



New South Wales

# Statute Law (Miscellaneous Provisions) Bill 2018

## 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 instruments (Schedules 1 and 2), and
- (b) to amend certain other Acts and instruments for the purpose of effecting statute law revision (Schedules 3–5), and
- (c) to repeal various Acts and provisions of Acts and instruments (Schedule 6), and
- (d) to make other provisions of a consequential or ancillary nature (Schedule 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 instruments:

- (a) *Aboriginal Land Rights Act 1983* No 42,
- (b) *Apprenticeship and Traineeship Act 2001* No 80,
- (c) *Children (Detention Centres) Act 1987* No 57,

- (d) *Crimes (Administration of Sentences) Act 1999* No 93,
- (e) *Crimes (Sentencing Procedure) Act 1999* No 92,
- (f) *Crimes (Sentencing Procedure) Amendment (Sentencing Options) Act 2017* No 53,
- (g) *Criminal Procedure Act 1986* No 209,
- (h) *Crown Land Management Act 2016* No 58,
- (i) *Education Act 1990* No 8,
- (j) *Education Standards Authority Regulation 2013*,
- (k) *Fisheries Management Act 1994* No 38,
- (l) *Fisheries Management (General) Regulation 2010*,
- (m) *Gas and Electricity (Consumer Safety) Act 2017* No 15,
- (n) *Health Practitioner Regulation (Adoption of National Law) Act 2009* No 86,
- (o) *Home Building Act 1989* No 147,
- (p) *Home Building Regulation 2014*,
- (q) *Motor Accident Injuries Act 2017* No 10,
- (r) *Motor Dealers and Repairers Act 2013* No 107,
- (s) *Protection of the Environment Operations Act 1997* No 156,
- (t) *Public Health Act 2010* No 127,
- (u) *Public Health Regulation 2012*,
- (v) *Road Transport Act 2013* No 18,
- (w) *Road Transport and Related Legislation Amendment Act 2017* No 61,
- (x) *Subordinate Legislation Act 1989* No 146.

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 1.

## **Schedule 2 Amendments relating to publication of notices**

**Schedule 2** makes amendments to certain Acts and instruments relating to the publication of notices.

The nature of the amendments contained in Schedule 2 is explained in detail in the explanatory note at the beginning of the Schedule.

## **Schedule 3 Amendments by way of statute law revision— amendments consequent on enactment of Biodiversity Conservation Act 2016 No 63 and Local Land Services Amendment Act 2016 No 64**

**Schedule 3** amends certain Acts and instruments for the purpose of effecting statute law revision, consequent on the enactment of the *Biodiversity Conservation Act 2016* and the *Local Land Services Amendment Act 2016*.

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

## **Schedule 4 Amendments by way of statute law revision— amendment of Environmental Planning and Assessment Act 1979 No 203 consequent on enactment of Environmental Planning and Assessment Amendment Act 2017 No 60**

**Schedule 4** amends the *Environmental Planning and Assessment Act 1979* for the purpose of effecting statute law revision, consequent on the enactment of the *Environmental Planning and Assessment Amendment Act 2017*.

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

## **Schedule 5 Amendments by way of statute law revision— miscellaneous amendments**

**Schedule 5** 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 5.

## **Schedule 6 Repeals**

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

**Clause 1** repeals the *Moree and District War Memorial Educational Centre Act 1962*. The repeal is enabled by amendments contained in Schedule 1. The reason for the repeal is explained in detail in the explanatory note relating to the repeal set out in the clause.

**Clause 2** repeals redundant Acts and provisions of redundant Acts and an instrument.

**Clause 3** repeals amending provisions of an Act and instruments that have commenced.

**Clause 4** repeals Acts and amending provisions of Acts that have been superseded.

**Clause 5** repeals the *Occupational Licensing National Law Repeal Act 2015* and transfers a provision having ongoing effect into the *State Records Act 1998*.

## **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 Schedule 7.