

1990
THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

Presented, 26 April 1990

(Attorney-General)

Truck (Amendment) Bill 1990

A BILL

FOR

An Act to amend the Truck Act 1900 of the State of New South Wales in its application in the Territory

The Legislative Assembly for the Australian Capital Territory enacts as follows:

Short title

1. This Act may be cited as the *Truck (Amendment) Act 1990*.

5 Commencement

2. (1) Sections 1, 2 and 3 commence on the day on which this Act is notified in the *Gazette*.

- (2) The remaining provisions commence on a day, or respective days, fixed by the Minister by notice in the *Gazette*.

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(3) If a provision referred to in subsection (2) has not commenced before the end of the period of 6 months commencing on the day on which this Act is notified in the *Gazette*, that provision, by force of this subsection, commences on the first day after the end of that period.

Principal Act

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3. In this Act, "Principal Act" means the Truck Act 1900 of the State of New South Wales in its application in the Territory.

Wages payable in money

4. Section 1 of the Principal Act is amended by adding at the foot of subsection (1) the following penalty:

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"Penalty: \$20."

Stipulation as to mode of spending wages

5. Section 2 of the Principal Act is amended by adding at the foot of the section the following penalty:

"Penalty: \$20."

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Payment of wages

6. Section 3 of the Principal Act is amended by adding at the foot of the section the following penalty:

"Penalty: \$20."

Sharpening and repairing tools

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7. Section 6 of the Principal Act is amended by adding at the foot of the section the following penalty:

"Penalty: \$20."

Substitution

8. Section 9 of the Principal Act is repealed and the following section substituted:

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Illegal contracts and payments

"9. An employer shall not enter a contract or make a payment declared under this Act to be illegal and void (whether wholly or in part).

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Penalty:

(a) for a first offence—\$20;

(b) for a second offence—\$50;

(c) for a subsequent offence—\$100."

Further amendments

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9. The Principal Act is amended as set out in the Schedule.

SCHEDULE

Section 9

Subsection 1 (1)—

- (a) Omit “workman” (wherever occurring), substitute “worker”.
- (b) Insert “or her” after “his”.

Subsection 1 (2)—

Omit “workman”, substitute “worker”.

Section 2—

- (a) Insert “or herself” after “himself” (wherever occurring).
- (b) Insert “or her” after “his” (wherever occurring).
- (c) Omit “workman” (wherever occurring), substitute “worker”.

Section 3—

- (a) Omit “workman” (wherever occurring), substitute “worker”.
- (b) Insert “or her” after “his” (wherever occurring).
- (c) Insert “or her” after “him” (wherever occurring).

Section 4—

- (a) Omit “workman” (wherever occurring), substitute “worker”.
- (b) Insert “or her” after “his” (wherever occurring).

Subsections 4 (1) and (2)—

Insert “or her” after “his”.

Section 5—

- (a) Omit “workman” (wherever occurring), substitute “worker”.
- (b) Insert “or her” after “his” (wherever occurring).

Section 6—

Omit “workman”, substitute “worker”.

Section 7—

- (a) Omit “workman” (wherever occurring), substitute “worker”.
- (b) Insert “or her” after “his”.
- (c) Insert “or she” after “he”.

Subsection 10 (1)—

- (a) Omit “workman” (wherever occurring), substitute “worker”.
- (b) Insert “or her” after “his” (wherever occurring).

Subsection 10 (2)—

- (a) Omit “workman” (wherever occurring), substitute “worker”.
- (b) Insert “or her” after “him”.
- (c) Insert “or her” after “his” (wherever occurring).

SCHEDULE—continued**Subsection 10 (3)—**

- (a) Omit “workman” (wherever occurring), substitute “worker”.
- (b) Insert “or her” after “his” (wherever occurring).

Subsection 10 (4)—

- (a) Omit “workman”, substitute “worker”.
- (b) Insert “or her” after “his” (wherever occurring).

Subsection 10 (5)—

- (a) Omit “workman or his wife”, substitute “worker and his or her spouse”.
- (b) Omit “workman” (second and third occurring), substitute “worker”.
- (c) Insert “or her” after “his” (last occurring).

Subsection 10 (6)—

Omit “seamen”, substitute “mariners”.

Section 10—

Omit “workman”, substitute “worker”.

Section 12 (definitions of “Contract” and “Employer”)—

Omit “workman”, substitute “worker”.

Section 12 (definition of “Workman”)—

Omit “Workman”, substitute “worker”.

