

2000
THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Attorney-General)

Statute Law Amendment Bill 2000

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2000
THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Attorney-General)

Statute Law Amendment Bill 2000

A BILL

FOR

**An Act to amend or repeal certain Acts and regulations for
the purpose of statute law revision**

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

1 Name of Act

This Act is the *Statute Law Amendment Act 2000*.

5 2 Commencement

(1) This Act commences on the day it is notified in the Gazette.

(2) However, a date mentioned (after 'commencement:') at the end of an amendment in a schedule has effect, or is taken to have had effect, as the commencement date of the amendment.

10 Examples

1 An amendment followed by '(commencement: 30 November 1999)' indicates that the amendment is taken to have commenced on 30 November 1999.

Statute Law Amendment No , 2000

2 An amendment followed by '(commencement: the day before the commencement of Schedule 3 to the X Act)' indicates that the amendment comes into operation on the day before Schedule 3 to the X Act commences.

3 Purpose

5 The purpose of this Act is to improve the quality of the statute law of the Territory by amending and repealing Acts and regulations for the purpose of statute law revision.

4 Amended Acts and regulations—schs 1-3

Schedules 1 to 3 amend the Acts and regulations mentioned in them.

10 **5 Repealed Acts—schs 4-6**

(1) The Acts mentioned in Schedules 4 and 5 are repealed.

(2) The provisions mentioned in Schedule 6 are declared to be laws to which the *Interpretation Act 1967*, section 42 applies.

15 *Note* Subsection 12 (1) of the *Interpretation Act 1967* provides that notes in or to an Act are not part of the Act.

SCHEDULE 1

(See s 4)

MINOR AMENDMENTS

Gambling and Racing Control Act 1999

[1.1] Schedule 1 (subclause 5 (1))—

- 5 After “Commission” insert “(other than the Chief Executive)”
(commencement: 1 December 1999).

Explanatory note

- 10 This amendment removes a possible inconsistency with clause 1 of the Schedule. That
clause provides for the chief executive of the Gambling and Racing Commission to be
employed under the *Public Sector Management Act 1994*. Section 72 of that Act provides
for a person to be engaged under contract for a period of up to 5 years. Subclause 5 (1), on
the other hand, provides for a member of the Gaming and Racing Commission (which
includes the chief executive) to be appointed for a period not exceeding 3 years. The
15 amendment has the effect of removing the chief executive from the 3 year limit in
subclause 5 (1) and allows the chief executive to be employed under the *Public Sector
Management Act 1994* under contract for up to 5 years.

SCHEDULE 2

(See s 4)

STRUCTURAL AMENDMENTS

Interpretation Act 1967

[2.1] Division 1 of Part 3—

5 Renumber as Division 3.1.

Explanatory note

— This amendment renumbers a division in accordance with current drafting practice.

[2.2] Paragraphs 13 (2) (a) to (d)—

Renumber as paragraphs 13 (2) (b) to (e).

10 **Explanatory note**

This amendment is a renumbering of paragraphs consequential on the next amendment.

[2.3] Subsection 13 (2)—

Insert the following paragraph:

“(a) the form to be signed; or”.

15 **Explanatory note**

This amendment will make it clear that a form can require that it be signed to be properly completed.

[2.4] Division 2 of Part 3—

Renumber as Division 3.2.

20 **Explanatory note**

This amendment renumbers a division in accordance with current drafting practice.

[2.5] Section 25AB—

Omit “the Standards” substitute “Standards”.

Explanatory note

25 This amendment corrects an error of syntax.

[2.6] Heading to Division 3 of Part 3—

Omit the heading, substitute the following heading:

“Division 3.3—General provisions about functions and powers

SCHEDULE 2—continued

Explanatory note

This amendment makes changes to the wording of a division heading and renumbers the division in accordance with current drafting practice.

[2.7] New section 25B—

5 Before section 26 insert the following section:

“25B Provision giving function gives power to exercise function

“(1) A provision of an Act that gives an entity a function also gives the entity the powers necessary and convenient to exercise the function.

10 “(2) The powers given to an entity under subsection (1) are additional to any other powers of the entity under the Act or any other law.”.

Explanatory note

Section 25B clarifies the powers that are given to an entity by giving a function to the entity.

15 Subsection 25B (1) provides that the giving of a function also gives the powers necessary and convenient to exercise the function. The subsection will remove the need to include a standard ‘necessary and convenient’ power in an Act when giving functions to an entity.

Subsection 25B (2) makes it clear that the powers given to the entity under subsection 25B (1) are additional to other powers that it has under law.

20 The term *entity* is defined in the dictionary. Under the definition of *function* in the dictionary, references in section 25B to function will include duty (see also the definition of *give*).

[2.8] Sections 26A and 27—

Repeal the sections, substitute the following section:

“27 Power to make decision includes power to reverse or change

25 “(1) Power given by an Act to make a decision includes power to reverse or change the decision.

“(2) The power to reverse or change the decision is exercisable in the same way, and subject to the same conditions, as the power to make the decision.”.

30 **Explanatory note**

Proposed section 27 replaces the part of repealed section 26A that relates to decisions. The remainder of the section is carried over in proposed sections 27C and 27D. The provisions of the repealed section 27 have been remade as sections 27E, 27G and 27H.

SCHEDULE 2—continued

[2.9] Subsections 27A (3) and (6)—

Omit the subsections.

Explanatory note

5 This amendment is consequential on proposed section 27F which allows a single instrument to be made in exercise of 2 or more powers.

[2.10] Division 3.4—

After section 27A insert the following Division and Division heading:

“Division 3.4—Instruments under Acts

10 **“27B Meaning of *matter* in div 3.4**

In this Division—

matter, in relation to an instrument, includes circumstance, place and person.

“27C Power to make instruments

15 If a provision of an Act gives a power that can be exercised by making an instrument, the provision gives power to make the instrument.

“27D Power to make instrument includes power to amend or repeal

“(1) Power given by an Act to make an instrument includes power to amend or repeal the instrument.

20 “(2) The power to amend or repeal the instrument is exercisable in the same way, and subject to the same conditions, as the power to make the instrument.

“27E Power to make instrument includes power to make different provision for different categories etc

25 “(1) Power given by an Act to make an instrument includes power—

- (a) to make different provision with respect to different matters or different classes of matters; or
- (b) to make an instrument that applies differently by reference to stated exceptions or factors.

SCHEDULE 2—continued

“(2) Without limiting subsection (1), a power given by an Act to make an instrument about particular matters (however described) includes power to make an instrument about 1 or more of those matters or a particular class of those matters.

5 “(3) For this section, a class may consist of a single matter.

“27F **Single instrument may exercise several powers or satisfy several requirements**

“(1) A power under an Act may be exercised with other powers to make a single instrument—

10 (a) whether or not the powers are exercised in relation to separate provisions, some of the same provisions or all of the provisions of the instrument; or

(b) whether or not the other powers are given under the same Act, another Act or any other Territory law.

15 ‘Example—

If copies of a subordinate law are not available for purchase as required by subsection 6 (3) of the *Subordinate Laws Act 1989*, subsection 6 (4) of that Act requires a Minister to cause a statement to that effect, and the reason for their non-availability, to be laid before the Legislative Assembly. Subsection 27A (5) of this Act requires a similar statement to be
20 presented to the Legislative Assembly if copies of an instrument mentioned in subsection 27A (1) are not available. Subsection 27F (1) allows a single statement to have effect for the *Subordinate Laws Act 1989* and section 27A of this Act.

“(2) A statutory instrument, or a provision of a statutory instrument, is taken—

25 (a) to be made under each power given by Territory law under which it could be made; and

(b) to satisfy each requirement under Territory law that it could satisfy.

“(3) Subsection (2) applies to an instrument even though—

30 (a) it is stated to be made under a particular Territory law (the *authorising law*) or a particular provision of the authorising law; and

(b) it is stated to be made under a particular Territory law (the *requiring law*) or a particular provision of the requiring law.

SCHEDULE 2—continued

“27G Relationship between authorising Act and instrument dealing with same matter

If an Act gives power to make an instrument about a matter, the instrument may make provision with respect to a particular aspect of the matter even though provision is made by the Act in relation to another aspect of the matter or in relation to another matter.

“27H Instrument may require the making of statutory declaration

“(1) If an Act gives power to make an instrument, the instrument may require the making of a statutory declaration.

“(2) Subsection (1) applies—

- (a) whether or not the Act authorises or requires penalties to be prescribed by instrument; and
- (b) if the Act authorises or requires penalties to be prescribed by instrument—irrespective of the level of penalties that may be prescribed.

Division 3.5—Appointments”.

Explanatory note

Division 3.4 is part of a rearrangement of the provisions in Part 3 to move them into groups according to subject matter.

Section 27B makes it clear that references to ‘matter’ in div 3.4 (sections 27B to 27I) include circumstances, places and people. It therefore affects the operation of the provisions in the division. In other words (relying, for example, on paragraph 27E (1) (a)), an instrument made for a purpose under an Act could be expressed to apply differently in different parts of the Territory.

Section 27C is a remake of existing subsection 26A (2) in simpler language. That subsection removed the need to include the words ‘in writing’ (or similar words) in legislation to ensure that something done under a power could be varied or revoked. Sections 27C and 27D operate to achieve this result.

Section 27D gives power to amend or repeal an instrument wherever power is given to make an instrument. The section also provides that, if the relevant Act has requirements for the making of an instrument (for example, there may be an obligation to consult with someone before making of the instrument), the requirements apply to an amendment or repeal of the instrument. Section 27D corresponds to former subsection 26A (1), which has been repealed by this Act.

Section 27E allows the exercise of statutory powers to be tailored to the particular needs of the situation. In particular, the section enables the same power to be exercised in different

SCHEDULE 2—continued

ways in relation to different matters (including circumstances, places and people). Subsection (2) indicates that a statutory power may be exercised in part. Subsection (3) amplifies the scope of the section by making it clear that a power can be exercised in relation to a single matter if necessary. Section 27E substantially re-enacts (using simpler English) former subsection 27 (2), which has been repealed by this Act.

Section 27F enables a single instrument to be used to exercise several powers rather than separate instruments if it would be more convenient to combine them into a single instrument. Under paragraph (1) (a), the exercise of several powers in a single instrument does not require the instrument to be structured so that each of the powers is 'quarantined' into a separate provision. The instrument can be set out in the way that best suits the exercise of the powers and is more helpful to the reader. Paragraph (1) (b) makes it clear that subsection 27F (1) applies whether the powers are given by the same Act, different Acts or a Territory law that is not an Act. Subsections 27F (2) and (3) complement subsection 27F (1) by providing that any available power can be used to support the validity of an instrument, whether or not the power is stated to be used. The subsections also indicate that a single instrument can be used to satisfy separate requirements to make instruments, and that an instrument is to be understood as satisfying every requirement that it can satisfy, whether or not it states that it is satisfying the requirement.

Section 27G is intended to avoid doubts about the possible validity of an instrument because of inconsistency with the authorising Act. Doubts may arise where the instrument and the Act that authorises the instrument each deal with the same matter. (This could arguably arise if, for example, an Act and instruments made under an Act deal with different parts of the same legislative scheme.) Normally an instrument under an Act cannot validly contradict a provision of the Act. Section 27G indicates that an instrument does not contradict the Act merely by dealing with a different aspect of the same matter. Section 27G substantially re-enacts (again, using simpler English) former subsection 27 (3), which has been repealed by this Act.

Section 27H makes it clear that an instrument may require a statutory declaration to be completed even though the penalty for a false declaration exceeds the maximum penalty that may be imposed by the instrument itself. Section 27H is a plain English re-enactment of former subsection 27 (4), which has been repealed by this Act.

Section 27I (formerly section 31 and relocated by another amendment) will also form part of Division 3.4.

The heading to Division 3.5 is intended to improve the arrangement of sections of the Act. The effect of inserting the heading is that sections 28 and 28A will constitute a Division about appointments.

[2.11] Section 29—

Relocate as section 13E in Division 3.1.

Explanatory note

This amendment relocates section 29 to improve the arrangement of sections of the Act.

SCHEDULE 2—continued

[2.12] Heading to Division 3.6 of Part 3—

Before section 29A insert the following Division heading:

“Division 3.6—Delegations

Explanatory note

- 5 The heading to Division 3.7 is another provision intended to improve the arrangement of sections of the Act. The effect of inserting the heading is that sections 29A, 29B, 30, 30AA and 30AB will constitute a Division about delegations.

[2.13] Heading to Division 3.7—

Before section 30A insert the following Division heading:

10 ***“Division 3.7—Reports”.***

Explanatory note

The heading to Division 3.7 is intended to improve the arrangement of sections of the Act. The effect of inserting the heading is that s 30A will constitute a Division about reports.

[2.14] Section 31—

- 15 Relocate as section 27I in Division 3.4.

Explanatory note

Section 31 has been relocated to improve the arrangement of sections of the Act.

[2.15] Section 31AA—

- (a) Omit the section heading, substitute the following heading:
20 ***“Functions and powers etc of bodies”.***
(b) Relocate after section 13BA as section 13BB.

Explanatory note

This amendment substitutes a more descriptive heading to the section and relocates it to improve the arrangement of sections of the Act.

25 **[2.16] Division 4 of Part 3—**

Renumber as Division 3.8.

Explanatory note

This amendment provides for a consequential renumbering of a division.

SCHEDULE 2—continued

[2.17] Section 32—

Repeal the section, substitute the following section:

“32 Corporations liable to offences etc

5 “(1) A provision of an Act about offences punishable on indictment or summary conviction applies to corporations as well as to individuals.

“(2) A provision of an Act can apply to a corporation even though a contravention of the provision is punishable by imprisonment (with or without another penalty).

‘Example—

10 A provision of an Act contains the following penalty provision:

‘Maximum penalty: 2,000 penalty units, imprisonment for 1 year or both.’

The provision can apply to a corporation.

15 “(3) If a court convicts a corporation of an offence and, apart from this section, the penalty for the offence is a period of imprisonment only, the court may impose a maximum penalty of—

(a) if the period of imprisonment is not longer than 6 months—50 penalty units; and

(b) if the period of imprisonment is longer than 6 months but not longer than 1 year—100 penalty units; and

20 (c) if the period of imprisonment is longer than 1 year but not longer than 2 years—200 penalty units; and

(d) if the period of imprisonment is longer than 2 years but not longer than 5 years—500 penalty units; and

25 (e) if the period of imprisonment is longer than 5 years—1,000 penalty units.

Note Section 33AA explains the meaning and value of penalty units.

“(4) A provision of an Act about a forfeiture or penalty payable to a party aggrieved applies to corporations as well as to individuals.”.

Explanatory note

30 Proposed subsections (1), (3) and (4) are a rewrite of existing section 32 in plainer English. The proposed subsections clarify the scope of the existing section. New subsection 32 (2) is intended to make it clear that an offence that is expressed to be punishable by imprisonment only can apply to corporations even though a corporation cannot be imprisoned. This is the existing law.

SCHEDULE 2—continued

[2.18] Division 5 of Part 3—

Renumber as Division 3.9.

Explanatory note

This amendment provides for a consequential renumbering of a division.

5 **[2.19] Division 6 of Part 3—**

Renumber as Division 3.10.

Explanatory note

This amendment provides for a consequential renumbering of a division.

[2.20] Heading to section 37—

10 Omit the heading, substitute the following heading:

“37 Definitions for div 3.10”.

Explanatory note

This amendment provides for a consequential amendment of a section heading.

[2.21] Section 43—

15 After subsection (1) insert the following subsection:

“(2) An amending section or subsection is automatically repealed on the day after all of its provisions have commenced.”.

Explanatory note

20 Under subsection (2) a section or subsection that does no more than amend or repeal an Act or instrument will be automatically repealed when it has come into operation. The automatic repeal also extends to any related schedule or part of a schedule to which the section or subsection that lists Acts or instruments to be amended or repealed. See also the definitions of *amending section or subsection* and *section* (below).

[2.22] Subsection 43 (2)—

25 (a) After “subsection (1)” insert “or (2)”.

(b) Renumber as subsection 43 (3).

Explanatory note

30 This amendment is consequential on the previous amendment. It makes it clear that a repeal mentioned in new subsection (2) has the same effect as a repeal mentioned in existing subsection (2) (renumbered as subsection (3)). The amendment also provides for the consequential renumbering of the subsection.

SCHEDULE 2—continued

[2.23] Subsection 43 (3)—

Renumber as subsection 43 (4).

Explanatory note

This amendment provides for the consequential renumbering of the subsection.

5 **[2.24] Subsection 43 (4) (definition of *amending Act*)—**

(a) Renumber paragraphs (f), (g), (h) and (i) as (g), (h), (i) and (j), respectively.

(b) After paragraph (e) insert the following paragraph:

“(f) a provision about the effect of notes;”.

10 **Explanatory note**

Amendment (a) anticipates amendment (b) by renumbering the paragraphs in the definition that follow the new paragraph.

15 Amendment (b) enables an Act that contains a provision about the effect of notes to be an ‘amending Act’ and therefore capable of automatic repeal under section 43 of the *Interpretation Act 1967*.

[2.25] Subsection 43 (4)—

(a) Insert the following definition:

20 *amending section or subsection* means a section or subsection that only amends or repeals an Act or instrument, and includes any other provision (for example, a schedule) that only identifies the Act or instrument amended or repealed by the section or subsection.

(b) Renumber as subsection 43 (5).

25 **Explanatory note**

Amendment (a) inserts definitions for new subsection 43 (2), which extends the scope of the section so that a section or subsection that amends or repeals legislation is also automatically repealed under section 43.

Amendment (b) provides for the consequential renumbering of the subsection.

30 **[2.26] Dictionary (definition of *calendar month*, paragraph (a))—**

Before “corresponding” insert “day before the”.

SCHEDULE 2—continued

Explanatory note

This amendment is intended to ensure that the corresponding day of the next month is not counted for the definition of *calendar month* (see also the next amendment).

[2.27] Dictionary (definition of *calendar month*)—

5 Add the following examples:

“Examples—

1 The period beginning at the start of 5 July 2000 and ending at midnight on 4 August 2000 is a calendar month.

10 2 The period beginning at the start of 30 January 2001 and ending at midnight on 28 February 2001 is a calendar month. The calendar month ends on the last day of February because in that year February does not have a day corresponding to 29 January (because 2001 is not a leap year). If the period began at the start of 30 January 2004 (ie, a leap year), the calendar month would end at midnight on 29 February 2004.”

Explanatory note

15 This amendment inserts examples into the Act to explain the definition of *calendar month*.

[2.28] Dictionary (definition of *disallowable instrument*)—

Omit “under section 10 of”, substitute “for”

Explanatory note

20 This amendment updates the language of the definition consequentially on amendments of the *Subordinate Laws Act 1989* made by the *Law Reform (Miscellaneous Provisions) Act 1999*.

[2.29] Dictionary (definition of *number*, paragraph (b))—

Add at the end “of the alphabet”.

Explanatory note

25 This amendment makes a minor amendment to the definition of *number* to clarify that a ‘letter’ means a letter of the alphabet.

[2.30] Dictionary—

Insert the following definitions:

ACT means the Australian Capital Territory.

30 *ambulance service* means the ACT Ambulance Service under the *Emergency Management Act 1999*.

SCHEDULE 2—continued

Australian driver licence means an Australian driver licence under the *Road Transport (Driver Licensing) Act 1999*.

5 *Note* **Australian driver licence** is defined in the dictionary to that Act to mean a driver licence of any kind issued under the law of the Commonwealth or a State or Territory. It includes a driver licence issued under ACT law (see also definition of **driver licence**).

commissioner for housing means the Commissioner for Housing under the *Housing Assistance Act 1987*.

10 **conservator of flora and fauna** means the Conservator of Flora and Fauna under the *Nature Conservation Act 1980*.

daylight means the period in a day from sunrise to sunset.

dentist means a registered dentist under the *Dentists Act 1931*.

15 **dental prosthetist** means a registered dental prosthetist under the *Dental Technicians and Dental Prosthetists Registration Act 1988*.

dental technician means a registered dental technician under the *Dental Technicians and Dental Prosthetists Registration Act 1988*.

20 **driver licence** means a driver licence under the *Road Transport (Driver Licensing) Act 1999*.

Note **Driver licence** is defined in the dictionary to that Act to mean a driver licence of any kind issued under that Act (see also definition of **Australian driver licence**).

25 **gambling and racing commission** means the Gambling and Racing Commission established under the *Gambling and Racing Control Act 1999*.

government solicitor means the Government Solicitor under the *Government Solicitor Act 1989*.

matter, for Division 3.4 (Instruments under Acts)—see section 27B.

30 **night** means the period between sunset on one day and sunrise on the next day.

pharmacist means a registered pharmacist under the *Pharmacy Act 1931*.

SCHEDULE 2—continued

planning authority means the Australian Capital Territory Planning Authority under the *Land (Planning and Environment) Act 1991*.

privacy commissioner means the Privacy Commissioner under the *Privacy Act 1998* (Cwlth).

5 **Territory plan** means the Territory plan as in force from time to time under the *Land (Planning and Environment) Act 1991*.

transitional includes saving.

veterinary surgeon means a registered veterinary surgeon under the *Veterinary Surgeons Act 1965*.

10 **Explanatory note**

The dictionary contains definitions of officials, things and concepts that are used from time to time in Territory laws. Once a term is defined in the dictionary it does not need to be defined again in Territory legislation. The definitions set out above represent a continuation of recent practice of adding to the list of terms defined in the Interpretation Act.

Legislation (Republication) Act 1996

[2.31] Paragraph 15 (1) (p)—

Renumber as paragraph 15 (1) (r).

Explanatory note

20 This amendment is a consequential renumbering of a paragraph.

[2.32] Subsection 15 (1)—

After paragraph (o) insert the following paragraphs:

“(p) inserts, omits or alters a note; or

“(q) updates a reference to the heading to a provision; or”.

25 **Explanatory note**

This amendment will enable notes in legislation, and references to provision headings, to be kept up-to-date using the *Legislation (Republication) Act 1996*. Notes in an Act are not part of the Act (see *Interpretation Act 1967* s 12 (1), (4) and (5)) but are included to assist the reader by providing explanatory material about the Act. References to provision headings are included in legislation (usually in brackets) to assist the reader of legislation to gain an immediate understanding of the context of cross-references.

SCHEDULE 2—continued

Subordinate Laws Act 1989

[2.33] Subsection 5 (3)—

Omit the subsection.

Explanatory note

- 5 Subsection 5 (3) is not needed after the enactment of sections 10B and 10C of the
Interpretation Act 1967. Section 10B provides that the provisions of an Act providing for
its commencement commence on the date of notification. Section 10C contains provisions
dealing with the commencement of Acts by notice. The omission of subsection 5 (3) will
enable a commencement notice for an Act to be published in the Gazette on the same day
10 the enactment of the Act is notified in the Gazette.

SCHEDULE 3

(Sec s 4)

TECHNICAL AMENDMENTS

Administration and Probate Act 1929

[3.1] New section 128—

5 After section 127 insert the following section:

“128 Application of amendments made by Administration and Probate (Amendment) Act 1996

10 The following provisions as amended or inserted by the *Administration and Probate (Amendment) Act 1996* (and any other consequential amendments made by the Schedule to that Act) apply only in relation to the distribution of the estates of people who die on or after 1 May 1996:

- (a) section 12;
- (b) section 22;
- 15 (c) heading to Part 3A;
- (d) heading to Division 1 of Part 3A;
- (e) section 44;
- (f) heading to Division 2 of Part 3A;
- (g) section 45A;
- 20 (h) section 49BA;
- (i) paragraphs 49D (3) (a) and (b);
- (j) heading to Division 3 of Part 3A;
- (k) headings to Parts 3B and 3C;
- (l) section 65;
- 25 (m) section 69;
- (n) section 95;
- (o) Schedule 6.”.

Explanatory note

30 This amendment continues the effect of section 4 of the *Administration and Probate (Amendment) Act 1996*. That Act is repealed in Schedule 5.

SCHEDULE 3—continued

Children and Young People Act 1999

[3.2] Subsection 245 (2)—

After “Minister” insert “must”.

Explanatory note

- 5 This amendment corrects an omission.

Dangerous Goods Regulations 1978

[3.3] Subparagraph 59 (2) (b) (i)—

Omit the subparagraph, substitute the following subparagraph:

- 10 “(i) has been convicted in the Territory or elsewhere of an offence relating to firearms or explosives and sentenced to imprisonment for 1 year or longer and has been released from that imprisonment less than 5 years before the application; or”

Explanatory note

- 15 This amendment is consequential on section 14 of the *Crimes Act 1974*, which abolished penal servitude. That Act is repealed in Schedule 5.

Duties Act 1999

[3.4] New Chapter 13—

After section 253 insert the following Chapter:

20 **“CHAPTER 13—TRANSITIONAL**

“254 Application of Act to instruments

Except as provided by this Part, this Act applies in relation to an instrument first executed on or after 1 March 1999.

25 **“255 Continued operation of Stamp Duties and Taxes Act 1987 in relation to instruments**

“(1) Despite the repeal of the *Stamp Duties and Taxes Act 1987*, that Act continues to apply in relation to—

- (a) a transfer, or an agreement for a transfer, of an estate in fee simple; and**

SCHEDULE 3—continued

- (b) a Crown lease (not being a lease referred to in paragraph (c)), or a transfer or an agreement for a transfer of a Crown lease; and
- (c) a Crown lease granted to the lessee of a previous Crown lease (whether or not of the same parcel of land) because of the surrender of the previous Crown lease; and
- (d) a lease of land (not being a Crown lease or a lease for residential purposes); and
- (e) a transfer or assignment, or an agreement for a transfer or assignment, of a lease of land (not being a Crown lease);

that was first executed before 1 March 1999.

“(2) In its continued application under subsection (1), section 29 of the *Stamp Duties and Taxes Act 1987* has effect as if the reference in paragraph (1) (b) of that section to section 37A of the *City Area Leases Act 1936* were a reference to section 178 of the *Land (Planning and Environment) Act 1991*.

“256 Application of ch 2

“(1) Subject to section 257, the duty charged by Chapter 2 is charged on dutiable transactions that occur on or after 1 March 1999.

“(2) Dutiable transactions that occurred before 1 March 1999 are not to be aggregated under section 24.

“257 Transfers back from a nominee

“(1) Section 57 applies in relation to—

- (a) a transfer of dutiable property to a trustee; and
- (b) the payment of duty on that transfer;

before 1 March 1999 if the transfer back to the transferor occurs on or after that day.

“(2) In its application under subsection (1), section 57 has effect as if the reference in subsection (2) of that section to duty paid in relation to an initial transfer included a reference to stamp duty paid under the *Stamp Duties and Taxes Act 1987* in relation to such a transfer.

SCHEDULE 3—continued

“258 Credit for duty paid on the acquisition of a business

“(1) Despite the repeal of the *Stamp Duties and Taxes Act 1987*, subsections 64E (2) and (3) of that Act continue to apply in relation to an acquisition of a business in relation to which tax had been paid under
5 section 64A of that Act.

“(2) In its continued application under subsection (1), subsection 64E (2) of the *Stamp Duties and Taxes Act 1987* has effect as if the reference in paragraph (a) of that subsection to stamp duty included a reference to duty chargeable under this Act.

10 “(3) In its continued application under subsection (1), subsection 64E (3) of the *Stamp Duties and Taxes Act 1987* has effect as if the reference in that subsection to stamp duty included a reference to other duties.

“259 Application of ch 3

15 The duty charged by Chapter 3 is charged on transactions that occur on or after 1 March 1999.

“260 How duty is charged on relevant acquisitions

“(1) The reference in section 90 to a period of 3 years is a reference to a period of 3 years ending on or after 1 March 1999.

20 “(2) However, acquisitions that occurred before 1 March 1999 are not to be aggregated under that section.

“261 Application of ch 4

“(1) Subject to subsection (2), the duty charged by Chapter 4 is charged on—

- 25 (a) sales and purchases of marketable securities; and
(b) associated transactions referred to in paragraph 118 (1) (d);
that take place on or after 1 March 1999.

“(2) Section 125 applies in relation to sales and purchases of marketable securities made before 1 March 1999 if the liability for duty under that section arises on or after that day.

SCHEDULE 3—continued

“262 Continued application of Stamp Duties and Taxes Act 1987 in relation to marketable securities

Despite the repeal of the *Stamp Duties and Taxes Act 1987*, that Act continues to apply in relation to—

- 5 (a) a sale or purchase of marketable securities referred to in section 38 of that Act that occurred before 1 March 1999; and
- (b) a transfer of marketable securities referred to in section 44 of that Act that was made before 1 March 1999; and
- 10 (c) a change in the beneficial ownership of a marketable security to which section 49F of that Act applied and that was made before 1 March 1999.

“263 Application of ch 5

“(1) Subject to subsection (2), the duty charged by Chapter 5 is charged on lease instruments that are first executed on or after 1 March 1999.

- 15 “(2) The duty charged by Chapter 5 is applicable to a lease instrument that was first executed before 1 March 1999 if a variation made to the lease on or after that day increases the cost of the lease.

“(3) Section 148 applies to a lease instrument in relation to which stamp duty was paid before 1 March 1999 if the lease is terminated on or after that day.

“(4) In its application under subsection (3), section 148 has effect as if the references to duty in subsections (1) and (4) of that section included references to stamp duty.

“(5) Section 149 applies to a lease instrument in relation to which stamp duty was paid before 1 March 1999 if the lease is varied on or after that day so as to reduce the total cost of the lease.

“(6) In its application under subsection (5), section 149 has effect as if the references to duty in subsections (1) and (3) of that section included references to stamp duty.

30 **“264 Application of ch 6**

The duty charged by Chapter 6 is charged—

SCHEDULE 3—continued

(a) in relation to the hire of goods by a person who is a commercial hire business—on the hiring charges received by the person on or after 1 March 1999; and

5 (b) in relation to the hire of goods by a person who is not a commercial hire business—on a hire of goods that is entered into by the person on or after 1 March 1999.

“265 Continued operation of Part IVB of the Stamp Duties and Taxes Act 1987

10 “(1) Despite the repeal of the *Stamp Duties and Taxes Act 1987*, that Act continues to apply in relation to—

(a) hiring charges received by a commercial hirer before 1 March 1999; and

(b) a transaction entered into before 1 March 1999 that is—

15 (i) an equipment financing arrangement; or
(ii) a hiring (not being an equipment financing arrangement) where the amount of the charges for the hiring exceeds the duty-free threshold;

being a transaction under which hiring charges are payable to a person who is not a commercial hirer.

20 “(2) In this section *commercial hirer*, *duty-free threshold*, *equipment financing agreement* and *hiring charge* have the same respective meanings as in Part IVB of the *Stamp Duties and Taxes Act 1987* immediately before that Act was repealed.

“266 Application of ch 8

25 “(1) The duty charged by Chapter 8 is charged on—

(a) the amount of a premium paid on or after 1 March 1999 in relation to a contract that effects general insurance; and

30 (b) the sum insured by a policy of life insurance, other than a temporary or term insurance policy, executed on or after 1 March 1999; and

(c) the first year’s premium in relation to a policy of temporary or term insurance, or a life insurance rider, executed on or after 1 March 1999; and

SCHEDULE 3—continued

- (d) a premium paid on or after 1 March 1999 in relation to a policy of disability income insurance, being insurance under which an amount is payable in the event of the disablement of the insured by accident or sickness.

- 5 “(2) For this section, a payment of a periodic premium in relation to disability income insurance that is continued, but not renewed, on the
— payment of the premium is taken to be paid in relation to a new policy of disability income insurance.

10 **“267 Continued operation of pt IV of the Stamp Duties and Taxes Act 1987**

Despite the repeal of the *Stamp Duties and Taxes Act 1987*, that Act continues to apply in relation to—

- 15 (a) premiums received, whether in Australia or elsewhere, in relation to life insurance effected in relation to a person domiciled in the Territory when the insurance was effected, being life insurance provided by a life insurance policy executed before 1 March 1999; and
- 20 (b) premiums received before 1 March 1999, whether in Australia or elsewhere, in relation to general insurance effected in relation to—
- (i) property situated in the Territory when the insurance was effected; or
- (ii) any act or omission occurring in the Territory; and
- 25 (c) premiums received in the Territory before 1 March 1999 in relation to general insurance, other than the insurance referred to in paragraph (b), if—
- (i) tax or stamp duty is not payable under a corresponding law in relation to the premium; or
- 30 (ii) tax or stamp duty payable under a corresponding law in relation to the premium has not been paid.

“268 Refunds where premiums are returned

“(1) Section 182 applies in relation to tax paid under Part IV of the *Stamp Duties and Taxes Act 1987* on premiums paid in relation to insurance that was general insurance within the meaning of that Act.

SCHEDULE 3—continued

“(2) In its application under subsection (1), section 182 has effect as if—

- (a) a reference in that section to duty included a reference to tax paid under Part IV of the *Stamp Duties and Taxes Act 1987*; and
- (b) a reference in that section to dutiable premium included a reference to taxable premium; and
- (c) a reference in that section to a person to whom section 180 applies included a reference to a person to whom section 36A of the *Stamp Duties and Taxes Act 1987* applied.

“269 Refund on cancellation of policy of life insurance

“(1) Section 188 applies in relation to tax paid under Part IV of the *Stamp Duties and Taxes Act 1987* on premiums paid in relation to insurance that was life insurance within the meaning of that Act.

“(2) In its application under subsection (1), section 188 has effect as if a reference in that section to duty included a reference to tax paid under Part IV of the *Stamp Duties and Taxes Act 1987*.

“270 Application of ch 9

“(1) Subject to subsection (2), the duty charged by Chapter 9 is charged on—

- (a) an application to register a motor vehicle made on or after 1 March 1999; and
- (b) an application to register a motor vehicle made before 1 March 1999 in relation to which a certificate of registration is issued on or after that day.

“(2) Duty is not chargeable under Chapter 9 in relation to an application to register a motor vehicle if the vehicle is a used motor vehicle and—

- (a) duty has been paid in relation to the registration under section 56A of the *Stamp Duties and Taxes Act 1987*; or
- (b) a return has been lodged by a licensed vehicle dealer under section 56D of the *Stamp Duties and Taxes Act 1987* in relation to a sale of the vehicle to the applicant.

SCHEDULE 3—continued

“271 Continued operation of certain provisions of pt IV of the Stamp Duties and Taxes Act 1987

5 “(1) Despite the repeal of the *Stamp Duties and Taxes Act 1987*, sections 56A, 56B and 56D of that Act continue to apply in relation to a sale of a used vehicle made by a licensed vehicle dealer before 1 March 1999.

“ (2) Despite the repeal of the *Stamp Duties and Taxes Act 1987*, section 56F of that Act continues to apply in relation to tax paid under Part IV of that Act on a sale of a used vehicle by a licensed vehicle dealer.

“272 Certificates of exemption

10 “(1) A certificate in effect under section 62 of the *Stamp Duties and Taxes Act 1987* immediately before 1 March 1999 is, on and after that day, to be taken to have been issued under section 222.

15 “(2) A certificate to which subsection (1) applies that was issued for a reason referred to in paragraph 62 (1) (a) of the *Stamp Duties and Taxes Act 1987* is, on and after 1 March 1999, to be taken to have been issued for the corresponding reason referred to in paragraph 222 (1) (a).

“273 Duty and tax paid under the Stamp Duties and Taxes Act 1987

20 If an assessment or reassessment of duty is required to take into consideration another amount of duty paid, a reference in this Act to duty includes a reference to stamp duty, tax and duty within the meaning of the *Stamp Duties and Taxes Act 1987* that had been paid in accordance with the provisions of that Act.

“274 Stamping under the Stamp Duties and Taxes Act 1987

25 An instrument is duly stamped for this Act if, immediately before 1 March 1999, it was duly stamped for the *Stamp Duties and Taxes Act 1987*.

“275 Determined duties and taxes

30 “(1) Despite the repeal of the *Taxation (Administration) Act 1987*, a determination under that Act in relation to stamp duty, duty or tax payable under a continuing provision, being a determination in force immediately before 1 March 1999, continues in force on and after that day for that provision.

“(2) In subsection (1)—

SCHEDULE 3—continued

continuing provision means a provision of the *Stamp Duties and Taxes Act 1987* that continues to apply on and after 1 March 1999 under this Part.

“276 Expiry of Part

5 “(1) This Part ceases to have effect 3 years after its commencement.

“(2) This Part is declared to be a law to which the *Interpretation Act 1967*, section 42 applies.

10 “*Note* Sections 8, 18, 21, 30 and 31 of the *Duties (Consequential and Transitional Provisions) Act 1999* have not been re-enacted in this Part. The effect of those provisions was saved under the *Interpretation Act 1967*, section 42 by the *Statute Law (Miscellaneous Provisions) Act 2000* (see sch 6).”.

Explanatory note

15 This amendment continues the effect of relevant provisions of the *Duties (Consequential and Transitional) Provisions Act 1999*. That Act is repealed in Schedule 5. The Act is also included in Schedule 6.

Gambling Legislation Amendment Act 1999

[3.5] Schedule 3—

Omit “Subparagraph 45 (1) (d) (i)”, substitute “Subparagraph 51 (1) (d) (i)” (commencement: 30 November 1999).

20 **Explanatory note**

This amendment corrects a cross-reference.

Gaming and Racing Control (Consequential Provisions) Act 1999

[3.6] Schedule (Further amendments of the Gaming Machine Act 1987)—

25 Omit “and 60B (1) and (2), sections 60D and 60E, subsection 60G (2), section 60K”.

Explanatory note

30 This amendment omits a reference to provisions that were to be inserted in the *Gaming Machine Act 1987* by another Bill that had not passed when the *Gaming and Racing Control (Consequential Provisions) Act 1999* was passed.

SCHEDULE 3—continued

Juries Act 1967

[3.7] Paragraph 10 (a)—

Omit “penal servitude or”.

Explanatory note

- 5 This amendment is consequential on section 14 of the *Crimes Act 1974*, which abolished penal servitude. That Act is repealed in Schedule 5.

Land (Planning and Environment) Act 1991

[3.8] Section 187A (as inserted by Act 1999 No 73)—

Renumber as section 187AA.

10 **Explanatory note**

This amendment corrects an unintended duplication of section numbers.

[3.9] New Part 8—

After section 288 insert the following Part:

“PART 8—TRANSITIONAL

15 **“289 Status of leases and licences**

“(1) Subject to section 290, a lease or licence granted or continued, or purported to have been granted or continued, under a repealed Act and in force immediately before 2 April 1992 is taken, on and after that day, to have been granted under this Act.

20 **“(2) In this section—**

***repealed Act* means any of the following Acts:**

- *Leases Act 1918* No 2
- *Leases (Special Purposes) Act 1925* No 11
- *City Area Leases Act 1936* No 31.

25 **“290 Continued application of certain repealed Acts and provisions**

“(1) Despite the repeal of the *Australian National University (Leases) Act 1967*, that Act continues to apply in relation to a lease granted under, or

SCHEDULE 3—continued

continued in force by, that Act and in force immediately before 2 April 1992.

5 “(2) Despite the repeal of the *Canberra College of Advanced Education (Leases) Act 1977* and subject to subsection (3), that Act continues to apply in relation to a lease granted under that Act and in force immediately before 2 April 1992.

“(3) For subsection (2), section 5 of the *Canberra College of Advanced Education (Leases) Act 1977* is taken to apply as if that section had been amended by omitting ‘in perpetuity’.

10 “(4) Despite the repeal of the *Church Lands Leases Act 1924*, sections 5, 6, 8 and 10 of that Act continue to apply in relation to a lease granted under that Act and in force immediately before 2 April 1992.

15 “(5) In a continuing lease, a reference to improvements is to be read as a reference to improvements other than improvements by way of clearing, draining, grading, filling, excavating or levelling made by the Territory or the Commonwealth or the cost of which the Territory or the Commonwealth has paid.

“(6) Despite the repeal of the *City Area Leases Act 1936*, the following sections of that Act continue to apply:

- 20 (a) in so far as the section relates to a continuing lease in which provision is made for the land comprised in the lease to be used for a purpose specified in subsection 8A (1) of that Act—section 8A;
- 25 (b) in so far as the section relates to a variation of a continuing lease in respect of which notice under section 18A of that Act was given before the commencement day—section 18B;
- (c) in so far as the section relates to a continuing lease in respect of which notice under the section was given before the commencement day—section 22;
- 30 (d) in so far as the section relates to a continuing lease specified in subsection 28A (1) of that Act—section 28A;
- (e) in so far as the section relates to a continuing lease specified in subsection 28DA (1) of that Act—section 28DA;

SCHEDULE 3—continued

- (f) in so far as the section relates to a sub-lease specified in subsection 30A (2) of that Act and in force immediately before 2 April 1992—section 30A.

5 “(7). Despite the repeal of the *Leases (Special Purposes) Act 1925*, sections 5AC, 5AD, 5A and 5B of that Act continue to apply in relation to a lease of Territory Land—

- (a) granted under subsection 3 (2) of that Act as in force immediately before 11 May 1989; and

- (b) in force immediately before 2 April 1992.

10 “(8) Despite the repeal of the *Leases (Special Purposes) Act 1925*, subsection 5BA (6) of that Act continues to apply in relation to a lease granted under that Act and in force immediately before 2 April 1992.

“(9) In this section—

15 *continuing lease* means a lease granted or continued, or purported to have been granted or continued, under the *City Area Leases Act 1936* and to which section 289 of this Act applies.”.

Explanatory note

20 This amendment continues the effect of the relevant provisions of Part IV of the *Land (Planning and Environment) (Consequential Provisions) Act 1991*. That Act is repealed in Schedule 5.

Land Titles Act 1925

[3.10] New Part 20—

After section 179 insert the following Part:

“PART 20—TRANSITIONAL

25 **“180 Savings of titles with words ‘no survivorship’ endorsed**

Despite the repeal of sections 126 and 127 of this Act made by the *Land Titles (Amendment) Act 1995*, subsection 126 (2) (so far as it requires the sanction of the court or the judge for any dealings) and section 127 continue to apply to a registered title that on 19 June 1996 had the words
30 “no survivorship” endorsed on it.”.

SCHEDULE 3—continued

Explanatory note

This amendment continues the effect of section 68 of the *Land Titles (Amendment) Act 1995*. That Act is repealed in Schedule 5.

Liquor Act 1975

5 **[3.11] Section 4—**

Omit “, unless the contrary intention appears”, substitute “the following definitions apply:”.

Note A definition applies except so far as the contrary intention appears (see *Interpretation Act 1967* s 11G).”.

10 **Explanatory note**

The omitted words are no longer required because of s 11G of the *Interpretation Act 1967* (see also the definition of *definition* in the dictionary to that Act).

[3.12] Section 4 (definition of *fire commissioner*)—

Omit the definition.

15 **Explanatory note**

This amendment omits a definition which is no longer required because the same term is defined in the dictionary to the *Interpretation Act 1967*.

[3.13] Subsection 175 (3)—

Omit the subsection.

20 **Explanatory note**

This amendment omits a subsection which is no longer necessary. The section no longer contains any reference to the registrar of motor vehicles whose functions have been taken over by the road transport authority (see also the definition of *road transport authority* in the dictionary to the *Interpretation Act 1967*).

25 **[3.14] Section 176—**

Omit “the Commissioner for Australian Capital Territory Revenue”, substitute “commissioner for revenue”.

Explanatory note

30 The omitted words are no longer required because of the definition of *commissioner for revenue* in the dictionary to the *Interpretation Act 1967*.

SCHEDULE 3—continued

Listening Devices Act 1992

[3.15] Section 2 (definition of *defined offence*, paragraph (a))—

Omit “penal servitude for life”, substitute “life imprisonment”.

Explanatory note

- 5 This amendment is consequential on section 14 of the *Crimes Act 1974*, which abolished penal servitude. That Act is repealed in Schedule 5.

Occupational Health and Safety Act 1989

[3.16] Subsections 25G (4) and (5)—

- 10 Omit “authority”, substitute “commissioner” (commencement: immediately after the commencement of section 10 of the *Occupational Health and Safety (Amendment) Act (No 2) 1999*).

Explanatory note

This amendment corrects a minor error in the *Occupational Health and Safety (Amendment) Act (No 2) 1999*.

15 **[3.17] Subsection 96C (1)—**

Omit “authority”, substitute “commissioner” (commencement: immediately after the commencement of section 13 of the *Occupational Health and Safety (Amendment) Act (No 2) 1999*).

Explanatory note

- 20 This amendment corrects a minor error in the *Occupational Health and Safety (Amendment) Act (No 2) 1999*.

Powers of Attorney Act 1956

[3.18] New sections 19 and 20—

After section 18 the following sections are inserted:

25 **“19 Instruments not invalid on account of form**

This Act does not affect the validity and effectiveness of an instrument purporting to create a power of attorney merely because the instrument is not in or to the effect of a form in the Schedule.

“20 Status of certain instruments in effect before 28 May 1992

30 **“(1) In this section—**

SCHEDULE 3—continued

instrument means an instrument purporting to create a power of attorney having effect immediately before 28 May 1992.

“(2) An instrument is taken to be as valid and effective as if—

(a) the amendments of sections 2, 12, 13, 15, 17 and the Schedule made by the *Powers of Attorney (Amendment) Act 1992*; and

(b) sections 3AA, 3AB, 3AC, 3AD and 13A of this Act;

had been in operation when the instrument was executed.

“(3) Without limiting subsection (2), an instrument in or to the effect of the form in the Schedule as in force immediately before 28 May 1992, has effect on and after that date as if the instrument was in or to the effect of form 2 in the Schedule.

Explanatory note

Section 19 avoids doubt about the validity of powers of attorney that are not expressed in the same terms as a form in the Schedule to the Act. The section continues the effect of subsection 11 (3) of the *Powers of Attorney (Amendment) Act 1992*. That Act is repealed by Schedule 5.

Section 20 applies to powers of attorney that were in operation immediately before 28 May 1992 when the *Powers of Attorney (Amendment) Act 1992* came into operation. Subsection (2) provides that the validity of a power of attorney is to be assessed as if the amendments effected by the *Powers of Attorney (Amendment) Act 1992* had been in operation when the instrument was executed. Subsection (3) makes it clear that a power of attorney made in accordance with the form in the Schedule to the *Powers of Attorney Act 1956* as in force immediately before 28 May 1992 has the same effect as if it had been made in accordance with form 2 in the Schedule to that Act as in force on and after that date. The section continues the effect of subsections 11 (1) and (2) of the *Powers of Attorney (Amendment) Act 1992*. That Act is repealed by Schedule 5.

Prisoners (Interstate Transfer) Act 1993

[3.19] Subsection 3 (1) (definition of *ACT sentence of imprisonment*, paragraph (a))—

Omit the paragraph.

Explanatory note

This amendment is consequential on section 14 of the *Crimes Act 1974*, which abolished penal servitude. That Act is repealed in Schedule 5.

SCHEDULE 3—continued

Public Health (Consequential Amendments) Act 1999

[3.20] Schedule 1—

Omit the amendments of the *Motor Traffic Act 1936*.

Explanatory note

5 See explanatory note after next amendment.

[3.21] Schedule 2—

Omit the amendments of the following regulations:

- *Motor Omnibus Regulations*
- *Taxi and Private Hire Car Regulations.*

10 **Explanatory note**

The amendments omitted from the *Public Health (Consequential Amendments) Act 1999* are redundant following the repeal of the *Motor Traffic Act 1936* and the *Taxi and Private Hire Car Regulations* by the *Road Transport Legislation Amendment Act 1999*, and the lapse of the *Motor Omnibus Regulations* because of the repeal of the *Motor Traffic Act 1936*.

15

Public Health (Miscellaneous Provisions) Act 1997

[3.22] Schedule 3—

Omit the amendments of the *Motor Traffic Act 1936*.

Explanatory note

20 See explanatory note after next amendment.

[3.23] Schedule 4—

Omit the amendments of the following regulations:

- *Motor Omnibus Regulations*
- *Public Health (Barbers' Shops) Regulations*
- 25 • *Public Health (Boarding-houses) Regulations*
- *Public Health (Dairy) Regulations*
- *Public Health (Infectious and Notifiable Diseases) Regulations*
- *Public Health (Laundries, Dry Cleaning Establishments and Dye Works) Regulations*

SCHEDULE 3—continued

- *Public Health (Meat) Regulations*
- *Public Health (Private Hospitals) Regulations*
- *Public Health (Sale of Food and Drugs) Regulations*
- *Taxi and Private Hire Car Regulations.*

5 **Explanatory notes**

1 The amendments of the *Motor Traffic Act 1936*, the *Motor Omnibus Regulations*
and the *Taxi and Private Hire Car Regulations* are redundant following the repeal of the
2 *Motor Traffic Act 1936* and the *Taxi and Private Hire Car Regulations* by the *Road*
3 *Transport Legislation Amendment Act 1999*, and the lapse of the *Motor Omnibus*
4 *Regulations* because of the repeal of the *Motor Traffic Act 1936*.
10

2 The amendments of the various public health regulations are redundant following
the repeal of all of these regulations by the *Public Health Regulations 2000*.

Taxation Administration Act 1999

[3.24] New Part 12—

15 After section 140 insert the following Part:

“PART 12—TRANSITIONAL

“141 Investigations and legal proceedings

Despite section 41 of the *Interpretation Act 1967*—

- 20 (a) an investigation in respect of a right, privilege, obligation or
liability under the *Taxation (Administration) Act 1987* must be
instituted or continued after 1 March 1999 in accordance with this
Act; and
- 25 (b) any document or other thing duly obtained or retained by the
Commissioner under section 12 of the *Taxation (Administration)*
Act 1987 must be dealt with under sections 85 and 86 of this Act;
and
- 30 (c) a legal proceeding in respect of a right, privilege, obligation or
liability under the *Taxation (Administration) Act 1987* that is
commenced after 1 March 1999 must be conducted in accordance
with Division 5 of Part 11 of this Act.

SCHEDULE 3—continued

“142 Interest and penalty tax

Despite section 41 of the *Interpretation Act 1967*, if a tax default occurred before 1 March 1999 and continues in whole or in part after that date, the taxpayer is liable for interest or penalty tax in relation to the period beginning on that date in accordance with this Act.

“143 Assessments and payments

Despite section 41 of the *Interpretation Act 1967*, if a tax liability arose before 1 March 1999, that liability must be dealt with under this Act, in relation to any action taken or obligation arising after that date in relation to the liability, as if—

- (a) an assessment duly made under sections 15 and 20 of the *Taxation (Administration) Act 1987* had been duly made under sections 5 and 11 of this Act; and
- (b) an amended assessment duly made under section 22 of the *Taxation (Administration) Act 1987* were a reassessment duly made under section 9 of this Act; and
- (c) a compromise assessment duly made under section 22A of the *Taxation (Administration) Act 1987* had been duly made under section 12 of this Act; and
- (d) any notice duly given under the *Taxation (Administration) Act 1987* of, or of the withdrawal of, an assessment referred to in paragraph (a), (b) or (c) had been duly given under this Act; and
- (e) a notice duly given to an agent of a nonresident under subsection 44 (1) of the *Taxation (Administration) Act 1987* had been duly given under subsection 55 (2) of this Act; and
- (f) a notice duly given to a debtor of a taxpayer under subsection 43 (1) of the *Taxation (Administration) Act 1987* had been duly given under subsection 54 (2) of this Act; and
- (g) an objection duly lodged under Part XII of the *Taxation (Administration) Act 1987* had been duly lodged under Part 10 of this Act; and
- (h) a decision on an objection duly made under subsection 89 (3) of the *Taxation (Administration) Act 1987* were a determination duly made under section 104 of this Act; and

SCHEDULE 3—continued

- (i) a notice duly given under subsection 89 (3) of the *Taxation (Administration) Act 1987* had been duly given under section 105 of this Act; and
- (j) an application duly made to the tribunal under section 91 of the *Taxation (Administration) Act 1987* had been duly made under section 107 of this Act.

144 Expiry of pt 12

“(1) This Part ceases to have effect 3 years after the commencement of this section.

- “(2) Sections 141 to 143 are declared to be laws to which the *Interpretation Act 1967*, section 42 applies.

Note Sections 142-144 continue the effect of sections 12-14 of the *Taxation Administration (Consequential and Transitional Provisions) Act 1999*. The *Statute Law (Miscellaneous Provisions) Act 2000* inserted sections 142-144 and repealed the remaining provisions of the *Taxation Administration (Consequential and Transitional Provisions) Act 1999*. Those remaining provisions dealt with the preservation of decisions and appointments under the *Taxation (Administration) Act 1987*, and made consequential amendments. The effect of the relevant remaining provisions was saved under the *Interpretation Act 1967*, section 42 by the *Statute Law (Miscellaneous Provisions) Act 2000* (see sch 6).”.

Explanatory note

This amendment continues the effect of relevant provisions of the *Taxation Administration (Consequential and Transitional Provisions) Act 1999*. That Act is repealed in Schedule 5. The Act is also included in Schedule 6.

Territory Owned Corporations Act 1990

[3.25] Schedule 4 (clause 4)—

Omit “(4)”, substitute “(5)”.

Explanatory note

This amendment relates to a modification of section 16 of the Act in relation to ACTEW Corporation Limited. In 1995 when Schedule 4 was added, section 16 consisted of 3 subsections and the modification took the form of an additional subsection. In 1998 a new subsection (4) was added to section 16 giving rise to an apparent duplication. The amendment renumbers the 1995 modification so that it is consistent with section 16 as amended in 1998.

SCHEDULE 3—continued

Trespass on Territory Land Act 1932

[3.26] Section 3 (definition of the Motor Traffic Act)—

Omit the definition.

Explanatory note

5 This amendment removes a definition that is no longer required.

[3.27] Section 3—

Omit “*vehicle* has the same meaning as in the Motor Traffic Act.”.

Explanatory note

This amendment removes a definition that is no longer required.

10 ***Trustee Companies Act 1947***

[3.28] New section 36—

After section 35 the following section is inserted:

“36 Transitional

15 The fees mentioned in sections 18 and 18A are payable only in relation to estates committed to the administration or management of a trustee company on or after 1 December 1992.”.

Explanatory note

This amendment continues the effect of section 8 of the *Trustee Companies (Amendment) Act 1992*. That Act is repealed by Schedule 5.

20 ***Victims of Crime (Financial Assistance) Act 1983***

[3.29] Section 2 (definition of *damages*, paragraph (a))—

Omit “and”, substitute “but”.

Explanatory note

This amendment improves the syntax.

25 **[3.30] Section 2 (definition of *guardian*)—**

Omit “Director of Family Services”, substitute “chief executive responsible for administering Chapter 2 (General objects, principles and parental responsibility) of the *Children and Young People Act 1999*”.

SCHEDULE 3—continued

Explanatory note

This amendment brings the description of an official up-to-date.

[3.31] Subsection 5 (2)—

Omit “, unless the contrary intention appears”.

5 **Explanatory note**

The omitted words are no longer required because of s 11G of the *Interpretation Act 1967* (see also the definition of *definition* in the dictionary to that Act).

[3.32] Subsection 10 (5) (definition of *ambulance officer*, paragraph (a))—

10 Omit “ACT Ambulance Service”, substitute “ambulance service”.

Explanatory note

This amendment simplifies the description of the service. The *ambulance service* is to be defined in the dictionary to the *Interpretation Act 1967*.

[3.33] Subsection 10 (5) (definition of *firefighter*, paragraph (a))—

15 Omit “Australian Capital Territory Fire Brigade”, substitute “fire brigade”.

Explanatory note

This amendment simplifies the description of the service. The *fire brigade* is defined in the dictionary to the *Interpretation Act 1967*.

20 **[3.34] Paragraph 63 (1) (d)—**

Omit the paragraph.

Explanatory note

25 This amendment omits a reference to the Registrar of Motor Vehicles. The road transport legislation that commenced on 1 March 2000 is administered by the Australian Capital Territory Road Transport Authority which is constituted by the Chief Executive of the Department of Urban Services (see the *Road Transport (General) Act 1999*, s 16 (2)). One consequence of this is that paragraph 63 (1) (c) of this Act applies to the authority and paragraph 63 (1) (d) is now redundant.

[3.35] Subsection 63 (2)—

30 Omit the subsection.

SCHEDULE 3—continued

Explanatory note

This amendment has the effect of removing a definition of chief police officer that is not necessary because it is defined in the dictionary to the *Interpretation Act 1967*.

5 **[3.36] Subsection 66 (3) (definition of *infringement notice*, paragraph (d))—**

Omit “, the *Motor Traffic Act 1936*”.

Explanatory note

This amendment omits a reference to an Act that has been repealed.

10 **[3.37] Paragraph 71 (1) (b)—**

Omit “of compensation”.

Explanatory note

This amendment gives effect to an amendment that was intended to be made by the *Victims of Crime (Financial Assistance) (Amendment) Act 1999* but may not have had effect because the words to be omitted were misdescribed.

15 **[3.38] Section 73—**

Repeal the section, substitute the following section:

“73 Regulation-making power

The Executive may make regulations for this Act.”.

Explanatory note

20 This amendment substitutes the current form of regulation making power. Because of section 2A of the *Subordinate Laws Act 1989*, the substituted section has the same effect as the former section but is more concise.

Wills Act 1968

25 **[3.39] New Part 5—**

After section 34 insert the following Part:

“PART 5—TRANSITIONAL

“35 Application of amendments and provisions

“(1) The provisions set out in column 2 of the table to this section as amended or inserted by the *Wills (Amendment) Act 1989* (the *1989*

SCHEDULE 3—continued

amendment) apply only in relation to wills made or republished after 24 March 1989.

- “(2) The provisions set out in column 3 of the table to this section as amended or inserted by the *Wills (Amendment) Act 1991* (the *1991 amendment*) apply only in relation to wills taking effect after 7 November 1991.

Table of provisions amended or inserted

column 1 item	column 2 provision amended or inserted by the 1989 amendment	column 3 provision amended or inserted by the 1991 amendment
1		section 9
2		section 11
3		section 11A
4		section 12
5		section 12A
6		section 12B
7		section 14A
8		section 15
9		section 20
10		section 20A
11		section 30A
12		section 31
13	section 31A	
14		section 31B
15		section 31C

Explanatory note

- 10 This amendment continues the effect of section 4 of the *Wills (Amendment) Act 1989* and section 17 of the *Wills (Amendment) Act 1991*. In each case, the date mentioned in relation to an amendment or a provision is the date when the amendment or provision commenced. ‘Republication’ refers to the re-execution of a will that has been revoked. The amending Acts are repealed in Schedule 5.

SCHEDULE 3—continued

Workers' Compensation Act 1951

[3.40] New Part 8—

After section 28 insert the following Part:

“PART 8—TRANSITIONAL

5 **“29 Injuries received before 13 January 1998**

 If the death or incapacity of a worker, or a loss or condition suffered
by the worker, results from an injury received, or deemed to have been
received by virtue of section 9, before 13 January 1998, this Act as in force
immediately before 13 January 1998 continues to apply in relation to the
10 injury.”.

Explanatory note

This amendment continues the effect of section 9 of the *Workers' Compensation (Amendment) Act 1997*. That Act is repealed in Schedule 5.

SCHEDULE 4

(See s 5 (1))

REPEAL OF AMENDING ACTS WITHOUT SUBSTANTIVE PROVISIONS

Explanatory note for sch 4

The Acts repealed by this Schedule are amending Acts enacted on or before 1 January 2000 that do not include substantive provisions, that is, they do no more than amend or repeal other laws. The Schedule includes Acts enacted with substantive provisions that were subsequently omitted.

The purpose of the Acts in this Schedule ended when the last of the amending or repealing provisions commenced (or their substantive provisions were omitted). The effect of repealed amending Acts is preserved by the *Interpretation Act 1967*, section 39.

The repeal of the pre-1 January 2000 Acts by this Schedule complements a provision included in the *Interpretation Act 1967* last year that provides for the automatic repeal of amending Acts enacted after 1 January 2000 when all their provisions have commenced (see s 43).

When the repeal of the remaining pre-1 January 2000 amending Acts is completed, it will be easier for users of ACT legislation to be certain that they have found all legislation on a particular topic. At the present time, some substantive provisions are located in pre-1 January 2000 amending Acts and are not included in republications of ACT laws.

Amending Acts with substantive provisions are repealed in Schedule 5.

Real Property Act (No 2) 1925 No 12

Real Property Act 1926 No 8

Real Property Act 1927 No 15

Building and Services Act 1928 No 17

Rates Act (No 3) 1929 No 17

Theatres and Public Halls Act 1929 No 22

Recovery of Lands Act 1930 No 3

Administration and Probate Act 1930 No 11

Real Property Act 1930 No 19

Rates Act 1931 No 5

SCHEDULE 4—continued

Medical Practitioners Registration Act 1931 No 7

Dentists Registration Act 1932 No 5

Administration and Probate Act 1932 No 13

Dentists Registration Act (No 2) 1932 No 17

Court of Petty Sessions Act 1932 No 21

Meat Act 1933 No 5

Administration and Probate Act 1933 No 9

Pharmacy Act 1933 No 21

Dentists Registration Act 1933 No 22

Medical Practitioners Registration Act 1933 No 23

Real Property Act 1933 No 26

Real Property Act (No 2) 1933 No 34

Instruments Act (No 2) 1933 No 35

Administration and Probate Act 1934 No 2

Administration and Probate Act (No 2) 1934 No 6

Real Property Act 1934 No 14

Court of Petty Sessions Act 1934 No 17

Building and Services Act 1934 No 24

Dentists Registration Act 1935 No 20

Instruments Act 1936 No 1

SCHEDULE 4—continued

Tobacco Act 1936 No 10

Real Property Act 1936 No 15

Poisons and Dangerous Drugs Act 1936 No 24

Plant Diseases Act 1936 No 35

Rates Act 1937 No 1

Administration and Probate Act 1937 No 3

Trespass on Commonwealth Lands Act 1937 No 10

Tobacco Act 1937 No 19

Careless Use of Fire Act 1937 No 22

Insane Persons and Inebriates (Committal and Detention) Act 1937 No 23

Court of Petty Sessions Act (No 2) 1937 No 28

Plant Diseases Act 1938 No 1

Roman Catholic Church Property Trust Act 1938 No 11

Real Property Act 1938 No 15

Inebriates Ordinance 1938 No 16

Education Act 1938 No 23

Plant Diseases Act (No 2) 1938 No 39

Medical Practitioners Registration Act 1939 No 2

Trespass on Commonwealth Lands Act 1939 No 6

Public Parks Act 1939 No 11

SCHEDULE 4—continued

Meat Act 1940 No 6

Careless Use of Fire Act 1940 No 7

Trespass on Commonwealth Lands Act 1940 No 15

Court of Petty Sessions Act 1940 No 20

Court of Petty Sessions Act (No 2) 1940 No 22

Hawkers Act 1941 No 1

Church of England Trust Property Act 1941 No 10

Careless Use of Fire Act 1942 No 1

Building and Services Act 1942 No 2

Public Parks Act 1942 No 4

Education Act 1942 No 6

Crimes Act 1942 No 12

Real Property Act 1942 No 15

Building and Services Act (No 2) 1942 No 16

Cemeteries Act 1942 No 18

Trespass on Commonwealth Lands Act 1942 No 20

Careless Use of Fire Act 1943 No 1

Trespass on Commonwealth Lands Act 1943 No 6

Crimes Act 1944 No 1

Trespass on Commonwealth Lands Act 1944 No 2

SCHEDULE 4—continued

Protection of Lands Act 1944 No 4

Trespass on Commonwealth Lands Act (No 2) 1944 No 5

Careless Use of Fire Act 1944 No 1 of 1945

Gaming and Betting Act 1945 No 10

Co-operative Trading Societies Act 1946 No 1

Theatres and Public Halls Act 1946 No 9

Careless Use of Fire Act 1946 No 11

Education Act 1947 No 12

Hawkers Act 1948 No 8

Instruments Act 1949 No 10

Machinery Act 1949 No 11

Medical Practitioners Registration Act 1950 No 4

Rates Act 1950 No 5

Meat Act 1950 No 12

Co-operative Trading Societies Ordinance 1950 No 14

Administration and Probate Act 1950 No 16

Real Property Act 1951 No 9

Court of Petty Sessions Act (No 2) 1951 No 12

Crimes Act 1951 No 14

Careless Use of Fire Act 1952 No 1

SCHEDULE 4—continued

Education Act 1952 No 5

Meat Act 1953 No 6

Court of Petty Sessions Act 1953 No 14

~~————~~ *Careless Use of Fire Act 1954 No 6*

Medical Practitioners Registration Act 1954 No 9

Dentists Registration Act 1954 No 10

Poisons and Dangerous Drugs Act 1954 No 13

Trustee Companies Act 1954 No 16

Plant Diseases Act 1955 No 4

Workmen's Compensation Act 1956 No 1

Medical Practitioners Registration Act 1956 No 5

Co-operative Societies Act 1956 No 10

Education Act 1956 No 11

Real Property Act 1956 No 16

Optometrists Act 1957 No 4

Tobacco Act 1957 No 10

Real Property Act 1957 No 12

Powers of Attorney Act 1957 No 15

Education Act 1958 No 11

Court of Petty Sessions Act 1958 No 12

SCHEDULE 4—continued

Medical Practitioners Registration Act 1958 No 13

Optometrists Act 1958 No 14

Pounds Act 1959 No 5

Workmen's Compensation Act 1959 No 12

Auctioneers Act (No 2) 1959 No 15

Fire Brigades Act 1960 No 2

Administration and Probate Act 1960 No 6

Trustee Companies Act 1960 No 7

Court of Petty Sessions Act 1961 No 2

Public Baths and Public Bathing Act 1961 No 6

Real Property Act 1961 No 7

Cemeteries Act 1961 No 13

Trustee Companies Act 1961 No 19

Medical Practitioners Registration Act 1962 No 2

Co-operative Societies Act 1962 No 3

Trustee Companies Act 1962 No 11

Hawkers Act 1962 No 15

Poisons and Dangerous Drugs Act 1963 No 1

Medical Practitioners Registration Act 1963 No 3

Dentists Registration Act 1963 No 4

SCHEDULE 4—continued

Real Property Act 1963 No 6

Co-operative Societies Act 1963 No 10

Crimes Act 1963 No 11

~~—~~ *Water Rates Act 1963 No 15*

Medical Practitioners Registration Act (No 2) 1963 No 1 of 1964

Education Act 1964 No 4

Theatres and Public Halls Act 1964 No 6

Public Baths and Public Bathing Act 1964 No 10

Gaming and Betting Act 1964 No 16

Games, Wagers and Betting-houses Act 1964 No 17

Pharmacy Act 1964 No 22

Trustee Companies Act 1965 No 4

Law Reform (Miscellaneous Provisions) Act 1965 No 14

Court of Petty Sessions Act 1966 No 2

Education Act 1966 No 3

Cemeteries Act 1966 No 9

Trustee Companies Act 1966 No 12

Business Names Act 1966 No 15

Co-operative Societies Act 1966 No 18

Districts Act 1967 No 10

SCHEDULE 4—continued

Careless Use of Fire Act 1967 No 11

Medical Practitioners Registration Act 1967 No 14

Medical Practitioners Registration Act (No 2) 1967 No 15

Dentists Registration Act 1967 No 16

Veterinary Surgeons Registration Act 1967 No 17

Pharmacy Act 1967 No 18

Optometrists Act 1967 No 19

Administration and Probate Act (No 2) 1967 No 23

Sale of Goods Act 1967 No 25

Water Rates Act 1967 No 26

Poisons and Dangerous Drugs Act 1967 No 32

Architects Act 1967 No 37

Gaming and Betting Act 1967 No 42

Games, Wagers and Betting-houses Act 1967 No 43

Workmen's Compensation Act 1967 No 44

Scaffolding and Lifts Act 1968 No 5

Trustee Companies Act 1968 No 8

Building and Services Act 1968 No 12

Betting (Off-course Totalizator Agency) Act 1968 No 13

Gaming and Betting Act 1968 No 14

SCHEDULE 4—continued

Trustee Act 1968 No 18

Theatres and Public Halls Act 1968 No 24

Hawkers Act 1968 No 29

~~*Meat Act 1968 No 32*~~

Cremation Act 1969 No 8

Workmen's Compensation Act (No 2) 1969 No 13

Workmen's Compensation Act (No 3) 1969 No 18

Medical Practitioners Registration Act 1969 No 21

Sewerage Rates Act 1969 No 22

Water Rates Act 1969 No 23

Betting (Totalizator Agency) Act 1969 No 24

Dentists Registration Act 1970 No 1

Printing and Newspapers Act 1970 No 3

Real Property Act 1970 No 6

Agents Act 1970 No 8

Architects Act 1970 No 9

Court of Petty Sessions Act 1970 No 15

Agents Act (No 2) 1970 No 18

Architects Act (No 2) 1970 No 19

Surveyors Act (No 2) 1970 No 24

SCHEDULE 4—continued

Medical Practitioners Registration Act 1970 No 34

Optometrists Act 1970 No 36

Pharmacy Act 1970 No 37

Dentists Registration Act (No 2) 1970 No 38

Veterinary Surgeons Registration Act 1970 No 39

Crimes Act 1970 No 40

Rates Act 1970 No 47

Sewerage Rates Act 1970 No 50

Legal Practitioners Act (No 3) 1970 No 51

Legal Practitioners Act 1971 No 9

Pharmacy Act 1971 No 18

Optometrists Act 1971 No 19

Architects Act 1971 No 21

Agents Act 1971 No 22

Careless Use of Fire Act 1971 No 27

Education Act 1971 No 28

Theatres and Public Halls Act 1971 No 34

Rates Act 1971 No 38

Co-operative Societies Act 1972 No 6

Real Property Act 1972 No 11

SCHEDULE 4—continued

Betting (Totalizator Agency) Act 1972 No 13

Milk Authority Act 1972 No 15

Interpretation Act 1972 No 18

Trespass on Commonwealth Lands Act 1972 No 20

Lay-by Sales Agreement Act 1972 No 21

Sewerage Rates Act 1972 No 25

Electricity Act 1972 No 27

Milk Authority Act (No 2) 1972 No 28

Agents Act 1972 No 33

Interpretation Act (No 2) 1972 No 42

Pharmacy Act 1972 No 44

Legal Practitioners Act 1973 No 2

Architects Act 1973 No 5

Milk Authority Act 1973 No 7

Water Rates Act 1973 No 15

Co-operative Societies Act 1973 No 16

Interpretation Act 1973 No 23

Land Rent and Rates (Deferment and Remission) Act 1973 No 27

Co-operative Societies Act (No 2) 1973 No 29

Pharmacy Act 1973 No 31

SCHEDULE 4—continued

Medical Practitioners Registration Act 1973 No 44

Court of Petty Sessions Act 1973 No 48

Consumer Affairs Act (No 2) 1973 No 53

Agents Act (No 2) 1973 No 54

Milk Authority Act (No 2) 1973 No 55

Legal Practitioners Act 1974 No 5

Building Act 1974 No 7

Court of Petty Sessions Act 1974 No 14

Unclaimed Moneys Act 1974 No 18

Scaffolding and Lifts Act 1974 No 26

Administration and Probate Act 1974 No 27

Rates Act 1974 No 29

Co-operative Societies Act 1974 No 35

Building Act (No 2) 1974 No 38

Administration and Probate Act (No 2) 1974 No 43

Architects Act (No 2) 1974 No 45

Careless Use of Fire Act 1974 No 53

Fire Brigade Act 1974 No 54

Milk Authority Act 1974 No 55

Unclaimed Moneys Act (No 2) 1974 No 57

SCHEDULE 4—continued

Legal Practitioners Act 1975 No 1

Fire Brigade (Administration) Act 1975 No 4

Fire Brigade (Administration) Act (No 2) 1975 No 10

Rates Act 1975 No 12

Co-operative Societies Act 1975 No 13

Milk Authority Act 1975 No 23

Surveyors Act 1975 No 27

Trustee Act 1975 No 28

Real Property Act 1975 No 33

Public Health (Prohibited Drugs) Act 1975 No 37

Fire Brigade (Administration) Act (No 3) 1975 No 38

Sale of Goods Act 1975 No 39

Pharmacy Act 1975 No 43

Legal Practitioners Act (No 4) 1975 No 45

Districts Act 1976 No 4

Collections Act 1976 No 5

Liquor Act 1976 No 6

Scaffolding and Lifts Act 1976 No 7

Protection of Lands Act 1976 No 8

Building and Services Act 1976 No 18

SCHEDULE 4—continued

Real Property (Unit Titles) Act 1976 No 19

Legal Practitioners (Amendment) Act 1976 No 28

Poisons and Dangerous Drugs Act 1976 No 36

Meat Act 1976 No 37

Medical Practitioners Registration (Amendment) Act 1976 No 40

Court of Petty Sessions (Amendment) Act 1976 No 42

Agents (Amendment) Act 1976 No 43

Architects (Amendment) Act 1976 No 44

Building (Amendment) Act 1976 No 45

Surveyors (Amendment) Ordinance 1976 No 47

Consumer Affairs (Amendment) Act 1976 No 49

Business Names (Amendment) Act 1976 No 51

Annual Holidays (Amendment) Act 1976 No 58

Liquor (Amendment) Act 1976 No 63

Unclaimed Moneys (Amendment) Act 1976 No 64

Legal Practitioners (Amendment) Act (No 2) 1976 No 68

Rates (Amendment) Act 1976 No 69

*Land Rent and Rates (Deferment and Remission) (Amendment) Act 1976
No 70*

Roads and Public Places (Amendment) Act 1976 No 72

SCHEDULE 4—continued

Protection of Lands (Amendment) Act 1976 No 73

Rates (Amendment) Act 1977 No 1

Water Rates (Amendment) Act 1977 No 8

Sewerage Rates (Amendment) Act 1977 No 9

Co-operative Societies (Amendment) Act 1977 No 14

Surveyors (Amendment) Act 1977 No 19

Legal Practitioners (Amendment) Act 1977 No 20

Interpretation (Amendment) Act 1977 No 24

Scaffolding and Lifts (Amendment) Act 1977 No 28

Attachment of Wages Limitation (Amendment) Act 1977 No 36

Public Health (Prohibited Drugs) (Amendment) Act 1977 No 39

Real Property (Amendment) Act 1977 No 47

Real Property (Conversion of Titles) (Amendment) Act 1977 No 48

Registration of Deeds (Amendment) Act 1977 No 49

Legal Practitioners (Amendment) Act (No 2) 1977 No 55

Legal Practitioners (Amendment) Act (No 3) 1977 No 62

Education (Amendment) Act 1977 No 63

Remand Centres (Amendment) Act 1978 No 1

Lakes (Amendment) Act 1978 No 4

Hawkers (Amendment) Act 1978 No 5

SCHEDULE 4—continued

Surveyors (Amendment) Act 1978 No 6

Architects (Amendment) Act 1978 No 7

Poisons and Dangerous Drugs (Amendment) Act 1978 No 9

Cemeteries (Amendment) Act 1978 No 10

Scaffolding and Lifts (Amendment) Act 1978 No 17

Long Service Leave (Amendment) Act 1978 No 20

Public Health (Prohibited Drugs) (Amendment) Act 1978 No 23

Real Property (Amendment) Act 1978 No 24

Registration of Deeds (Amendment) Act 1978 No 25

Legal Aid (Amendment) Act 1978 No 29

Liquor (Amendment) Act 1978 No 35

Public Health (Prohibited Drugs) (Amendment) Act (No 2) 1978 No 40

Physiotherapists Registration (Amendment) Act 1978 No 41

Medical Practitioners Registration (Amendment) Act 1978 No 43

Crimes (Amendment) Act 1978 No 45

Workmen's Compensation (Amendment) Act (No 2) 1978 No 47

Unclaimed Moneys (Amendment) Act 1978 No 49

Crimes (Amendment) Act 1979 No 1

Real Property (Amendment) Act 1979 No 16

Litter (Amendment) Act 1979 No 18

SCHEDULE 4—continued

Liquor (Amendment) Act (No 2) 1979 No 24

Rates (Amendment) Act 1979 No 29

Dentists Registration (Amendment) Act 1979 No 31

Liquor (Amendment) Act (No 3) 1979 No 34

Co-operative Societies (Amendment) Act 1979 No 35

Betting (Totalizator Agency) (Amendment) Act 1979 No 36

Juries (Amendment) Act 1979 No 39

Legal Practitioners (Amendment) Act (No 2) 1979 No 40

Consumer Affairs (Amendment) Act 1979 No 42

Holidays (Amendment) Act 1980 No 1

Betting (Totalizator Agency) (Amendment) Act 1980 No 7

Administration and Probate (Amendment) Act 1980 No 8

Court of Petty Sessions (Amendment) Act (No 2) 1980 No 10

Protection of Lands (Amendment) Act 1980 No 11

Real Property (Amendment) Act 1980 No 13

Registration of Deeds (Amendment) Act 1980 No 14

Legal Aid (Amendment) Act 1980 No 15

Legal Practitioners (Amendment) Act 1980 No 16

Sewerage Rates (Amendment) Act 1980 No 18

Water Rates (Amendment) Act 1980 No 19

SCHEDULE 4—continued

Canberra Showground Trust (Amendment) Act 1980 No 26

Water Rates (Amendment) Act (No 2) 1980 No 27

Workmen's Compensation (Amendment) Act 1980 No 29

Interpretation (Amendment) Act 1980 No 31

Water Rates (Amendment) Act (No 3) 1980 No 36

Fire Brigade (Administration) (Amendment) Act 1980 No 38

Sale of Motor Vehicles (Amendment) Act 1980 No 39

Pool Betting (Amendment) Act 1981 No 1

Plant Diseases (Amendment) Act 1981 No 7

Lotteries (Amendment) Act 1981 No 13

Scaffolding and Lifts (Amendment) Act 1981 No 15

Poisons and Narcotic Drugs (Amendment) Act 1981 No 19

Poisons and Dangerous Drugs (Amendment) Act 1981 No 20

Long Service Leave (Amendment) Act 1981 No 24

Consumer Affairs (Amendment) Act 1981 No 26

Rates (Amendment) Act 1981 No 35

Juries (Amendment) Act 1981 No 37

Family Provision (Amendment) Act 1981 No 38

Hawkers (Amendment) Act 1981 No 41

Health Professions Boards (Elections) (Amendment) Act 1981 No 54

SCHEDULE 4—continued

Poisons and Narcotic Drugs (Amendment) Act (No 2) 1981 No 56

Court of Petty Sessions (Amendment) Act 1982 No 2

Court of Petty Sessions (Amendment) Act (No 2) 1982 No 3

Standard Time and Summer Time (Amendment) Act 1982 No 4

Fuels Control (Amendment) Act 1982 No 5

Real Property (Unit Titles) (Amendment) Act 1982 No 7

Holidays (Amendment) Act 1982 No 8

Theatres and Public Halls (Amendment) Act 1982 No 11

Careless Use of Fire (Amendment) Act 1982 No 13

Scaffolding and Lifts (Amendment) Act 1982 No 15

Games, Wagers and Betting-houses Act 1982 No 16

Lotteries (Amendment) Act 1982 No 17

Pool Betting (Amendment) Act 1982 No 18

Remand Centres (Amendment) Act 1982 No 19

Fire Brigade (Administration) (Amendment) Act 1982 No 21

Nature Conservation (Amendment) Act 1982 No 22

Water Rates (Amendment) Act 1982 No 25

Trustee (Amendment) Act 1982 No 27

Interpretation (Amendment) Act 1982 No 28

Dentists Registration (Amendment) Act 1982 No 29

SCHEDULE 4—continued

Medical Practitioners Registration (Amendment) Act 1982 No 30

Optometrists (Amendment) Act 1982 No 31

Veterinary Surgeons Registration (Amendment) Act 1982 No 33

Dentists Registration (Amendment) Act (No 2) 1982 No 40

Medical Practitioners Registration (Amendment) Act (No 2) 1982 No 41

Optometrists (Amendment) Act (No 2) 1982 No 43

Pharmacy (Amendment) Act (No 2) 1982 No 44

Physiotherapists Registration (Amendment) Act 1982 No 45

Poisons and Dangerous Drugs (Amendment) Act 1982 No 46

Poisons and Narcotic Drugs (Amendment) Act 1982 No 47

Veterinary Surgeons Registration (Amendment) Act (No 2) 1982 No 48

Unclaimed Moneys (Amendment) Act 1982 No 51

Liquor (Amendment) Act 1982 No 59

Electricity (Amendment) Act 1982 No 61

Nature Conservation (Amendment) Act (No 2) 1982 No 62

Architects (Amendment) Act 1982 No 66

Water Rates (Amendment) Act (No 2) 1982 No 67

Scaffolding and Lifts (Amendment) Act (No 2) 1982 No 68

Building (Amendment) Act 1982 No 69

Building (Amendment) Act (No 2) 1982 No 70

SCHEDULE 4—continued

Building (Amendment) Act (No 3) 1982 No 71

Physiotherapists Registration (Amendment) Act (No 2) 1982 No 72

Sewerage Rates (Amendment) Act 1982 No 75

Real Property (Amendment) Act 1982 No 78

Registration of Deeds (Amendment) Act 1982 No 79

Parole (Amendment) Act (No 2) 1982 No 83

Health Professions Boards (Procedures) (Amendment) Act 1982 No 85

Careless Use of Fire (Amendment) Act (No 2) 1982 No 86

Instruments (Amendment) Act 1982 No 88

Co-operative Societies (Amendment) Act 1982 No 89

Co-operative Societies (Amendment) Act (No 2) 1982 No 90

Parole (Amendment) Act (No 3) 1982 No 91

Acts Revision (Companies Amendments) Act (No 2) 1982 No 93

Sewerage Rates (Amendment) Act (No 3) 1982 No 97

Water Rates (Amendment) Act (No 4) 1982 No 98

Gaming and Betting (Amendment) Act 1982 No 99

Consumer Affairs (Amendment) Act 1982 No 100

Pool Betting (Amendment) Act (No 2) 1982 No 101

Real Property (Amendment) Act (No 2) 1982 No 102

Workmen's Compensation (Amendment) Act 1982 No 103

SCHEDULE 4—continued

Workmen's Compensation (Amendment) Act (No 2) 1982 No 104

Interpretation (Amendment) Act 1983 No 5

Juries (Amendment) Act 1983 No 6

Rates (Amendment) Act 1983 No 9

Rates (Amendment) Act (No 2) 1983 No 12

Roads and Public Places (Amendment) Act 1983 No 15

Sale of Motor Vehicles (Amendment) Act 1983 No 16

National Exhibition Centre Trust (Amendment) Act 1983 No 19

Building (Amendment) Act 1983 No 20

Hawkers (Amendment) Act 1983 No 22

Sewerage Rates (Amendment) Act 1983 No 26

Machinery (Amendment) Act 1983 No 29

Lakes (Amendment) Act 1983 No 31

Building and Services (Amendment) Act 1983 No 32

Architects (Amendment) Act 1983 No 33

Scaffolding and Lifts (Amendment) Act 1983 No 34

Pounds (Amendment) Act 1983 No 35

Water Rates (Amendment) Act 1983 No 36

Sale of Motor Vehicles (Amendment) Act (No 2) 1983 No 38

Real Property (Amendment) Act 1983 No 39

SCHEDULE 4—continued

Registration of Deeds (Amendment) Act 1983 No 40

Nature Conservation (Amendment) Act 1983 No 43

Lotteries (Amendment) Act 1983 No 44

Crimes (Amendment) Act (No 2) 1983 No 45

Wills (Amendment) Act 1983 No 46

Cemeteries (Amendment) Act 1983 No 47

Careless Use of Fire (Amendment) Act 1983 No 48

Milk Authority (Amendment) Act 1983 No 50

Juries (Amendment) Act (No 2) 1983 No 60

Legal Practitioners (Amendment) Act 1983 No 61

Legal Practitioners (Amendment) Act (No 2) 1983 No 62

Health Professions Boards (Procedures) (Amendment) Act 1983 No 64

Building (Amendment) Act (No 2) 1983 No 66

Remand Centres (Amendment) Act 1983 No 67

Real Property (Amendment) Act (No 2) 1983 No 68

Legal Aid (Amendment) Act 1984 No 3

Workmen's Compensation (Amendment) Act 1984 No 5

Trustee Companies (Amendment) Act 1984 No 6

Juries (Amendment) Act 1984 No 8

Court of Petty Sessions (Amendment) Act 1984 No 9

SCHEDULE 4—continued

Court of Petty Sessions (Amendment) Act (No 2) 1984 No 10

Co-operative Societies (Amendment) Act 1984 No 11

*Long Service Leave (Building and Construction Industry)
(Amendment) Act 1984 No 12*

Medical Practitioners Registration (Amendment) Act 1984 No 13

Veterinary Surgeons Registration (Amendment) Act 1984 No 14

Court of Petty Sessions (Amendment) Act (No 3) 1984 No 16

Liquor (Amendment) Act 1984 No 22

Lotteries (Amendment) Act 1984 No 23

Pool Betting (Amendment) Act 1984 No 26

Rates (Amendment) Act 1984 No 27

Sewerage Rates (Amendment) Act (No 2) 1984 No 29

Surveyors (Amendment) Act 1984 No 30

Water Rates (Amendment) Act 1984 No 31

Crimes (Amendment) Act 1984 No 32

Pounds (Amendment) Act 1984 No 37

Dentists Registration (Amendment) Act 1984 No 40

Plumbers, Drainers and Gasfitters Board (Amendment) Act 1984 No 46

Agents (Amendment) Act 1984 No 49

*Land Rent and Rates (Deferment and Remission) (Amendment) Act 1984
No 52*

SCHEDULE 4—continued

Land Rent and Rates (Deferment and Remission) (Amendment) Act (No 2)
1984 No 53

Long Service Leave (Building and Construction Industry) (Amendment) Act
(No 2) 1984 No 56

————— *Unclaimed Moneys (Amendment) Act* 1984 No 57

New South Wales Acts Application (Amendment) Act 1984 No 58

Careless Use of Fire (Amendment) Act 1984 No 60

Court of Petty Sessions (Amendment) Act (No 5) 1984 No 62

Pharmacy (Amendment) Act 1984 No 64

Building (Amendment) Act 1984 No 68

Dangerous Goods (Amendment) Act 1984 No 69

Milk Authority (Amendment) Act 1984 No 71

Nature Conservation (Amendment) Act 1984 No 72

Interpretation (Amendment) Act 1984 No 73

Dangerous Goods (Amendment) Act (No 2) 1984 No 75

Court of Petty Sessions (Civil Jurisdiction) (Amendment) Act (No 2) 1984
No 77

Crimes (Amendment) Act (No 2) 1984 No 78

Legal Aid (Amendment) Act 1985 No 1

Co-operative Societies (Amendment) Act 1985 No 4

Agents (Amendment) Act 1985 No 6

SCHEDULE 4—continued

Crimes (Amendment) Act 1985 No 11

Medical Practitioners Registration (Amendment) Act 1985 No 13

Lakes (Amendment) Act 1985 No 15

Crimes (Amendment) Act (No 2) 1985 No 16

Court of Petty Sessions (Amendment) Act 1985 No 17

Court of Petty Sessions (Amendment) Act (No 2) 1985 No 18

Evidence (Amendment) Act 1985 No 19

Electricity (Amendment) Act 1985 No 20

Registration of Deeds (Amendment) Act 1985 No 22

Meat (Amendment) Act 1985 No 26

Schools Authority (Amendment) Act 1985 No 28

Legal Practitioners (Amendment) Act 1985 No 29

Trustee Companies (Amendment) Act 1985 No 34

Co-operative Societies (Amendment) Act (No 2) 1985 No 38

Credit (Amendment) Act 1985 No 39

Court of Petty Sessions (Amendment) Act (No 3) 1985 No 41

Betting (Totalizator Agency) (Amendment) Act 1985 No 42

Litter (Amendment) Act 1985 No 45

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Interpretation (Amendment) Act 1998 No 2

Remuneration Tribunal (Amendment) Act 1998 No 3

SCHEDULE 4—continued

Residential Tenancies (Amendment) Act 1998 No 5

Supreme Court (Amendment) Act 1998 No 6

Magistrates Court (Civil Jurisdiction) (Amendment) Act 1998 No 7

Schools Authority (Amendment) Act 1998 No 8

Crimes (Amendment) Act 1998 No 9

Health Promotion (Amendment) Act 1998 No 10

Births, Deaths and Marriages Registration (Amendment) Act 1998 No 12

Rates and Land Tax (Amendment) Act 1998 No 13

Gaming Machine (Amendment) Act 1998 No 14

Milk Authority (Amendment) Act 1998 No 17

Territory Owned Corporations (Amendment) Act 1998 No 20

Crimes (Amendment) Act (No 2) 1998 No 22

Acts Revision (Taxation of Territory Authorities) Act 1998 No 35

Dangerous Goods (Amendment) Act 1998 No 36

Domestic Violence (Amendment) Act 1998 No 37

Magistrates Court (Amendment) Act (No 2) 1998 No 38

Bail (Amendment) Act 1998 No 39

*Protection Orders (Reciprocal Arrangements) (Amendment) Act 1998
No 40*

Trans-Tasman Mutual Recognition (Amendment) Act 1998 No 41

SCHEDULE 4—continued

Administration (Interstate Agreements) (Amendment) Act 1998 No 43

Board of Senior Secondary Studies (Amendment) Act 1998 No 44

Food (Amendment) Act 1998 No 46

Consumer Credit (Administration) (Amendment) Act 1998 No 47

Building (Amendment) Act 1998 No 48

Litter (Amendment) Act 1998 No 49

Health (Amendment) Act 1998 No 50

Electricity (Amendment) Act 1998 No 51

Statute Law Revision (Penalties) Act 1998 No 54

Fair Trading (Petroleum Retail Marketing) (Repeal) Act 1998 No 55

Roads and Public Places (Amendment) Act 1998 No 56

Crimes (Amendment) Act (No 4) 1998 No 57

Agents (Amendment) Act 1998 No 60

Electoral (Amendment) Act 1998 No 61

Bushfire (Amendment) Act 1998 No 64

Land (Planning and Environment) (Amendment) Act 1998 No 65

Custodial Escorts (Consequential Provisions) Act 1998 No 67

Domestic Violence (Amendment) Act (No 2) 1998 No 68

Liquor (Amendment) Act 1998 No 69

Mental Health (Treatment and Care) (Amendment) Act 1998 No 70

SCHEDULE 4—continued

Crimes (Amendment) Act (No 5) 1998 No 71

Energy Efficiency Ratings (Sale of Premises) (Amendment) Act 1998 No 73

Rates and Land Tax (Amendment) Act 1999 No 3

Transplantation and Anatomy (Amendment) Act 1999 No 6

Territory Owned Corporations (Amendment) Act 1999 No 10

Energy Efficiency Ratings (Sale of Premises) (Amendment) Act 1999 No 13

Stock (Amendment) Act 1999 No 14

Legislative Assembly (Members' Staff) (Amendment) Act 1999 No 15

Casino Control (Amendment) Act 1999 No 19

Evidence (Amendment) Act 1999 No 21

Courts and Tribunals (Audio Visual and Audio Linking) Act 1999 No 22

Drugs of Dependence (Amendment) Act 1999 No 23

Occupational Health and Safety (Amendment) Act 1999 No 24

Dangerous Goods (Amendment) Act 1999 No 25

Payroll Tax (Amendment) Act 1999 No 26

Poisons and Drugs (Amendment) Act 1999 No 27

Trustee (Amendment) Act 1999 No 28

Firearms (Amendment) Act 1999 No 29

Mental Health (Treatment and Care) (Amendment) Act 1999 No 31

Crimes (Amendment) Act 1999 No 32

SCHEDULE 4—continued

Magistrates Court (Amendment) Act 1999 No 34
Gaming Machine (Amendment) Act 1999 No 35
Ambulance Service Levy (Amendment) Act 1999 No 37
Revenue Legislation Amendment Act 1999 No 38
Veterinary Surgeons (Amendment) Act 1999 No 39
Land (Planning and Environment) (Amendment) Act 1999 No 40
Psychologists (Amendment) Act 1999 No 41
Payroll Tax (Amendment) Act (No 2) 1999 No 42
Rates and Land Tax (Amendment) Act (No 2) 1999 No 43
Fair Trading (Fuel Prices) (Amendment) Act 1999 No 45
Gambling and Racing Control (Consequential Provisions) Act 1999 No 47
Building (Amendment) Act 1999 No 48
Liquor (Amendment) Act 1999 No 51
Subordinate Laws (Amendment) Act 1999 No 52
Electricity (Amendment) Act 1999 No 53
Environment Protection (Amendment) Act 1999 No 54
Public Sector Management (Amendment) Act 1999 No 55
Gambling Legislation Amendment Act 1999 No 56
Financial Management Amendment Act 1999 No 58
Magistrates Court Amendment Act (No 2) 1999 No 59

SCHEDULE 4—continued

Discrimination Amendment Act 1999 No 60

Mental Health (Treatment and Care) Amendment Act (No 2) 1999 No 62

Animal Diseases Amendment Act 1999 No 65

Law Reform (Miscellaneous Provisions) Act 1999 No 66

Holidays Amendment Act 1999 No 67

*Building and Construction Industry Training Levy Amendment Act 1999
No 68*

Building Amendment Act (No 2) 1999 No 69

Public Sector Legislation Amendment Act 1999 No 70

Crimes Amendment Act (No 2) 1999 No 71

Land Planning and Environment Amendment Act (No 2) 1999 No 73

Lands Acquisition Amendment Act 1999 No 74

Interpretation Amendment Act 1999 No 75

Road Transport Legislation Amendment Act 1999 No 79

Discrimination Amendment Act (No 2) 1999 No 83

Motor Traffic (Amendment) Act (No 3) 1999 No 86

Land (Planning and Environment) Amendment Act (No 3) 1999 No 87

Water Resources Amendment Act 1999 No 88

Victims of Crime (Financial Assistance) (Amendment) Act 1999 No 91

SCHEDULE 5

(Sec s 5 (1))

REPEAL OF AMENDING ACTS WITH SUBSTANTIVE PROVISIONS THAT ARE NO LONGER NEEDED OR ARE BEING RELOCATED

Explanatory note for sch 5

The Acts repealed by this Schedule are amending Acts enacted on or before 1 January 2000 that contain substantive provisions (that is, non-amending or repealing provisions). The substantive provisions are usually of a transitional nature. The substantive provisions are given in brackets at the end of each Act reference (eg '(s 4)').

Substantive provisions are no longer included in amending Acts. Amending Acts enacted after 1 January 2000 are automatically repealed under the *Interpretation Act 1967*, section 43 when they have been completely commenced.

Subsection 43 (1) of the *Interpretation Act 1967* saves the effect of transitional and validating provisions that are repealed. The effect of repealed amending Acts is preserved by the *Interpretation Act 1967*, section 39.

The substantive provisions contained in Acts repealed by this Schedule are generally exhausted. However, any ongoing legal operation of the provisions is saved by the *Interpretation Act 1967*, subsection 43 (1).

Nevertheless, if the provisions appear to have (or potentially have) ongoing practical operation, they have been relocated to the relevant Principal Act by amendments in Schedule 3. This will assist readers of legislation to find them easily. In other cases, if there is any doubt about the ongoing operation of the provisions, the effect of the provisions has been saved by the application of the *Interpretation Act 1967*, subsection 42 (2) (see subsection 5 (2) of this Act and Schedule 6). The application of the subsection is explained in Schedule 6.

The repeal of the Acts in this Schedule will not, therefore, affect any residual legal operation that they may have.

Building and Services Act 1925 No 9 (s 4)

Real Property Act (No 2) 1927 No 21 (s 3 (2))

Rates Act 1929 No 5 (s 14)

Rates Act (No 2) 1929 No 12 (s 3)

Rates Act 1931 No 5 (s 8)

Court of Petty Sessions Act 1937 No 5 (s 2 (2))

SCHEDULE 5—continued

Administration and Probate Act (No 2) 1937 No 13 (s 22)

Real Property Act 1940 No 16 (s 7)

Administration and Probate Act 1943 No 7 (s 3)

Court of Petty Sessions Act 1949 No 13 (s 4)

Court of Petty Sessions Act 1951 No 7 (s 4)

Workmen's Compensation Act 1952 No 4 (ss 3-4)

Administration and Probate Act 1953 No 5 (s 10)

Administration and Probate Act (No 2) 1953 No 2 of 1954 (s 4)

Workmen's Compensation Act 1954 No 12 (ss 7-8)

Fire Brigades Act 1958 No 16 (s 2 (2))

Co-operative Societies Act 1958 No 18 (s 3)

Workmen's Compensation Act (No 2) 1959 No 20 (ss 6-7)

Workmen's Compensation Act 1961 No 8 (ss 6-7)

Roman Catholic Church Property Trust Act 1961 No 17 (s 5)

Workmen's Compensation Act 1962 No 10 (s 3 (2))

Workmen's Compensation Act 1965 No 6 (ss 8-9)

Water Rates Act 1965 No 18 (s 11)

Administration and Probate Act 1965 No 20 (s 41 (2), s 59)

Court of Petty Sessions Act 1967 No 1 (s 23)

Rates Act 1967 No 5 (s 9)

SCHEDULE 5—continued

Church of England Trust Property Act 1967 No 8 (s 10)

Administration and Probate Act 1967 No 9 (s 13)

Real Property Act 1967 No 46 (s 4 (2))

Crimes Act 1968 No 4 (s 20)

Law Reform (Miscellaneous Provisions) Act 1968 No 10 (s 9)

Workmen's Compensation Act 1968 No 19 (ss 8-9)

Court of Petty Sessions Act 1968 No 25 (s 4 (2), s 6 (2), s 13)

Workmen's Compensation Act 1969 No 7 (ss 3-4)

Real Property Act 1969 No 9 (s 9)

Court of Petty Sessions Act 1969 No 12 (s 5)

Administration and Probate Act 1969 No 16 (s 8 (2))

Surveyors Act 1970 No 7 (s 7)

Administration and Probate Act 1970 No 25 (s 3)

Workmen's Compensation Act 1970 No 26 (ss 4-5)

Water Rates Act 1970 No 49 (s 16)

Crimes Act 1971 No 2 (s 10)

Workmen's Compensation Act 1971 No 15 (ss 5-6)

Legal Practitioners Act 1972 No 4 (s 12 (2), s 14 (2))

Water Rates Act 1972 No 24 (s 3)

Workmen's Compensation Act 1972 No 35 (s 3)

SCHEDULE 5—continued

Court of Petty Sessions Act 1972 No 37 (s 3)

Workmen's Compensation Act (No 2) 1972 No 38 (ss 4-5)

Workmen's Compensation Act 1973 No 11 (ss 5-6)

~~*Sewerage Rates Act 1973 No 25 (s-18)*~~

Water Rates Act (No 2) 1973 No 26 (s 4)

Betting (Totalizator Agency) Act 1973 No 35 (s 5)

Agents Act 1973 No 39 (s 9)

Annual Holidays Act (No 2) 1973 No 47 (s 7)

Architects Act 1974 No 2 (s 3 (2))

Crimes Act 1974 No 17 (s 14)

Sewerage Rates Act 1974 No 30 (s 15)

Water Rates Act 1974 No 31 (s 21)

Workmen's Compensation Act 1974 No 34 (ss 3-4)

Workmen's Compensation Act 1975 No 11 (ss 5-6)

Co-operative Societies Act (No 2) 1975 No 15 (s 7 (2)-(3))

Water Rates Act 1975 No 20 (s 5)

Sewerage Rates Act 1975 No 21 (s 3)

Legal Practitioners Act (No 3) 1975 No 22 (s 5)

Real Property (Unit Titles) Act 1975 No 34 (s 7)

Land Rent and Rates (Deferment and Remission) Act 1976 No 10 (s 9)

SCHEDULE 5—continued

Education Act 1976 No 13 (s 24)

Water Rates (Amendment) Act 1976 No 20 (s 4)

Water Rates (Amendment) Act (No 2) 1976 No 34 (s 5)

Sewerage Rates (Amendment) Act 1976 No 35 (s 5)

Administration and Probate (Amendment) Act 1976 No 53 (s 5)

Betting (Totalizator Agency) (Amendment) Act 1976 No 66 (s 4)

Court of Petty Sessions (Amendment) Act 1977 No 4 (ss 10-12)

Rates (Amendment) Act (No 2) 1977 No 21 (s 9)

Court of Petty Sessions (Amendment) Act (No 2) 1977 No 34 (s 24)

Sewerage Rates (Amendment) Act (No 2) 1977 No 43 (s 3)

Rates (Amendment) Act (No 3) 1977 No 44 (s 8)

Water Rates (Amendment) Act (No 2) 1977 No 45 (s 7)

Sewerage Rates (Amendment) Act (No 3) 1977 No 46 (s 9)

Court of Petty Sessions (Amendment) Act (No 4) 1977 No 61 (s 12)

Liquor (Amendment) Act (No 2) 1977 No 66 (s 4)

Legal Practitioners (Amendment) Act 1978 No 8 (ss 4-5)

Workmen's Compensation (Amendment) Act 1978 No 15 (ss 4-5)

Sewerage Rates (Amendment) Act 1978 No 27 (s 20)

Water Rates (Amendment) Act 1978 No 28 (s 5)

Betting (Totalizator Agency) (Amendment) Act 1978 No 30 (s 11)

SCHEDULE 5—continued

Poisons and Dangerous Drugs (Amendment) Act (No 2) 1978 No 39 (s 8)

Interpretation (Amendment) Act 1979 No 4 (s 3 (2))

Liquor (Amendment) Act 1979 No 10 (s 36)

Schools Authority (Amendment) Act 1979 No 11 (s 8)

Workmen's Compensation (Amendment) Act 1979 No 15 (s 5)

Legal Practitioners (Amendment) Act 1979 No 20 (s 22)

Sewerage Rates (Amendment) Act 1979 No 27 (s 6)

Water Rates (Amendment) Act 1979 No 28 (s 8)

Building (Amendment) Act 1979 No 30 (s 34)

Court of Petty Sessions (Amendment) Act 1979 No 33 (s 13)

Medical Practitioners Registration (Amendment) Act 1979 No 38 (s 7)

Court of Petty Sessions (Amendment) Act (No 2) 1979 No 41 (s 6)

Court of Petty Sessions (Amendment) Act 1980 No 4 (ss 11-12)

Sewerage Rates (Amendment) Act (No 2) 1980 No 30 (s 4)

Sewerage Rates (Amendment) Act (No 3) 1980 No 35 (s 4)

Dentists Registration (Amendment) Act 1980 No 46 (s 8)

Medical Practitioners Registration (Amendment) Act 1980 No 47 (s 9)

Optometrists (Amendment) Act 1980 No 49 (s 9)

Pharmacy (Amendment) Act 1980 No 50 (s 9)

Physiotherapists Registration (Amendment) Act 1980 No 51 (s 9)

SCHEDULE 5—continued

Veterinary Surgeons Registration (Amendment) Act 1980 No 52 (s 7)

Workmen's Compensation (Amendment) Act 1981 No 4 (s 4)

*Land Rent and Rates (Deferment and Remission) (Amendment) Act 1981
No 5 (s 20)*

Betting (Totalizator Agency) (Amendment) Act 1981 No 12 (s 9)

Water Rates (Amendment) Act 1981 No 27 (s 4)

Sewerage Rates (Amendment) Act 1981 No 28 (s 4)

Dentists Registration (Amendment) Act 1981 No 45 (s 32)

Dentists Registration (Amendment) Act (No 2) 1981 No 47 (s 17)

Medical Practitioners Registration (Amendment) Act 1981 No 48 (s 19)

Optometrists (Amendment) Act 1981 No 50 (s 13)

Pharmacy (Amendment) Act 1981 No 51 (s 14)

Physiotherapists Registration (Amendment) Act 1981 No 52 (s 13)

Veterinary Surgeons Registration (Amendment) Act 1981 No 53 (s 15)

Parole (Amendment) Act 1982 No 1 (s 15)

Pharmacy (Amendment) Act 1982 No 32 (s 15)

National Exhibition Centre Trust Act 1982 No 37 (s 22)

Sewerage Rates (Amendment) Act (No 2) 1982 No 76 (s 4)

Water Rates (Amendment) Act (No 3) 1982 No 77 (s 4)

Legal Aid (Amendment) Act 1982 No 84 (s 25)

SCHEDULE 5—continued

Liquor (Amendment) Act (No 2) 1982 No 87 (s 8)

*Law Reform (Miscellaneous Provisions) (Amendment) Act 1982
No 95 (s 4)*

Crimes (Amendment) Act 1983 No 27 (s 32)

Crimes (Amendment) Act (No 3) 1983 No 55 (s 24)

Schools Authority (Amendment) Act 1983 No 63 (ss 18-19)

Workmen's Compensation (Amendment) Act 1983 No 69 (s 19)

Sewerage Rates (Amendment) Act 1984 No 28 (s 4)

*Legal Aid (Amendment) Act (No 2) 1984 No 55 (s 9, s 9A (as inserted by
1985 No 1 s 3), s 10)*

Court of Petty Sessions (Amendment) Act (No 4) 1984 No 61 (s 7)

Administration and Probate (Amendment) Act 1984 No 67 (s 3)

*Court of Petty Sessions (Civil Jurisdiction) (Amendment) Act 1984 No 76
(ss 5-6, s 12)*

Public Trustee (Miscellaneous Amendments) Act 1985 No 9 (ss 20-24)

Interpretation (Amendment) Act 1985 No 24 (s 3)

Crimes (Amendment) Act (No 3) 1985 No 40 (s 9)

Crimes (Amendment) Act (No 4) 1985 No 44 (s 10)

Crimes (Amendment) Act (No 5) 1985 No 62 (ss 5-6)

Magistrates Court Act 1985 No 67 (s 36 and s 37 (2)-(3))

Co-operative Societies (Amendment) Act 1986 No 9 (s 15)

SCHEDULE 5—continued

Crimes (Amendment) Act 1986 No 15 (s 10)

Criminal Injuries Compensation (Amendment) Act 1986 No 28 (s 2 (2))

Credit (Amendment) Act 1986 No 29 (s 9)

Crimes (Amendment) Act (No 4) 1986 No 57 (s 15)

Legal Aid (Amendment) Act 1986 No 63 (s 6)

Chiropractors Registration (Amendment) Act 1986 No 66 (s 8)

*Health Professions Boards (Elections) (Amendment) Act 1986
No 67 (s 10)*

Parole (Amendment) Act 1986 No 73 (s 6)

*Magistrates Court (Amendment) Act (No 3) 1986 No 74 (s 66, s 86 (2),
s 96 (10))*

*Legal Practitioners (Amendment) Act (No 3) 1986 No 82 (s 7 (2), s 10 (2),
s 36 (2)-(3), s 49)*

Co-operative Societies (Amendment) Act (No 2) 1987 No 8 (s 6)

Magistrates Court (Civil Jurisdiction) (Amendment) Act 1987 No 13 (s 8)

Legal Practitioners (Amendment) Act 1987 No 21 (s 6 (2))

Tobacco Products (Health Warnings) (Amendment) Act 1987 No 22 (s 11)

Workmen's Compensation (Amendment) Act (No 2) 1987 No 24 (s 7)

Betting (Totalizator Agency) (Amendment) Act 1987 No 32 (s 17)

Lakes (Amendment) Act 1987 No 49 (s 12)

Schools Authority (Amendment) Act 1987 No 70 (ss 12-19)

SCHEDULE 5—continued

Administrative Arrangements (Consequential Amendments) Act 1988
No 17 (s 4)

Electricity and Water (Consequential Amendments) Act 1988
No 31 (ss 5-6)

~~—~~ *Interpretation (Amendment) Act 1988* No 36 (s 21)

Agents (Amendment) Act (No 2) 1988 No 47 (s 79)

Education (Amendment) Act 1988 No 48 (s 19)

Architects (Amendment) Act 1988 No 58 (s 6)

Building (Amendment) Act (No 2) 1988 No 80 (s 18)

Building (Amendment) Act (No 3) 1988 No 86 (s 12)

Criminal Injuries Compensation (Amendment) Act 1988 No 89 (s 4)

Fire Brigade (Administration) (Amendment) Act 1989 No 3 (s 4 (2))

Wills (Amendment) Act 1989 No 16 (s 4)

Administration and Probate (Amendment) Act 1989 No 17 (s 6)

Family Provision (Amendment) Act 1989 No 18 (s 5)

Administration and Probate (Amendment) Act (No 2) 1989 No 19 (s 7)

Nature Conservation (Amendment) Act 1989 No 4 (s 58)

Rates and Land Tax (Amendment) Act 1989 No 10 (s 18)

Crimes (Amendment) Act 1990 No 1 (s 6)

Credit (Amendment) Act 1990 No 6 (s 6)

SCHEDULE 5—continued

Long Service Leave (Building and Construction Industry) (Amendment) Act 1990 No 9 (s 13)

Director of Public Prosecutions (Consequential Provisions) Act 1990 No 23 (s 4)

Rates and Land Tax (Amendment) Act (No 2) 1990 No 24 (s 4)

Statutory Authorities (Audit Arrangements) Act 1990 No 25 (ss 19-20)

Business Names (Amendment) Act 1990 No 27 (s 13)

Unclaimed Moneys (Amendment) Act 1990 No 28 (s 7)

Consumer Affairs (Amendment) Act 1990 No 44 (s 15)

Financial Institutions Duty (Amendment) Act 1990 No 46 (s 12)

Community Development Fund (Repeal) Act 1990 No 47 (s 4)

Liquor (Amendment) Act 1990 No 50 (ss 69-70)

Careless Use of Fire (Amendment) Act 1990 No 52 (s 16)

Betting (Totalizator Administration) (Amendment) Act 1990 No 55 (s 20)

Liquor (Amendment) Act (No 2) 1990 No 56 (s 51)

Gaming Machine (Amendment) Act (No 3) 1990 No 57 (ss 34-35)

Health Services (Consequential Provisions) Act 1990 No 63 (ss 6-17)

Criminal Injuries Compensation (Amendment) Act 1991 No 13 (s 12)

Rates and Land Rent (Relief) (Amendment) Act 1991 No 22 (s 9)

Building (Amendment) Act 1991 No 23 (s 21)

Rates and Land Tax (Amendment) Act 1991 No 27 (s 11)

SCHEDULE 5—continued

Electricity and Water (Amendment) Act 1991 No 31 (s 6)

Gaming Machine (Amendment) Act 1991 No 35 (s 13)

Commercial Arbitration (Amendment) Act 1991 No 36 (s 3)

Building (Amendment) Act (No 2) 1991 No 43 (s 11)

Rates and Land Tax (Amendment) Act (No 3) 1991 No 55 (s 10)

Government Solicitor (Amendment) Act 1991 No 61 (s 5)

*Guardianship and Management of Property (Consequential Provisions)
Act 1991 No 63 (s 3, s 5)*

Wills (Amendment) Act 1991 No 67 (s 17)

Territory Owned Corporations (Amendment) Act 1991 No 87 (ss 7-9)

Workers' Compensation (Amendment) Act 1991 No 105 (ss 25-29)

Gaming Machine (Amendment) Act (No 2) 1991 No 113 (s 16)

*Land (Planning and Environment) (Consequential Provisions) Act 1991
No 118 (s 3, ss 25-43)*

Powers of Attorney (Amendment) Act 1992 No 5 (s 11)

Criminal Injuries Compensation (Amendment) Act 1992 No 7 (s 7)

Bail (Consequential Amendments) Act 1992 No 9 (s 3)

Fire Brigade (Administration) (Amendment) Act 1992 No 17 (s 18)

Trustee Companies (Amendment) Act 1992 No 49 (s 8)

Legal Aid (Amendment) Act (No 2) 1992 No 53 (s 24)

Rates and Land Tax (Amendment) Act (No 2) 1992 No 55 (s 13)

SCHEDULE 5—continued

Prostitution (Consequential Amendments) Act 1992 No 65 (s 3)

*Workers' Compensation Supplementation Fund (Amendment) Act 1992
No 67 (s 5)*

Housing Assistance (Amendment) Act 1992 No 77 (s 9)

Magistrates Court (Amendment) Act 1993 No 4 (ss 31-32)

*Medical Practitioners Registration (Amendment) Act 1993 No 21
(ss 25-39)*

Radiation (Amendment) Act 1993 No 32 (s 10)

Rates and Land Tax (Amendment) Act 1993 No 33 (s 6)

Casino Control (Amendment) Act 1993 No 34 (s 5)

*Betting (Totalizator Administration) (Amendment) Act 1993 No 36
(ss 12-19)*

*Long Service Leave (Building and Construction Industry) (Amendment)
Act 1993 No 39 (s 32)*

*Law Reform (Miscellaneous Provisions) (Amendment) Act 1993
No 42 (s 5)*

Supreme Court (Amendment) Act 1993 No 59 (s 7)

Registrar-General (Consequential Provisions) Act 1993 No 64 (ss 6-13)

Litter (Amendment) Act 1993 No 67 (s 17)

Limitation (Amendment) Act 1993 No 82 (s 7)

*Tobacco Products (Health Warnings) (Amendment) Act 1993
No 85 (ss 7-8)*

Chiropractors and Osteopaths (Amendment) Act 1993 No 86 (ss 26-36)

SCHEDULE 5—continued

Optometrists (Amendment) Act 1993 No 87 (ss 19-26)

Pharmacy (Amendment) Act 1993 No 88 (ss 21-28)

Real Property (Amendment) Act 1993 No 89 (s 6)

Legal Practitioners (Amendment) Act 1993 No 94 (s 42) —

Food (Amendment) Act (No 2) 1993 No 100 (s 10)

Supreme Court (Amendment) Act 1994 No 3 (s 5)

Magistrates Court (Amendment) Act 1994 No 4 (s 13)

Magistrates Court (Civil Jurisdiction) (Amendment) Act 1994 No 5 (s 12)

Administrative Appeals Tribunal (Amendment) Act 1994 No 8 (s 6)

Subordinate Laws (Amendment) Act 1994 No 12 (s 5)

*Electoral (Amendment) (Consequential Provisions) Act 1994
No 15 (ss 4-8)*

Evidence (Closed-Circuit Television) (Amendment) Act 1994 No 24 (s 13)

Lotteries (Amendment) Act 1994 No 36 (s 5)

*Public Sector Management (Consequential and Transitional Provisions)
Act 1994 No 38 (ss 3-21)*

*Mental Health (Consequential Provisions) Act 1994
No 45 (s 3, ss 5-15, ss 36-38)*

Nurses (Amendment) Act 1994 No 47 (ss 36-43)

Veterinary Surgeons (Amendment) Act 1994 No 48 (ss 21-30)

Physiotherapists (Amendment) Act 1994 No 49 (ss 18-25)

SCHEDULE 5—continued

Credit (Amendment) Act 1994 No 50 (ss 15-16)

Electricity (Amendment) Act 1994 No 52 (ss 43-47)

Bookmakers (Amendment) Act (No 2) 1994 No 53 (s 17 (2))

*Administrative Appeals Tribunal (Amendment) Act (No 2) 1994
No 58 (ss 27-28)*

Magistrates Court (Enforcement of Judgments) Act 1994 No 61 (ss 88-97)

Workers' Compensation (Amendment) Act 1994 No 68 (s 9)

Bail (Amendment) Act 1994 No 73 (s 22)

Legal Practitioners (Amendment) Act 1994 No 76 (ss 29-30)

Statutory Offices (Miscellaneous Provisions) Act 1994 No 97 (ss 4-9)

Evidence (Amendment) Act 1994 No 98 (s 8)

Rates and Land Tax (Amendment) Act (No 3) 1994 No 105 (s 5)

Subordinate Laws (Amendment) Act (No 3) 1994 No 106 (s 5)

Nature Conservation (Amendment) Act (No 2) 1994 No 110 (s 29)

Business Names (Amendment) Act 1994 No 112 (s 11)

*Electricity and Water (Corporatisation) (Consequential Provisions) Act
1995 No 6 (ss 3-11)*

*Electricity and Water (Corporatisation) (Consequential Amendments) Act
1995 No 7 (s 4)*

Payroll Tax (Amendment) Act 1995 No 10 (s 5)

Rates and Land Tax (Amendment) Act 1995 No 12 (s 20)

SCHEDULE 5—continued

Pawnbrokers (Amendment) Act 1995 No 15 (s 8)

Second-hand Dealers and Collectors (Amendment) Act 1995 No 16 (s 16)

Building (Amendment) Act 1995 No 28 (s 19 (2))

Drugs of Dependence (Amendment) Act 1995 No 31 (s 4)

Oaths and Affirmations (Amendment) Act 1995 No 34 (s 9)

*Law Reform (Miscellaneous Provisions) (Amendment) Act 1995
No 35 (s 5)*

*Vocational Education and Training (Consequential Provisions) Act 1995
No 38 (s 3, ss 6-11)*

Sale of Motor Vehicles (Amendment) Act 1995 No 48 (s 68)

Public Sector Management (Amendment) Act 1995 No 51 (ss 60-66, sch)

Workers' Compensation (Amendment) Act 1995 No 52 (s 4)

Land Titles (Amendment) Act 1995 No 53 (s 68)

*Remuneration Tribunal (Consequential and Transitional Provisions) Act
1995 No 56 (s 3)*

Legal Practitioners (Amendment) Act 1996 No 2 (s 12)

Domestic Violence (Amendment) Act 1996 No 3 (s 10)

Administration and Probate (Amendment) Act 1996 No 15 (s 4)

Family Provision (Amendment) Act 1996 No 16 (s 4)

Ombudsman (Amendment) Act 1996 No 17 (s 10 (2))

*Financial Management and Audit (Consequential and Transitional
Provisions) Act 1996 No 26 (s 3, ss 5-11)*

SCHEDULE 5—continued

Housing Assistance (Amendment) Act 1996 No 27 (s 14)

Electricity (Miscellaneous Provisions) Act 1996 No 28 (ss 6-7)

Crimes (Amendment) Act 1996 No 31 (s 5)

*Betting (Corporatisation) (Consequential Amendments) Act 1996
No 33 (s 5)*

*Health and Community Care Services (Consequential Provisions) Act
1996 No 35 (ss 3-12)*

*Consumer Credit (Administration) (Consequential Provisions) Act 1996
No 42 (ss 17-23)*

Legal Practitioners (Amendment) Act (No 2) 1996 No 43 (ss 9-10)

Liquor (Amendment) Act (No 2) 1996 No 44 (s 4)

*Classification (Publications, Films and Computer Games) (Enforcement)
(Amendment) Act 1996 No 46 (s 11 (3))*

Electoral (Amendment) Act 1996 No 56 (ss 32-34)

Dentists (Amendment) Act 1996 No 61 (ss 39-46)

*Long Service Leave (Building and Construction Industry) (Amendment)
Act 1996 No 66 (s 6 (2))*

Discrimination (Amendment) Act 1996 No 67 (ss 16-25)

*Land (Planning and Environment) (Amendment) Act (No 2) 1996
No 71 (ss 21-29)*

*Classification (Publications, Films and Computer Games) (Enforcement)
(Amendment) Act (No 2) 1996 No 77 (ss 12-19)*

*Land (Planning and Environment) (Amendment) Act (No 3) 1996
No 85 (ss 114-130)*

SCHEDULE 5—continued

Uncollected Goods (Consequential Provisions) Act 1996 No 87 (ss 7-10)

Education (Amendment) Act 1997 No 19 (s 8)

Workers' Compensation (Amendment) Act 1997 No 27 (ss 8-10)

Commissioner for the Environment (Amendment) Act 1997 No 29 (s 10)

Territory Owned Corporations (Amendment) Act 1997 No 36 (s 6)

*Community and Health Services Complaints (Amendment) Act 1997
No 50 (s 29)*

Coroners (Consequential Provisions) Act 1997 No 58 (s 5)

*Independent Pricing and Regulatory Commission (Consequential
Provisions) Act 1997 No 78 (s 3, ss 7-9)*

*Environment Protection (Consequential Provisions) Act 1997 No 93
(s 3, ss 8-29)*

Magistrates Court (Civil Jurisdiction) (Amendment) Act 1997 No 94 (s 5)

Legal Practitioners (Amendment) Act (No 3) 1997 No 95 (s 21)

Legal Aid (Amendment) Act 1997 No 97 (s 13 (2))

Payroll Tax (Amendment) Act 1997 No 101 (s 5)

Financial Management (Amendment) Act (No 2) 1997 No 102 (s 16)

Residential Tenancies (Consequential Provisions) Act 1998 No 4 (ss 3-7)

Gaming Machine (Amendment) Act (No 2) 1998 No 23 (s 5)

Magistrates Court (Amendment) Act 1998 No 25 (ss 22-26)

Remand Centres (Amendment) Act 1998 No 28 (s 5)

SCHEDULE 5—continued

Crimes (Amendment) Act (No 3) 1998 No 29 (s 10)

Workers' Compensation (Amendment) Act 1998 No 31 (s 4 (2)-(3))

Financial Institutions Duty (Amendment) Act 1998 No 34 (s 4)

Birth (Equality of Status) (Amendment) Act 1998 No 42 (s 13)

*Evidence (Closed-Circuit Television) (Amendment) Act 1998
No 45 (s 4 (2))*

Building (Amendment) Act (No 2) 1998 No 52 (s 24)

Limitation (Amendment) Act 1998 No 58 (s 4 (2))

Supreme Court (Amendment) Act (No 2) 1998 No 72 (s 7, s 8 (2))

Milk Authority (Amendment) Act 1999 No 2 (s 4, ss 15-23)

*Taxation Administration (Consequential and Transitional Provisions) Act
1999 No 5 (s 3, ss 5-14, s 16)*

*Duties (Consequential and Transitional Provisions) Act 1999 No 8
(s 3, ss 5-31, s 34)*

Public Sector Management (Amendment) Act 1999 No 55 (s 10)

SCHEDULE 6

(See s 5 (2))

**DECLARED LAWS WHOSE REPEAL DOES NOT END THEIR
EFFECT**

Explanatory note for sch 6

Subsection 42 (2) of the *Interpretation Act 1967* enables a declaration to be made about an Act (or a provision of an Act) that has the effect of preserving its legal effect despite its repeal (see also s 37, definition of Act).

A declaration may be made under subsection 42 (2) about an Act whether or not the Act (or provision) contains a transitional, validating or related provision the legal effect of which would, in any event, be automatically preserved under subsection 42 (1) of the *Interpretation Act 1967* (see s 42 (3)). Section 42 is additional to, and does not limit, other provisions of Division 6 of Part 3 of the *Interpretation Act 1967* eg section 41 (see s 42 (5)).

Subclause 5 (2) of this Act contains a declaration under subsection 42 (2) and this Schedule lists the provisions to which the declaration applies. The Acts containing the provisions are repealed by Schedule 5.

The declaration under subsection 42 (2) is made 'out of an abundance of caution'. For most (if not all) of the provisions mentioned in this Schedule, their effect is automatically saved by subsection 42 (1) of the *Interpretation Act 1967* (or another provision of that Act). However, the making of the declaration removes any doubt about the matter. (Doubts could, for example, otherwise be raised about whether the relevant provision was of a kind to which subsection 42 (1) applies or that a contrary intention displacing the subsection was to be found in the repealed Act or elsewhere.)

The making of the declaration enables the Acts mentioned in this Schedule to be repealed (in Schedule 5) with confidence that any residual effect of their substantive provisions is not altered by the repeal.

Roman Catholic Church Property Trust Act 1961 No 17, section 5

Church of England Trust Property Act 1967 No 8, section 10

Crimes Act 1974 No 17, section 14

Interpretation (Amendment) Act 1979 No 4, subsection 3 (2)

Crimes (Amendment) Act (No 3) 1983 No 55, section 24

Administration and Probate (Amendment) Act 1984 No 67, section 3

Public Trustee (Miscellaneous Amendments) Act 1985 No 9, sections 20
to 24

SCHEDULE 6—continued

Crimes (Amendment) Act (No 4) 1985 No 44, section 10

Crimes (Amendment) Act (No 5) 1985 No 62, sections 5 and 6

Magistrates Court Act 1985 No 67, section 36 and subsections 37 (2) and (3)

Crimes (Amendment) Act 1986 No 15, section 10

Schools Authority (Amendment) Act 1987 No 70, sections 12 to 19

Electricity and Water (Consequential Amendments) Act 1988 No 31, sections 5 and 6

Interpretation (Amendment) Act 1988 No 36, section 21

Credit (Amendment) Act 1990 No 6, section 6

Business Names (Amendment) Act 1990 No 27, section 13

Consumer Affairs (Amendment) Act 1990 No 44, section 15

Health Services (Consequential Provisions) Act 1990 No 63, sections 6 to 17

Commercial Arbitration (Amendment) Act 1991 No 36, section 3

Guardianship and Management of Property (Consequential Provisions) Act 1991 No 63, sections 3 and 5

Territory Owned Corporations (Amendment) Act 1991 No 87, sections 7 to 9

Workers' Compensation (Amendment) Act 1991 No 105, sections 25 to 29

Rates and Land Tax (Amendment) Act (No 2) 1992 No 55, section 13

Prostitution (Consequential Amendments) Act 1992 No 65, section 3

SCHEDULE 6—continued

Medical Practitioners Registration (Amendment) Act 1993 No 21,
sections 25 to 39

Betting (Totalizator Administration) (Amendment) Act 1993 No 36,
sections 12 to 19

Registrar-General (Consequential Provisions) Act 1993 No 64, sections
6 to 13

Chiropractors and Osteopaths (Amendment) Act 1993 No 86, sections 26
to 36

Optometrists (Amendment) Act 1993 No 87, sections 19 to 26

Pharmacy (Amendment) Act 1993 No 88, sections 21 to 28

Food (Amendment) Act (No 2) 1993 No 100, section 10

Electoral (Amendment) (Consequential Provisions) Act 1994 No 15,
sections 4 to 8

Public Sector Management (Consequential and Transitional Provisions)
Act 1994 No 38, sections 3 to 21

Mental Health (Consequential Provisions) Act 1994 No 45, section 3,
sections 5 to 15 and sections 36 to 38

Nurses (Amendment) Act 1994 No 47, sections 36 to 43

Veterinary Surgeons (Amendment) Act 1994 No 48, sections 21 to 30

Physiotherapists (Amendment) Act 1994 No 49, sections 18 to 25

Credit (Amendment) Act 1994 No 50, sections 15 and 16

Magistrates Court (Enforcement of Judgments) Act 1994 No 61, sections
88 to 97

SCHEDULE 6—continued

Statutory Offices (Miscellaneous Provisions) Act 1994 No 97, sections 4 to 9

Subordinate Laws (Amendment) Act (No 3) 1994 No 106, section 5

Nature Conservation (Amendment) Act (No 2) 1994 No 110, section 29

Electricity and Water (Corporatisation) (Consequential Provisions) Act 1995 No 6, sections 3 to 11

Building (Amendment) Act 1995 No 28, subsection 19 (2)

Drugs of Dependence (Amendment) Act 1995 No 31, section 4

Law Reform (Miscellaneous Provisions) (Amendment) Act 1995 No 35, section 5

Vocational Education and Training (Consequential Provisions) Act 1995 No 38, section 3 and sections 6 to 11

Public Sector Management (Amendment) Act 1995 No 51, sections 60 to 66 and Schedule

Workers' Compensation (Amendment) Act 1995 No 52, section 4

Family Provision (Amendment) Act 1996 No 16, section 4

Financial Management and Audit (Consequential and Transitional Provisions) Act 1996 No 26, section 3 and sections 5 to 11

Crimes (Amendment) Act 1996 No 31, section 5

Betting (Corporatisation) (Consequential Amendments) Act 1996 No 33, section 5

Health and Community Care Services (Consequential Provisions) Act 1996 No 35, sections 3 to 12

SCHEDULE 6—continued

Consumer Credit (Administration) (Consequential Provisions) Act 1996
No 42, sections 17 to 23

Electoral (Amendment) Act 1996 No 56, sections 32 to 34

Dentists (Amendment) Act 1996 No 61, sections 39 to 46

Discrimination (Amendment) Act 1996 No 67, sections 16 to 25

Land (Planning and Environment) (Amendment) Act (No 2) 1996 No 71,
sections 21 to 29

Land (Planning and Environment) (Amendment) Act (No 3) 1996 No 85,
sections 114 to 130

Uncollected Goods (Consequential Provisions) Act 1996 No 87, sections
7 to 10

Territory Owned Corporations (Amendment) Act 1997 No 36, section 6

Coroners (Consequential Provisions) Act 1997 No 58, section 5

Environment Protection (Consequential Provisions) Act 1997 No 93,
section 3 and sections 8 to 29

Magistrates Court (Civil Jurisdiction) (Amendment) Act 1997 No 94,
section 5

Legal Practitioners (Amendment) Act (No 3) 1997 No 95, section 21

Legal Aid (Amendment) Act 1997 No 97, subsection 13 (2)

Payroll Tax (Amendment) Act 1997 No 101, section 5

Residential Tenancies (Consequential Provisions) Act 1998 No 4,
sections 3 to 7

Magistrates Court (Amendment) Act 1998 No 25, sections 22 to 26

SCHEDULE 6—continued

Remand Centres (Amendment) Act 1998 No 28, section 5

Crimes (Amendment) Act (No 3) 1998 No 29, section 10

Birth (Equality of Status) (Amendment) Act 1998 No 42, section 13

*Evidence (Closed-Circuit Television) (Amendment) Act 1998 No 45,
subsection 4 (2)*

Building (Amendment) Act (No 2) 1998 No 52, section 24

Limitation (Amendment) Act 1998 No 58, subsection 4 (2)

*Supreme Court (Amendment) Act (No 2) 1998 No 72, section 7 and
subsection 8 (2)*

*Milk Authority (Amendment) Act 1999 No 2, section 4 and sections 15 to
23*

*Taxation Administration (Consequential and Transitional Provisions) Act
1999 No 5, section 3, sections 5 to 14 and section 16*

*Duties (Consequential and Transitional Provisions) Act 1999 No 8,
section 3, sections 5 to 31 and section 34*

Public Sector Management (Amendment) Act 1999 No 55, section 10