

**STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL (NO 2) 2013**

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**Bill introduced on motion by Mr Greg Smith, read a first time and printed.**

**Second Reading**

**Mr GREG SMITH** (Epping—Attorney General, and Minister for Justice) [5.14 p.m.]: I move:

That this bill be now read a second time.

The Statute Law (Miscellaneous Provisions) Bill (No. 2) 2013 continues the longstanding statute law revision program. Bills of this kind have featured in most sessions of Parliament since 1984 and are recognised as an effective tool for making minor policy changes, repealing redundant legislation and maintaining the quality of the New South Wales statute book. Schedules 1 and 2 to the bill contain policy changes of a minor and non-controversial nature that are too inconsequential to warrant the introduction of a separate amending bill. Those schedules contain amendments to 23 Acts and two regulations. I will mention some of the amendments to give honourable members an indication of the kind of amendments that are included in the schedules.

Amendments made by schedule 1 to the Environment Planning and Assessment Act 1979 will provide that certain persons appointed as authorised officers for enforcement purposes need not be provided with identification cards. This would apply to classes of authorised persons, such as police officers, who possess adequate identification as members of that class. Schedule 1 amends the Food Act 2003 to remove an unnecessary requirement for the proprietors of certain food businesses to give notice of the appointment of food safety supervisors. The requirement has been removed because the information required to be notified is verified on the inspection of the food premises. Schedule 1 also amends the Victims Rights and Support Act to preserve certain protections that are applied pursuant to the repealed Victims Support and Rehabilitation Act 1996. The protections relate to the inadmissibility of evidence in respect of applications for statutory compensation or for payment of approved counselling services under that repealed Act.

Amendments are made by schedule 1 to the Telecommunications (Interception and Access) (New South Wales) Act 1987 to bring certain definitions in that Act into line with the Telecommunications (Interception and Access) Act 1979 of the Commonwealth. The amendments will have the effect of enabling members of staff authorised to act as certifying officers under that Commonwealth Act to certify documents connected with the issue of warrants. The amendments will also enable the Police Integrity Commission to retain intercepted information for purposes connected with the investigations of police administrative officers and Crime Commission officers.

An amendment is made by schedule 1 to the Smoke-free Environment Act 2000 to give police officers certain functions of inspectors under that Act. This will enable police officers to issue penalty notices to persons smoking on railway platforms and stations, ferry wharves, light rail, bus stops and taxi ranks. The Photo Card Act 2005 is amended to update references to provisions of the Crimes Act 1900, which have been amended to modernise the law relating to fraud and forgery offences, and to create new offences relating to identity crime. This will enable Roads and Maritime Services to use photographs in connection with

investigations relating to offences under those provisions involving photo cards.

The last schedule 1 matter I will mention is the amendments made to the Associations Incorporation Act 2009. The amendments will provide that notices of cancellation of the registration of an association may be sent by ordinary post. Currently, such notices are required to be sent by registered post. Schedule 2 amends a number of Acts as a consequence of the amalgamation of the Local Government Association of New South Wales and the Shires Association of New South Wales. On 1 March 2013, those associations were amalgamated under the Industrial Relations Act 1996 to form Local Government New South Wales. The amendments will ensure that certain functions exercised under those Acts by the former associations will continue to be exercised by the amalgamated association. In particular, those functions relate to the nomination of members of statutory bodies.

Schedule 3 deals with matters of pure statute law revision consisting of minor technical changes to legislation that the Parliamentary Counsel considers are appropriate for inclusion in the bill. Examples of amendments in schedule 3 arising out of the enactment of legislation include correcting numbering and typographical errors, and updating terminology. Schedule 4 repeals the Local Government Associations Incorporation Act 1974. This has become redundant as a consequence of the amalgamation of the Local Government Association of NSW and the Shires Association of NSW. The schedule also removes references in the Marine Safety Act 1998 to repealed legislation. Schedule 5 contains general savings, transitional and other provisions. These include provisions dealing with the effect of amendments on amending provisions, and savings clauses for the repealed Act and provisions. The various amendments are explained in detail in the explanatory notes beneath the amendments to each of the Acts and statutory instruments concerned, or at the end of the schedule concerned.

I am sure that members will appreciate the straightforward and noncontroversial nature of the provisions contained in the bill. However, if any amendment causes concern or requires clarification, it should be brought to my attention. If necessary, I will arrange for government officers to provide additional information on the matters raised. If any particular matter of concern to be resolved is likely to delay the passage of the bill, the Government is prepared to consider withdrawing it from the bill. I commend the bill to the House.

**Debate adjourned on motion by Mr Paul Lynch and set down as an order of the day for a future day.**

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