



New South Wales

# Statute Law (Miscellaneous Provisions) Bill 2015

## 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 regulations (Schedule 1), and
- (b) to amend certain other Acts and instruments for the purpose of effecting statute law revision (Schedule 2), and
- (c) to make minor amendments to various Acts and instruments consequent on the enactment of the *Government Sector Employment Act 2013* (Schedule 3), and
- (d) to amend certain Acts to enable the repeal of regulations by Schedule 6 (by transferring into those Acts provisions of the regulations to be repealed that are of possible ongoing effect) (Schedule 5), and
- (e) to repeal various Acts and instruments and provisions of Acts and instruments (Schedule 6), and
- (f) to make other provisions of a consequential or ancillary nature (Schedules 4 and 7).

## 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.

**Clause 3** 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 regulations:

*Aboriginal Land Rights Act 1983* No 42

*Biological Control Act 1985* No 199

*Classification (Publications, Films and Computer Games) Enforcement Act 1995* No 63

*Conveyancers Licensing Act 2003* No 3

*Co-operative Housing and Starr-Bowkett Societies Act 1998* No 11

*Co-operative Housing and Starr-Bowkett Societies Regulation 2005*

*Crime Commission Act 2012* No 66

*Environmental Planning and Assessment Act 1979* No 203

*Environmental Planning and Assessment Amendment Act 2014* No 79

*Environmental Planning and Assessment Regulation 2000*

*Gambling (Two-up) Act 1998* No 115

*Gaming Machines Act 2001* No 127

*Health Care Complaints Act 1993* No 105

*Holiday Parks (Long-term Casual Occupation) Act 2002* No 88

*Holiday Parks (Long-term Casual Occupation) Regulation 2009*

*Home Building Act 1989* No 147

*Liquor Act 2007* No 90

*Mental Health Amendment (Statutory Review) Act 2014* No 85

*Passenger Transport Act 2014* No 46

*Prevention of Cruelty to Animals Act 1979* No 200

*Public Health Act 2010* No 127

*Registered Clubs Act 1976* No 31

*Residential (Land Lease) Communities Act 2013* No 97

*Saint John's College Act 1857*

*State Emergency and Rescue Management Act 1989* No 165

*Subordinate Legislation Act 1989* No 146

*University of Technology, Sydney, Act 1989* No 69

*University of Western Sydney Act 1997* No 116

*Veterinary Practice Act 2003* No 87

The amendments to each Act and regulation are explained in detail in the explanatory note relating to the Act or regulation 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.

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 Consequential amendments relating to enactment of Government Sector Employment Act 2013**

**Schedule 3** makes minor amendments to various Acts and instruments consequent on the enactment of the *Government Sector Employment Act 2013*.

The nature of the amendments contained in Schedule 3 is explained in detail in the explanatory note at the beginning of the Schedule.

## **Schedule 4 Amendments consequent on renaming of University of Technology, Sydney**

**Schedule 4** makes amendments consequent on amendments made to the *University of Technology, Sydney, Act 1989* by Schedule 1.

## **Schedule 5 Amendments that transfer provisions and enable repeals**

**Schedule 5** contains amendments that enable the repeal of 2 regulations by clause 4 of Schedule 6. The amendments transfer provisions of possible ongoing effect into the Acts under which the regulations were made.

Section 30A of the *Interpretation Act 1987* ensures that the transfer of a provision of a statutory rule to an Act does not affect the operation (if any) or meaning of the provision.

## **Schedule 6 Repeals**

**Schedule 6** repeals a number of Acts and instruments and provisions of Acts and instruments.

**Clause 1** repeals redundant Acts and redundant provisions of an Act.

**Clause 2** repeals provisions of regulations that contain commenced amendments to other legislation.

**Clause 3** repeals the *Gambling (Two-up) Regulation 2010*, which is enabled by the amendment of the *Gambling (Two-up) Act 1998* in Schedule 1.

**Clause 4** repeals regulations whose repeal is enabled by the transfer of provisions of those regulations by Schedule 5.

## **Schedule 7 General savings, transitional and other provisions**

**Schedule 7** contains savings, transitional and other provisions of general effect.

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