

1990

**THE LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL
TERRITORY**

TRUCK (AMENDMENT) BILL 1990

EXPLANATORY MEMORANDUM

Circulated by Authority of the Attorney General

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TRUCK (AMENDMENT) BILL 1990

The New South Wales Acts Act 1986 (the NSW) consolidated the laws of New South Wales which applied in the Territory prior to the establishment of the Territory as the Seat of Government. The inherited New South Wales Acts are specified in Schedule 2 to the NSW Act. One of these Acts is the Truck Act 1900.

The Truck Act 1900 relates to contracts made with respect to wages and requires wages to be paid in money and not in goods.

The Truck (Amendment) Bill 1990 amends provisions in the Truck Act 1900 which contain inappropriate definitions of offences. The Bill gives effect to an undertaking given to the Senate Standing Committee on Regulations and Ordinances prior to Self-Government arising from its consideration of the NSW Act.

Details of the provisions of the Bill are included in the Attachment.

Financial Considerations

The Bill will have no effect on income or expenditure.

ATTACHMENT

TRUCK (AMENDMENT) BILL 1990

Clause 1 provides for the short title of the Bill, once enacted, to be the Truck (Amendment) Act 1990.

Clause 2 makes provision for the commencement of the Bill.

Clause 3 defines the ' Principal Act' to be the Truck Act 1900.

Clauses 4, 5, 6 and 7 amend sections 1, 2, 3, and 6 of the Principal Act, respectively, by adding a penalty of \$20 for a breach of the prohibition contained in each of the sections.

Clause 8 repeals section 9 of the Principal Act to remove an inadequate definition of an offence and substitutes a new section 9 which provides that entry into a contract or the making of a payment declared under the Act to be illegal and void is an offence and provides a penalty for of \$20 for a first offence, \$50 for a second offence and \$100 for a subsequent offence.

Clause 9 provides for the amendment of the Principal Act as set out in the Schedule. The Schedule makes amendment of various provisions to ensure that provisions are expressed in gender neutral terms.

