

## **Statute Law (Miscellaneous Provisions) Bill (No 2) 2004**

New South Wales

### **Explanatory note**

This explanatory note relates to this Bill as introduced into Parliament.

#### Overview of Bill

The objects of this Bill are:

- (a) to make minor amendments to various Acts and statutory rules (Schedule 1), and
- (b) to amend certain other Acts and instruments for the purpose of effecting statute law revision (Schedule 2), and
- (c) to repeal certain Acts and instruments and provisions of Acts (Schedule 3), and
- (d) to make other provisions of a consequential or ancillary nature (Schedule 4).

#### Outline of provisions

**Clause 1** sets out the name (also called the short title) of the proposed Act.

**Clause 2** provides for the commencement of the proposed Act.

**Clauses 3 and 5** are machinery provisions that give effect to the Schedules to the proposed Act that contain amendments and savings, transitional and other provisions.

**Clause 4** gives effect to the Schedule of repeals.

**Clause 6** makes it clear that the explanatory notes contained in the Schedules do not form part of the proposed Act.

#### **Schedule 1 Minor amendments**

**Schedule 1** makes amendments to the following Acts and statutory rules:

*Agricultural Livestock (Disease Control Funding) Act 1998 No 139*

*Animal Research Act 1985 No 123*

*Associations Incorporation Act 1984 No 143*

*Catchment Management Authorities Act 2003 No 104*

*Commonwealth Powers (Family Law—Children) Act 1986 No 182*

*Community Land Development Act 1989 No 201*

*Conveyancing Act 1919 No 6*

*Crimes (Local Courts Appeal and Review) Act 2001 No 120*

*Electricity (Consumer Safety) Act 2004 No 4*

*Exhibited Animals Protection Act 1986 No 123*

*Exotic Diseases of Animals Act 1991 No 73*

*Farrer Memorial Research Scholarship Fund Act 1930 No 38*

*Fertilisers Act 1985 No 5*

*Fines Act 1996 No 99*

*Firearms Act 1996 No 46*

*Fisheries Management Act 1994 No 38*

*Funeral Funds Act 1979 No 106*

*Heritage Act 1977 No 136*

*Mine Subsidence Compensation Act 1961 No 22*

*National Parks and Wildlife Act 1974 No 80*

*Natural Resources Commission Act 2003 No 102*

*Nature Conservation Trust Act 2001 No 10*

*Noxious Weeds Regulation 2003*

*Pawnbrokers and Second-hand Dealers Act 1996 No 13*

*Plant Diseases Act 1924 No 38*

*Police Act 1990 No 47*

*Public Finance and Audit Act 1983 No 152*

*Public Sector Employment and Management Act 2002 No 43*

*Real Property Act 1900 No 25*  
*Residential Parks Act 1998 No 142*  
*Road Transport (Safety and Traffic Management) Act 1999 No 20*  
*Roman Catholic Church Communities' Lands Act 1942 No 23*  
*Roman Catholic Church Trust Property Act 1936 No 24*  
*Rural Lands Protection Act 1998 No 143*  
*Stock (Artificial Breeding) Regulation 1995*  
*Stock (Chemical Residues) Act 1975 No 26*  
*Stock Diseases Act 1923 No 34*  
*Stock Diseases (General) Regulation 2004*  
*Stock Foods Regulation 1997*  
*Swine Compensation Act 1928 No 36*  
*Valuation of Land Act 1916 No 2*  
*Water Management Act 2000 No 92*  
*Wine Grapes Marketing Board (Reconstitution) Act 2003 No 100*  
*Young Offenders Act 1997 No 54*

The amendments to each Act and statutory rule are explained in detail in the explanatory note relating to the Act or statutory rule concerned set out in Schedule 1.

#### **Schedule 2 Amendments by way of statute law revision**

**Schedule 2** amends certain Acts and instruments for the purpose of effecting statute law revision. A number of other amendments are made relating to formal drafting matters and minor corrections.

The amendments to each Act and instrument are explained in detail in the explanatory note relating to the Act or instrument concerned set out in Schedule 2.

#### **Schedule 3 Repeals**

**Schedule 3** repeals a number of Acts and instruments and provisions of Acts. The Schedule repeals amending Acts that contain no substantive provisions that need to be retained. It also repeals expired or redundant Acts and instruments.

In each case, the Acts or instruments that were amended by the Acts or provisions being repealed are up-to-date on the Legislation Database maintained by the Parliamentary Counsel's Office and are available electronically.

Two of the Acts being repealed (the *Broken Hill Proprietary Company Limited (Reclamation and Exchange) Agreement Ratification Act 1950* and the *Broken Hill Proprietary Company Limited (Steelworks) Agreement Ratification Act 1950*) ratified Agreements between Broken Hill Proprietary Company Limited and the Crown in relation to the former BHP Steelworks operation in the Newcastle area. The State acquired freehold title to the relevant land from BHP in 2002 under arrangements that required the termination of the Agreements and the repeal of the Acts ratifying the Agreements.

#### **Schedule 4 General savings, transitional and other provisions**

**Schedule 4** contains savings, transitional and other provisions of a more general effect than those set out in Schedule 1.

The purpose of each provision is explained in detail in the explanatory note relating to the provision concerned set out in Schedule 4.