



AUSTRALIAN CAPITAL TERRITORY

Statute Law Revision (Miscellaneous Provisions) Act 1992

No. 23 of 1992

An Act to revise the statute law of the Territory

[Notified in ACT Gazette S71: 4 June 1992]

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

Short title

1. This Act may be cited as the *Statute Law Revision (Miscellaneous Provisions) Act 1992*.

Amendments of Acts

2. The Acts specified in Schedule 1 are amended as set out in that Schedule.

Repeals

3. The Acts specified in Schedule 2 are repealed.

SCHEDULE 1

Section 2

AMENDMENTS OF ACTS***A.C.T. Institute of Technical and Further Education Act 1987*****Paragraph 34 (b)—**

Omit “or;”, substitute “; or”.

Acts Revision Act 1937**Subsection 1 (2)—**

Omit the subsection.

Section 2—

(a) Omit “second”.

(b) Omit “that”, substitute “the”.

Heading to the Schedules—

Omit the heading.

The First Schedule—

Omit the Schedule.

Heading to The Second Schedule—

Omit “THE SECOND”.

Acts Revision Act 1938**Subsections 1 (2) and (3)—**

Omit the subsections.

Section 2—

(a) Omit “second”.

(b) Omit “that”, substitute “the”.

Heading to the Schedules—

Omit the heading.

The First Schedule—

Omit the Schedule.

SCHEDULE 1—continued

Heading to The Second Schedule—

Omit “THE SECOND”.

Acts Revision Act 1959

Section 3—

Omit “First”.

Sections 4 and 5—

Omit the sections.

Heading to The Schedules—

Omit the heading.

Heading to The First Schedule—

Omit “THE FIRST”.

The Second Schedule—

Omit the Schedule.

The Third Schedule—

Omit the Schedule.

Acts Revision Act 1977

Section 2—

Omit the section.

Section 3—

(a) Omit “Schedule 2”, substitute “the Schedule”.

(b) Omit “that” (first occurring), substitute “the”.

Schedule 1—

Omit the Schedule.

Heading to Schedule 2—

Omit “2”.

Acts Revision Act 1978

Section 2—

Omit the section.

SCHEDULE 1—continued

Section 3—

- (a) Omit “Schedule 2”, substitute “the Schedule”.
- (b) Omit “that”, substitute “the”.

Schedule 1—

Omit the Schedule.

Heading to Schedule 2—

Omit “2”.

Acts Revision (Administrative Arrangements) Act 1976

Parts II, IV, V, VI and VII—

Omit the Parts.

Schedule—

Omit the Schedule.

Acts Revision (Administrative Arrangements) Act 1977

Parts IV and XII—

Omit the Parts.

Acts Revision (Administrative Arrangements) Act 1978

Sections 4 and 5—

Omit the sections.

Subsection 6 (4)—

Omit the subsection.

Schedule—

Omit “*Housing Act 1928*
Sub-section 5C (1)”.

Acts Revision (Age of Majority) Act 1974

Section 4—

Omit subsection (1).

Schedule 2—

Omit the Schedule.

SCHEDULE 1—continued

Acts Revision (Decimal Currency) Act 1966

Section 2—

- (a) Omit “First”.
- (b) Omit “that”, substitute “the”.

Sections 3 and 8—

Omit the sections.

Heading to the Schedules—

Omit the heading.

Heading to the First Schedule—

Omit “FIRST”.

Second Schedule—

Omit the Schedule.

Acts Revision (Health Commission) Act 1975

Sections 3, 6 and 8—

Omit the sections.

Schedule 2—

Omit the Schedule.

Acts Revision (Remuneration) Act 1976

Sections 7 and 13—

Omit the sections.

Age of Majority Act 1974

Section 4—

Repeal the section.

Agents Act 1968

Section 2—

Omit “the seventeenth day of December, One thousand nine hundred and sixty-eight”, substitute “17 December 1968”.

SCHEDULE 1—continued**Subsection 15 (1)**—

Omit the subsection, substitute the following subsection:

“15. (1) The Minister may, in writing, appoint a person to act as a member—

- (a) during a vacancy in the office of a member, whether or not an appointment has previously been made to the office; or
- (b) during any period, or during all periods, when a member is absent from duty or from the Territory or is, for any other reason, unable to perform the functions of the office;

but a person appointed to act during a vacancy shall not continue so to act for more than 12 months.”.

Subsection 15 (3)—

Omit the subsection, substitute the following subsection:

“(3) Anything done by, or in relation to, a person purporting to act under this section is not invalid on the ground that—

- (a) the occasion for the person’s appointment had not arisen;
- (b) there is a defect or irregularity in connection with the person’s appointment; or
- (c) the person’s appointment has ceased to have effect.”.

Paragraph 18 (1) (b)—

- (a) Omit “he” (first occurring), substitute “the person”.
- (b) Insert “or she” after “he” (last occurring).

Paragraph 18 (2) (b)—

- (a) Omit “he” (first occurring), substitute “the person”.
- (b) Insert “or she” after “he” (last occurring).

Paragraph 18 (3) (b)—

- (a) Omit “he” (first occurring), substitute “the person”.
- (b) Insert “or she” after “he” (last occurring).

Paragraph 26 (2) (b)—

- (a) Omit “he” (first occurring), substitute “the person”.
- (b) Insert “or she” after “he” (last occurring).

SCHEDULE 1—continued

Paragraph 30 (2) (b)—

- (a) Omit “he” (first occurring), substitute “the person”.
- (b) Insert “or she” after “he” (last occurring).

Paragraph 34 (2) (b)—

- (a) Omit “he” (first occurring), substitute “the person”.
- (b) Insert “or she” after “he” (last occurring).

Paragraph 35 (2) (b)—

Insert “or she” after “he”.

Subsection 37 (1)—

Omit “(ii) of paragraph (b) of section 36 of this Act”, substitute “36 (b) (ii)”.

Subsection 37 (2)—

Omit “(i) of paragraph (b) of section 36 of this Act”, substitute “36 (b) (i)”.

Paragraph 46 (b)—

- (a) Omit “his” (first occurring), substitute “the person’s”.
- (b) Insert “or her” after “his” (second and third occurring).
- (c) Omit “he”, substitute “the person”.

Further amendments—

The following provisions are amended by omitting “he” and substituting “the person”:

Paragraphs 18 (1) (a), 18 (2) (a), 18 (3) (a), 26 (1) (a), (b), (c) and (d), 26 (2) (a), 30 (1) (a), (b), (c) and (d), 30 (2) (a), 34 (1) (a), (b), (c) and (d), 34 (2) (a) and 46 (a).

Air Pollution Act 1984

Subsection 4 (1) (definition of “unleaded petrol”, paragraph (b))—

Omit “phosphorous”, substitute “phosphorus”.

SCHEDULE 1—continued***Architects Act 1959*****Section 11—**

Omit the section, substitute the following section:

Acting appointments

“11. (1) The Minister may, in writing, appoint a person to act as a member—

- (a) during a vacancy in the office of a member, whether or not an appointment has previously been made to the office; or
- (b) during any period, or during all periods, when a member is absent from duty or from the Territory or is, for any other reason, unable to perform the functions of the office;

but a person appointed to act during a vacancy shall not continue so to act for more than 12 months.

“(2) Anything done by, or in relation to, a person purporting to act under this section is not invalid on the ground that—

- (a) the occasion for the person’s appointment had not arisen;
- (b) there is a defect or irregularity in connection with the person’s appointment;
- (c) the person’s appointment has ceased to have effect; or
- (d) the occasion for the action had not arisen.”.

Paragraph 15 (1) (a)—

Omit “his”, substitute “the person’s”.

Paragraph 15 (1) (b)—

- (a) Omit “his” (first occurring), substitute “the person’s”.
- (b) Omit “he”, substitute “the person”.
- (c) Insert “or her” after “his”.

Paragraph 15 (1) (c)—

Omit “his”, substitute “the person’s”.

Paragraph 15 (1) (d)—

Omit “him”, substitute “the person”.

SCHEDULE 1—continued

Paragraph 15 (1) (e)—

Omit “his”, substitute “the person’s”.

Subsection 17 (7)—

Omit “twenty-six of this Act”, substitute “26”.

Subsection 22 (2)—

Omit “(e) of subsection (1) of this section”, substitute “(1) (e)”.

Subsection 24 (1)—

- (a) Omit “his” (wherever occurring), substitute “the person’s”.
- (b) Omit “him”, substitute “the person”.
- (c) Omit “fourteen”, substitute “14”.

Subsection 24 (2)—

- (a) Insert “or her” after “him”.
- (b) Omit “the last preceding subsection”, substitute “subsection (1)”.

Section 24, penalty at foot—

- (a) Omit “Ten dollars”, substitute “\$10”.
- (b) Omit “fourteen”, substitute “14”.

Subsection 25 (1)—

Omit “twenty-two of this Act”, substitute “22”.

Section 26—

- (a) Omit “twenty-two of this Act”, substitute “22”.
- (b) Omit “he”, substitute “the person”.

Section 28—

- (a) Insert “or her” after “his”.
- (b) Omit “he”, substitute “the person”.

Section 28, penalty at foot—

- (a) Omit “Two hundred dollars”, substitute “\$200”.
- (b) Omit “Ten dollars”, substitute “\$10”.

Section 29—

- (a) Omit “his” (first occurring), substitute “the”.

SCHEDULE 1—continued

(b) Insert “or her” after “his” (second occurring).

Subsection 30 (1)—

(a) Insert “or her” after “his”.

(b) Omit “he”, substitute “the person”.

Subsection 30 (1), penalty at foot—

Omit “Two hundred dollars”, substitute “\$200”.

Subsection 31 (1)—

(a) Omit “by writing under his hand”, substitute “in writing”.

(b) Omit “his” (second occurring), substitute “the person’s”.

(c) Insert “or she” after “he”.

Paragraph 31 (2) (b)—

(a) Omit “him”, substitute “the person”.

(b) Insert “or her” after “his”.

Paragraph 31 (2) (c)—

Omit “his”, substitute “the person’s”.

Subsection 35 (2)—

Omit “thirty-eight of this Act”, substitute “38”.

Subsection 37 (2)—

Omit “the last preceding subsection”, substitute “subsection (1)”.

Betting (Totalizator Administration) Act 1964

Section 2—

Omit “the first day of September, One thousand nine hundred and sixty-four”, substitute “1 September 1964”.

Bookmakers Act 1985

Subsection 13 (1)—

Omit “Subject to subsection (2), the Minister may”, substitute “The Minister may, in writing,”.

SCHEDULE 1—continued

Subsections 13 (3), (4) and (5)—

Omit the subsections, substitute the following subsection:

“(3) Anything done by, or in relation to, a person purporting to act under this section is not invalid on the ground that—

- (a) the occasion for the person’s appointment had not arisen;
- (b) there is a defect or irregularity in connection with the person’s appointment;
- (c) the person’s appointment has ceased to have effect; or
- (d) the occasion for the action had not arisen.”.

Section 56—

Omit “Regulations”, substitute “regulations”.

Building Act 1972

Paragraph 9 (2) (a)—

Omit “permit, a notice”, substitute “permit or a notice”.

Paragraph 16 (5) (c)—

Omit “-1972”.

Subparagraph 32 (1) (a) (i)—

Omit “-1967”.

Subsection 32 (3)—

Omit “(a), (b) and (c) of subsection (1) of section 34 of this Act”, substitute “34 (1) (a), (b) and (c)”.

Subsection 33 (4)—

Omit “of this section”.

Paragraph 34 (1) (a)—

Omit “-1967”.

Subsection 36 (3)—

Omit “-1970”.

Paragraph 43 (1) (f)—

Omit “-1972”.

SCHEDULE 1—continued**Paragraph 46 (1) (e)**—

Omit “-1973”.

Paragraph 53 (9) (a)—

Omit “-1970”.

Paragraph 53 (9) (c)—

Omit “-1972”.

Subsection 56 (2)—

Omit “(2) or (6) of section 53 of this Act”, substitute “53 (2) or (6)”.

Section 62—

Omit “-1970”.

Canberra Theatre Trust Act 1965**Subsection 9 (1)**—

- (a) Omit “under the last preceding section”.
- (b) Insert “or her” after “his” (wherever occurring).

Paragraph 9 (2) (a)—

- (a) Omit “under the last preceding section”.
- (b) Insert “or her” after “his”.

Paragraph 9 (2) (b)—

Omit “he”, substitute “the acting trustee”.

Subsection 9 (2)—

Omit “, subject to this section,”.

Subsection 9 (3)—

Omit the subsection, substitute the following subsections:

“(3) Except where subsections (1) and (2) apply, the Minister may, in writing, appoint a person to act as a trustee—

- (a) during a vacancy in the office of a trustee, whether or not an appointment has previously been made to the office; or

SCHEDULE 1—continued

- (b) during any period, or during all periods, when a trustee is absent from duty or from the Territory or is, for any other reason, unable to perform the functions of the office;

but a person appointed to act during a vacancy shall not continue so to act for more than 12 months.

“(4) Anything done by, or in relation to, a person purporting to act under this section is not invalid on the ground that—

- (a) the occasion for the person’s appointment had not arisen;
- (b) there is a defect or irregularity in connection with the person’s appointment;
- (c) the person’s appointment has ceased to have effect; or
- (d) the occasion for the action had not arisen or had ceased.

“(5) Subparagraph 28A (b) (i) of the *Interpretation Act 1967* does not apply to enable a trustee to determine the remuneration and allowances to be paid to a person the trustee appoints to act in the trustee’s place.”.

Subsection 12 (2)—

Omit “twenty-five”, substitute “25”.

Subsection 12 (3)—

Omit “the last preceding subsection”, substitute “subsection (2)”.

Subsection 18 (2)—

Omit “the last preceding subsection”, substitute “subsection (1)”.

Subsection 19 (2)—

Omit “-1974” (wherever occurring).

Children’s Services Act 1986

Subsection 49 (2)—

Omit “sections”, substitute “section”.

SCHEDULE 1—continued

Consumer Affairs Act 1973

Section 13—

Omit the section, substitute the following section:

Acting appointments

“13. (1) The Minister may, in writing, appoint a public servant to act as the Director—

- (a) during a vacancy in the office of the Director, whether or not an appointment has previously been made to the office; or
- (b) during any period, or during all periods, when the Director is absent from duty or from the Territory or is, for any other reason, unable to perform the functions of the office;

but a person appointed to act during a vacancy shall not continue so to act for more than 12 months.

“(2) Anything done by, or in relation to, a person purporting to act under this section is not invalid on the ground that—

- (a) the occasion for the person’s appointment had not arisen;
- (b) there is a defect or irregularity in connection with the person’s appointment;
- (c) the person’s appointment has ceased to have effect; or
- (d) the occasion for the action had not arisen or had ceased.”.

Conveyancing and Law of Property Act 1898 of the State of New South Wales in its application in the Territory

Subsection 1 (2)—

Repeal the subsection.

Credit Act 1985

Subsection 189 (1)—

Insert “, in writing,” after “The Minister may”.

Subsection 189 (1A)—

Insert “, in writing,” after “The Minister may”.

Subsections 189 (2) to (7) (inclusive)—

Omit the subsections.

SCHEDULE 1—continued

Subsection 189 (8)—

- (a) Omit “his” (wherever occurring), substitute “the”.
- (b) Omit “him to act”, substitute “the action”.

Section 264—

Repeal the section.

Crimes Act, 1900 of the State of New South Wales in its application in the Territory

Subsection 4 (1) (definition of “X-Film”)—

Omit the definition.

Section 47—

Omit “column 1”, substitute “column 2”.

Division 3B, Part IV (heading)—

Insert the following heading after section 135G:

“Division 3B—Offences relating to computers”.

Sections 152 to 155 (inclusive)—

Sections 152, 153, 154 and 155 are relocated so that they appear after the heading to Division 3B inserted in Part IV by this Act and are renumbered as sections 135H, 135J, 135K and 135L, respectively.

Division 5, Part IV (heading)—

Omit the heading.

Disability Services Act 1991

Section 4 (definition of “grant”)—

Omit “5”, substitute “6”.

Section 4 (definition of “research and development activity”), paragraph (h)—

Omit “8”, substitute “9”.

Subsection 9 (1)—

Omit “3”, substitute “4”.

SCHEDULE 1—continued**Games Wagers and Betting-houses Act 1901 of the State of New South Wales in its application in the Territory****Section 2**—

Omit “to the Territory”, substitute “in the Territory”.

Subsection 15 (1)—

Omit “Court of Petty Session”, substitute “Magistrates Court”.

Section 20—

Omit “(a)” and “(b)” (second occurring), substitute “(c)” and “(d)” respectively.

Section 21—

Omit “(a)” and “(b)” (second occurring), substitute “(c)” and “(d)” respectively.

Section 22—

Omit “(a)” and “(b)” (second occurring), substitute “(d)” and “(e)” respectively.

Second Schedule—

Omit “**Court of Petty Sessions**”, substitute “**Magistrates Court**”.

Gaming and Betting Act 1906 of the State of New South Wales in its application in the Territory**Subsection 18 (1)**—

Omit “(a)” and “(b)” (second occurring), substitute “(c)” and “(d)” respectively.

Subsection 18 (2)—

Omit “(a)” and “(b)” (second occurring), substitute “(d)” and “(e)” respectively.

Section 23—

Omit “(a)” and “(b)” (second occurring), substitute “(c)” and “(d)” respectively.

SCHEDULE 1—continued

Interpretation Act 1967

Subsection 14 (1) (definition of “Commonwealth country”)—

Omit “the countries specified in the Schedule to this Act”, substitute “a country that forms part of the Commonwealth of Nations”.

Subsection 14 (1) (definition of “Commonwealth country”), paragraph (a)—

Omit “a country specified in the Schedule to this Act”, substitute “such a country”.

Subsection 14 (1) (definition of “Commonwealth country”), paragraph (b)—

Omit “a country so specified”, substitute “such a country”.

Paragraph 31A (b)—

Omit “or”, substitute “of”.

The Schedule—

Omit the Schedule.

Landlord and Tenant Act 1949

Subsection 15 (2)—

Omit “(1) or”.

Legal Aid Act 1977

Subsection 10 (1)—

Paragraph “(a)” (second occurring) is relettered “(g)”.

Limitation Act 1985

Subsection 8 (1) (definition of “cause of action”)—

Omit “which give”, substitute “that gives”.

Magistrates Court Act 1930

Subsection 147 (2)—

Omit “to the Territory”, substitute “in the Territory”.

Section 195—

Omit “her or him”, substitute “the Registrar”.

SCHEDULE 1—continued***Milk Authority Act 1971*****Subsection 4 (1) (definition of “residential premises”)—**

Omit “-1971”.

Subsection 7 (4)—

Omit “, other than the member referred to in subsection (5),”.

Subsection 8 (2)—

Omit the subsection.

Section 13—

Repeal the section, substitute the following section:

Acting appointments

“13. (1) The Minister may, in writing, appoint a person to act as the Chairperson of the Authority—

- (a) during a vacancy in the office of the Chairperson, whether or not an appointment has previously been made to the office; or
- (b) during any period, or during all periods, when the Chairperson is absent from duty or from the Territory or is, for any other reason, unable to perform the functions of the office;

but a person appointed to act during a vacancy shall not continue so to act for more than 12 months.

“(2) The Minister may, in writing, appoint a person to act as a member of the Authority—

- (a) during a vacancy in the office of a member, whether or not an appointment has previously been made to the office; or
- (b) during any period, or during all periods, when a member is absent from duty or from the Territory or is, for any other reason, unable to perform the functions of the office;

but a person appointed to act during a vacancy shall not continue so to act for more than 12 months.

“(3) Anything done by, or in relation to, a person purporting to act under this section is not invalid on the ground that—

- (a) the occasion for the person’s appointment had not arisen;
- (b) there is a defect or irregularity in connection with the person’s appointment;

SCHEDULE 1—continued

- (c) the person’s appointment has ceased to have effect; or
- (d) the occasion for the action had not arisen.”.

Subsection 17 (3)—

Omit “the last preceding subsection”, substitute “subsection (2)”.

Subsection 20 (2)—

Omit “the last preceding subsection”, substitute “subsection (1)”.

Subsection 20 (5)—

- (a) Omit “the last preceding subsection”, substitute “subsection (4)”.
- (b) Omit “of this section” (wherever occurring).

Paragraph 21 (5) (a)—

Omit “(4A) of section 18 of this Act”, substitute “18 (4A)”.

Paragraph 21 (5) (b)—

Omit “(3A) of section 19 of this Act”, substitute “19 (3A)”.

Further amendments—

The following provisions are amended by omitting “of this section”:

Subsections 20 (3), (4) and (6), subparagraph 20 (7) (b) (i) and paragraphs 20 (8) (a) and (b) and 20 (9) (a) and (b).

National Exhibition Centre Trust Act 1976

Subsection 8 (6)—

Omit “instrument of his”, substitute “relevant instrument of”.

Section 16—

Repeal the section, substitute the following section:

Acting appointments

“16. (1) The Minister may, in writing, appoint a person to act as a member—

- (a) during a vacancy in the office of a member, whether or not an appointment has previously been made to the office; or

SCHEDULE 1—continued

- (b) during any period, or during all periods, when a member is absent from duty or from the Territory or is, for any other reason, unable to perform the functions of the office;

but a person appointed to act during a vacancy shall not continue so to act for more than 12 months.

“(2) Anything done by, or in relation to, a person purporting to act under this section is not invalid on the ground that—

- (a) the occasion for the person’s appointment had not arisen;
- (b) there is a defect or irregularity in connection with the person’s appointment;
- (c) the person’s appointment has ceased to have effect; or
- (d) the occasion for the action had not arisen.”.

Plumbers, Drainers and Gasfitters Board Act 1982**Section 47**—

Repeal the section.

Public Trustee Act 1985**Subsections 7 (1) and (2)**—

Insert “, in writing,” after “Minister may”.

Subsections 7 (4) to (7) (inclusive) and subsection (9)—

Omit the subsections.

Subsection 50 (1)—

Insert “, in writing,” after “Minister may”.

Subsections 50 (2) to (5) (inclusive) and subsection (7)—

Omit the subsections.

Radiation Act 1983**Subsection 12 (1)**—

Insert “, in writing,” after “Minister may”.

Paragraph 12 (1) (b)—

Omit “his”, substitute “the”.

SCHEDULE 1—continued

Subsections 12 (2), (3) and (4)—

Omit the subsections.

Subsection 12 (5)—

- (a) Omit “his” (wherever occurring), substitute “the”.
- (b) Omit “him”, substitute “the person”.

Section 74—

Repeal the section.

Rates and Land Tax Act 1986

Schedule—

- (a) Omit “Acts”, substitute “Act”.
- (b) Omit the words “*Leases (Special Purposes) Act 1925*” and all the words after those words.

Registration of Births, Deaths and Marriages Act 1963

Paragraph 46G (2) (a)—

Omit “1975 of the Commonwealth”, substitute “1989”.

Paragraph 46G (2) (b)—

- (a) Omit “28 (4)”, substitute “26 (11)”.
- (b) Omit “28” (second occurring), substitute “26”.

Removal of Prisoners (Australian Capital Territory) Act 1968

Long title—

Omit “Australian Capital”.

Section 1—

Omit “(Australian Capital Territory)”.

Subsection 3 (1) (definition of “constable”)—

Insert “another” before “Territory”.

Subsection 3 (1) (definition of “court”, paragraph (c))—

Omit “established under the law of the Territory”.

Subsection 3 (1) (definition of “magistrate”)—

Omit “appointed under the law of the Territory”.

SCHEDULE 1—continued**Subsection 3 (1) (definition of “magistrate”, paragraph (a))**—

Omit “Territory (other than the Australian Capital Territory or Jervis Bay Territory)”, substitute “another Territory”.

Subsection 3 (1) (definition of “magistrate”, paragraph (b))—

Omit “Territory (other than the Australian Capital Territory or Jervis Bay Territory)”, substitute “another Territory”.

Subsection 3 (1) (definition of “Territory”)—

Omit the definition.

Subsection 5B (4)—

Omit “as in force”, substitute “in force”.

Section 7 (1)—

Omit the subsection.

Section 10—

Omit “federal or State court or court of a Territory”, substitute “court”.

Paragraph 11 (b)—

Omit the paragraph.

Paragraph 11 (c)—

Omit “of the Commonwealth, or of any law in force in the Territory,”.

Paragraph 11 (d)—

Omit “any of the following ordinances of the Territory, namely, the *Child Welfare Agreement Ordinance 1941*,”.

Section 12—

Omit “Governor-General”, substitute “Executive”.

Self-Government (Consequential Amendments) Act 1989**Part III, Division 1**—

Omit the Division.

Surveyors Act 1967**Section 4 (definition of “specially licensed surveyor”)**—

Omit “-1963”.

SCHEDULE 1—continued

Paragraph 7 (2) (a)—

Omit “(3) of section 6 of this Act”, substitute “6 (3)”.

Paragraph 7 (2) (b)—

Omit “(4) of section 6 of this Act”, substitute “6 (4)”.

Paragraph 10 (g)—

(a) Omit “(5) of section 6 of this Act”, substitute “6 (5)”.

(b) Omit “of this Act” (last occurring).

Section 11—

Repeal the section, substitute the following section:

Acting appointments

“11. (1) The Minister may, in writing, appoint a person to act as a member—

- (a) during a vacancy in the office of a member, whether or not an appointment has previously been made to the office; or
- (b) during any period, or during all periods, when a member is absent from duty or from the Territory or is, for any other reason, unable to perform the functions of the office;

but a person appointed to act during a vacancy shall not continue so to act for more than 12 months.

“(2) Anything done by, or in relation to, a person purporting to act under this section is not invalid on the ground that—

- (a) the occasion for the person’s appointment had not arisen;
- (b) there is a defect or irregularity in connection with the person’s appointment;
- (c) the person’s appointment has ceased to have effect; or
- (d) the occasion for the action had not arisen.”.

Subsection 17 (2)—

Omit “the last preceding sub-section”, substitute “subsection (1)”.

Section 22, penalty at foot—

Omit “Two hundred dollars”, substitute “\$200”.

SCHEDULE 1—continued**Subsection 23 (2), penalty at foot—**

Omit “Ten dollars”, substitute “\$10”.

Subsection 24 (3)—

Omit “the last preceding sub-section”, substitute “subsection (2)”.

Subsection 24 (4)—

Omit “the last preceding sub-section”, substitute “subsection (3)”.

Subsection 25 (2)—

Omit “(c), (d), (g), (h), (i) or (j) of the last preceding subsection”, substitute “(1) (c), (d), (g), (h), (i) or (j)”.

Subsection 29 (2)—

Omit “under the last preceding sub-section”, substitute “or her under subsection (1)”.

Subsection 29 (2), penalty at foot—

(a) Omit “Ten dollars”, substitute “\$10”.

(b) Omit “fourteen”, substitute “14”.

Section 33—

Omit “of this Act”.

Paragraph 33 (a)—

Omit “(a) of sub-section (1) of that section”, substitute “32 (1) (a)”.

Paragraph 33 (b)—

Omit “(b) of that sub-section”, substitute “32 (1) (b)”.

Paragraph 33 (c)—

Omit “(c) of that section”, substitute “32 (1) (c)”.

Paragraph 33 (d)—

Omit “(d) of that sub-section”, substitute “32 (1) (d)”.

Paragraph 34 (a)—

Omit “-1967”.

Paragraph 34 (c)—

Omit “-1966”.

SCHEDULE 1—continued

Paragraph 34 (e)—

Omit “-1965”.

Paragraph 35 (3) (b)—

- (a) Insert “or her” after “his”.
- (b) Omit “he” (first occurring), substitute “the person”.
- (c) Omit “that he” (second occurring).
- (d) Omit “of this Act”.
- (e) Omit “Two hundred dollars”, substitute “\$200”.

Section 36—

Insert “or her” after “his” (wherever occurring).

Section 37—

Omit “he” (wherever occurring), substitute “the person”.

Section 40—

Repeal the section.

Subsection 41 (1)—

- (a) Omit “his”, substitute “the person’s”.
- (b) Insert “or she” after “he”.
- (c) Omit “One hundred dollars”, substitute “\$100”.

Subsection 42 (1)—

Omit “to him”.

Subsection 42 (1), penalty at foot—

Omit “One hundred dollars”, substitute “\$100”.

Subsection 42 (2)—

- (a) Omit “of this Act”.
- (b) Omit “him”, substitute “the witness”.

Subsection 47 (3)—

Insert “or her” after “his”.

Subsection 47 (3), penalty at foot—

Omit “Two hundred dollars”, substitute “\$200”.

SCHEDULE 1—continued**Subsection 48 (1), penalty at foot—**

Omit “Two hundred dollars”, substitute “\$200”.

*Teaching Service Act 1972***Subsection 19 (3)—**

Omit “The the”, substitute “The”.

*Trustee Companies Act 1947***Section 2—**

Repeal the section.

Section 3 (definition of “trustee company”, paragraph (b))—

Omit “is”, substitute “as”.

*Venereal Diseases Act 1956***Section 1—**

Omit “*Venereal Diseases*”, substitute “*Sexually Transmitted Diseases*”.

*Weights and Measures (Sale of Bread) Act 1929***Subsection 22 (1)—**

Omit “an” (first occurring).

Paragraphs 22 (2) (a) and (b)—

Insert “or she” after “he”.

SCHEDULE 2

Section 3

REPEAL OF ACTS

Australian Mutual Provident Society (Repeal) Act 1982

Child Welfare (Saving and Validation) Act 1987

Children’s Flammable Nightwear (Repeal) Act 1987

Companies (Uranium Mining Companies) (Repeal) Act 1979

First Offenders (Women) (Repeal) Act 1980

Police (Discipline and Administration) (Repeal) Act 1981

Poisons and Narcotic Drugs (Amendment) Act 1988

SCHEDULE 2—continued

Public Assemblies (Repeal) Act 1983

Remuneration (Repeal) Act 1989

Seat of Government (Administration) (Repeal) Act 1989

Statistics (Repeal) Act 1985

[Presentation speech made in Assembly on 19 May 1992]

© Australian Capital Territory 1992