Act was repealed by sec 5 of the [Interpretation Amendment Act 2006 No 43](#) with effect from 8.6.2006.

### 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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# Reprints Act 1972 No 48



New South Wales

An Act to make provision for the reprinting of certain Acts and statutory instruments, and for other purposes.

## 1 Name of Act

This Act may be cited as the *Reprints Act 1972*.

## 2 Repeal and amendments

- (1) The *Amendments Incorporation Act 1906* is repealed.
- (2) (Repealed)

## 3 Saving

An Act, ordinance, regulation or by-law in respect of which a certificate of the Attorney General has, before the commencement of this Act, been issued under the *Amendments Incorporation Act 1906*, or under a provision of an Act amended by this Act, may be reprinted by the Government Printer pursuant to the certificate as if this Act had not been enacted.

## 4 Definitions

In this Act:

**amending provision** means a provision of an Act, or of any other instrument, being a provision that has commenced and that makes a direct amendment of an Act by:

- (a) the repeal or omission of matter contained in the amended Act without the insertion of any matter instead of the repealed or omitted matter,
- (b) the omission of matter contained in the amended Act and the insertion of matter instead of the omitted matter, or
- (c) the insertion into the amended Act of matter, not being matter inserted instead of matter omitted from the Act,

whether the provision was enacted before or after the commencement of this Act.

**excluded law** means:

- (a) a section of an Act, being a section that is not divided into subsections and that is the subject of amendment by an uncommenced amending provision,
- (b) a subsection of a section, being a subsection that is the subject of amendment by an uncommenced amending provision,
- (c) an amending provision or an uncommenced amending provision,
- (d) an agreement set forth in an Act, or
- (e) section 7A of the *Constitution Act 1902*.

**uncommenced amending provision** means a provision which, if commenced, would be an amending provision.

## **5 Reprinting of Act or Part in certified form**

- (1) The Attorney General may authorise an Act or Part that has been amended by an amending provision to be reprinted, as so amended, under the authority of the Government, in the form certified as correct by the Attorney General.
- (2) The Attorney General may authorise an Act or Part that has not been amended by an amending provision to be reprinted under the authority of the Government in the form certified as correct by the Attorney General.
- (3) Where an Act or Part the subject of a certificate under subsection (1) or (2) is authorised under section 6 to be reprinted with the omission of any amending provisions, the certificate is not incorrect by reason that the form certified as correct does not contain those amending provisions.
- (4) A reference in any other section of this Act to the reprinting of an Act under this section includes a reference to the reprinting of a Part under this section.
- (5) In this section, **Part** means a Part, Division, Schedule or other portion of, to or in an Act.

## **6 Authority to omit certain provisions in reprinted Acts**

For the purpose of the reprinting of an Act under section 5, the Attorney General may, at his or her discretion, authorise the Act to be reprinted with the omission of all or any of the amending provisions contained in the Act.

### **6A Authority to include uncommenced amending provisions in reprinted Acts**

- (1) For the purpose of the reprinting of an Act under section 5, the Attorney General may authorise the Act to be reprinted with the inclusion of all or any uncommenced amending provisions.

- (2) If an Act is reprinted under section 5 with the inclusion of an uncommenced amending provision, an appropriate indication shall be given in the reprint (whether by means of a note or distinctive type face or otherwise) as to which provisions are and are not in force at the date of the reprint.

## **7 References and notes in reprinted Acts**

- (1) Where an Act is reprinted under section 5, there shall be included in the reprint:
- (a) where applicable, references to the Acts or other provisions by which the Act has been amended,
  - (b) where applicable, a note to the effect that the Act is reprinted with the omission of amending provisions authorised to be omitted under section 6,
  - (c) a note to the effect that the Act is reprinted under this Act, and
  - (d) such other notes as the Attorney General thinks fit.
- (2) A note referred to in subsection (1) (c) shall not be included in a reprint of an Act unless the Act is reprinted under section 5.

## **8 Amendment of Acts: figures**

- (1) For the purpose of the reprinting of an Act under section 5, the Attorney General may, by order published in the Gazette, declare that:
- (a) that Act or a specified portion of that Act,
  - (b) that Act other than a specified portion, or
  - (c) any specified provision of that Act other than a specified portion,
- is an enactment to which subsection (2) applies, and subsection (2) applies to that enactment accordingly.
- (2) An enactment to which this subsection applies, except so much thereof as is an excluded law, is amended by omitting therefrom, wherever occurring, matter expressed in words (other than words expressing ordinal numbers) that refer to or designate the number of a Part, Division, Schedule, section, subsection, paragraph, clause, subclause, item, column or other portion of, to or in any Act, Commonwealth Act, Imperial Act or Act of another State and by inserting instead matter expressed in figures (together with parentheses where appropriate) that refer to or designate the same number.

## **9 Amendment of Acts: referential expressions**

- (1) In this section:
- number*** means:

- (a) a number expressed in words or figures,
  - (b) a letter, or
  - (c) a combination of a number so expressed and a letter,
- with or without parentheses.

**referential expression** means an expression in or to the effect of the words “of this Act”, “to this Act”, “of this Schedule”, “of this Part”, “of this section”, “of this subsection”, “of this paragraph”, “of this clause”, “of this subclause”, “of this item”, “hereof” or “hereto”.

- (2) For the purpose of the reprinting of an Act under section 5, the Attorney General may, by order published in the Gazette, declare that:
  - (a) that Act or a specified portion of that Act,
  - (b) that Act other than a specified portion, or
  - (c) any specified provision of that Act other than a specified portion,is an enactment to which subsection (3) applies, and subsection (3) applies to that enactment accordingly.
- (3) An enactment to which this subsection applies, except so much thereof as is an excluded law, is amended by omitting therefrom, wherever occurring, matter (including any unnecessary punctuation) that consists of a referential expression:
  - (a) occurring in conjunction with a number used to designate a Part, Division, Schedule, section, subsection, paragraph, subparagraph, clause, subclause, item or column of, to or in the Act in which the reference is contained,
  - (b) occurring in conjunction with a reference to a Schedule not designated by a number, being the only Schedule to the Act in which the reference is contained,
  - (c) being the referential expression “of this Act” occurring in conjunction with the words “this Part”, or
  - (d) being the referential expression “of this Part” occurring in conjunction with the words “this Division”.

#### **9A Amendment of Acts: references to certain matters**

Where a reference in an Act is (by or under any Act) to be read or construed as, or taken to be, or deemed to be, or otherwise treated as, a reference to:

- (a) an act, matter, person or thing, or
- (b) an act, matter, person or thing by a particular description or title,

the Attorney General may, by order published in the Gazette, make such amendments to the Act in which the firstmentioned reference occurs, except so much thereof as is an excluded law, as:

- (c) will result in the omission from the Act of the firstmentioned reference and, unless inappropriate, the substitution therefor of the secondmentioned reference, and
- (d) are incidental to or consequential on the omission or substitution or both.

**9B Amendment of Acts: tabular matter and arrangement provisions**

- (1) The Attorney General may, by order published in the Gazette, make such amendments to an Act, except so much thereof as is an excluded law, as:
  - (a) will result in the omission from the Act of matter in columns or tabular form and the insertion of the matter in another form, and
  - (b) are incidental to or consequential on the omission or insertion or both.
- (2) The Attorney General may, by order published in the Gazette, make such amendments to an Act, except so much thereof as is an excluded law, as:
  - (a) will result in the omission of the provisions listing the Parts, Divisions, Schedules or other parts of the Act, and
  - (b) are incidental to or consequential on the omission.

**9C Amendment of Acts: the words “license” and “licenses”**

- (1) In any other Act, the word “license” or “licenses”, where used as a noun, is omitted and the word “licence” or “licences” inserted instead.
- (2) Subsection (1) does not apply to:
  - (a) an agreement set forth in an Act, or
  - (b) an amending provision,but does apply to an uncommenced amending provision.
- (3) This section does not affect the validity or effect of any instrument granted or issued under an Act amended by this section.

**9D Roman numerals**

Roman numerals in an Act may be regarded for reprinting and all other purposes as being interchangeable with the corresponding arabic numerals.

**9E Enacting formulas, headings and citations**

An Act may be reprinted under section 5:

- (a) with the omission of the enacting formula,
- (b) with the omission or inclusion of punctuation in headings, and with headings arranged, so as to conform to current styles,
- (c) with the omission of any inverted commas around the short title or citation,
- (d) with the omission of any comma before or after the year in the short title or citation, and
- (e) with the omission of any comma before or after the year in references to Acts or other instruments (whether of New South Wales or elsewhere).

#### **9F Colons and dashes**

Colons in an Act may be regarded for reprinting and all other purposes as being interchangeable with dashes.

#### **9G New styles**

- (1) An Act may be reprinted under section 5 so as to conform to current styles of presentation regarding punctuation, layout, type and similar matters.
- (2) As a transitional matter, an amended Act may be reprinted under section 5 so as to conform to an earlier style, even though some or all of the amendments may have been enacted in a newer style.

#### **10 Orders generally**

- (1) An order under section 8, 9, 9A or 9B shall, on its publication in the Gazette, take effect on and from the date of the order or, if a later date is specified in the order as the date on which it is to take effect, on and from that later date.
- (2) Orders under sections 8 and 9, whether applying to the same or different enactments, may be contained in the same instrument or in different instruments.
- (3) Orders under sections 9A and 9B, whether applying to the same or different enactments, may be contained in the same instrument or in different instruments.

#### **11 Construction of other Acts**

- (1) Nothing contained in or done under section 8 or 9 affects the construction or meaning of any Act.
- (2) (Repealed)

#### **12 Delegation**

- (1) The Attorney General may, by instrument in writing, delegate to the Parliamentary Counsel the exercise or performance of such of the Attorney General's powers,



authorities, duties and functions under this Act (other than this power of delegation) as may be specified in the instrument of delegation, and may in like manner revoke wholly or in part any such delegation.

- (2) Any act or thing done by the Parliamentary Counsel when acting in the exercise of a delegation under this section shall have the like force and effect as if the act or thing had been done by the Attorney General.
- (3) Notwithstanding any delegation made under this section, the Attorney General may continue to exercise or perform all or any of the powers, authorities, duties or functions delegated.

### **13 Application of certain provisions of this Act to certain instruments**

The provisions of sections 4, 5, 6, 7, 9B, 9C, 9D, 9E, 9F and 9G apply to and in respect of:

- (a) a statutory rule within the meaning of the *Interpretation Act 1987*, and
- (b) (Repealed)
- (c) an environmental planning instrument within the meaning of the *Environmental Planning and Assessment Act 1979*.

### **Schedule (Repealed)**