



Australian Capital Territory

Justice and Community Safety Legislation Amendment Act 2011 (No 2)

A2011-27

Contents

	Page
1 Name of Act	2
2 Commencement	2
3 Legislation amended—sch 1	2
Schedule 1	
Part 1.1	
Part 1.2	
Part 1.3	
Part 1.4	
Legislation amended	3
Associations Incorporation Act 1991	3
Associations Incorporation Regulation 1991	4
Births, Deaths and Marriages Registration Act 1997	5
Crimes (Sentence Administration) Act 2005	6

J2010-695

Authorised by the ACT Parliamentary Counsel—also accessible at www.legislation.act.gov.au

Contents

		Page
Part 1.5	Gaming Machine Act 2004	6
Part 1.6	Land Titles (Unit Titles) Act 1970	6
Part 1.7	Sale of Motor Vehicles Act 1977	8
Part 1.8	Victims of Crime (Financial Assistance) Act 1983	8
Part 1.9	Workers Compensation Act 1951	9



Australian Capital Territory

Justice and Community Safety Legislation Amendment Act 2011 (No 2)

A2011-27

An Act to amend legislation about justice and community safety

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

1 Name of Act

This Act is the *Justice and Community Safety Legislation Amendment Act 2011 (No 2)*.

2 Commencement

- (1) This Act (other than schedule 1, part 1.8) commences on the 14th day after its notification day.

Note The naming and commencement provisions automatically commence on the notification day (see Legislation Act, s 75 (1)).

- (2) Schedule 1, part 1.8 is taken to have commenced on 29 July 2008.

3 Legislation amended—sch 1

This Act amends the legislation mentioned in schedule 1.

Schedule 1 Legislation amended

(see s 3)

Part 1.1 Associations Incorporation Act 1991

[1.1] Section 63 heading

substitute

63 Disqualification from office—convictions or bankruptcy

[1.2] New section 63A

insert

63A Disqualification from office—noncompliance with Act

- (1) This section applies if the registrar-general is satisfied that—
 - (a) a person is, or has been, the public officer or a committee member of an incorporated association; and
 - (b) the person or the association has failed to comply with this Act.
- (2) The registrar-general may apply to the ACAT for an order to disqualify the office-holder.
- (3) On application under subsection (2), the ACAT may make an order disqualifying the person from being the public officer or a committee member of an incorporated association for the period the ACAT considers appropriate if satisfied that—
 - (a) either—
 - (i) the person has failed to comply with this Act; or

- (ii) while the person was the public officer or a committee member of an incorporated association, the association failed to comply with this Act; and
 - (b) having regard to the extent of the noncompliance, the disqualification is justified.
- (4) The ACAT may revoke the order on the application of the person against whom the order was made.

[1.3] New section 64 (2) (fa)

insert

(fa) is subject to a disqualification order under section 63A; or

[1.4] Section 74 (3)

omit

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substitute

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Part 1.2 Associations Incorporation Regulation 1991

[1.5] Schedule 1, new section 16 (ga)

insert

(ga) is subject to a disqualification order under the Act, section 63A; or

Part 1.3 **Births, Deaths and Marriages Registration Act 1997**

[1.6] New section 16 (3A)

insert

(3A) This section does not limit section 40 (Correction of register).

[1.7] New section 19 (2) (ba)

insert

(ba) for a child whose birth is registered in the ACT, the child's name—

- (i) has been changed under a law of the Commonwealth or a corresponding law; or
- (ii) should be changed having regard to an order or finding of any court in Australia; or

[1.8] Section 20 (4)

substitute

- (4) The registrar-general must register a change of name if satisfied that the name of a person whose birth is registered in the ACT—
- (a) has been changed under a law of the Commonwealth or a corresponding law; or
 - (b) should be changed having regard to an order or finding of any court in Australia.

Part 1.4 Crimes (Sentence Administration) Act 2005

[1.9] New section 116ZP (5)

insert

(5) In this section:

outstanding fine does not include an amount payable under a reparation order under the *Crimes (Sentencing) Act 2005* to—

- (a) the Territory; or
- (b) a person in relation to whom a reparation order agreement mentioned in section 116ZQ is in force.

Part 1.5 Gaming Machine Act 2004

[1.10] Dictionary, definition of *qualified accountant*, paragraph (a)

omit

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substitute

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Part 1.6 Land Titles (Unit Titles) Act 1970

[1.11] Schedule 1 heading

omit

(see s 8)

substitute

(see s 6)

[1.12] Schedule 1, part 1.1

substitute

Part 1.1 General

- 1 One copy of each hard copy sheet, electronic image or data set containing a diagram must be of good quality and in accordance with format requirements approved by the registrar-general.
- 2 The approved format requirements may include requirements about—
 - (a) the following matters in relation to a hard copy sheet:
 - (i) the size of a page;
 - (ii) margin standards;
 - (iii) alteration standards;
 - (iv) the number of copies required;
 - (v) the page numbering standards; and
 - (b) the following matters in relation to an electronic image:
 - (i) the size of the image;
 - (ii) electronic formatting standards;
 - (iii) alteration standards;
 - (iv) page numbering standards; and
 - (c) in relation to a data set—page numbering standards.
- 3 An approved format requirement is a notifiable instrument.

Note A notifiable instrument must be notified under the Legislation Act.

[1.13] Schedule 1, part 1.2, item 1

omit

Part 1.7 Sale of Motor Vehicles Act 1977

[1.14] Dictionary, definition of *qualified accountant*, paragraph (a)

omit

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substitute

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Part 1.8 Victims of Crime (Financial Assistance) Act 1983

[1.15] Section 12 (1) (a)

substitute

- (a) if the criminal injury arose out of the use of a motor vehicle, other than in the commission of an offence against the *Crimes Act 1900*, section 29 (Culpable driving of motor vehicle); or

Note Culpable driving is a *violent crime* (see s 3 (a)).

[1.16] Section 18 (1) (a)

substitute

- (a) if the criminal injury arose out of the use of a motor vehicle, other than in the commission of an offence against the *Crimes Act 1900*, section 29 (Culpable driving of motor vehicle); or

Note Culpable driving is a *violent crime* (see s 3 (a)).

Part 1.9 Workers Compensation Act 1951

[1.17] Dictionary, definition of *auditor*, paragraph (d)

omit

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substitute

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Endnotes

1 Presentation speech

Presentation speech made in the Legislative Assembly on 30 June 2011.

2 Notification

Notified under the Legislation Act on 30 August 2011.

3 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.

I certify that the above is a true copy of the Justice and Community Safety Legislation Amendment Bill 2011 (No 2), which was passed by the Legislative Assembly on 18 August 2011.

Clerk of the Legislative Assembly

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