

## STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL (NO 2) 2016

### *Second Reading*

**The Hon. DAVID CLARKE ( 12:04 ):** On behalf of the Hon. John Ajaka: I move:  
That this bill be now read a second time.

The Statute Law (Miscellaneous Provisions) Bill (No 2) 2016 continues the statute law revision program, which has been in place for more than 30 years. Bills of this kind have featured in most sessions of Parliament since 1984 and are an effective method for making minor policy changes and maintaining the quality of the New South Wales statute book. Schedule 1 to the bill contains policy changes of a minor and non-controversial nature that are too inconsequential to warrant the introduction of a separate amending bill. It contains amendments to 28 Acts and related amendments to six instruments. I will give an outline of some of the amendments that are included in this schedule.

Schedule 1 amends the State Records Act 1998 to change the name of the State Records Authority of New South Wales to the State Archives and Records Authority of New South Wales. The new name will better reflect the functions of the authority, which include the preservation, management and provision of access to the archival resources of the State. Amendments are made by schedule 1 to several Acts in the portfolio of the Minister for Innovation and Better Regulation. An amendment to the Residential Tenancies Act 2010 will allow the Principal Registrar of the Civil and Administrative Tribunal to approve the form of a warrant for possession issued by the registrar under that Act. Currently, the form of a warrant for possession must be approved by the Commissioner for Fair Trading.

The Landlord and Tenant (Amendment) Act 1948 is amended to remove an unnecessary requirement for certain statements given by a lessee under the Act to be in a form prescribed by regulations. The amendments will also allow the regulations to provide for the waiver or refund of fees payable under that Act. Amendments to the Building and Construction Industry Security of Payment Act 1999, the Holiday Parks (Long-term Casual Occupation) Act 2002 and the Strata Schemes Management Act 2015 will confer on the Commissioner for Fair Trading functions under those Acts that are currently conferred on the Secretary of the Department of Finance, Services and Innovation. The amendments will make provisions conferring functions under those Acts consistent with other legislation administered by the Minister for Innovation and Better Regulation.

Schedule 1 makes a number of amendments to the Aboriginal Land Rights Act 1983. These include an amendment to provide that a person who is elected to fill a vacancy in the office of chairperson or deputy chairperson of an Aboriginal Land Council holds office for the remainder of the term of the vacant office, rather than a fixed term of two years. The last schedule 1 matter I will mention is the amendment to the Western Sydney University Act 1997. The amendment will enable the Board of Trustees of the Western Sydney University to elect any number of persons as deputy chancellors of the university. Currently only two deputy chancellors can be elected. The amendments will also allow the vice-chancellor of the university to sub-delegate functions delegated to the vice-chancellor by the board of trustees.

Schedule 2 amends a number of Acts as a consequence of the enactment of the Commonwealth Australian Crime Commission Amendment (National Policing Information) Act 2016. That Act extended the functions of the Australian Crime Commission to include functions relating to the provision of systems and services for the sharing of national policing information. Those functions were formerly exercised by the Commonwealth agency CrimTrac. The amendments will replace references to "CrimTrac" with "the Australian Crime Commission", and makes related amendments, across seven Acts and three instruments. 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 are corrections of cross-references, typographical errors and terminology, and amendments arising out of the enactment of other legislation.

Schedule 4 contains general savings, transitional and other provisions. These include provisions dealing with the effect of amendments on amending provisions, and savings clauses for the substituted provisions. The various amendments are explained in detail in explanatory notes set out beneath the amendments to each of the Acts and statutory instruments concerned or at the beginning of the schedule concerned. I am sure that honourable members will appreciate the straightforward nature of the provisions contained in the bill. However, if any amendment requires clarification, it should be brought to my attention and I will arrange for additional information to be provided on the matters raised. If any particular matter of concern cannot be resolved and is likely to delay the passage of the bill the Government will consider withdrawing the matter from the bill. I commend the bill to the House.