



New South Wales

Statute Law (Miscellaneous Provisions) Bill 2020

Explanatory note

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

Overview of Bill

The objects of this Bill are to—

- (a) make minor amendments to various Acts and instruments (Schedule 1), and
- (b) amend certain other Acts and instruments for the purpose of effecting statute law revision (Schedule 2), and
- (c) amend certain other Acts and instruments for the purpose of updating references as a consequence of changes to administrative arrangements of Government (Schedule 3), and
- (d) amend certain other Acts and instruments for the purpose of updating references as a consequence of the dissolution of Roads and Maritime Services (Schedule 4), and
- (e) repeal various Acts and an instrument and provisions of an instrument (Schedule 5), and
- (f) make other provisions of a consequential or ancillary nature (Schedule 6).

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) *Animal Research Act 1985* No 123,
- (b) *Annual Holidays Act 1944* No 31,
- (c) *Anzac Memorial (Building) Act 1923* No 27,
- (d) *Associations Incorporation Act 2009* No 7,
- (e) *Better Regulation Legislation Amendment Act 2019* No 23,
- (f) *Building and Construction Industry Security of Payment Act 1999* No 46,
- (g) *Centennial Park and Moore Park Trust Act 1983* No 145,
- (h) *Centennial Park and Moore Park Trust Regulation 2014*,
- (i) *Children's Guardian Act 2019* No 25,
- (j) *Children's Guardian (Transitional) Regulation 2020*,
- (k) *Contaminated Land Management Act 1997* No 140,
- (l) *Co-operatives (Adoption of National Law) Act 2012* No 29,
- (m) *Dams Safety Act 2015* No 26,
- (n) *Education Act 1990* No 8,
- (o) *Electoral Funding Act 2018* No 20,
- (p) *Environmental Planning and Assessment Act 1979* No 203,
- (q) *Exhibited Animals Protection Act 1986* No 123,
- (r) *Fair Trading Act 1987* No 68,
- (s) *Fisheries Management Act 1994* No 38,
- (t) *Fisheries Management (Aquaculture) Regulation 2017*,
- (u) *Fisheries Management (General) Regulation 2019*,
- (v) *Government Sector Employment Act 2013* No 40,
- (w) *Growth Centres (Development Corporations) Act 1974* No 49,
- (x) *Health Administration Act 1982* No 135,
- (y) *Hemp Industry Act 2008* No 58,
- (z) *Heritage Act 1977* No 136,
- (aa) *Local Land Services Act 2013* No 51,
- (ab) *Marine Estate Management Act 2014* No 72,
- (ac) *Museum of Applied Arts and Sciences Act 1945* No 31,
- (ad) *Ombudsman Act 1974* No 68,
- (ae) *Parramatta Park Trust Act 2001* No 17,
- (af) *Pesticides Act 1999* No 80,
- (ag) *Pesticides Regulation 2017*,
- (ah) *Prevention of Cruelty to Animals Act 1979* No 200,
- (ai) *Property and Stock Agents Act 2002* No 66,
- (aj) *Protection of the Environment Operations Act 1997* No 156,
- (ak) *Protection of the Environment Operations (General) Regulation 2009*,
- (al) *Protection of the Environment Operations (Noise Control) Regulation 2017*,

- (am) *Public Finance and Audit Act 1983* No 152,
- (an) *Public Health Act 2010* No 127,
- (ao) *Residential Tenancies Act 2010* No 42,
- (ap) *Retirement Villages Act 1999* No 81,
- (aq) *Royal Botanic Gardens and Domain Trust Act 1980* No 19,
- (ar) *Statutory and Other Offices Remuneration Act 1975* (1976 No 4),
- (as) *Stock Medicines Act 1989* No 182,
- (at) *Succession Act 2006* No 80,
- (au) *Succession Regulation 2020*,
- (av) *Tow Truck Industry Act 1998* No 111,
- (aw) *Water Management Act 2000* No 92,
- (ax) *Western City and Aerotropolis Authority Act 2018* No 53,
- (ay) *Western Sydney Parklands Act 2006* No 92,
- (az) *Wool, Hide and Skin Dealers Act 2004* No 7.

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

Schedule 2 Amendments by way of statute law revision— miscellaneous amendments

Schedule 2 amends certain Acts and instruments for the purpose of effecting statute law revision.

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

Schedule 3 Amendments consequent on administrative changes

Schedule 3 amends each of the Acts and instruments mentioned in Schedule 3 for the purpose of updating references in those Acts and instruments as a consequence of changes to administrative arrangements of Government.

Schedule 4 Amendments consequent on dissolution of RMS

Schedule 4 amends each of the Acts and instruments mentioned in Schedule 4 for the purpose of updating references in those Acts and instruments as a consequence of the dissolution of Roads and Maritime Services.

Schedule 5 Repeals

Schedule 5 repeals the following redundant Acts, a redundant instrument and redundant provisions of an Act—

- (a) the *Statute Law (Miscellaneous Provisions) Act (No 2) 2018* No 68,
- (b) the *Statute Law (Miscellaneous Provisions) Act (No 2) 2019* No 14,
- (c) the *Wool, Hide and Skin Dealers Regulation 2015*,
- (d) Schedule 1.2 of the *Fair Trading Legislation Amendment (Reform) Act 2018* No 65.

Schedule 6 General savings, transitional and other provisions

Schedule 6 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 6.



New South Wales

Statute Law (Miscellaneous Provisions) Bill 2020

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New South Wales

Statute Law (Miscellaneous Provisions) Bill 2020

No. , 2020

A Bill for

An Act to repeal certain Acts and to amend certain other Acts and instruments in various respects and for the purpose of effecting statute law revision; and to make certain savings.

The Legislature of New South Wales enacts—

1 Name of Act

This Act is the *Statute Law (Miscellaneous Provisions) Act 2020*.

2 Commencement

- (1) This Act commences on the date of assent, except as provided by this section.
- (2) The amendments made by Schedules 1 and 2 to this Act commence on the day or days specified in the relevant Schedule in relation to the amendment concerned.
- (3) However, if a commencement day is not specified in Schedule 1 or 2 in relation to an amendment in the Schedule concerned, the amendment commences on 11 December 2020.
- (4) The amendments made by Schedule 4 commence on 22 January 2021.

3 Explanatory notes

The matter appearing under the heading “Explanatory note” in any of the Schedules to this Act does not form part of this Act.

Schedule 1 Minor amendments

1.1 Animal Research Act 1985 No 123

Section 61

Omit the section. Insert instead—

61 Service of notices

A notice that the Secretary is required or permitted by or under this Act to cause to be served on a person may be served in the following ways—

- (a) personally,
- (b) by means of a letter addressed to the person at the person's address last known to the Secretary,
- (c) by email to an email address specified by the person for the service of notices of that kind.

Explanatory note

The proposed amendment enables the service of notices on persons to be effected by email.

1.2 Annual Holidays Act 1944 No 31

Section 14A Annual holidays for local council workers

Omit section 14A(1)(a). Insert instead—

- (a) applies to a worker who is an employee of any of the following under the *Local Government Act 1993*—
 - (i) a council,
 - (ii) a county council,
 - (iii) a joint organisation, and

Explanatory note

The proposed amendment extends section 14A of the *Annual Holidays Act 1944* (which allows a local council and an employee of the local council to agree to the employee receiving a payment in lieu of annual holidays, or taking annual holidays at double or half pay) to county councils and joint organisations and their employees. Treating employee leave entitlements consistently across these entities recognises that county councils and joint organisations are created to allow councils to work together to deliver services and that employees often transfer between these entities.

1.3 Anzac Memorial (Building) Act 1923 No 27

Section 3C Australian Defence Force representative

Insert after section 3C(3)—

- (3A) If, during the Australian Defence Force representative's term of office as a trustee, the person appointed as the representative ceases to hold a position mentioned in subsection (2) but continues to hold a position in the Australian Defence Force of the same or equivalent, or higher, rank—
 - (a) the person's appointment as Australian Defence Force representative and as a trustee continues in effect, but
 - (b) the person is not eligible for re-appointment unless the person returns to a position mentioned in subsection (2).

Explanatory note

The proposed amendment makes it clear that the appointment of a person as the Australian Defence Force representative and as a trustee for the purposes of the *Anzac Memorial (Building) Act 1923* is

not affected by a change in the position held by the person during the person's term of office as a trustee.	1 2
1.4 Associations Incorporation Act 2009 No 7	3
Sections 11(6)(b), 61A(3)(b), 74(4)(b), 76(5)(b) and 80(4)(b)	4
Insert “, or related to,” after “used by” wherever occurring.	5
Explanatory note	6
The proposed amendment enables the Secretary to send notice of the following to an address or email address related to an association if the Secretary suspects that the association's official address is no longer in use—	7 8 9
(a) a proposed certificate to wind up the association,	10
(b) a proposed cancellation of the association's registration,	11
(c) the cancellation of the association's registration as a consequence of the transfer of its incorporation to a corresponding law.	12 13
It may be necessary to send notice to a related address or email address if the association is not in operation and does not have an address or email address in use.	14 15
1.5 Better Regulation Legislation Amendment Act 2019 No 23	16
Schedule 1 Amendments	17
Omit paragraph (a) of the definition of <i>competent person</i> in Schedule 1.10[9].	18
Insert instead—	19
(a) a registered health practitioner within the meaning of the <i>Health Practitioner Regulation National Law (NSW)</i> , but only if the health practitioner is registered under Division 1 or 2 of Part 7 of that Law,	20 21 22
Explanatory note	23
The proposed amendment will provide that a person is a competent person for the purposes making a declaration relating to a domestic violence termination notice under Division 3A of Part 5 of the <i>Residential Tenancies Act 2010</i> if the person is a registered health practitioner, within the meaning of the <i>Health Practitioner Regulation National Law (NSW)</i> , but only if the health practitioner is registered under Division 1 or 2 of Part 7 of that Law.	24 25 26 27 28
1.6 Building and Construction Industry Security of Payment Act 1999 No 46	29 30
[1] Section 11 Due date for payment	31
Insert “(other than an exempt residential construction contract)” after “construction contract” in section 11(1A).	32 33
[2] Section 35 Regulations	34
Insert at the end of section 35(4)(b)—	35
, and	36
(c) apply, adopt or incorporate any publication as in force at a particular time or as in force from time to time.	37 38
Commencement	39
Item [1] of the proposed amendments to the <i>Building and Construction Industry Security of Payment Act 1999</i> commences on 1 March 2021.	40 41
Explanatory note	42
Item [1] of the proposed amendments makes it clear that the requirement for a progress payment under a construction contract, which is required to be paid by a principal to a head contractor no later than 15 business days after a payment claim is made, does not apply to an exempt residential construction contract.	43 44 45 46

Item [2] enables the regulations to apply, adopt or incorporate any publication as in force at a particular time or as in force from time to time. This allows for updates to the Continuing Professional Development Guidelines for Adjudicators (CPD Guidelines) and ensures that continuing professional development requirements, as informed by the CPD Guidelines, remain relevant for adjudicators.	1 2 3 4
1.7 Centennial Park and Moore Park Trust Act 1983 No 145	5
[1] Whole Act (except where otherwise amended by this Subschedule)	6
Omit “Director” and “Director’s” wherever occurring.	7
Insert instead “Chief Executive” and “Chief Executive’s”, respectively.	8
[2] Section 4 Definitions	9
Omit the definition of <i>Director</i> from section 4(1). Insert instead—	10
<i>Chief Executive</i> means the person employed in the Public Service who is assigned to the role of Chief Executive of the Centennial Park and Moore Park Trust.	11 12 13
[3] Section 7 Appointment and procedure	14
Omit section 7(1). Insert instead—	15
(1) The Trust is to consist of the following trustees—	16
(a) the Chief Executive,	17
(b) the chairperson of the Community Consultative Committee established under section 7A,	18 19
(c) not more than 6 other persons, appointed by the Governor on the recommendation of the Minister.	20 21
[4] Schedule 1 Provisions relating to trustees and procedure of the Trust	22
Insert before clause 1—	23
1A Definitions	24
In this Schedule—	25
<i>appointed trustee</i> means a person who is appointed by the Governor as a trustee of the Trust under section 7(1)(c).	26 27
<i>Chairperson</i> means the Chairperson of the Trust nominated under clause 8(2).	28
<i>trustee</i> means a trustee of the Trust and includes an appointed trustee.	29
[5] Schedule 1, clauses 2, 3, 6 and 7	30
Omit “any trustee”, “the trustee”, “a trustee”, “A trustee” and “the trustee’s” wherever occurring.	31 32
Insert instead “an appointed trustee”, “the appointed trustee”, “an appointed trustee”, “An appointed trustee” and “the appointed trustee’s”, respectively.	33 34
[6] Schedule 1, clause 4, heading	35
Insert “appointed” before “trustees”.	36
[7] Schedule 1, clause 4	37
Omit “a trustee and a trustee is not, as a trustee”.	38
Insert instead “an appointed trustee and an appointed trustee is not, as an appointed trustee”.	39

[8] Schedule 1, clause 5, heading	1
Insert “and committee members” after “trustees”.	2
[9] Schedule 1, clause 5	3
Insert at the end of the clause—	4
(2) Subclause (1) does not apply to the Chief Executive.	5
[10] Schedule 1, clause 8(1)	6
Omit “a trustee shall not be considered”. Insert instead “an appointed trustee is not taken”.	7
[11] Schedule 1, clause 11	8
Omit the clause. Insert instead—	9
11 The Chief Executive	10
The Chief Executive is an ex officio member of each committee of the Trust.	11
[12] Schedule 2 Transitional and other provisions	12
Insert at the end of the Schedule, with appropriate Part and clause numbering—	13
Part Provisions consequent on enactment of Statute Law (Miscellaneous Provisions) Act 2020	14
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References to Director to be construed as Chief Executive	16
(1) In any document, a reference to the Director of Centennial Park and Moore Park is to be construed as a reference to the Chief Executive of the Centennial Park and Moore Park Trust.	17
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(2) In this clause—	20
<i>document</i> means any Act or statutory or other instrument, or any contract or agreement (other than this Act).	21
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Explanatory note	23
Items [1] and [2] of the proposed amendments replace the definition of, and references to, the “Director” with a definition of, and references to, the “Chief Executive”, which reflects the new title of that position with the Centennial Park and Moore Park Trust.	24
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	26
Item [3] updates the membership of the Trust to provide that the Trust is to consist of the Chief Executive, the chairperson of the Community Consultative Committee and up to 6 other persons appointed by the Governor on the recommendation of the Minister.	27
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Items [4]–[12] make consequential amendments.	30
1.8 Centennial Park and Moore Park Trust Regulation 2014	31
[1] Whole Regulation	32
Omit “Director” and “Director’s” wherever occurring.	33
Insert instead “Chief Executive” and “Chief Executive’s”, respectively.	34
[2] Clause 30	35
Omit the clause. Insert instead—	36
30 Centennial Park and Moore Park Trust Community Consultative Committee	37
In this Part—	38

	<i>appointed trustee</i> means a person who is appointed by the Governor as a trustee of the Trust under section 7(1)(c) of the Act.	1
	<i>the Committee</i> means the Centennial Park and Moore Park Trust Community Consultative Committee constituted for the purposes of section 7A(2) of the Act.	2
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		5
[3]	Clause 31 Composition	6
	Omit clause 31(3). Insert instead—	7
	(3) An appointed trustee is not eligible to be appointed as a member of the Committee.	8
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	Explanatory note	10
	Item [1] of the proposed amendments replaces references to “Director” with “Chief Executive”, which reflects the new title of that position with the Centennial Park and Moore Park Trust.	11
	Items [2] and [3] make consequential amendments arising from the update of the membership of the Trust.	12
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1.9	Children’s Guardian Act 2019 No 25	15
[1]	Section 18 Meaning of “reportable allegation”	16
	Insert after section 18(2)—	17
	(2A) <i>Reportable allegation</i> , in relation to an employee of a religious body, means an allegation that the employee has engaged in conduct that may be reportable conduct, whether or not the conduct is alleged to have occurred in the course of the employee’s engagement with the religious body.	18
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[2]	Section 19 Meaning of “reportable conviction”	22
	Insert at the end of section 19(1)(b)(ii)—	23
	, or	24
	(c) in relation to an employee of a religious body—whether or not the conduct occurred in the course of the employee’s engagement with the religious body.	25
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		27
[3]	Schedule 4 Savings, transitional and other provisions	28
	Omit “1 March 2021” from clause 2(3). Insert instead “1 September 2021”.	29
	Explanatory note	30
	Items [1] and [2] of the proposed amendments transfer the definitions of reportable allegation and reportable conviction in relation to employees of religious bodies for the purposes of the reportable conduct scheme from the <i>Children’s Guardian (Transitional) Regulation 2020</i> to the <i>Children’s Guardian Act 2019</i> . The transitional provision is omitted by Schedule 1.10 to this Act.	31
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	Item [3] extends a transitional arrangement that provides for certain provisions of regulations made under the <i>Adoption Act 2000</i> , the <i>Children and Young Persons (Care and Protection) Act 1998</i> , the <i>Community Services (Complaints, Reviews and Monitoring) Act 1993</i> and the <i>Ombudsman Act 1974</i> to continue in force despite the commencement of the <i>Children’s Guardian Act 2019</i> or a regulation under that Act. The provisions of the regulations are to be read as regulations made under the <i>Children’s Guardian Act 2019</i> , with the necessary modifications.	35
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1.10	Children’s Guardian (Transitional) Regulation 2020	41
	Clause 8 Definitions relating to religious bodies	42
	Omit the clause.	43
	Explanatory note	44
	The proposed amendment omits a transitional provision that extends the definitions of “reportable allegation” and “reportable conviction” to employees of religious bodies for the purposes of the	45
		46

reportable conduct scheme. The definitions are transferred to the <i>Children's Guardian Act 2019</i> by Schedule 1.9 to this Act.	1 2
1.11 Contaminated Land Management Act 1997 No 140	3
[1] Section 92A Penalty notices	4
Omit "serve a penalty notice on" from section 92A(1).	5
Insert instead "issue a penalty notice to".	6
[2] Section 92A(2) and (3)	7
Omit section 92A(2)–(5). Insert instead—	8
(2) The <i>Fines Act 1996</i> applies to a penalty notice issued under this section.	9
Note. The <i>Fines Act 1996</i> provides that, if a person issued with a penalty notice does not wish to have the matter determined by a court, the person may pay the amount specified in the notice and is not liable to any further proceedings for the alleged offence.	10 11 12 13
(3) The amount payable under a penalty notice issued under this section is the amount prescribed for the alleged offence by the regulations, not exceeding the maximum amount of penalty that could be imposed for the offence by a court.	14 15 16 17
[3] Section 92A(5A)	18
Omit "Despite subsection (4), an". Insert instead "An".	19
[4] Section 92A(5A) and (5B)	20
Omit "served" wherever occurring. Insert instead "issued".	21
[5] Section 92A(5B)(c)	22
Omit "on whom". Insert instead "to whom".	23
[6] Section 92A(6), (7) and (9)	24
Omit the subsections.	25
Explanatory note	26
Item [2] of the proposed amendments updates a penalty notice provision to make it consistent with similar, standard provisions in other Acts. The provision applies the <i>Fines Act 1996</i> , as amended by the <i>Fines Amendment (Electronic Penalty Notices) Act 2016</i> , to penalty notices issued under the <i>Contaminated Land Management Act 1997</i> .	27 28 29 30
Items [1], [4] and [5] update terminology. Item [6] removes provisions that are no longer necessary because of the application of the <i>Fines Act 1996</i> to penalty notices issued under the <i>Contaminated Land Management Act 1997</i> . Item [3] makes a consequential amendment.	31 32 33
1.12 Co-operatives (Adoption of National Law) Act 2012 No 29	34
Section 25	35
Insert after section 24—	36
25 Investigators under Fair Trading Act 1987 taken to be inspectors	37
A person appointed as an investigator under section 18 of the <i>Fair Trading Act 1987</i> is taken to have been appointed as an inspector under section 492 of the <i>Co-operatives National Law (NSW)</i> .	38 39 40

Explanatory note	1
The proposed amendment provides that an investigator appointed under section 18 of the <i>Fair Trading Act 1987</i> is taken to have been appointed as an inspector for the purposes of the <i>Co-operatives National Law (NSW)</i> .	2 3 4
1.13 Dams Safety Act 2015 No 26	5
Section 7 Members of Dams Safety NSW	6
Omit “, mine engineering” from section 7(2).	7
Explanatory note	8
The proposed amendment removes the requirement for appointed members of Dams Safety NSW to have professional expertise, qualifications or experience in mine engineering.	9 10
1.14 Education Act 1990 No 8	11
[1] Section 83B Financial and other assistance in respect of non-government school children	12 13
Omit section 83B(6). Insert instead—	14
(6) Any financial assistance in respect of non-government school children may be paid—	15 16
(a) directly to the school that the children attend, or	17
(b) to any of the following for the benefit of that school—	18
(i) a system of non-government schools,	19
(ii) an approved system authority within the meaning of the <i>Australian Education Act 2013</i> of the Commonwealth,	20 21
(iii) a person or body approved by the Minister for the purposes of this section.	22 23
[2] Section 83J Recovery of amounts from schools	24
Omit “and any system of non-government schools” from section 83J(4).	25
Insert instead “and any system, authority, person or body referred to in section 83B(6)(b)”.	26
Explanatory note	27
Item [1] of the proposed amendments provides that financial assistance for non-government school children may be paid to an approved system authority, within the meaning of the <i>Australian Education Act 2013</i> of the Commonwealth, or to a person or body approved by the Minister for Education and Early Childhood Learning for the purposes of the provision, as alternatives to paying the assistance directly to the school or to a system of non-government schools, as is currently the case.	28 29 30 31 32
Item [2] is a consequential amendment to allow the Minister to recover financial assistance paid to or for the benefit of a non-compliant school from an approved system authority, person or body.	33 34
1.15 Electoral Funding Act 2018 No 20	35
Schedule 2 Savings, transitional and other provisions	36
Insert at the end of the Schedule—	37
Part 4 Provision consequent on postponement of September 2020 local government elections	38 39
20 COVID-19 postponed local government elections	40
To avoid doubt, for the purposes of sections 28 and 31A of this Act, the local government elections to be held on 4 September 2021 are taken to be ordinary	41 42

elections of councillors under section 287(1) of the <i>Local Government Act 1993</i> .	1
Explanatory note	2
The proposed amendment to the <i>Electoral Funding Act 2018</i> makes it clear that the September 2021 local government elections, being the elections postponed from September 2020 under Part 6A of Chapter 10 of the <i>Local Government Act 1993</i> , are ordinary elections of councillors subject to the provisions of the <i>Electoral Funding Act 2018</i> relating to caps on electoral expenditure for local government election campaigns.	3
1.16 Environmental Planning and Assessment Act 1979 No 203	4
Section 6.5A	5
Insert after section 6.5—	6
6.5A Certificates may be issued by persons other than certifiers	7
(1) This section authorises certain certificates to be issued under this Part by a person other than a certifier.	8
(2) A person is not required to be registered under the <i>Building and Development Certifiers Act 2018</i> to issue a certificate in accordance with this section.	9
(3) A subdivision certificate may be issued in relation to a subdivision carried out by or on behalf of any of the following persons—	10
(a) Newcastle Port Corporation,	11
(b) the port operator of the port of Botany Bay,	12
(c) the port operator of the port of Port Kembla,	13
(d) the port operator of the Port of Newcastle,	14
(e) Transport for NSW.	15
(4) The subdivision certificate may be issued by—	16
(a) the person, or	17
(b) a person acting on behalf of the person.	18
(5) The Minister may issue a certificate under this Part for any work or activity carried out on land in Kosciuszko National Park that is prescribed by the regulations as a ski resort area.	19
(6) In this section—	20
<i>port operator</i> of a port has the same meaning as it has in the <i>Ports and Maritime Administration Act 1995</i> .	21
Explanatory note	22
The proposed amendment authorises certain persons who are not a council or a registered certifier to issue certificates under Part 6 of the <i>Environmental Planning and Assessment Act 1979</i> .	23
1.17 Exhibited Animals Protection Act 1986 No 123	24
[1] Section 5 Definitions	25
Omit the definition of <i>licensing standard</i> from section 5(1).	26
[2] Section 24 Certain animals may be displayed only with permit	27
Omit “that animal”. Insert instead “animals of that species”.	28
[3] Section 25 Issue of permits	29
Omit “an animal” and “the animal” from section 25(1).	30

Insert instead “animals” and “animals of that species”, respectively.	1
[4] Section 25(3)	2
Omit “the animal or animals specified or described in the permit”.	3
Insert instead “an animal or animals of the species specified in the permit”.	4
[5] Schedule 3, heading	5
Omit the heading. Insert instead—	6
Schedule 3 Standards	7
Explanatory note	8
Item [1] of the proposed amendments makes it clear that standards may be prescribed in respect of animal display establishments of any class and not only those animal display establishments of a class that is required to be licensed.	9
Items [2]–[4] clarify that a permit for the exhibition of animals authorises a person to exhibit 1 or more animals of a particular species.	10
Item [5] reflects that standards may also be prescribed in respect of matters other than licensing.	11
1.18 Fair Trading Act 1987 No 68	12
Section 19 Powers of entry	13
Insert “the investigator believes, on reasonable grounds,” before “do not comply with a safety standard” in section 19(3)(c1)(i).	14
Explanatory note	15
The proposed amendment makes it clear that an investigator may seize, detain or remove consumer goods if the investigator believes, on reasonable grounds, that the goods do not comply with a safety standard.	16
1.19 Fisheries Management Act 1994 No 38	17
[1] Section 37AA Provisions relating to permits	18
Omit section 37AA(5). Insert instead—	19
(5) The Minister may from time to time, by notice given to the permit holder, vary—	20
(a) a section 37 permit, or	21
(b) the conditions of a section 37 permit (other than conditions prescribed by the regulations).	22
[2] Section 37A Defence—permits authorising sale of fish for charitable purposes	23
Omit section 37A(6). Insert instead—	24
(6) The Minister may from time to time, by notice given to the permit holder, vary—	25
(a) a permit under this section, or	26
(b) the conditions of a permit under this section (other than conditions prescribed by the regulations).	27
[3] Section 40 Regulations relating to general management of fisheries	28
Insert after section 40(2)(k)—	29

	(k1) the gathering or collection of marine vegetation, including the prohibition of the gathering or collection of marine vegetation for commercial purposes except under the authority of a permit,	1 2 3
[4]	Section 191 Regulations	4
	Omit section 191(c).	5
[5]	Section 204B Marine vegetation protected from any commercial harvesting	6
	Omit “191” from the note to the section. Insert instead “40(2)(k1)”.	7
[6]	Section 205 Marine vegetation—regulation of harm	8
	Insert after section 205(2)—	9
	(3) In this section—	10
	<i>mangrove</i> includes any of the following species of vegetation—	11
	(a) <i>Acrostichum speciosum</i> (Mangrove Fern),	12
	(b) <i>Aegiceras corniculatum</i> (River Mangrove),	13
	(c) <i>Avicennia marina</i> (Grey Mangrove),	14
	(d) <i>Bruguiera gymnorhiza</i> (Large Leaf Mangrove),	15
	(e) <i>Excoecaria agallocha</i> (Milky Mangrove),	16
	(f) <i>Rhizophora stylosa</i> (Stilted Mangrove).	17
	<i>seagrass</i> includes any of the following species of vegetation—	18
	(a) <i>Halodule uninervis</i> (Halodule),	19
	(b) <i>Halodule tridentate</i> (Halodule),	20
	(c) <i>Ruppia maritime</i> (Ruppia),	21
	(d) <i>Ruppia megacarpa</i> (Ruppia),	22
	(e) <i>Ruppia polycarpa</i> (Ruppia),	23
	(f) <i>Halophila ovalis</i> (Paddle Weed),	24
	(g) <i>Halophila decipiens</i> (Paddle Weed),	25
	(h) <i>Halophila spinulosa</i> (Paddle Weed),	26
	(i) <i>Hetrozostera nigricaulis</i> (Eel Grass),	27
	(j) <i>Posidonia australis</i> (Strap Weed),	28
	(k) <i>Zostera capricorni</i> (Eel Grass),	29
	(l) <i>Zostera muelleri</i> subsp. <i>capricorni</i> (Eel Grass),	30
	(m) <i>Zostera muelleri</i> subsp. <i>muelleri</i> (Eel Grass).	31
	Explanatory note	32
	Items [1] and [2] of the proposed amendments enable the Minister administering the <i>Fisheries Management Act 1994</i> to vary permits to fish or collect marine vegetation for research and other purposes, and permits for the sale of fish for charitable purposes. Currently the Minister may only vary the conditions of such permits.	33 34 35 36
	Items [3] and [4] relocate the regulation-making power relating to the gathering or collection of marine vegetation, which is not an aquaculture related activity, from the part of the <i>Fisheries Management Act 1994</i> relating to aquaculture management to the part relating to general fisheries management.	37 38 39
	Item [5] makes a consequential amendment.	40
	Item [6] defines particular species of mangroves and seagrasses that a person must not harm in a protected area without a permit.	41 42

1.20 Fisheries Management (Aquaculture) Regulation 2017	1
[1] Clause 63 Permit required to gather marine vegetation for commercial purposes	2
Omit the clause.	3
[2] Schedule 3 Fees, charges and contributions	4
Omit item 26.	5
Explanatory note	6
The proposed amendments are consequent on a proposed amendment to the <i>Fisheries Management Act 1994</i> in Schedule 1.19 to this Act that relocates the regulation-making power relating to the gathering or collection of marine vegetation within that Act.	7
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1.21 Fisheries Management (General) Regulation 2019	10
[1] Clause 98A	11
Insert after clause 98—	12
98A Permit required to gather marine vegetation for commercial purposes	13
(1) A person must not gather marine vegetation for a commercial purpose from any area of public water land except under the authority of a permit issued by the Minister under this clause.	14
Maximum penalty—50 penalty units.	15
	16
(2) A permit applies to the gathering of marine vegetation only in the area specified in the permit.	17
	18
(3) A permit is not required for the gathering of marine vegetation in accordance with an aquaculture permit or a permit under Part 7 of the Act.	19
	20
(4) A permit may apply to marine vegetation generally or to a particular class of marine vegetation specified in the permit.	21
	22
(5) An application for a permit, or the renewal of a permit, is to be made in writing to the Minister in the form approved by the Minister and must be accompanied by the fee specified in Schedule 6.	23
	24
(6) If a person duly makes an application for a permit, the Minister may issue, or may refuse to issue, a permit.	25
	26
(7) A permit remains in force, unless sooner cancelled or suspended by the Minister, until the expiration of the period specified in the permit.	27
	28
(8) A permit is subject to the following conditions and any further conditions attached to the permit by the Minister—	29
	30
(a) marine vegetation must not be gathered from any area if commercial fishing is taking place in the area unless, at the time the commercial fishing commenced in that area, marine vegetation was being gathered from the area in accordance with the permit,	31
	32
(b) marine vegetation must not be gathered from any land that is held under any title granted by the Crown,	33
	34
(c) marine vegetation must not be gathered from any marked navigation channel,	35
	36
(d) marine vegetation must not be gathered from any area in which a public work is being carried out.	37
	38
(9) The Minister may, from time to time, by notice given to the permit holder, vary the further conditions of a permit.	39
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(10)	Any permit issued under clause 63 of the <i>Fisheries Management (Aquaculture) Regulation 2017</i> and in force immediately before the commencement of this clause is taken to have been issued under this clause.	1 2 3
(11)	In this clause, <i>gather</i> includes collect.	4
[2] Schedule 6 Fees		5
	Insert after item 7—	6
7A	Application for permit or renewal of permit to gather marine vegetation for commercial purposes (clause 98A(5))	\$189
Explanatory note		7
	The proposed amendments are consequent on proposed amendments to the <i>Fisheries Management Act 1994</i> in Schedule 1.19 to this Act that relocate the regulation-making power relating to the gathering or collection of marine vegetation within that Act. The provisions inserted by the amendments are currently located in the <i>Fisheries Management (Aquaculture) Regulation 2017</i> .	8 9 10 11
1.22 Government Sector Employment Act 2013 No 40		12
Schedule 1 Public Service agencies		13
	Omit “Western City and Aerotropolis Authority” wherever occurring in Part 2.	14
	Insert instead “Western Parkland City Authority”.	15
Explanatory note		16
	The proposed amendment is consequential on proposed amendments to the <i>Western City and Aerotropolis Authority Act 2018</i> in Schedule 1.50 to this Act.	17 18
1.23 Growth Centres (Development Corporations) Act 1974 No 49		19
Section 3A Special provisions relating to Infrastructure NSW		20
	Omit section 3A(2). Insert instead—	21
(2)	The growth centre in respect of which Infrastructure NSW is taken to be constituted for the purposes of the relevant provisions is the following land—	22 23
(a)	the land identified as a potential urban renewal precinct on the State Environmental Planning Policy (Urban Renewal) 2010 Granville Potential Precinct Map under <i>State Environmental Planning Policy (Urban Renewal) 2010</i> as in force immediately before 1 July 2019,	24 25 26 27
(b)	the land identified by yellow shading on the map entitled “Cooks Cove growth centre”, dated 1 September 2020 and published on Infrastructure NSW’s website,	28 29 30
(c)	the land outlined in red on the map entitled “The Bays Growth Centre”, dated 1 September 2020 and published on Infrastructure NSW’s website.	31 32 33
Note.	The UrbanGrowth NSW Development Corporation was the development corporation for the land specified by this subsection immediately before its dissolution by the <i>State Revenue and Other Legislation Amendment Act 2019</i> on 1 July 2019.	34 35 36
Explanatory note		37
	The proposed amendment updates references to the lands for which Infrastructure NSW is able to exercise functions as a development corporation. Infrastructure NSW is taken to be a development corporation for growth centres that were previously administered by the UrbanGrowth NSW Development Corporation before its dissolution.	38 39 40 41

1.24 Health Administration Act 1982 No 135	1
[1] Section 21 Delegation	2
Omit section 21(12)(a).	3
[2] Section 23 Specially privileged information	4
Omit “(1) or” from section 23(1).	5
Explanatory note	6
Item [1] of the proposed amendments will enable the Minister for Health and Medical Research to delegate the power to give an approval for the disclosure of information obtained in connection with the conduct of research or investigations into morbidity or mortality occurring within New South Wales.	7
Item [2] omits a reference to a repealed provision.	8
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1.25 Hemp Industry Act 2008 No 58	11
[1] Section 42 Service of documents	12
Omit section 42(1)(a)(iii). Insert instead—	13
(iii) sending it by email to an email address specified by the person for the service of documents of that kind, or	14
	15
[2] Section 42(1)(b)(ii)	16
Omit the subparagraph. Insert instead—	17
(ii) sending it by email to an email address specified by the body corporate for the service of documents of that kind.	18
	19
Explanatory note	20
The proposed amendments enable the service of documents on persons, including bodies corporate, to be effected by email.	21
	22
1.26 Heritage Act 1977 No 136	23
[1] Section 62, heading	24
Omit the heading. Insert instead—	25
62 Process for determination of application	26
[2] Section 62(2)	27
Insert at the end of the section—	28
(2) The regulations may make further provision with respect to the process for determining an application.	29
	30
[3] Section 65 Effect of failure to make determination	31
Insert after section 65(3)—	32
(4) The regulations may prescribe periods of time that are not to be taken into account in calculating the expiration of the periods referred to in subsection (1) in circumstances where the approval body has requested the applicant to provide it with additional information relating to the application.	33
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Explanatory note	37
Item [2] of the proposed amendments enables the regulations to expand on the process for determining applications including, for example, by allowing the approval body to ask the applicant for more information about the application to help it make a determination. Item [1] makes a consequential amendment.	38
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Item [3] enables regulations to be made to provide that, if the approval body has asked an applicant to provide more information, the passage of the 40- or 60-day period in which a determination must be made may be suspended for a prescribed period.

1.27 Local Land Services Act 2013 No 51

[1] Section 209 Service of documents

Omit section 209(2)(a)(iii). Insert instead—

- (iii) sending it by email to an email address specified by the person for the service of documents of that kind, or

[2] Section 209(2)(b)(ii)

Omit the subparagraph. Insert instead—

- (ii) sending it by email to an email address specified by the body corporate for the service of documents of that kind.

[3] Schedule 5A Allowable activities clearing of native vegetation

Omit “Chief Environmental Regulator of the” from clause 17(3)(b).

Explanatory note

Items [1] and [2] enable the service of documents on persons (including bodies corporate) to be effected by email.

Item [3] removes a redundant reference to the Chief Environmental Regulator, which no longer exists.

1.28 Marine Estate Management Act 2014 No 72

[1] Section 7 Establishment of Marine Estate Management Authority

Omit section 7(2)(c) and (d). Insert instead—

- (c) a Public Service senior executive principally involved in the administration of the *Biodiversity Conservation Act 2016* and who is designated by the Secretary of the Department of Planning, Industry and Environment, and
- (d) a Public Service senior executive principally involved in the administration of the *Environmental Planning and Assessment Act 1979* and who is designated by the Secretary of the Department of Planning, Industry and Environment, and

[2] Section 7(4)

Insert after section 7(3)—

- (4) For the purposes of this clause—

Public Service senior executive has the meaning given by the *Government Sector Employment Act 2013*, Part 4, Division 4.

Explanatory note

The proposed amendments enable the Secretary of the Department of Planning, Industry and Environment to designate appropriate senior executive public servants as members of the Marine Estate Management Authority.

1.29 Museum of Applied Arts and Sciences Act 1945 No 31

Section 5 Vacation of office

Omit section 5(2).

Explanatory note	1
The proposed amendment removes the requirement for a trustee of the Museum of Applied Arts and Sciences to be under 70 years of age.	2 3
1.30 Ombudsman Act 1974 No 68	4
[1] Section 8A, heading	5
Omit the heading. Insert instead—	6
8A Deputy Ombudsman—functions	7
[2] Section 8A(1)(a)	8
Omit “9,”.	9
[3] Section 8A(2)	10
Omit the subsection.	11
[4] Section 9 Special officers	12
Omit section 9.	13
[5] Section 10 Delegation	14
Omit “a special officer” from section 10(1).	15
Insert instead “an Assistant Ombudsman or an officer”.	16
[6] Section 10(2)(b)	17
Omit “9,”.	18
[7] Section 10(2A)(a)	19
Insert “, 28” after “26”.	20
[8] Section 10(2A)(b)	21
Omit “a special officer”. Insert instead “an officer”.	22
[9] Section 15 Reasons for refusal to conciliate, investigate or continue to investigate	23
Omit section 15(2). Insert instead—	24
(2) However, if the complaint was made orally, the Ombudsman may inform the complainant orally of the Ombudsman’s decision and the reasons for the decision unless the complainant asks to be informed of the Ombudsman’s reason in writing.	25 26 27 28
(2A) Subsection (2) does not prevent the Ombudsman from informing the complainant in writing of the Ombudsman’s decision and the reasons for the decision in relation to a complaint made orally if the Ombudsman is satisfied that it is appropriate to do so in the circumstances.	29 30 31 32
[10] Section 32 Staff	33
Omit section 32(4). Insert instead—	34
(4) While a police officer is an officer of the Ombudsman by reason of the services of the police officer being made use of under subsection (2), the police officer retains rank, seniority and remuneration as a police officer and may continue to act as a constable.	35 36 37 38

[11] Section 37 Offences	1
Omit section 37(2)(d).	2
[12] Section 37(2)(f)	3
Omit “or special officer”.	4
Explanatory note	5
Item [4] of the proposed amendments omits a provision that allows the Ombudsman to appoint an officer of the Ombudsman to be a special officer, to whom the Ombudsman can delegate functions. The provision is unnecessary as, in practice, the Ombudsman delegates functions to the Assistant Commissioner, who is deemed a special officer under section 8A(2), and officers of the Ombudsman, any of whom can be appointed a special officer. The role of special officer inserts an unnecessary bureaucratic step in the process of creating delegations and has no other purpose under the <i>Ombudsman Act 1974</i> . Items [1]–[3], [5]–[8] and [10]–[12] make consequential amendments.	6
Item [9] of the proposed amendments enables the Ombudsman to orally inform a complainant about the Ombudsman’s decision in relation to a complaint if the complaint was made orally, unless the complainant asks the Ombudsman to inform the complaint in writing. The proposed amendment also makes it clear that the Ombudsman may inform the complainant about the decision in writing if the Ombudsman considers it appropriate in the circumstances.	7
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1.31 Parramatta Park Trust Act 2001 No 17	18
[1] Whole Act (except where otherwise amended by this Subschedule)	19
Omit “Director” and “Director’s” wherever occurring.	20
Insert instead “Chief Executive” and “Chief Executive’s”, respectively.	21
[2] Section 3 Definitions	22
Omit the definition of <i>Director</i> from section 3(1). Insert instead—	23
<i>Chief Executive</i> means the person employed in the Public Service who is assigned to the role of Chief Executive of the Parramatta Park Trust.	24
	25
[3] Section 5 Appointment and procedure of trustees	26
Omit section 5(1). Insert instead—	27
(1) The Trust is to consist of the following trustees—	28
(a) the Chief Executive,	29
(b) not more than 7 other persons, appointed by the Minister.	30
[4] Schedule 2 Provisions relating to the trustees	31
Insert before clause 1—	32
1A Definitions	33
In this Schedule—	34
<i>appointed trustee</i> means a person who is appointed by the Minister as a trustee of the Trust under section 5(1)(b).	35
	36
<i>Chairperson</i> means the Chairperson of the Trust appointed under clause 1(1).	37
<i>trustee</i> means a trustee of the Trust and includes an appointed trustee.	38
[5] Schedule 2, clause 1(1)	39
Insert “appointed” before “trustees”.	40
[6] Schedule 2, clause 2(1) and (4)	41
Omit “of a trustee”. Insert instead “of an appointed trustee”.	42

[7] Schedule 2, clause 2(2)	1
Omit “appoint a trustee”. Insert instead “appoint an appointed trustee”.	2
[8] Schedule 2, clause 2(5)	3
Omit “of trustee”. Insert instead “of an appointed trustee”.	4
[9] Schedule 2, clauses 3–6 and 8	5
Omit “a trustee”, “the trustee”, “A trustee” and “any trustee” wherever occurring.	6
Insert instead “an appointed trustee”, “the appointed trustee”, “An appointed trustee” and “an appointed trustee”, respectively.	7
	8
[10] Schedule 2, clause 4(2)	9
Omit “ <i>trustee</i> ”. Insert instead “ <i>appointed trustee</i> ”.	10
[11] Schedule 2, clause 6, heading	11
Insert “appointed” before “trustee”.	12
[12] Schedule 3 Provisions relating to the procedure of the Trust	13
Omit clause 7.	14
[13] Schedule 4 Savings and transitional provisions	15
Insert at the end of the Schedule, with appropriate Part and clause numbering—	16
Part Provisions consequent on enactment of Statute Law (Miscellaneous Provisions) Act 2020	17
	18
References to Director to be construed as Chief Executive	19
(1) In any document, a reference to the Director of Parramatta Park is to be construed as a reference to the Chief Executive of the Parramatta Park Trust.	20
	21
(2) In this clause—	22
<i>document</i> means any Act or statutory or other instrument, or any contract or agreement (other than this Act).	23
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Explanatory note	25
Items [1] and [2] of the proposed amendments replace the definition of, and references to, the “Director” with a definition of, and references to, the “Chief Executive”. This amendment reflects the new title of that position with the Parramatta Park Trust.	26
	27
Item [3] updates the membership of the Trust to provide that the Chief Executive of the Parramatta Park Trust is also a trustee of the Trust.	28
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Items [4]–[13] make consequential amendments.	30
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1.32 Pesticides Act 1999 No 80	32
[1] Sections 75, 77 and 78	33
Omit the sections.	34
[2] Section 76, heading	35
Omit the heading. Insert instead—	36
76 Penalty notices	37

[3] Section 76(1)	1
Omit “serve a penalty notice on”. Insert instead “issue a penalty notice to”.	2
[4] Section 76(2)–(5)	3
Omit section 76(2) and (3). Insert instead—	4
(2) A penalty notice offence is an offence against this Act or the regulations that is prescribed by the regulations as a penalty notice offence.	5 6
(3) The <i>Fines Act 1996</i> applies to a penalty notice issued under this section.	7
Note. The <i>Fines Act 1996</i> provides that, if a person issued with a penalty notice does not wish to have the matter determined by a court, the person may pay the amount specified in the notice and is not liable to any further proceedings for the alleged offence.	8 9 10 11
(4) The amount payable under a penalty notice issued under this section is the amount prescribed for the alleged offence by the regulations, not exceeding \$1,500 or the maximum amount of penalty that could be imposed for the offence by a court.	12 13 14 15
(5) In addition to any manner of issuing a penalty notice provided for by the <i>Fines Act 1996</i> , a penalty notice may be issued under this section by leaving the notice on a vehicle or at premises in respect of which the offence was committed.	16 17 18 19
[5] Section 79 Withdrawal of penalty notice	20
Omit “served” wherever occurring. Insert instead “issued”.	21
[6] Section 79(2)(c)	22
Omit “on whom”. Insert instead “to whom”.	23
[7] Section 80 Effect on other provisions	24
Insert “any other provision of, or made under,” after “operation of”.	25
Explanatory note	26
Item [4] of the proposed amendments updates a penalty notice provision to make it consistent with similar, standard provisions in other Acts. The provision applies the <i>Fines Act 1996</i> , as amended by the <i>Fines Amendment (Electronic Penalty Notices) Act 2016</i> , to penalty notices issued under the <i>Pesticides Act 1999</i> and enables a penalty notice to be issued by leaving it on a vehicle or at premises (in addition to being issued personally or by post as provided for by the <i>Fines Act 1996</i>).	27 28 29 30 31
Items [2], [3] and [5]–[7] are consequential amendments that update terminology. Item [1] removes provisions that are no longer necessary because of the application of the <i>Fines Act 1996</i> to penalty notices issued under the <i>Pesticides Act 1999</i> .	32 33 34
1.33 Pesticides Regulation 2017	35
[1] Clause 59 Penalty notices	36
Omit the clause.	37
[2] Schedule 3 Penalty notice offences	38
Omit “(Clause 59)”.	39
[3] Schedule 3, clause 1	40
Omit—	41
For the purposes of section 75 (1) of the Act:	42

(a) each offence specified in this Schedule is an offence for which a penalty notice may be issued, and	1
(b) the amount payable under any such penalty notice is the amount specified in this Schedule for the offence.	2
Insert instead—	3
1 Application of Schedule	4
(1) For the purposes of section 76 of the Act—	5
(a) each offence created by a provision specified in this Schedule is an offence for which a penalty notice may be issued, and	6
(b) the amount payable for the penalty notice is the amount specified opposite the provision.	7
(2) If the provision is qualified by words that restrict its operation to limited kinds of offences or to offences committed in limited circumstances, the penalty notice may be issued only for—	8
(a) that limited kind of offence, or	9
(b) an offence committed in those limited circumstances.	10
Explanatory note	11
Item [3] of the proposed amendments updates the Schedule to the Regulation containing penalty notice offences in line with standard provisions relating to penalty notices. Item [1] omits a redundant clause. Item [2] makes a consequential amendment.	12
1.34 Prevention of Cruelty to Animals Act 1979 No 200	13
[1] Section 8 Animals to be provided with food, drink or shelter	14
Omit “and the Department” from section 8(4).	15
[2] Section 29C Court may make order regarding care of animals	16
Omit “or the Department” from section 29C(3)(a).	17
Explanatory note	18
Item [1] of the proposed amendments removes the requirement for the prosecution to obtain advice from both Local Land Services and Regional NSW about the state of a stock animal and the appropriate care for it before commencing proceedings for an offence of failing to provide the animal with food, drink or shelter. Instead, the prosecution will only be required to obtain advice from Local Land Services.	19
Item [2] removes the requirement for an officer under the <i>Prevention of Cruelty to Animals Act 1979</i> to obtain advice about the appropriate care of livestock from Local Land Services or Regional NSW before applying for a court order for the immediate maintenance and care of the animal. Instead, the officer will only be required to obtain advice from Local Land Services.	20
1.35 Property and Stock Agents Act 2002 No 66	21
Section 211 Fraudulent conversion and false accounts of money received by licensee or registered person	22
Omit “jury are” from section 211(5). Insert instead “trier of fact is”.	23
Explanatory note	24
The proposed amendment corrects a reference to the “jury” to recognise that proceedings for an offence under the section may be conducted before a single judge in the absence of a jury.	25

1.36 Protection of the Environment Operations Act 1997 No 156	1
[1] Sections 222, 223, 225 and 227	2
Omit the sections.	3
[2] Section 224, heading	4
Omit the heading. Insert instead—	5
224 Penalty notices	6
[3] Section 224(1)	7
Omit “serve a penalty notice on”. Insert instead “issue a penalty notice to”.	8
[4] Section 224(2)–(5)	9
Omit section 224(2) and (3). Insert instead—	10
(2) A penalty notice offence is an offence against this Act or the regulations that is prescribed by the regulations as a penalty notice offence.	11 12
(3) The <i>Fines Act 1996</i> applies to a penalty notice issued under this section.	13
Note. The <i>Fines Act 1996</i> provides that, if a person issued with a penalty notice does not wish to have the matter determined by a court, the person may pay the amount specified in the notice and is not liable to any further proceedings for the alleged offence.	14 15 16 17
(4) The amount payable under a penalty notice issued under this section is the amount prescribed for the alleged offence by the regulations, not exceeding the maximum amount of penalty that could be imposed for the offence by a court.	18 19 20 21
(5) In addition to any manner of issuing a penalty notice provided for by the <i>Fines Act 1996</i> , a penalty notice may be issued under this section by leaving the notice on a vehicle or at premises in respect of which the offence was committed.	22 23 24 25
[5] Section 228 Withdrawal of penalty notice	26
Omit “served” wherever occurring. Insert instead “issued”.	27
[6] Section 228(2)(c)	28
Omit “on whom”. Insert instead “to whom”.	29
[7] Section 229 Effect on other provisions	30
Insert “any other provision of, or made under,” after “operation of”.	31
[8] Dictionary	32
Omit “section 223 (What is a penalty notice?)” from the definition of <i>penalty notice</i> .	33
Insert instead “section 224”.	34
Explanatory note	35
Item [4] of the proposed amendments updates a penalty notice provision to make it consistent with similar, standard provisions in other Acts. The provision applies the <i>Fines Act 1996</i> , as amended by the <i>Fines Amendment (Electronic Penalty Notices) Act 2016</i> , to penalty notices issued under the <i>Protection of the Environment Operations Act 1997</i> and enables a penalty notice to be issued by leaving it on a vehicle or at premises (in addition to being issued personally or by post as provided for by the <i>Fines Act 1996</i>).	36 37 38 39 40 41
Items [2], [3] and [5]–[7] are consequential amendments that update terminology. Item [1] removes provisions that are no longer necessary because of the application of the <i>Fines Act 1996</i> to penalty	42 43

notices issued under the <i>Protection of the Environment Operations Act 1997</i> . Item [8] updates a cross-reference.	1 2
1.37 Protection of the Environment Operations (General) Regulation 2009	3
[1] Clause 80 Penalty notice offences	4
Omit the clause.	5
[2] Clause 82 Amounts of penalty payable	6
Omit the clause.	7
[3] Clause 83, heading	8
Omit “Service of penalty notices on”. Insert instead “Issue of penalty notices to”.	9
[4] Clause 83(2)	10
Omit “served”. Insert instead “issued”.	11
[5] Clause 83A, heading	12
Omit “Service of penalty notices on”. Insert instead “Issue of penalty notices to”.	13
[6] Clause 83A(2)	14
Omit “served”. Insert instead “issued”.	15
[7] Schedule 6 Penalty notice offences	16
Omit “(Clauses 80–82)”.	17
[8] Schedule 6, clause 1	18
Insert after the heading to the Schedule—	19
1 Application of Schedule	20
(1) For the purposes of section 224 of the Act—	21
(a) each offence created by a provision specified in this Schedule is an offence for which a penalty notice may be issued, and	22 23
(b) the amount payable for the penalty notice is—	24
(i) the amount specified opposite the provision in Column 3, or	25
(ii) if the person alleged to have committed the offence is a corporation, and if a greater amount is specified opposite the provision in Column 4, the amount specified in Column 4.	26 27 28
(2) If the provision is qualified by words that restrict its operation to limited kinds of offences or to offences committed in limited circumstances, the penalty notice may be issued only for—	29 30 31
(a) that limited kind of offence, or	32
(b) an offence committed in those limited circumstances.	33
[9] Schedule 6	34
Omit “served” wherever occurring. Insert instead “issued”.	35
Explanatory note	36
Items [3]–[6] and [9] of the proposed amendments are consequential on proposed amendments to the <i>Protection of the Environment Operations Act 1997</i> in Schedule 1.36 to this Act. Items [1] and [2] omit redundant clauses. Item [7] omits a redundant cross-reference.	37 38 39

Item [8] updates the Schedule to the Regulation containing penalty notice offences in line with standard provisions relating to penalty notices.	1 2
1.38 Protection of the Environment Operations (Noise Control) Regulation 2017	3 4
[1] Clauses 7(4)(a), 32(4)(a) and 36(4)(a)	5
Omit “notice has been given” wherever occurring. Insert instead “notice has been issued”.	6
[2] Clauses 7(4)(a), 32(4)(a) and 36(4)(a)	7
Omit “after service of” wherever occurring. Insert instead “after the issue of”.	8
[3] Clauses 7(5) and 32(5)	9
Omit “motor vehicle served” wherever occurring. Insert instead “motor vehicle issued”.	10
[4] Clauses 7(5), 32(5) and 36(5)	11
Omit “penalty notice being served on” wherever occurring.	12
Insert instead “penalty notice being issued to”.	13
[5] Clause 36 Persons in charge or owners of vessels that emit offensive noise	14
Omit “by a person served” from clause 36(5). Insert instead “by a person issued”.	15
Explanatory note	16
The proposed amendments are consequential on proposed amendments to the <i>Protection of the Environment Operations Act 1997</i> in Schedule 1.36 to this Act.	17 18
1.39 Public Finance and Audit Act 1983 No 152	19
Schedule 2 Statutory bodies	20
Omit “Western City and Aerotropolis Authority”.	21
Insert instead “Western Parkland City Authority”.	22
Explanatory note	23
The proposed amendment is consequential on proposed amendments to the <i>Western City and Aerotropolis Authority Act 2018</i> in Schedule 1.50 to this Act.	24 25
1.40 Public Health Act 2010 No 127	26
Section 10A	27
Insert after section 10—	28
10A Order may adopt publication	29
A direction made by the Minister by order under section 7, 8 or 9 may adopt, and require compliance with, a publication as in force for the time being.	30 31
Explanatory note	32
By allowing for the incorporation into a Ministerial order of a publication as in force for the time being, the proposed amendment will promote a flexible and timely response to rapidly evolving public health situations, such as the current COVID-19 pandemic, in which scientific knowledge, and the expert medical advice that relies on that knowledge, changes frequently.	33 34 35 36
1.41 Residential Tenancies Act 2010 No 42	37
[1] Section 8 Agreements to which Act does not apply	38
Omit section 8(1)(h).	39

[2] Section 65B Damage to premises—investigation by Secretary

Omit “under section 54(1A) or (1B).” from section 65B(9).

Insert instead—

under—

- (a) section 54(1A) or (1B), or
- (b) section 54A.

Explanatory note

Item [1] of the proposed amendments omits section 8(1)(h) of the *Residential Tenancies Act 2010* (the **Act**) as a consequence of the insertion of section 8(1)(bb) of the Act.

Item [2] provides that a tenant rectification order does not apply to a tenant who is an exempted tenant in the circumstances specified in section 54A of the Act.

1.42 Retirement Villages Act 1999 No 81

Section 205 COVID-19 pandemic—non-compliance with conditions of Ministerial exemptions

Insert after section 205(2)—

- (3) The Minister may delegate the Minister’s functions under subsection (1) to any person, or any class of persons, employed in the Department of Customer Service.

Explanatory note

The proposed amendment enables the Minister for Better Regulation and Innovation to delegate the issuing of compliance notices under section 205(1) of the *Retirement Villages Act 1999* to persons employed in the Department of Customer Service.

1.43 Royal Botanic Gardens and Domain Trust Act 1980 No 19

Schedule 1, clause 9A

Insert after clause 9—

9A Personal liability

- (1) A protected person is not personally subject to any liability for anything done—
 - (a) in good faith, and
 - (b) for the purpose of executing functions under this Act.
- (2) The liability instead attaches to the Crown.
- (3) In this section—
 - done** includes omitted to be done.
 - liability** means civil liability and includes action, claim or demand.
 - protected person** means—
 - (a) the Trust, or
 - (b) a trustee, or
 - (c) a person acting under the direction of the Trust.

Explanatory note

The proposed amendment inserts a provision that is a standard provision in legislation establishing statutory bodies representing the Crown, giving the persons constituting the statutory body (in this case, the trustees of the Royal Botanic Gardens and Domain Trust established by the *Royal Botanic Gardens and Domain Trust Act 1980*) immunity from personal liability.

1.44 Statutory and Other Offices Remuneration Act 1975 (1976 No 4)	1
Schedule 2 Public offices	2
Omit “Western City and Aerotropolis Authority” from Part 1.	3
Insert instead “Western Parkland City Authority”.	4
Explanatory note	5
The proposed amendment is consequential on proposed amendments to the <i>Western City and Aerotropolis Authority Act 2018</i> in Schedule 1.50 to this Act.	6
	7
1.45 Stock Medicines Act 1989 No 182	8
[1] Section 62 Service of notices	9
Insert after section 62(a)(ii)—	10
(iii) by sending it by email to an email address specified by the person	11
for the service of notices or orders of that kind, or	12
[2] Section 62(b)	13
Omit the paragraph. Insert instead—	14
(b) on a body corporate—	15
(i) by leaving it at, or by sending it by pre-paid post to, the head	16
office, a registered office or a principal office of the body	17
corporate, or	18
(ii) by sending it by email to an email address specified by the body	19
corporate for the service of notices or orders of that kind.	20
Explanatory note	21
The proposed amendments enable the service of notices or orders on persons (including bodies	22
corporate) to be effected by email.	23
1.46 Succession Act 2006 No 80	24
[1] Schedule 1 Savings, transitional and other provisions	25
Insert in appropriate order in clause 9—	26
<i>the 1898 Act</i> means the <i>Probate and Administration Act 1898</i> .	27
[2] Schedule 1, clause 11(6)	28
Insert after clause 11(5)—	29
(6) Section 41A of the 1898 Act, as in force immediately before its repeal by the	30
amending Act, continues to apply in respect of a person who died before the	31
commencement of this clause as if that section had not been repealed.	32
Explanatory note	33
The proposed amendment in item [2] transfers a savings and transitional provision from the	34
<i>Succession Regulation 2020</i> . The provision preserves the application of section 41A of the <i>Probate</i>	35
<i>and Administration Act 1898</i> in respect of a person who died before 1 March 2009. That section gives	36
the Supreme Court jurisdiction to grant administration in respect of a deceased person in order to	37
permit an application to be made under the <i>Family Provision Act 1982</i> . Item [1] makes a consequential	38
amendment.	39
1.47 Succession Regulation 2020	40
Clause 5 Probate or administration for purpose of Family Provision Act 1982	41
Omit the clause.	42

Explanatory note	1
The proposed amendment repeals a savings and transitional clause transferred to the <i>Succession Act 2006</i> by Schedule 1.46 to this Act.	2 3
1.48 Tow Truck Industry Act 1998 No 111	4
[1] Sections 20(2)(i1) and 29(2)(b2)	5
Omit “3 years” wherever occurring. Insert instead “3 or 5 years”.	6
[2] Section 41 Disciplinary action	7
Omit “3 years” from section 41(2)(a1). Insert instead “3 or 5 years”.	8
Explanatory note	9
Since 1 July 2020 tow truck operators licences and tow truck drivers certificates under the <i>Tow Truck Industry Act 1998</i> have been available for a term of 5 years as an alternative to 1-year and 3-year licences and certificates. Item [1] of the proposed amendments applies conditions to 5-year licences and certificates that apply to 3-year licences and certificates. Item [2] applies a provision relating to disciplinary action to holders of 5-year licences and certificates in the same way that it applies to holders of 3-year licences and certificates.	10 11 12 13 14 15
1.49 Water Management Act 2000 No 92	16
[1] Section 55A Application of Part	17
Omit section 55A(3). Insert instead—	18
(3) To avoid doubt, the repeal, replacement or amendment of a management plan so as to remove, add or change the description of a water source described in a proclamation made under this section does not affect the application of this Part to the water source as effected by a proclamation previously made under this Part.	19 20 21 22 23
[2] Section 60F General defence	24
Omit “, a consent given under section 71V or an order under section 85A” from section 60F(2)(a).	25 26
Insert instead “or a consent given under section 71V”.	27
[3] Section 60F(2)(a1)	28
Insert after section 60F(2)(a)—	29
(a1) that the water was taken in circumstances for which provision is made in a management plan pursuant to section 85A(2), or	30 31
[4] Section 88A Application and objects of Part	32
Omit section 88A(2A). Insert instead—	33
(2A) To avoid doubt, the repeal, replacement or amendment of a management plan so as to remove, add or change the description of a water source described in a proclamation made under this section does not affect the application of this Part to the water source as effected by a proclamation previously made under this Part.	34 35 36 37 38
[5] Section 101A Metering equipment condition	39
Insert after section 101A(1)—	40
(1A) On the imposition of the condition by this section, any other condition relating to the installation, use and maintenance of metering equipment in connection	41 42

	with the work imposed on the water supply work approval under this Act, or any other instrument made under this Act, ceases to have effect.	1 2
	Explanatory note	3
	Items [1] and [4] of the proposed amendments make corrections to terminology and clarify that the operation of proclamations previously made under sections 55A and 88A is not affected by the addition of a water source to a management plan or the replacement of a management plan.	4 5 6
	Items [2] and [3] remove an inconsistency between section 60F(2) and section 85A in order to clarify the operation of the defences available under section 60F(2).	7 8
	Item [5] makes it clear that, on the imposition of the mandatory condition on a water supply work approval under section 101A of the <i>Water Management Act 2000</i> (the Act) requiring metering equipment to be installed, used and properly maintained in connection with the work, any other condition imposed on the approval under the Act, or any other instrument made under the Act, ceases to have effect.	9 10 11 12 13
1.50	Western City and Aerotropolis Authority Act 2018 No 53	14
[1]	Long title	15
	Omit “Western City and Aerotropolis Authority”.	16
	Insert instead “Western Parkland City Authority”.	17
[2]	Section 1 Name of Act	18
	Omit “ <i>Western City and Aerotropolis Authority</i> ”.	19
	Insert instead “ <i>Western Parkland City Authority</i> ”.	20
[3]	Section 4 Definitions	21
	Omit “Western City and Aerotropolis Authority” from the definition of Authority in section 4(1).	22 23
	Insert instead “Western Parkland City Authority”.	24
[4]	Section 6 Constitution of Authority	25
	Omit section 6(1). Insert instead—	26
	(1) There is constituted by this Act a corporation with the corporate name of the Western Parkland City Authority.	27 28
[5]	Section 19, heading	29
	Omit the heading. Insert instead—	30
	19 Western Parkland City Fund	31
[6]	Section 19(1)	32
	Omit “Western City Fund”. Insert instead “Western Parkland City Fund”.	33
[7]	Section 19(5)	34
	Insert after section 19(4)—	35
	(5) In any Act or statutory or other instrument, or in any contract or agreement, a reference to the Western City Fund is to be construed as a reference to the Western Parkland City Fund.	36 37 38
[8]	Section 27	39
	Insert after section 26—	40

27	Change of name of Western City and Aerotropolis Authority to Western Parkland City Authority	1
		2
	The substitution of section 6(1) of this Act by the <i>Statute Law (Miscellaneous Provisions) Act 2020</i> effects the alteration of the name of the Western City and Aerotropolis Authority in terms of section 53 of the <i>Interpretation Act 1987</i> and accordingly that section applies.	3
		4
		5
		6
	Note. Section 53 of the <i>Interpretation Act 1987</i> provides that if an Act alters the name of a body or office—	7
		8
	(a) the body or office continues in existence under its new name so that its identity is not affected, and	9
		10
	(b) a reference in any Act or instrument, or in any other document, to the body or office under its former name is to be read as a reference to the body or office under its new name.	11
		12
		13
	Explanatory note	14
	Item [4] of the proposed amendments changes the name of the Western City and Aerotropolis Authority to the Western Parkland City Authority. Item [6] changes the name of the Western City Fund to the Western Parkland City Fund. Items [1]–[3], [5], [7] and [8] are consequential amendments.	15
		16
		17
1.51	Western Sydney Parklands Act 2006 No 92	18
[1]	Whole Act (except where otherwise amended by this Subschedule)	19
	Omit “Director” wherever occurring. Insert instead “Chief Executive”.	20
[2]	Section 3 Definitions	21
	Omit the definition of <i>Director</i> from section 3(1). Insert instead—	22
	<i>Chief Executive</i> means the person employed in the Public Service who is assigned to the role of Chief Executive of the Western Sydney Parklands Trust.	23
		24
		25
[3]	Section 7 Trust Board	26
	Omit section 7(2)(a1)–(c).	27
[4]	Section 7(2)(d)	28
	Omit “5 other persons”. Insert instead “7 other persons”.	29
[5]	Schedule 3 Land transferred to Trust	30
	Omit item 242.	31
[6]	Schedule 4 Savings, transitional and other provisions	32
	Insert at the end of the Schedule, with appropriate Part and clause numbering—	33
Part	Provisions consequent on enactment of Statute Law (Miscellaneous Provisions) Act 2020	34
		35
	References to Director to be construed as Chief Executive	36
(1)	In any document, a reference to the Director of the Western Sydney Parklands Trust is to be construed as a reference to the Chief Executive of the Western Sydney Parklands Trust.	37
		38
		39
(2)	In this clause—	40
	<i>document</i> means any Act or statutory or other instrument, or any contract or agreement (other than this Act).	41
		42

Explanatory note

Items [1] and [2] of the proposed amendments replace the definition of, and references to, the “Director” with a definition of, and references to, the “Chief Executive”. This amendment reflects the new title of that position with the Western Sydney Parklands Trust. Item [6] makes consequential amendments.

Items [3] and [4] update the membership of the Board of the Trust to provide that the Minister may appoint 2 additional persons to be members of the Board of the Trust. The amendment is consequent on recent administrative changes to government departments.

Item [5] repeals a provision that would otherwise have transferred ownership of a particular lot to the Trust. The land on which the lot is located has been reserved as a nature reserve under the *National Parks and Wildlife Act 1974* and transfer of the land to the Trust is no longer necessary.

1.52 Wool, Hide and Skin Dealers Act 2004 No 7

Section 10 Licence applications

Omit section 10(4). Insert instead—

- (4) An application must be delivered to a police station or lodged in any other manner prescribed by the regulations.

Explanatory note

The proposed amendment provides that a licence application to carry on the business of a wool, hide or skin dealer must be delivered to a police station or lodged in any other manner prescribed by the regulations. The amendment transfers the existing requirement to deliver a licence application to a police station from the *Wool, Hide and Skin Dealers Regulation 2015* to the *Wool, Hide and Skin Dealers Act 2004*. The *Wool, Hide and Skin Dealers Regulation 2015* is repealed by Schedule 5 to this Act.

Schedule 2	Amendments by way of statute law revision— miscellaneous amendments	1 2
2.1	Agricultural and Veterinary Chemicals (New South Wales) Act 1994 No 53	3 4
	Part 7, heading	5
	Omit “National Registration Authority for Agricultural and Veterinary Chemicals”.	6
	Insert instead “Australian Pesticides and Veterinary Medicines Authority”.	7
	Explanatory note	8
	The proposed amendment replaces a reference to the former National Registration Authority for Agricultural and Veterinary Chemicals with a reference to the current Australian Pesticides and Veterinary Medicines Authority.	9 10 11
2.2	Agricultural Scientific Collections Trust Act 1983 No 148	12
[1]	Section 4(1)	13
	Omit the definition of <i>Director</i> .	14
[2]	Section 4(1)	15
	Insert in alphabetical order—	16
	<i>Chief Curator</i> means the person employed in the Public Service as the Chief Curator.	17 18
[3]	Section 13	19
	Omit “Director” wherever occurring. Insert instead “Chief Curator”.	20
[4]	Section 14(1)(b)	21
	Omit “Director”. Insert instead “Chief Curator”.	22
	Explanatory note	23
	Item [1] of the proposed amendments omits a definition for a position that has changed title and item [2] inserts a definition relating to the new title for the position. Items [3] and [4] are consequential amendments.	24 25 26
2.3	Anti-Discrimination Act 1977 No 48	27
	Section 74	28
	Omit the section. Insert instead—	29
	74 Eligibility for appointment to Board	30
	A person is not eligible for appointment as a member if the person is—	31
	(a) a member of the Legislative Council or the Legislative Assembly, or	32
	(b) a member of a House of Parliament of another State or the Commonwealth.	33 34
	Explanatory note	35
	The proposed amendment updates the formatting of the provision.	36
2.4	Byron Local Environmental Plan 2014	37
	Clause 4.6(8)	38
	Renumber paragraph (d) as paragraph (ca).	39

Explanatory note	1
The proposed amendment corrects numbering.	2
2.5 Cabonne Local Environmental Plan 2012	3
Clause 5.1(2)	4
Omit “Transport for New South Wales”. Insert instead “Transport for NSW”.	5
Explanatory note	6
The proposed amendment corrects a reference to a statutory body.	7
2.6 Child Protection (Working with Children) Act 2012 No 51	8
Section 34(1)(a)	9
Omit “Crime”. Insert instead “Criminal Intelligence”.	10
Explanatory note	11
The proposed amendment updates a reference to the Australian Criminal Intelligence Commission.	12
2.7 Children’s Guardian Act 2019 No 25	13
[1] Section 87(5)	14
Omit “Regulations”. Insert instead “regulations”.	15
[2] Section 87(6)	16
Omit “clause”. Insert instead “section”.	17
Explanatory note	18
Item [1] of the proposed amendments corrects a typographical error. Item [2] corrects a reference.	19
2.8 Civil Procedure Act 2005 No 28	20
Section 68, note	21
Omit “section 42”. Insert instead “section 105”.	22
Explanatory note	23
The proposed amendment corrects a cross-reference.	24
2.9 Companion Animals Act 1998 No 87	25
[1] Section 5(1), definition of “approved animal welfare organisation”	26
Omit paragraph (c). Insert instead—	27
(c) the Cat Protection Society of NSW Limited,	28
[2] Section 5(1), definition of “rehoming organisation”	29
Omit paragraph (c). Insert instead—	30
(c) the Cat Protection Society of NSW Limited, or	31
Explanatory note	32
The proposed amendments update the name of an organisation.	33
2.10 Crimes (Sentencing Procedure) Act 1999 No 92	34
[1] Section 5(5)	35
Omit “Subject to sections 12 and 99,”.	36

[2] Section 31, definition of “impose a penalty”	1
Omit “10, 11 or 12” from paragraph (d). Insert instead “10 or 11”.	2
Explanatory note	3
The proposed amendments update cross-references consequent on the enactment of the <i>Crimes (Sentencing Procedure) Amendment (Sentencing Options) Act 2017</i> .	4
	5
2.11 Criminal Appeal Act 1912 No 16	6
Section 8A(1)	7
Omit “section 105(2)”. Insert instead “section 102(2)”.	8
Explanatory note	9
The proposed amendment corrects a cross-reference.	10
2.12 Drug Court Act 1998 No 150	11
Schedule 2	12
Insert at the end of the Schedule—	13
Part 7 Provision consequent on enactment of Statute Law (Miscellaneous Provisions) Act 2020	14
	15
10 Repeal of Drug Court Regulation 2015	16
Despite section 10(2) of the <i>Subordinate Legislation Act 1989</i> , the <i>Drug Court Regulation 2015</i> is taken to have been repealed at the end of 1 September 2020.	17
	18
	19
Explanatory note	20
This amendment is consequent on the proposed amendment of the <i>Subordinate Legislation Act 1989</i> in Schedule 2.36 regarding the timing of repeals of regulations under Part 3 of that Act.	21
	22
2.13 Drug Misuse and Trafficking Act 1985 No 226	23
Sections 10(2)(b1), 23(4)(c) and 25(4)(c)	24
Omit “section 39G” wherever occurring. Insert instead “section 39Q”.	25
Explanatory note	26
The proposed amendment corrects a cross-reference.	27
2.14 Environmental Planning and Assessment Regulation 2000	28
[1] Clause 130(2B)	29
Omit “clause”.	30
[2] Clause 155(1)(e)(i)	31
Omit “an an”. Insert instead “an”.	32
Explanatory note	33
Item [1] of the proposed amendments corrects a grammatical error. Item [2] omits a duplicate word.	34
2.15 Firearms Regulation 2017	35
Clause 129(10)	36
Omit “subclause (7)”. Insert instead “subclause (8)”.	37

Explanatory note	1
The proposed amendment corrects a cross-reference.	2
2.16 Fisheries Management Act 1994 No 38	3
[1] Section 4(4), note	4
Omit “Australian Standard entitled AS SSA 5300—2011, <i>Australian Fish Names Standard</i> published on 20 October 2011”.	5
	6
Insert instead “Australian Standard entitled AS 5300—2019, <i>Australian Fish Names Standard</i> published on 24 June 2019”.	7
	8
[2] Schedule 1AA, clause 1, definition of “fishing regulatory controls”	9
Omit paragraph (e). Insert instead—	10
(e) fishing determinations of the TAF Committee under Part 2A of this Act,	11
Explanatory note	12
Item [1] of the proposed amendment updates a reference to an Australian Standard. Item [2] updates the name of a committee and corrects a cross-reference.	13
	14
2.17 Game and Feral Animal Control Act 2002 No 64	15
Section 4, definition of “Regulatory Authority”	16
Omit “Director-General of the Department of Trade and Investment, Regional Infrastructure and Services”.	17
	18
Insert instead “Secretary of the Department of Planning, Industry and Environment”.	19
Explanatory note	20
The proposed amendment updates a reference to the Secretary.	21
2.18 Gene Technology (GM Crop Moratorium) Act 2003 No 12	22
[1] Section 4(1), definition of “Department”	23
Omit “Department of Industry and Investment”.	24
Insert instead “Department of Planning, Industry and Environment”.	25
[2] Section 4(1), definition of “Director-General”	26
Omit the definition.	27
[3] Section 4(1)	28
Insert in alphabetical order—	29
<i>Secretary</i> means the Secretary of the Department.	30
[4] Sections 12, 20, 21, 22(1) and (2) and 38(1) and (2)	31
Omit “Director-General” wherever occurring. Insert instead “Secretary”.	32
Explanatory note	33
Item [1] of the proposed amendments updates a reference to the Department. Item [2] omits a redundant definition. Items [3] and [4] update references to the Secretary.	34
	35
2.19 Glen Innes Severn Local Environmental Plan 2012	36
[1] Clause 4.2AA	37
Renumber clause 4.2AA as 4.2C and insert it after clause 4.2B.	38

[2] Schedule 1	1
Omit “(When this Plan was made this Schedule was blank)”.	2
[3] Dictionary	3
Insert in alphabetical order—	4
<i>Additional Permitted Uses Map</i> means the Glen Innes Severn Local Environmental Plan 2012 Additional Permitted Uses Map.	5
Explanatory note	7
Item [1] of the proposed amendments renumbers and moves an incorrectly numbered provision. Item [2] omits redundant text. Item [3] inserts a missing definition.	8
	9
2.20 Hurstville Local Environmental Plan 2012 (Amendment No 3)	10
[1] Schedule 1[8]	11
Omit “Telecommunications facilities;” from item 4 of the matter relating to Zone B3 Commercial Core.	12
	13
[2] Schedule 1[15A]	14
Insert after Schedule 1[15]—	15
[15A] Part 6 Additional local provisions	16
Insert at the end of the Part, with appropriate clause numbering—	17
Telecommunications facilities prohibited in Zone B3	18
Despite any other provision of this Plan, development for the purposes of telecommunications facilities is prohibited in Zone B3 Commercial Core.	19
	20
	21
Commencement	22
The amendments to <i>Hurstville Local Environmental Plan 2012 (Amendment No 3)</i> are taken to have commenced on the commencement of that Plan.	23
	24
Explanatory note	25
The <i>Standard Instrument (Local Environmental Plans) Order 2006</i> provides for the making of standard local environmental plans, and only permits certain land uses to be included in the Land Use Table of one of those standard plans.	26
Item [1] of the proposed amendments removes a reference to an impermissible land use that was purported to be put into a Land Use Table of <i>Hurstville Local Environmental Plan 2012</i> , a standard plan.	27
	28
Item [2] inserts a provision that has the same effect as would have been achieved if it were possible to insert that land use in the Land Use Table of the Plan.	29
	30
	31
	32
	33
2.21 Industrial Relations Act 1996 No 17	34
Section 405(1)	35
Omit the subsection. Insert instead—	36
(1) An award or order of the Commission does not have effect to the extent that it is inconsistent with a function under the <i>Police Act 1990</i> in relation to the discipline, promotion or transfer of a police officer, or in relation to police officers who are hurt on duty.	37
	38
	39
	40
Explanatory note	41
The proposed amendment removes a reference to a repealed provision of the <i>Police Act 1990</i> and updates the formatting of the provision.	42
	43

2.22 Interpretation Act 1987 No 15

Section 21(1), definition of “*Gazette* or *Government Gazette*”

Omit the definition. Insert instead—

Gazette, or *Government Gazette*, means the New South Wales Government Gazette published—

- (a) in print, or
- (b) on a website authorised by the Parliamentary Counsel to provide public access to the Gazette.

Explanatory note

The proposed amendment makes it clear the Gazette may be published electronically on a website authorised by the Parliamentary Counsel for that purpose.

2.23 Land and Environment Court Act 1979 No 204

[1] Section 17(d)

Omit “sections 75K, 75L, 75Q, 75W(5), 95A, 96, 96A, 97, 97AA, 98, 98A, 109K, 121ZK, 121ZM, 121ZS and 149F of”.

Insert instead “sections 4.55, 8.7, 8.8, 8.9, 8.16, 8.18, 8.21, 8.22, 8.23 and 8.25 of, and clause 35 of Schedule 5 to,”.

[2] Section 19(g)

Omit “sections 96A(7) and 121ZL”. Insert instead “sections 4.57(7) and 8.19”.

[3] Section 20(1)(b)

Omit “section 35”. Insert instead “section 3.27”.

[4] Section 20(1)(c)

Omit “section 123”. Insert instead “section 9.45”.

[5] Section 21(f)

Omit “section 127”. Insert instead “section 9.57”.

[6] Section 25A(3)

Omit “section 102”. Insert instead “section 4.60”.

[7] Section 25C(2)

Omit “section 103”. Insert instead “section 4.61”.

[8] Section 34AA(1)

Omit “section 97 or 97AA”. Insert instead “section 8.7 or 8.9”.

[9] Section 34A(1)(c), (2) and (2A)

Omit “section 97” wherever occurring. Insert instead “section 8.7”.

[10] Section 34A(1)(c1)

Omit “section 97AA”. Insert instead “section 8.9”.

[11] Section 34A(1)(d)

Omit “section 121ZK”. Insert instead “section 8.18”.

[12] Section 34A(1)(e)	1
Omit “section 149F”. Insert instead “section 8.25”.	2
Explanatory note	3
The proposed amendments update references to provisions in the <i>Environmental Planning and Assessment Act 1979</i> .	4
	5
2.24 Local Government Act 1993 No 30	6
[1] Section 275(1)(e1)	7
Insert “or the <i>Electoral Funding Act 2018</i> ” after “ <i>Election Funding, Expenditure and Disclosures Act 1981</i> ”.	8
	9
[2] Section 328A(2) and note	10
Omit “Part 6 of the <i>Election Funding, Expenditure and Disclosures Act 1981</i> ” wherever occurring.	11
	12
Insert instead “Part 3 of the <i>Electoral Funding Act 2018</i> ”.	13
Explanatory note	14
The proposed amendments update references to a repealed Act.	15
2.25 Local Government (General) Regulation 2005	16
Clause 130(a)	17
Omit “practiced”. Insert instead “practised”.	18
Explanatory note	19
The proposed amendment corrects a spelling error.	20
2.26 Marine Safety Act 1998 No 121	21
Section 126(2)	22
Insert “, or the <i>Marine Pollution Act 2012</i> or the regulations made under that Act,” after “or the regulations”.	23
	24
Explanatory note	25
The proposed amendment reinstates a reference to the <i>Marine Pollution Act 2012</i> and regulations made under that Act that was included in a definition omitted by the <i>Statute Law (Miscellaneous Provisions) Act 2017</i> .	26
	27
	28
2.27 Palerang Local Environmental Plan 2014	29
[1] Schedule 4, Part 2, table	30
Omit “Reclassification Map” from Column 2.	31
Insert instead “Land Reclassification (Part Lots) Map”.	32
[2] Dictionary	33
Omit the definition of <i>Reclassification Map</i> .	34
Insert in alphabetical order—	35
<i>Land Reclassification (Part Lots) Map</i> means the Palerang Local Environmental Plan 2014 Land Reclassification (Part Lots) Map.	36
	37
Commencement	38
The amendments to <i>Palerang Local Environmental Plan 2014</i> are taken to have commenced on the commencement of that Plan.	39
	40

Explanatory note	1
The proposed amendments correct an incorrect map reference.	2
2.28 Parramatta Park Trust Regulation 2019	3
[1] Whole Regulation	4
Omit “Director” wherever occurring. Insert instead “Chief Executive”.	5
[2] Clause 8(2), (4) and (6)	6
Omit “direction made” wherever occurring. Insert instead “direction given”.	7
[3] Clause 8(5)	8
Omit “motor vehicle, motor cycle or other regulated vehicle”. Insert instead “vehicle”.	9
[4] Clause 29(5)	10
Omit “subclause (1)”. Insert instead “subclause (4)”.	11
Explanatory note	12
Item [1] of the proposed amendments replaces references to “Director” with “Chief Executive”, which reflects the new title of that position with the Parramatta Park Trust. Item [2] corrects a grammatical error. Item [3] omits redundant matter. Item [4] corrects a cross-reference.	13
	14
	15
2.29 Partnership Act 1892 No 12	16
Section 36(2)	17
Omit “dissolution or”.	18
Explanatory note	19
The proposed amendment corrects use of terminology.	20
2.30 Pawnbrokers and Second-hand Dealers Regulation 2015	21
Schedule 1	22
Omit “Clauses 19(4), 27 and 34”. Insert instead “Clause 34”.	23
Explanatory note	24
The proposed amendment corrects cross-references.	25
2.31 Police Act 1990 No 47	26
[1] Section 88(1)	27
Omit the subsection. Insert instead—	28
(1) The engagement or appointment of, or the failure to engage or appoint, a person as a non-executive officer, or a matter, question or dispute relating to the engagement or appointment, or failure to engage or appoint, is not an industrial matter for the purposes of the <i>Industrial Relations Act 1996</i> .	29
	30
	31
	32
[2] Section 88(3)	33
Insert “or appoint” after “engage”.	34
[3] Section 129(1)	35
Re-number paragraph (a) where secondly occurring as paragraph (b).	36
Explanatory note	37
Items [1] and [2] of the proposed amendments correct terminology relating to the appointment of police officers. Item [3] corrects duplicate numbering.	38
	39

2.32 Protection of the Environment Operations Act 1997 No 156	1
Dictionary, definition of “environmental values of water”	2
Omit “ <i>Australian and New Zealand Guidelines for Fresh and Marine Water Quality 2000</i> , published by the Australian and New Zealand Environment and Conservation Council and the Agriculture and Resource Management Council of Australia and New Zealand”.	3
Insert instead “ <i>Australian and New Zealand Guidelines for Fresh and Marine Water Quality 2018</i> , published by the Australian and New Zealand Governments and State and Territory Governments”.	4
Explanatory note	5
The proposed amendment updates a reference to Guidelines.	6
2.33 Public Health Regulation 2012	7
Section 93	8
Omit “(and”. Insert instead “and”.	9
Explanatory note	10
The proposed amendment corrects a typographical error.	11
2.34 Residential Tenancies Act 2010 No 42	12
Section 107(6)	13
Omit the subsection.	14
Explanatory note	15
The proposed amendment omits a redundant provision.	16
2.35 Road Transport Act 2013 No 18	17
Section 122(a) and note	18
Omit “Division 1C of Part 6 of” wherever occurring. Insert instead “Part 2A, Division 3 of Schedule 1 to”.	19
Explanatory note	20
The proposed amendment corrects a cross-reference.	21
2.36 Subordinate Legislation Act 1989 No 146	22
[1] Section 10(2)(a)	23
Omit “on the”. Insert instead “at the beginning of the day that is the”.	24
[2] Section 10(2)(b)	25
Omit “on 1”. Insert instead “at the beginning of 1”.	26
Commencement	27
The amendments to the <i>Subordinate Legislation Act 1989</i> are taken to have commenced on 1 September 1990.	28
Explanatory note	29
The proposed amendments clarify that a statutory rule repealed under Part 3 of the <i>Subordinate Legislation Act 1989</i> is repealed at the beginning of the day on which the statutory rule is repealed.	30
	31

2.37 Surveillance Devices Act 2007 No 64	1
Section 28(1A)(e)	2
Omit “the use of the surveillance device authorised by the warrant must be furnished to the eligible Judge or eligible Magistrate under section 44(1),”.	3
Insert instead “the retrieval of the surveillance device authorised by the retrieval warrant must be furnished to the eligible Judge or eligible Magistrate under section 44(6),”.	4
Explanatory note	5
The proposed amendment corrects a reference to retrieval warrants and a cross-reference.	6
2.38 Teacher Accreditation Act 2004 No 65	7
Section 24B(d)	8
Omit “section 20(c)”. Insert instead “section 20(1)(c)”.	9
Explanatory note	10
The proposed amendment corrects a cross-reference.	11
2.39 Transport Administration Act 1988 No 109	12
Schedule 7, clause 220(2)(a)	13
Insert “the” after “of”.	14
Explanatory note	15
The proposed amendment inserts a missing word.	16
2.40 Uniform Civil Procedure Rules 2005	17
Rule 18.8(2)	18
Omit “Subrule 1(b)”. Insert instead “Subrule (1)(b)”.	19
Explanatory note	20
The proposed amendment corrects a cross-reference.	21
2.41 Water Sharing Plan for the Lower Murray Groundwater Source 2019	22
Clause 37 Water allocation accounts	23
Renumber the clause as clause 33A.	24
Explanatory note	25
The proposed amendment corrects duplicate numbering.	26
2.42 Waverley Local Environmental Plan 2012	27
Clause 4.6(8)	28
Renumber paragraph (d) as paragraph (ca).	29
Explanatory note	30
The proposed amendment corrects numbering.	31
2.43 Western Sydney Parklands Regulation 2019	32
[1] Whole Regulation	33
Omit “Director” wherever occurring. Insert instead “Chief Executive”.	34

[2] Clause 8(2), (4) and (6)	1
Omit “direction made” wherever occurring. Insert instead “direction given”.	2
[3] Clause 29(5)	3
Omit “subclause (1)”. Insert instead “subclause (4)”.	4
Explanatory note	5
Item [1] of the proposed amendments replaces references to “Director” with “Chief Executive”, which reflects the new title of that position with the Western Sydney Parklands Trust. Item [2] corrects a grammatical error. Item [3] corrects a cross-reference.	6
	7
	8

Schedule 3	Amendments consequent on administrative changes	1
		2
3.1	Agricultural Industry Services Act 1998 No 45	3
	Section 3, definition of “Department”	4
	Omit “the Department of Industry, Skills and Regional Development”.	5
	Insert instead “Regional NSW”.	6
3.2	Agricultural Livestock (Disease Control Funding) Act 1998 No 139	7
	Section 3, definition of “Department”	8
	Omit “the Department of Industry, Skills and Regional Development”.	9
	Insert instead “Regional NSW”.	10
3.3	Agricultural Scientific Collections Trust Act 1983 No 148	11
	Section 4(1), definition of “Department”	12
	Omit “the Department of Industry, Skills and Regional Development”.	13
	Insert instead “Regional NSW”.	14
3.4	Animal Research Act 1985 No 123	15
	Section 3(1), definition of “Department”	16
	Omit “the Department of Industry, Skills and Regional Development”.	17
	Insert instead “Regional NSW”.	18
3.5	Betting and Racing Act 1998 No 114	19
	Sections 6(2)(d) and 26G–26GB	20
	Omit “Industry” wherever occurring. Insert instead “Customer Service”.	21
3.6	Betting and Racing Regulation 2012	22
[1]	Clause 4	23
	Insert in alphabetical order—	24
	<i>Liquor & Gaming NSW</i> means that part of the Department of Customer Service known as Liquor & Gaming NSW.	25
		26
[2]	Clauses 4 (definition of “problem gambling information”), 6(2), 7(3) and 9(3)	27
	Omit “the NSW Office of Liquor, Gaming and Racing” wherever occurring.	28
	Insert instead “Liquor & Gaming NSW”.	29
3.7	Biological Control Act 1985 No 199	30
	Section 3(1), definition of “Department”	31
	Omit “the Department of Industry and Investment”. Insert instead “Regional NSW”.	32

3.8 Biosecurity Act 2015 No 24	1
Section 7, definition of “Department”	2
Omit “the Department of Industry, Skills and Regional Development”.	3
Insert instead “Regional NSW”.	4
3.9 Casino Control Act 1992 No 15	5
Section 3(1), definition of “Secretary”	6
Omit “Industry”. Insert instead “Customer Service”.	7
3.10 Exhibited Animals Protection Act 1986 No 123	8
Section 5(1), definition of “Department”	9
Omit “the Department of Industry, Skills and Regional Development”.	10
Insert instead “Regional NSW”.	11
3.11 Farrer Memorial Research Scholarship Fund Act 1930 No 38	12
Section 2, definition of “Department”	13
Omit “Department of Industry and Investment”.	14
Insert instead “Department of Planning, Industry and Environment”.	15
3.12 Fisheries Management Act 1994 No 38	16
[1] Section 4(1), definition of “Department”	17
Omit “the Department of Industry, Skills and Regional Development”.	18
Insert instead “Regional NSW”.	19
[2] Section 221ZU(1), definition of “Fisheries Agency Head”	20
Omit “the Department of Industry, Skills and Regional Development”.	21
Insert instead “Regional NSW”.	22
3.13 Gaming and Liquor Administration Act 2007 No 91	23
Section 3(1), definition of “Department”	24
Omit “Industry”. Insert instead “Customer Service”.	25
3.14 Gaming and Liquor Administration Regulation 2016	26
Schedule 1, clause 1	27
Omit the clause. Insert instead—	28
1 New South Wales	29
Secretary of the Department of Customer Service	30
Deputy Secretary, Liquor, Gaming and Racing Division, Department of Customer Service	31
	32

A person employed in Liquor & Gaming NSW, Department of Customer Service	1
	2
A local council or another person or body exercising functions as a consent authority under the <i>Environmental Planning and Assessment Act 1979</i>	3
	4
3.15 Gaming Machine Tax Act 2001 No 72	5
Sections 17A(2) and 19(1)(c)	6
Omit “Industry” wherever occurring. Insert instead “Customer Service”.	7
3.16 Gaming Machines Act 2001 No 127	8
Sections 4(1) (definition of “Secretary”) and 48(5)	9
Omit “Industry” wherever occurring. Insert instead “Customer Service”.	10
3.17 Government Information (Public Access) Regulation 2018	11
Schedule 3	12
Omit the matter relating to the following agencies—	13
Board of Surveying and Spatial Information	14
Electrical Equipment Safety Advisory Committee	15
Financial Counselling Trust Fund	16
Geographical Names Board	17
Hardship Review Board	18
Independent Liquor and Gaming Authority	19
Mine Subsidence Board	20
Motor Vehicle Repair Industry Authority	21
New South Wales Government Telecommunications Authority (also known as TELCO)	22
	23
NSW Procurement Board	24
NSW Self Insurance Corporation	25
Professional Standards Council	26
Property NSW	27
Rental Bond Board	28
Teacher Housing Authority of New South Wales	29
Trustees of the Parliamentary Contributory Superannuation Fund	30
Waste Assets Management Corporation	31
Workers Compensation Commission	32
Workers Compensation (Dust Diseases) Authority	33
Insert instead in alphabetical order—	34
Board of Surveying and Spatial Information Department of Customer Service	

Financial Counselling Trust Fund	Department of Customer Service
Geographical Names Board	Department of Customer Service
Hardship Review Board	Department of Customer Service
Independent Liquor and Gaming Authority	Department of Customer Service
NSW Procurement Board	Treasury
NSW Self Insurance Corporation	Treasury
NSW Telco Authority	Department of Customer Service
Professional Standards Council	Department of Customer Service
Property NSW	Department of Planning, Industry and Environment
Rental Bond Board	Department of Customer Service
Teacher Housing Authority of New South Wales	Department of Planning, Industry and Environment
Trustees of the Parliamentary Contributory Superannuation Fund	Treasury
Waste Assets Management Corporation	Department of Planning, Industry and Environment
Workers Compensation Commission	Department of Customer Service
Workers Compensation (Dust Diseases) Authority	Treasury

3.18 Government Sector Employment Act 2013 No 40	1
[1] Section 49(1) (definition of “Industrial Relations Secretary”) and note to definition	2
Omit “Treasury” wherever occurring. Insert instead “Department of Premier and Cabinet”.	3
[2] Schedule 1, Parts 1 and 2	4
Omit “The Treasury” wherever occurring. Insert instead “Treasury”.	5
3.19 Hemp Industry Act 2008 No 58	6
Section 3(1), definition of “Department”	7
Omit “the Department of Industry, Skills and Regional Development”.	8
Insert instead “Regional NSW”.	9
3.20 Heritage Act 1977 No 136	10
[1] Section 8(2)	11
Insert “, Industry” after “Planning”.	12
[2] Sections 23(4), 121(5)(c) and 151(2)(b) and (3)	13
Omit “Planning and Environment” wherever occurring.	14
Insert instead “Premier and Cabinet”.	15

3.21 Housing Act 2001 No 52	1
[1] Section 3, definition of “Department”	2
Omit “Family and Community Services”. Insert instead “Communities and Justice”.	3
[2] Section 6(2) and (3)	4
Insert “of the Department of Planning, Industry and Environment” after “Secretary” wherever occurring.	5 6
3.22 Inspector of Custodial Services Act 2012 No 55	7
Section 3(1), definition of “Department”	8
Insert “Communities and” before “Justice”.	9
3.23 Jobs for NSW Act 2015 No 25	10
Sections 4(1) (definition of “Department”) and 5(2)(c)	11
Omit “Department of Industry, Skills and Regional Development” wherever occurring.	12
Insert instead “Treasury”.	13
3.24 Land Acquisition (Just Terms Compensation) Act 1991 No 22	14
Section 27A(1) and Schedule 1A, clause 3(5)	15
Omit “Finance, Services and Innovation” wherever occurring.	16
Insert instead “Planning, Industry and Environment”.	17
3.25 Liquor Act 2007 No 90	18
Sections 4(1) (definition of “Secretary”), 116C(4) and 144M(1)(b)(iii)	19
Omit “Industry” wherever occurring. Insert instead “Customer Service”.	20
3.26 Liquor Regulation 2018	21
[1] Clause 3(1)	22
Insert in alphabetical order—	23
<i>Liquor & Gaming NSW</i> means that part of the Department of Customer Service known as Liquor & Gaming NSW.	24 25
[2] Clause 29(3)(e)	26
Omit the paragraph. Insert instead—	27
(e) the Department of Communities and Justice,	28
[3] Clauses 50(2), 52(3), 53(2), 54(4) and 115(2)(b) and Schedule 2, Part 2	29
Omit “, Department of Industry” wherever occurring.	30
3.27 Local Government Act 1993 No 30	31
[1] Sections 57–59, 60–63, 65, 66, 439(3), 440(9), 440AA(6) and 440H(9)	32
Omit “Primary Industries” wherever occurring.	33

Insert instead “Water, Property and Housing”.	1
[2] Section 409(6)	2
Omit “Energy and Utilities”. Insert instead “Water, Property and Housing”.	3
3.28 Local Government (General) Regulation 2005	4
Clauses 21(a)(ii), 138 and 147(b)	5
Omit “Utilities” wherever occurring. Insert instead “Water, Property and Housing”.	6
3.29 Local Land Services Act 2013 No 51	7
[1] Section 60K(5)	8
Omit “the Department of Planning and Environment” and “Secretary of the Department (within the meaning of this Act)”.	9
Insert instead “Regional NSW” and “Chief Executive Officer”, respectively.	10
[2] Schedule 6, clause 21(4)	11
Omit “the Department of Industry, Skills and Regional Development”.	12
Insert instead “Regional NSW”.	13
[3] Dictionary, definition of “Department”	14
Omit “the Department of Planning, Industry and Environment”.	15
Insert instead “Regional NSW”.	16
3.30 Lord Howe Island Act 1953 No 39	17
Section 4(3)(d) and Schedule 1A, clause 6(1)(f)	18
Omit “Premier and Cabinet” wherever occurring.	19
Insert instead “Planning, Industry and Environment”.	20
3.31 Marine Estate Management Act 2014 No 72	21
[1] Section 5(1)	22
Omit “Primary Industries”. Insert instead “Agriculture and Western New South Wales”.	23
[2] Sections 7(2)(b), 16, 50, 58(a) and 74(2)	24
Omit “the Department of Trade and Investment, Regional Infrastructure and Services” wherever occurring.	25
Insert instead “Regional NSW”.	26
3.32 Prevention of Cruelty to Animals Act 1979 No 200	27
Section 4(1), definition of “Department”	28
Omit “the Department of Industry”. Insert instead “Regional NSW”.	29
	30
	31

3.33 Public Lotteries Regulation 2016	1
[1] Clause 3(1)	2
Omit the definitions of <i>Liquor and Gaming NSW</i> and <i>Secretary</i> .	3
Insert instead—	4
<i>Liquor & Gaming NSW</i> means that part of the Department of Customer Service known as Liquor & Gaming NSW.	5
<i>Secretary</i> means the Secretary of the Department of Customer Service.	6
[2] Clauses 9(1)(b), 10(3), 11(3) and 13(4)	7
Omit “Liquor and Gaming” wherever occurring. Insert instead “Liquor & Gaming”.	8
3.34 Public Works and Procurement Act 1912 No 45	9
Section 165(1)(a) and (2)	10
Omit “Department of Finance, Services and Innovation” wherever occurring.	11
Insert instead “Treasury”.	12
3.35 Registered Clubs Act 1976 No 31	13
Section 4(1), definition of “Secretary”	14
Omit “Industry”. Insert instead “Customer Service”.	15
3.36 Registered Clubs Regulation 2015	16
[1] Clause 3(1) (definition of “Department”) and Schedule 2, clause 2(1) (definition of “departmental Secretary”)	17
Omit “Industry” wherever occurring. Insert instead “Customer Service”.	18
[2] Clause 33(2)	19
Omit “the NSW Office of Liquor, Gaming and Racing”.	20
Insert instead “that part of the Department known as Liquor & Gaming NSW”.	21
3.37 Retail Leases Act 1994 No 46	22
[1] Section 3(1)	23
Omit the definition of <i>Secretary</i> . Insert in alphabetical order—	24
<i>Department</i> means the Treasury.	25
<i>Secretary</i> means the Secretary of the Department.	26
[2] Sections 16Z, 16ZA(1)(a), 82B(1)(a) and 83A(6)	27
Omit “of Industry, Skills and Regional Development” wherever occurring.	28
[3] Section 16ZA(1)(b)	29
Omit “that Department”. Insert instead “the Department”.	30
	31
	32

3.38 Rice Marketing Act 1983 No 176	1
Section 4(1), definition of “Department”	2
Omit “the Department of Industry, Skills and Regional Development”.	3
Insert instead “Regional NSW”.	4
3.39 Stock Medicines Act 1989 No 182	5
Section 3(1), definition of “Secretary”	6
Omit “the Department of Planning, Industry and Environment”.	7
Insert instead “Regional NSW”.	8
3.40 Teacher Housing Authority Act 1975 No 27	9
Section 7(1)(b) and (7)	10
Omit “Finance, Services and Innovation” wherever occurring.	11
Insert instead “Planning, Industry and Environment”.	12
3.41 Totalizator Regulation 2012	13
[1] Clause 3(1)	14
Insert in alphabetical order—	15
<i>Liquor & Gaming NSW</i> means that part of the Department of Customer	16
Service known as Liquor & Gaming NSW.	17
[2] Clauses 3(1) (definition of “problem gambling information”), 6(2), 7(3) and 9(3)	18
Omit “the NSW Office of Liquor, Gaming and Racing” wherever occurring.	19
Insert instead “Liquor & Gaming NSW”.	20
3.42 Valuation of Land Act 1916 No 2	21
Section 4(1), definition of “Department”	22
Omit “Finance, Services and Innovation”.	23
Insert instead “Planning, Industry and Environment”.	24
3.43 Young Offenders Act 1997 No 54	25
[1] Section 4 (definition of “Secretary”), 46(1), 47(2)(e) and 66(2)(e), (g) and (h) and (2B)(a)	26
Insert “Communities and” before “Justice” wherever occurring.	27
[2] Section 62A(a) and (a1)	28
Insert “Communities and” after “Department of” wherever occurring.	29
[3] Section 66(4)	30
Omit the definition of <i>authorised officer of the Department of Justice</i> . Insert instead—	31
<i>authorised officer of the Department of Communities and Justice</i> means any	32
of the following persons employed in the Department—	33
	34

- (a) the Secretary, 1
- (b) a Deputy Secretary, 2
- (c) the Chief Executive of Juvenile Justice or a Deputy Chief Executive of Juvenile Justice, 3
4
- (d) a juvenile justice officer, 5
- (e) any other persons employed in the Department, or persons belonging to a class of employee, as may be prescribed by the regulations. 6
7

Schedule 4	Amendments consequent on dissolution of RMS	1
4.1	Bankstown Local Environmental Plan 2015	2
	Schedule 2 Exempt development	3
	Omit “Roads and Maritime Services” from subclause (7) under the heading “Waste storage containers on private land”.	4
		5
	Insert instead “Transport for NSW”.	6
4.2	Biosecurity Act 2015 No 24	7
	Section 381 Access to information by authorised officers	8
	Omit “Roads and Maritime Services” from section 381(1).	9
	Insert instead “Transport for NSW”.	10
4.3	Camden Local Environmental Plan 2010	11
	Clause 5.1 Relevant acquisition authority	12
	Omit “Roads and Maritime Services” where secondly occurring in clause 5.1(2).	13
	Insert instead “Transport for NSW”.	14
4.4	Campbelltown Local Environmental Plan 2015	15
	Clause 5.1 Relevant acquisition authority	16
	Omit “Roads and Maritime Services” where firstly and secondly occurring in clause 5.1(2).	17
	Insert instead “Transport for NSW”.	18
4.5	City of Sydney Act 1988 No 48	19
[1]	Section 51J Delegation of CSTTC’s functions	20
	Omit “or Roads and Maritime Services” from section 51J(3)(a).	21
[2]	Sections 51K(1)(b) and 51M(5)	22
	Omit “Roads and Maritime Services” wherever occurring.	23
	Insert instead “Transport for NSW”.	24
4.6	Community Land Management Act 1989 No 202	25
	Section 116 Open and private access ways	26
	Omit “Roads and Maritime Services” wherever occurring in paragraphs (b) and (c) of the definition of <i>authorised person</i> in section 116(7).	27
		28
	Insert instead “Transport for NSW”.	29
4.7	Conveyancing (General) Regulation 2018	30
	Clause 25 Subdivision, consolidation or acquisition of part of land in a folio	31
	Omit “Roads and Maritime Services” from clause 25(4)(a).	32
	Insert instead “Transport for NSW”.	33

4.8 Conveyancing (Sale of Land) Regulation 2017	1
[1] Schedule 3 Prescribed warranties	2
Omit “Roads and Maritime Services,” from clause 5.	3
[2] Schedule 4 Exempt contracts, options and land	4
Omit “Roads and Maritime Services” from clause 3.	5
Insert instead “Transport for NSW”.	6
4.9 Crime Commission Act 2012 No 66	7
Section 78A Vetting of prospective staff	8
Omit “Roads and Maritime Services” from section 78A(2)(c).	9
Insert instead “Transport for NSW”.	10
4.10 Criminal Procedure Regulation 2017	11
Schedule 3 NSW Government agencies and statutory bodies required to pay court fees	12
Omit “Roads and Maritime Services”. Insert instead “Transport for NSW”.	13
4.11 Crown Land Management Regulation 2018	15
[1] Clause 59 Circumstances in which cultivation consent not required	16
Omit “of Roads and Maritime Services” from the Table to clause 59(1).	17
Insert instead “of Transport for NSW”.	18
[2] Clause 59(1), Table	19
Omit “the Roads and Maritime Services” wherever occurring.	20
Insert instead “Transport for NSW”.	21
4.12 Driving Instructors Act 1992 No 3	22
[1] Whole Act (except where otherwise amended by this Subschedule)	23
Omit “the Authority” and “The Authority” wherever occurring.	24
Insert instead “Transport for NSW”.	25
[2] Section 3 Definitions	26
Omit the definition of <i>Authority</i> from section 3(1).	27
Insert in alphabetical order—	28
<i>Transport for NSW</i> or <i>TfNSW</i> means Transport for NSW constituted under the <i>Transport Administration Act 1988</i> .	29
[3] Sections 19(3) and (5), 27(1)(b), 31(6) and 46(1)	31
Omit “the Authority’s” wherever occurring. Insert instead “TfNSW’s”.	32
[4] Sections 31, 45 and 46, headings	33
Omit “Authority” and “Authority’s” wherever occurring.	34

Insert instead “TfNSW” and “TfNSW’s”, respectively.	1
4.13 Dubbo Local Environmental Plan 2011	2
Clause 5.1 Relevant acquisition authority	3
Omit “Roads and Maritime Services” where secondly and thirdly occurring in clause 5.1(2).	4
Insert instead “Transport for NSW”.	5
4.14 Electoral Act 2017 No 66	6
Section 4(1) (definition of “Photo Card”) and notes to sections 34(8)(b) and 45(4)	7
Omit “Roads and Maritime Services” wherever occurring.	8
Insert instead “Transport for NSW”.	9
4.15 Electricity Network Assets (Authorised Transactions) Act 2015 No 5	10
Section 3 Interpretation—key definitions	11
Omit paragraph (a) of the definition of <i>associated electricity network land</i> .	12
4.16 Electricity Supply Act 1995 No 94	13
Section 53A Definitions	14
Omit “, Transport for NSW or Roads and Maritime Services” from paragraph (c) of the definition of <i>private land</i> .	15
Insert instead “or Transport for NSW”.	16
4.17 Environmental Planning and Assessment Act 1979 No 203	17
Schedule 2 Provisions relating to planning bodies	18
Omit “Roads and Maritime Services” from clause 30(5).	19
Insert instead “Transport for NSW”.	20
4.18 Environmental Planning and Assessment Regulation 2000	21
Clause 136I and Schedule 1, clause 4(1)(j1) and (k)	22
Omit “Roads and Maritime Services” wherever occurring.	23
Insert instead “Transport for NSW”.	24
4.19 Explosives Regulation 2013	25
Clause 52 Activities in port operational areas	26
Omit “Roads and Maritime Services” from the definition of <i>port authority</i> in clause 52(2).	27
Insert instead “Transport for NSW”.	28
4.20 Fairfield Local Environmental Plan 2013	29
Clause 5.1 Relevant acquisition authority	30
Omit “Roads and Maritime Services” where secondly occurring in clause 5.1(2).	31

Insert instead “Transport for NSW”.	1
4.21 Fines Act 1996 No 99	2
[1] Whole Act	3
Omit “Roads and Maritime Services” wherever occurring.	4
Insert instead “Transport for NSW”.	5
[2] Section 3 Definitions	6
Insert in alphabetical order in section 3(1)—	7
<i>Transport for NSW</i> means Transport for NSW constituted under the	8
<i>Transport Administration Act 1988</i> .	9
4.22 Fisheries Management Act 1994 No 38	10
Section 242A Access to information by fisheries officers	11
Omit “Roads and Maritime Services”. Insert instead “Transport for NSW”.	12
4.23 Fisheries Management (Ocean Hauling Share Management Plan) Regulation 2006	13
Appendix, Schedule 3	14
Appendix, Schedule 3	15
Omit “Roads and Maritime Services” from the matter relating to Trial Bay South West Rocks.	16
Insert instead “Transport for NSW”.	17
4.24 Government Telecommunications Act 2018 No 67	18
Section 34 Access to Authority’s infrastructure	19
Omit section 34(5)(c). Insert instead—	20
(c) to occupy a classified road within the meaning of the <i>Roads Act 1993</i>	21
without the consent of Transport for NSW constituted under the	22
<i>Transport Administration Act 1988</i> or the relevant roads authority.	23
	24
4.25 Graffiti Control Act 2008 No 100	25
[1] Section 13A Definitions	26
Omit the definition of <i>Authority</i> . Insert in alphabetical order—	27
<i>Transport for NSW</i> means Transport for NSW constituted under the	28
<i>Transport Administration Act 1988</i> .	29
[2] Sections 13D(3) and 13G(2)	30
Omit “the Authority” wherever occurring. Insert instead “Transport for NSW”.	31
4.26 Health Records and Information Privacy Regulation 2017	32
Clause 7 Use or disclosure of health information—organ donor registers	33
Omit “Roads and Maritime Services” from clause 7(1)(b).	34
Insert instead “Transport for NSW”.	35

4.27 Heavy Vehicle (Adoption of National Law) Act 2013 No 42	1
[1] Section 3 Definitions	2
Omit the definition of <i>RMS</i> from section 3(1).	3
Insert in alphabetical order—	4
<i>TfNSW</i> means Transport for NSW constituted under the <i>Transport Administration Act 1988</i> .	5
	6
[2] Sections 16, 17(2) and (3), 25, 27 and 27B(b) and (c), Schedule 1.1[3] and Schedule 3, clause 6	7
Omit “RMS” wherever occurring. Insert instead “TfNSW”.	8
	9
[3] Sections 25 and 27, headings	10
Omit “RMS” wherever occurring. Insert instead “TfNSW”.	11
[4] Section 25(1)	12
Omit “RMS’s”. Insert instead “TfNSW’s”.	13
[5] Schedule 1 Modification of Heavy Vehicle National Law as applying in New South Wales	14
	15
Omit the definition of <i>RMS</i> (not including the note) in Schedule 1.1[1].	16
Insert instead—	17
<i>TfNSW</i> means Transport for NSW constituted under the <i>Transport Administration Act 1988</i> .	18
	19
[6] Schedule 1.1[2]	20
Omit “RMS”. Insert instead “TfNSW”.	21
4.28 Impounding Act 1993 No 31	22
[1] Section 5 Who can impound and what can be impounded	23
Omit “The power to impound conferred by this Act on an impounding officer of Roads and Maritime Services is limited to the impounding of motor vehicles, unless the regulations otherwise provide.” from section 5(1).	24
	25
	26
[2] Section 43 Police required to provide assistance on request	27
Omit “Roads and Maritime Services” from section 43(2).	28
Insert instead “Transport for NSW”.	29
[3] Dictionary	30
Omit “the control of Roads and Maritime Services” from the definition of <i>area of operations</i> .	31
	32
Insert instead “the control of Transport for NSW”.	33
[4] Dictionary, definition of “area of operations”	34
Omit the following—	35
• in the case of an impounding officer appointed by Transport for NSW, land owned by or under the control of that body,	36
	37

• in the case of an impounding officer appointed by Roads and Maritime Services, any road, land along or near the line of a road, land vested in Roads and Maritime Services, and a bridge, ferry or tunnel vested in or subject to the administration or control of Roads and Maritime Services,	1 2 3 4
Insert instead—	5
• in the case of an impounding officer appointed by Transport for NSW—	6
— land owned by or under the control of Transport for NSW, and	7
— without limiting the above, any road, land along or near the line of a road, land vested in Transport for NSW, and a bridge, ferry or tunnel vested in or subject to the administration or control of Transport for NSW,	8 9 10 11
[5] Dictionary, definition of “impounding authority”	12
Omit the matter relating to Roads and Maritime Services.	13
4.29 Independent Commission Against Corruption Act 1988 No 35	14
Section 104C Vetting of prospective staff or consultants	15
Omit “Roads and Maritime Services” from section 104C(2)(c).	16
Insert instead “Transport for NSW”.	17
4.30 Independent Pricing and Regulatory Tribunal Act 1992 No 39	18
Schedule 1 Government agencies for which Tribunal has standing reference	19
Omit “Roads and Maritime Services”. Insert instead “Transport for NSW”.	20
4.31 Industrial Relations Act 1996 No 17	21
[1] Schedule 1 Persons deemed to be employees	22
Omit “RMS” from the heading to clause 1(l). Insert instead “Transport for NSW”.	23
[2] Schedule 1, clauses 1(l) and 2(2)(c) (definition of “road work”)	24
Omit “Roads and Maritime Services” wherever occurring.	25
Insert instead “Transport for NSW”.	26
[3] Schedule 1, clause 1(l)	27
Omit “RMS”. Insert instead “Transport for NSW”.	28
4.32 Jury Act 1977 No 18	29
Section 75A Information to be supplied to sheriff	30
Omit “Roads and Maritime Services” wherever occurring.	31
Insert instead “Transport for NSW”.	32

4.33 Law Enforcement and National Security (Assumed Identities) Act 2010 No 73	1
	2
Section 4 Definitions	3
Omit “Roads and Maritime Services” from the note to the definition of <i>government issuing agency</i> in section 4(1).	4
	5
Insert instead “Transport for NSW”.	6
4.34 Law Enforcement Conduct Commission Act 2016 No 61	7
Section 189 Vetting of prospective staff or consultants	8
Omit “Roads and Maritime Services” from section 189(2)(c).	9
Insert instead “Transport for NSW constituted under the <i>Transport Administration Act 1988</i> ”.	10
	11
4.35 Liquor Act 2007 No 90	12
Section 4 Definitions	13
Omit “Roads and Maritime Services” from paragraph (a) of the definition of <i>evidence of age document</i> in section 4(1).	14
	15
Insert instead “Transport for NSW”.	16
4.36 Liquor Regulation 2018	17
Clause 29 Preparation of CIS—consultation requirements	18
Omit clause 29(3)(f). Insert instead—	19
(f) Transport for NSW,	20
4.37 Local Government Act 1993 No 30	21
Dictionary	22
Omit “Roads and Maritime Services” from the definition of <i>parking authority for a person with disabilities</i> .	23
	24
Insert instead “Transport for NSW”.	25
4.38 Local Government (General) Regulation 2005	26
[1] Clauses 27 and 65	27
Omit “the Roads and Traffic Authority” wherever occurring.	28
Insert instead “Transport for NSW”.	29
[2] Clause 53 Matters to be taken into consideration by council in determining whether to approve the operation of a public car park	30
	31
Omit “Roads and Traffic Authority’s views” from clause 53(a).	32
Insert instead “views of Transport for NSW”.	33
[3] Clause 65 Concurrence required for operation of public car park	34
Omit “The Authority”. Insert instead “Transport for NSW”.	35

[4] Clause 275 Definitions	1
Omit “Roads and Maritime Services” from the definition of <i>Photo Card</i> in clause 275(1).	2
Insert instead “Transport for NSW”.	3
4.39 Major Events Act 2009 No 73	4
[1] Section 4 Definitions	5
Omit the definition of <i>RMS</i> from section 4(1). Insert in alphabetical order—	6
<i>TfNSW</i> means Transport for NSW constituted under the <i>Transport Administration Act 1988</i> .	7
[2] Sections 26(2) and (3), 27(6), (7) and (9), 28(2), 29, 30(6) and 32(2)(e)	9
Omit “RMS” wherever occurring. Insert instead “TfNSW”.	10
4.40 Marine Pollution Act 2012 No 5	11
[1] Section 3 Definitions	12
Omit “Roads and Maritime Services” from paragraph (a) of the definition of <i>certified</i> .	13
Insert instead “Transport for NSW”.	14
[2] Section 247 Delegation	15
Omit paragraph (a) of the definition of <i>approved person</i> in section 247(3).	16
4.41 Marine Pollution Regulation 2014	17
[1] Clause 3 Definitions	18
Omit the definition of <i>RMS</i> from clause 3(1). Insert in alphabetical order—	19
<i>TfNSW</i> means Transport for NSW constituted under the <i>Transport Administration Act 1988</i> .	20
[2] Clauses 18(b), 45(3) and (5), 46(3) and (5), 47(3) and (5), 48(5) and (7), 50(4) and (6), 53(1)(c) and (3) and 56(c)	22
Omit “RMS” wherever occurring. Insert instead “TfNSW”.	24
4.42 Marine Safety Act 1998 No 121	25
[1] Sections 4(1) (definition of “responsible licensing official”), 19H(2) and (3), 28A(5), 33(1A), 39(2A), 63A(4A), 96(1)(a), 111(3) and (5), 125M(2), 133(1) and (2), 134(1)(c), 135A(4) and 139 and Schedule 1A, clause 15(1) and (2)	26
Omit “RMS” wherever occurring. Insert instead “Transport for NSW”.	29
[2] Section 4 Definitions	30
Omit the definition of <i>RMS</i> from section 4(1). Insert in alphabetical order—	31
<i>Transport for NSW</i> or <i>TfNSW</i> means Transport for NSW constituted under the <i>Transport Administration Act 1988</i> .	32
[3] Sections 19A(2)(a), 19B(5), 19C(3)(b), 19D(1), 19G(3), 19I, 19J(5), 19K(2)–(5), 19L and 19M(1)–(3) and (5) and Schedule 1A, clause 4(1) (definition of “appropriate inspection officer”)	34
Omit “Chief Executive of RMS” wherever occurring.	37

Insert instead “Transport for NSW”.	1
[4] Section 19D Removal, impounding and production of vessel	2
Omit “Chief Executive” where secondly occurring in section 19D(1).	3
Insert instead “Transport for NSW”.	4
[5] Section 19M Disposal of vessels	5
Omit “or RMS” wherever occurring in section 19M(5) and (6).	6
[6] Section 19N Protection from liability with respect to impounding and other matters	7
Omit “or Chief Executive of RMS, RMS”.	8
[7] Section 19O Failure to prosecute	9
Omit “or Chief Executive of RMS, RMS” from section 19O(1).	10
Insert instead “, Transport for NSW”.	11
[8] Section 111 Action by Minister following report of investigation	12
Omit “RMS,” from section 111(2)(f).	13
[9] Section 136A Reliance on advice	14
Omit “, TfNSW or RMS” wherever occurring. Insert instead “or TfNSW”.	15
[10] Section 136A(2)	16
Omit “, RMS”.	17
4.43 Marine Safety Legislation (Lakes Hume and Mulwala) Act 2001 No 78	18
Section 11 Appointment of interstate officers	19
Omit “Roads and Maritime Services” from section 11(2).	20
Insert instead “Transport for NSW”.	21
4.44 Marine Safety Regulation 2016	22
[1] Whole Regulation (except where otherwise amended by this Subschedule)	23
Omit “RMS” wherever occurring. Insert instead “Transport for NSW”.	24
[2] Clauses 55B(1) and (4) and 55C(1), (4) and (5)	25
Omit “Chief Executive of RMS” wherever occurring.	26
Insert instead “Transport for NSW”.	27
[3] Clause 55C Disposal of impounded vessels forfeited to the Crown	28
Omit “Chief Executive” where secondly and thirdly occurring in clause 55C(5).	29
Insert instead “Transport for NSW”.	30
[4] Schedule 6 Requirements relating to Sydney Cove	31
Omit “RMS or” from the definition of <i>wharf authorisation</i> in clause 1.	32

[5] Schedule 6, clause 2(1)	1
Omit “RMS,” wherever occurring.	2
4.45 Mining Regulation 2016	3
Clause 70 Protected documents not admissible in certain proceedings or otherwise protected	4
Omit clause 70(2)(i). Insert instead—	5
(i) Transport for NSW,	6
4.46 Motor Accident Injuries Act 2017 No 10	7
[1] Section 1.4 Definitions	8
Omit the definition of <i>RMS</i> from section 1.4(1). Insert in alphabetical order—	9
<i>TfNSW</i> means Transport for NSW constituted under the <i>Transport Administration Act 1988</i> .	10
[2] Sections 2.5(4), 2.6(1), 2.8(4)–(10) and 2.15	11
Omit “RMS” wherever occurring. Insert instead “TfNSW”.	12
4.47 Motor Accident Injuries Regulation 2017	13
Clauses 5(b) and (e)(i) and 6(1)	14
Omit “RMS” wherever occurring. Insert instead “TfNSW”.	15
4.48 Motor Accidents Act 1988 No 102	16
Sections 141(1)(a2), 148(2)–(4) and 149(1) and (2)	17
Omit “Roads and Maritime Services” wherever occurring.	18
Insert instead “Transport for NSW”.	19
4.49 Motor Accidents Compensation Act 1999 No 41	20
[1] Section 3 Definitions	21
Omit the definition of <i>RMS</i> . Insert in alphabetical order—	22
<i>TfNSW</i> means Transport for NSW constituted under the <i>Transport Administration Act 1988</i> .	23
[2] Sections 11(4), 12(1), 14(4)–(6B) and 19(1)	24
Omit “RMS” wherever occurring. Insert instead “TfNSW”.	25
4.50 Motor Dealers and Repairers Act 2013 No 107	26
[1] Sections 4(1) (definition of “inspection report”), 59(a), 97(2) and 182(6) (definition of “relevant authority”)	27
Omit “Roads and Maritime Services” wherever occurring.	28
Insert instead “Transport for NSW”.	29
[2] Section 4 Definitions	30
Insert in alphabetical order in section 4(1)—	31

<i>Transport for NSW</i> means Transport for NSW constituted under the <i>Transport Administration Act 1988</i> .	1 2
[3] Section 149 Authorised officers	3
Omit “the Chief Executive of Roads and Maritime Services” wherever occurring in paragraph (e) of the definition of <i>authorised officer</i> in section 149(1) and in section 149(2).	4 5
Insert instead “Transport for NSW”.	6
[4] Section 156 Proceedings	7
Omit section 156(1)(c). Insert instead—	8
(c) the Secretary of the Department of Transport or, in the name of the Secretary of the Department of Transport, a person acting with the authority of that Secretary.	9 10 11
4.51 Motor Dealers and Repairers Regulation 2014	12
Clause 56 Penalty notice officers	13
Omit “the Chief Executive of Roads and Maritime Services” from clause 56(d).	14
Insert instead “Transport for NSW”.	15
4.52 Motor Racing (Sydney and Newcastle) Act 2008 No 106	16
Section 43 Regulations	17
Omit “Roads and Maritime Services” from section 43(2)(h).	18
Insert instead “Transport for NSW”.	19
4.53 Motor Racing (Sydney and Newcastle) Regulation 2017	20
Clause 4	21
Omit the clause. Insert instead—	22
4 Consultation with Transport for NSW regarding authorised works	23
Transport for NSW is prescribed for the purposes of sections 17(5)(c) and 18(a)(iib) of the Act.	24 25
4.54 Motor Vehicles Taxation Act 1988 No 111	26
[1] Whole Act (except where otherwise amended by this Subschedule)	27
Omit “the Authority” and “The Authority” wherever occurring.	28
Insert instead “Transport for NSW”.	29
[2] Section 3 Definitions	30
Omit the definition of <i>Authority</i> from section 3(1). Insert in alphabetical order—	31
<i>Transport for NSW</i> or <i>TfNSW</i> means Transport for NSW constituted under the <i>Transport Administration Act 1988</i> .	32 33
[3] Section 21, heading	34
Omit “Authority”. Insert instead “TfNSW”.	35

[4] Section 22 Exemptions etc may be revoked or varied	1
Omit “Authority or officer”. Insert instead “Transport for NSW or the officer”.	2
[5] Section 22A, heading	3
Omit “and Maritime Services”.	4
[6] Section 22A(1), definition of “Roads Fund”	5
Omit “Roads and Maritime Services”. Insert instead “TfNSW”.	6
4.55 National Parks and Wildlife Act 1974 No 80	7
[1] Section 184A, heading	8
Omit “RMS”. Insert instead “TfNSW”.	9
[2] Section 184A(1)	10
Omit the definition of <i>RMS</i> from section 184A(1). Insert in alphabetical order—	11
<i>TfNSW</i> means Transport for NSW constituted under the <i>Transport Administration Act 1988</i> .	12
	13
[3] Section 184A(2)(b)	14
Omit “RMS”. Insert instead “the Roads and Traffic Authority”.	15
[4] Section 184A(2), note	16
Insert at the end of the subsection—	17
Note. The excised land is now vested in TfNSW as the successor to the RTA and RMS.	18
[5] Section 184A(4)–(6) and (8)(a)	19
Omit “RMS” wherever occurring. Insert instead “TfNSW”.	20
[6] Schedule 16, heading	21
Omit “RMS”. Insert instead “Transport for NSW”.	22
4.56 Newcastle Local Environmental Plan 2012	23
Clause 5.1 Relevant acquisition authority	24
Omit “Roads and Maritime Services” wherever occurring in clause 5.1(2), except where firstly occurring.	25
	26
Insert instead “Transport for NSW”.	27
4.57 Parramatta (former The Hills) Local Environmental Plan 2012	28
Clause 5.1 Relevant acquisition authority	29
Omit “Roads and Maritime Services” where secondly occurring in clause 5.1(2).	30
Insert instead “Transport for NSW”.	31
4.58 Parramatta Local Environmental Plan 2011	32
Clause 5.1 Relevant acquisition authority	33
Omit “Roads and Maritime Services” where secondly occurring in clause 5.1(2).	34

Insert instead “Transport for NSW”.	1
4.59 Passenger Transport Act 1990 No 39	2
[1] Whole Act (except Schedule 3 and where otherwise amended by this Subschedule)	3
Omit “RMS” wherever occurring. Insert instead “TfNSW”.	4
[2] Section 3 Definitions	5
Omit the definition of <i>Roads and Maritime Services</i> or <i>RMS</i> from section 3(1).	6
[3] Sections 46H(2) and (3) and 62(2)	7
Omit “RMS or” wherever occurring.	8
[4] Section 46NA Meaning of “appropriate authority”	9
Omit paragraph (b) of the definition of <i>appropriate authority</i> .	10
[5] Sections 46R(2)(f)(ii) and 46W(2), (3), (6) and (7)	11
Omit the provisions.	12
[6] Sections 46W(5) and 47(1) and (2)	13
Omit “or RMS” wherever occurring.	14
[7] Section 47, heading	15
Omit “or RMS”.	16
[8] Section 66 Exclusion of liability of the State	17
Omit “the Chief Executive of Roads and Maritime Services or an officer of the Ministry of Transport, the Chief Investigator or Roads and Maritime Services”.	18
Insert instead “the Secretary of the Department of Transport, a person employed in the Transport Service or a member of staff of the Chief Investigator”.	20
	21
4.60 Passenger Transport Act 2014 No 46	22
[1] Whole Act (except Schedule 3 and where otherwise amended by this Subschedule)	23
Omit “RMS” wherever occurring. Insert instead “TfNSW”.	24
[2] Section 4 Definitions	25
Omit the definition of <i>Roads and Maritime Services</i> or <i>RMS</i> from section 4(1).	26
[3] Section 12 Definitions	27
Omit the section.	28
[4] Sections 13(1)(a), 17(2) and (3)(a) and (b), 18(5)(c), 21, 22(1), 23(1), 26, 27, 33(2) and 35(1)(a)	29
Omit “the accrediting authority” wherever occurring. Insert instead “TfNSW”.	31
[5] Sections 17(4) and (5), 18(1) and (2), 19, 20(2) (including the note), 26(2) and (3) and 33(1) (including the note) and (3)	32
Omit “The accrediting authority” wherever occurring. Insert instead “TfNSW”.	34

[6] Section 20 Grants of accreditation	1
Omit “an accrediting authority” from section 20(1). Insert instead “TfNSW”.	2
[7] Section 20(2)	3
Omit “the authority”. Insert instead “TfNSW”.	4
[8] Section 24 Notice of accreditation decision	5
Omit “An accrediting authority” from section 24(1). Insert instead “TfNSW”.	6
[9] Sections 152(2)–(4), 153 and 170(1)(a)	7
Omit the provisions.	8
[10] Section 152 Appointment of authorised officers by TfNSW	9
Omit “and section 153” from section 152(5).	10
[11] Sections 152(5) and 170(3) and (4)	11
Omit “RMS,” wherever occurring.	12
[12] Sections 154, 156(1) and (3), 157(3), 166(6) (definition of “authorised officer”) and 169(3)	13
Omit “or RMS” wherever occurring.	14
[13] Sections 159(2)–(4), 171(1)–(3), 172(3) and 174(1)	15
Omit “RMS or” wherever occurring.	16
[14] Schedule 1 Investigation and inspection powers	17
Omit the definition of <i>appropriate authority</i> from clause 25.	18
[15] Schedule 1, clause 28	19
Omit “The appropriate authority for an authorised officer must pay compensation for any damage caused by the”.	20
Insert instead “TfNSW must pay compensation for any damage caused by an”.	21
[16] Schedule 4 Amendment of Acts	22
Omit Schedule 4.12[14].	23
[17] Schedule 4.12[22A]	24
Insert after Schedule 4.12[22]—	25
[22A] Schedule 1, clause 8F(4)	26
Omit “section 46E of the <i>Passenger Transport Act 1990</i> ”.	27
Insert instead “section 150 of the <i>Passenger Transport Act 2014</i> ”.	28
4.61 Passenger Transport (Drug and Alcohol Testing) Regulation 2010	29
[1] Clauses 14(3)(b) and (4) and 27–30	30
Omit “RMS” wherever occurring. Insert instead “TfNSW”.	31
	32
	33

[2]	Clause 29, heading	1
	Omit “RMS”. Insert instead “TfNSW”.	2
	4.62 Passenger Transport (General) Regulation 2017	3
[1]	Whole Regulation (except clause 239B and where otherwise amended by this Subschedule)	4
	Omit “RMS” wherever occurring. Insert instead “TfNSW”.	5
		6
[2]	Clauses 80(1)(d) and 90(2)(a)	7
	Omit “RMS’s” wherever occurring. Insert instead “TfNSW’s”.	8
[3]	Clause 239 Authorised officers	9
	Omit “and (2)” from clause 239(1).	10
[4]	Clause 239(1)(a)	11
	Omit the paragraph.	12
[5]	Clause 239(1)(g)	13
	Omit “RMS or”.	14
[6]	Clause 239(2)	15
	Omit “or RMS (whichever of those statutory corporations appointed the person as an authorised officer)”.	16
		17
[7]	Clause 239A Delegation to authorised persons	18
	Omit clause 239A(b).	19
	4.63 Petroleum (Onshore) Regulation 2016	20
	Clause 18 Protected voluntary audit documents not admissible in certain proceedings or otherwise protected—section 83K	21
		22
	Omit clause 18(2)(i). Insert instead—	23
	(i) Transport for NSW,	24
	4.64 Photo Card Act 2005 No 20	25
[1]	Whole Act (except where otherwise amended by this Subschedule)	26
	Omit “the Authority” and “The Authority” wherever occurring.	27
	Insert instead “Transport for NSW”.	28
[2]	Section 3 Definitions	29
	Omit the definition of <i>Authority</i> from section 3(1).	30
	Insert in alphabetical order—	31
	<i>Transport for NSW</i> or <i>TfNSW</i> means Transport for NSW constituted under the <i>Transport Administration Act 1988</i> .	32
		33
[3]	Section 4, heading	34
	Omit “the Authority”. Insert instead “TfNSW”.	35

[4] Sections 5 and 31, headings	1
Omit “ Authority ” wherever occurring. Insert instead “ TfNSW ”.	2
4.65 Photo Card Regulation 2014	3
[1] Clause 6, heading	4
Omit “ Authority ”. Insert instead “ TfNSW ”.	5
[2] Clause 6	6
Omit “The Authority”. Insert instead “Transport for NSW”.	7
[3] Clauses 8(1), 9(1)–(3) and 10	8
Omit “the Authority” wherever occurring. Insert instead “Transport for NSW”.	9
4.66 Pipelines Act 1967 No 90	10
[1] Section 3 Definitions	11
Omit “Rail Infrastructure Corporation, Roads and Maritime Services” from paragraph (a) of the definition of <i>public authority</i> in section 3(1).	12
Insert instead “Transport for NSW”.	14
[2] Section 3(1), paragraph (a) of definition of “public authority”	15
Omit “, Transport Infrastructure Development Corporation”.	16
4.67 Pipelines Regulation 2013	17
[1] Clause 8, heading	18
Omit “ RMS ”. Insert instead “ Transport for NSW ”.	19
[2] Clause 8	20
Omit “Roads and Maritime Services” wherever occurring.	21
Insert instead “Transport for NSW”.	22
4.68 Place Management NSW Act 1998 No 170	23
Section 18 Management of land of other public authorities	24
Omit paragraph (b) of the definition of <i>public authority</i> in section 18(5). Insert instead—	25
(b) Transport for NSW constituted under the <i>Transport Administration Act 1988</i> ,	26
	27
4.69 Point to Point Transport (Taxis and Hire Vehicles) Act 2016 No 34	28
[1] Section 3 Definitions	29
Omit the definition of <i>RMS</i> from section 3(1).	30
[2] Section 25 Dismissal or other victimisation of worker	31
Omit “RMS,” from the definition of <i>public authority</i> in section 25(6).	32

[3] Section 130 Return of number-plates	1
Omit “RMS” from section 130(2). Insert instead “TfNSW”.	2
[4] Section 149 Exchange of information	3
Omit “or RMS” from paragraph (c) of the definition of <i>relevant agency</i> in section 149(5).	4
4.70 Point to Point Transport (Taxis and Hire Vehicles) (Industry Adjustment) Regulation 2016	5
	6
[1] Schedule 1 Adjustment assistance for taxi and hire vehicle industries	7
Omit “RMS” wherever occurring in clauses 1(1) (definition of <i>taxi licence register</i>), 5A(1)(e), 9(4)(d) and 16.	8
Insert instead “TfNSW”.	9
	10
[2] Schedule 1, clauses 10(d) and 10A(1)(d)	11
Omit “RMS,” wherever occurring.	12
[3] Schedule 1, clauses 10(e) and 10A(1)(e)	13
Omit the paragraphs.	14
4.71 Point to Point Transport (Taxis and Hire Vehicles) Regulation 2017	15
Clause 87 Authorised officers	16
Omit “, Roads and Maritime Services” from clause 87(1)(c).	17
4.72 Police Act 1990 No 47	18
Section 96B Vetting of prospective members of NSW Police Force or consultants	19
Omit “Roads and Maritime Services” from section 96B(2)(c).	20
Insert instead “Transport for NSW”.	21
4.73 Port Stephens Local Environmental Plan 2013	22
Clause 6.5 Infrastructure—Pacific Highway access	23
Omit “Roads and Maritime Services” from clause 6.5(2).	24
Insert instead “Transport for NSW”.	25
4.74 Ports and Maritime Administration Act 1995 No 13	26
[1] Whole Act (except Schedule 5 and where otherwise amended by this Subschedule)	27
Omit “the Authority” and “The Authority” wherever occurring (including in any notes).	28
Insert instead “Transport for NSW”.	29
[2] Long title	30
Omit “Roads and Maritime Services”. Insert instead “Transport for NSW”.	31
[3] Section 3 Definitions	32
Omit the definition of <i>the Authority</i> from section 3(1).	33

Insert in alphabetical order—	1
<i>Transport for NSW</i> or <i>TfNSW</i> means Transport for NSW constituted under the <i>Transport Administration Act 1988</i> .	2
	3
[4] Sections 33 and 41 and Part 4, Divisions 2 and 3, headings	4
Omit “ Authority ” wherever occurring. Insert instead “ TfNSW ”.	5
[5] Section 34 Maritime Advisory Council	6
Omit “the Authority’s” from section 34(4)(b). Insert instead “TfNSW’s”.	7
[6] Part 4, heading	8
Omit “ Roads and Maritime Services ”. Insert instead “ TfNSW ”.	9
[7] Section 43B, heading	10
Omit “the Authority”. Insert instead “ TfNSW or Port Authority of NSW ”.	11
[8] Sections 43E(2) and (6) (definition of “landside precinct”), 43F(1)(b) and (2), 43G(2), (3) and (5)–(9), 85C, 85D(1), (2) and (4), 85E(1) and (3)–(5), 105B(3) and 105C(7)	12
	13
Omit “, Transport for NSW” wherever occurring.	14
[9] Section 85A Access to wharves	15
Omit “or Transport for NSW” wherever occurring in the definition of <i>wharf authorisation</i> and the note to that definition in section 85A(2).	16
	17
4.75 Ports and Maritime Administration Regulation 2012	18
[1] Whole Regulation (except where otherwise amended by this Subschedule)	19
Omit “the Authority” and “The Authority” wherever occurring.	20
Insert instead “Transport for NSW”.	21
[2] Clause 19 Interpretation	22
Omit the definition of <i>Transport for NSW</i> or <i>TfNSW</i> from clause 19(1).	23
[3] Clauses 67G(2), 67H, 67ZB(2) and 67ZC	24
Omit “the Authority’s” wherever occurring. Insert instead “TfNSW’s”.	25
[4] Clauses 67K, 67ZI and 67ZK, headings	26
Omit “ Authority ” wherever occurring. Insert instead “ TfNSW ”.	27
[5] Clauses 67Q (paragraph (b) of definition of “traffic control device”), 67S(1)(b), 67U(b) and 67ZM(2)	28
	29
Omit “, Transport for NSW” wherever occurring.	30
[6] Clause 68A Delegation of certain functions of Minister	31
Omit the clause.	32
4.76 Ports Assets (Authorised Transactions) Act 2012 No 101	33
Section 3 Interpretation—key definitions	34
Omit paragraph (a) of the definition of <i>associated port land</i> . Insert instead—	35

(a) Transport for NSW,	1
4.77 Protection of the Environment Operations Act 1997 No 156	2
Sections 165(3) and 166(1) and Dictionary, definition of “marine authority”	3
Omit “Roads and Maritime Services” wherever occurring.	4
Insert instead “Transport for NSW”.	5
4.78 Protection of the Environment Operations (General) Regulation 2009	6
[1] Clauses 81(6)(n), 86(1) and 94(1)(b)	7
Omit “Roads and Maritime Services” wherever occurring.	8
Insert instead “Transport for NSW”.	9
[2] Clause 81 Enforcement officers	10
Omit “a member of staff of Transport for NSW” from clause 81(6)(o).	11
Insert instead “a person employed in the Transport Service”.	12
[3] Clause 81(6), note	13
Omit “See also section 68HA(5) of the <i>Transport Administration Act 1988</i> in relation to references to the staff of Roads and Maritime Services and the staff of Transport for NSW.”.	14
	15
[4] Clause 86, heading	16
Omit “Roads and Maritime Services”. Insert instead “Transport for NSW”.	17
[5] Clause 86(2)	18
Omit the subclause. Insert instead—	19
(2) In this clause—	20
<i>Transport for NSW</i> means Transport for NSW constituted under the <i>Transport Administration Act 1988</i> .	21
	22
4.79 Protection of the Environment Operations (Noise Control) Regulation 2017	23
	24
Clause 29 Exemptions for emergency-related vehicles	25
Omit “Roads and Maritime Services, Transport for NSW,” from clause 29(c).	26
Insert instead “Transport for NSW”.	27
4.80 Public Works and Procurement Act 1912 No 45	28
[1] Section 154, heading	29
Omit “Roads and Maritime Services”. Insert instead “Transport for NSW”.	30
[2] Sections 154(1)–(4) and 155(2)	31
Omit “Roads and Maritime Services” wherever occurring.	32
Insert instead “Transport for NSW”.	33

4.81 Queanbeyan Local Environmental Plan 2012	1
Schedule 2 Exempt development	2
Omit “Roads and Maritime Services” from the matter under the heading “ Street banners and sails on or over roads ”.	3
Insert instead “Transport for NSW”.	4
4.82 Recreation Vehicles Act 1983 No 136	5
Sections 15 (definition of “approved”), 16, 17(1), 18, 19(1) and (3)(b), 21, 22, 30(2), 32(1) and (4), 41 and 43(a)	6
Omit “Roads and Maritime Services” wherever occurring.	7
Insert instead “Transport for NSW”.	8
4.83 Road Improvement (Special Funding) Act 1989 No 95	9
[1] Section 3 Definitions	10
Omit the definition of <i>Authority</i> .	11
[2] Section 3, definition of “Roads Fund”	12
Omit “Roads and Maritime Services”. Insert instead “TfNSW”.	13
[3] Section 5 Appropriated money subject to statutory trust for road funding	14
Omit “the Authority” and “The Authority” wherever occurring in section 5(1) and (3).	15
Insert instead “Transport for NSW”.	16
4.84 Road Rules 2014	17
[1] Whole Rules (except where otherwise amended by this Subschedule)	18
Omit “the Authority” and “The Authority” wherever occurring (including in any notes).	19
Insert instead “Transport for NSW”.	20
[2] Rules 155A(4–1), 157–1(4), 158(4) (definition of “special purpose vehicle”), 268(7), 268–1, 268–3(3) and 271(6) and Dictionary (definitions of “approved bicycle helmet”, “authorised person” and “emergency worker”)	21
Omit note 1.	22
[3] Rules 158(2), 218–1, 267(1), 289(1) and 294–3(1)	23
Omit “, and <i>Authority</i> is defined in the Act” wherever occurring in note 1.	24
[4] Rules 213–1(1), 222–2(5), 294–2(3) and 300–3(1)	25
Omit the notes.	26
[5] Rules 289(1) and 294–3(1)	27
Omit “Dictionary,” wherever occurring in note 1. Insert instead “Dictionary and”.	28
[6] Rule 267–1(5), note	29
Omit “ <i>Authority</i> is defined in the Act.”.	30

[7] Dictionary, introductory note 1	1
Omit the first dot point.	2
4.85 Road Transport Act 2013 No 18	3
[1] Whole Act (except Schedule 4 and where otherwise amended by this Subschedule)	4
Omit “the Authority” and “The Authority” wherever occurring (including in any notes).	5
Insert instead “Transport for NSW”.	6
[2] Section 4 Definitions	7
Omit the definition of <i>the Authority</i> from section 4(1).	8
Insert in alphabetical order—	9
<i>Transport for NSW</i> or <i>TfNSW</i> means Transport for NSW constituted under the <i>Transport Administration Act 1988</i> .	10 11
[3] Part 3.1 and Part 4.1, Division 1, headings	12
Omit “Authority” wherever occurring. Insert instead “TfNSW”.	13
[4] Sections 28, 62, 63, 65, 85, 204(5) and 277 and Schedule 2, clauses 8, 10, 11 and 17, headings	14 15
Omit “Authority” wherever occurring. Insert instead “TfNSW”.	16
[5] Section 48(5) and Schedule 2, clause 20	17
Omit “Roads and Maritime Services Fund” wherever occurring.	18
Insert instead “TfNSW Fund”.	19
[6] Section 57 Release of photographs prohibited	20
Omit section 57(1)(b). Insert instead—	21
(b) in connection with the exercise of its functions under the <i>Passenger Transport Act 2014</i> , or	22 23
[7] Section 75 Direction to provide documents concerning use of interstate registered vehicles	24 25
Omit “the Authority or officer” wherever occurring in section 75(1).	26
Insert instead “Transport for NSW or the officer”.	27
[8] Section 78 Use of dangerously defective motor vehicles	28
Omit “Authority’s” from section 78(6)(a). Insert instead “TfNSW’s”.	29
[9] Section 80(2) and Schedule 2, clause 10(5)	30
Omit “the Authority’s” wherever occurring. Insert instead “TfNSW’s”.	31
[10] Section 148U Delegation	32
Omit “Transport for NSW or”.	33
[11] Section 221C Application for removal of licence disqualifications	34
Omit “Roads and Maritime Services” from section 221C(3)(b).	35
Insert instead “Transport for NSW”.	36

[12]	Section 253 Protection from liability with respect to impounding, removal of number-plates and crash testing and other matters	1 2
	Omit “the Authority,”.	3
[13]	Section 258 Proof of appointments and signatures unnecessary	4
	Omit paragraph (a) of the definition of <i>office holder</i> in section 258(3). Insert instead—	5
	(a) the Secretary of the Department of Transport, or	6
[14]	Schedule 2 Registration charges for heavy vehicles	7
	Omit “Authority” from clause 19(1)(a). Insert instead “Transport for NSW”.	8
[15]	Schedule 2, clause 19(3)	9
	Omit “Minister, Authority or”. Insert instead “Minister, Transport for NSW or the”.	10
	4.86 Road Transport (Driver Licensing) Regulation 2017	11
[1]	Whole Regulation (except clause 107)	12
	Omit “the Authority” and “The Authority” wherever occurring (including in any notes).	13
	Insert instead “Transport for NSW”.	14
[2]	Clauses 17(2), 22(1)(b), 29(1)(b), 36(2)(c), (5) and (6), 69(2)(b) and 114(3) and Schedule 3, item 6	15 16
	Omit “the Authority’s” wherever occurring. Insert instead “TfNSW’s”.	17
[3]	Clause 36(6)	18
	Omit “The Authority’s”. Insert instead “TfNSW’s”.	19
[4]	Clauses 35, 35A, 50, 65, 83, 94, 95, 105, 114 and 120, headings	20
	Omit “Authority” wherever occurring. Insert instead “TfNSW”.	21
[5]	Clause 104, heading	22
	Omit “Release of information to”. Insert instead “Use of information by”.	23
[6]	Clause 104	24
	Omit “The Authority may provide to Transport for NSW any information recorded in the driver licence register for the purpose of assisting Transport for NSW to exercise”.	25 26
	Insert instead “Subject to any limitation under clause 107, Transport for NSW may use information recorded in the driver licence register for the purpose of exercising”.	27 28
[7]	Clause 107 Use of information for the purposes of the mandatory alcohol interlock program	29 30
	Omit “The Authority or” from clause 107(1).	31
	4.87 Road Transport (General) Regulation 2013	32
[1]	Whole Regulation (except Schedule 2 and where otherwise amended by this Subschedule)	33 34
	Omit “the Authority” and “The Authority” wherever occurring (including in any notes).	35
	Insert instead “Transport for NSW”.	36

[2] Clause 3 Definitions	1
Omit the definition of <i>Authority guidelines</i> from clause 3(1). Insert in alphabetical order—	2
<i>TfNSW guidelines</i> means guidelines in force under clause 83.	3
[3] Clauses 7, 45, 50K, 83, 97, 107 and 141, headings	4
Omit “Authority” wherever occurring. Insert instead “TfNSW”.	5
[4] Clause 53 Manner of approval of aspects of data recording and related matters	6
Omit “the Chief Executive of the Authority or by another person” from clause 53(b).	7
Insert instead “a person”.	8
[5] Clauses 55(1)(b) and 59(1)(b)	9
Omit “the Chief Executive of the Authority, or by another person” wherever occurring.	10
Insert instead “a person”.	11
[6] Clauses 60(2)(a), (4) and (8), 66(1), (2)(a), (4) and (7), 73(1), (2)(a) and (4), 78(1), (2)(a) and (4) and 82(1)	12
Omit “Authority guidelines” wherever occurring. Insert instead “TfNSW guidelines”.	13
[7] Clause 79(b)	14
Omit “the Authority guidelines”. Insert instead “TfNSW guidelines”.	15
[8] Clause 83(2) and (3)	16
Omit “an Authority” wherever occurring. Insert instead “a TfNSW”.	17
[9] Clause 140, heading	18
Omit “Authority’s”. Insert instead “TfNSW’s”.	19
[10] Schedule 4 Authorised officers	20
Omit the definitions of <i>Class 2 officer</i> , <i>Class 4 officer</i> and <i>Class 16 officer</i> .	21
Insert in alphabetical order—	22
<i>Class 2 officer</i> means a person—	23
(a) employed in the Transport Service who is appointed as a class 2 enforcement officer, or	24
(b) who is subject to the control and direction of Transport for NSW as a class 2 enforcement officer.	25
<i>Class 4 officer</i> means a person—	26
(a) employed in the Transport Service who is appointed as a class 4 enforcement officer, or	27
(b) who is subject to the control and direction of Transport for NSW as a class 4 enforcement officer.	28
<i>Class 16 officer</i> means a person employed in the Transport Service who is appointed as a Traffic Commander or a Transport Commander.	29
	30
	31
	32
	33
	34
	35
4.88 Road Transport (Vehicle Registration) Regulation 2017	36
[1] Whole Regulation (except where otherwise amended by this Subschedule)	37
Omit “the Authority” and “The Authority” wherever occurring (including in any notes).	38

Insert instead “Transport for NSW”.	1
[2] Clauses 23, 24, 38, 45, 70, 74 and 86, Part 8, Division 4 and Schedule 2, clause 11E, headings	2
Omit “ Authority ” wherever occurring. Insert instead “TfNSW”.	3
[3] Clauses 41, 123N, 123O, 123P and 123Q, headings	4
Omit “ the Authority ” wherever occurring. Insert instead “TfNSW”.	5
[4] Clause 45(1)(d), note	6
Omit “RMS”. Insert instead “TfNSW”.	7
[5] Clauses 64(2)(a) and 85(3)	8
Omit “the Authority” wherever occurring. Insert instead “TfNSW”.	9
[6] Clauses 64(2)(c), 105(1)(c)(ii), 119(1)(b), 121(1)(d), 123J(1)(c)(ii), 123Y(1)(b) and 123ZA(1)(c)	10
Omit “the Authority’s” wherever occurring. Insert instead “TfNSW’s”.	11
[7] Clause 66 Directed inspections	12
Omit “police officer” wherever occurring in clause 66(2) and (3).	13
Insert instead “the police officer”.	14
[8] Dictionary	15
Omit the definition of <i>Authority standard compliance specifications</i> .	16
Insert in alphabetical order—	17
<i>TfNSW standard compliance specifications</i> means any specifications that	18
Transport for NSW, by order published in the Gazette, has declared to be	19
specifications the compliance with which will be taken to be compliance with	20
the applicable vehicle standards for the purposes of clause 64 or 85.	21
4.89 Roads Act 1993 No 33	22
[1] Whole Act (except where otherwise amended by this Subschedule)	23
Omit “RMS” and “RMS’s” wherever occurring.	24
Insert instead “TfNSW” and “TfNSW’s”, respectively.	25
[2] Section 32B Definitions	26
Omit paragraph (g) of the definition of <i>notifiable authority</i> in section 32B(1).	27
[3] Dictionary	28
Omit the definitions of <i>RMS</i> , <i>RMS development land</i> and <i>RMS Fund</i> .	29
Insert in alphabetical order—	30
<i>TfNSW</i> means Transport for NSW constituted under the <i>Transport</i>	31
<i>Administration Act 1988</i> .	32
<i>TfNSW development land</i> means land that is declared by TfNSW to be land	33
to which section 161 applies.	34
<i>TfNSW Fund</i> means the TfNSW Fund established under the <i>Transport</i>	35
<i>Administration Act 1988</i> .	36

4.90 Roads Regulation 2018	1
[1] Whole Regulation (except Schedule 1 and where otherwise amended by this Subschedule)	2
Omit “RMS” wherever occurring. Insert instead “TfNSW”.	3
	4
[2] Clause 74 Authority to enter land	5
Omit “member of staff of RMS who holds the position of Executive Director” from clause 74(b).	6
	7
Insert instead “person employed in the Transport Service who is authorised for the purposes of that section by TfNSW”.	8
	9
[3] Clause 75 Evidentiary certificates	10
Omit “member of staff of RMS” from clause 75(c).	11
Insert instead “person employed in the Transport Service”.	12
[4] Schedule 1 Roads authorities	13
Omit “RMS is declared” wherever occurring. Insert instead “TfNSW is declared”.	14
4.91 Rural Fires Act 1997 No 65	15
Section 100A Definitions	16
Omit paragraph (c) of the definition of <i>managed land</i> in section 100A(1).	17
Insert instead—	18
(c) that is vested in, or under the control of, Transport for NSW, Sydney Metro, Transport Asset Holding Entity of New South Wales or Residual Transport Corporation of New South Wales, or	19
	20
	21
4.92 Standard Instrument (Local Environmental Plans) Order 2006	22
Standard Instrument, Clause 5.1 Relevant acquisition authority [compulsory]	23
Omit “Roads and Maritime Services” from clause 5.1(2).	24
Insert instead “Transport for NSW”.	25
4.93 State Environmental Planning Policy No 64—Advertising and Signage	26
[1] Clause 4 Definitions	27
Omit the definition of <i>RMS</i> from clause 4(1).	28
[2] Clauses 4(1) (paragraph (c) of definition of “transport corridor land”), 12, 16(1), 17(3)(c), 18(2)–(4) and 31	29
	30
Omit “RMS” wherever occurring. Insert instead “TfNSW”.	31
[3] Clause 15 Advertisements on rural or non-urban land	32
Omit “the Roads and Traffic Authority” from clause 15(2)(a)(ii).	33
Insert instead “TfNSW”.	34
[4] Clause 33 Exempt development	35
Omit “RMS,”.	36

4.94 State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017	1
	2
[1] Clause 13 Consultation with public authorities other than councils	3
Omit “Roads and Maritime Services” from clause 13(3).	4
Insert instead “Transport for NSW”.	5
[2] Clause 57 Traffic-generating development	6
Omit “Roads and Maritime Services (<i>RMS</i>)” from clause 57(2)(a).	7
Insert instead “Transport for NSW (<i>TfNSW</i>)”.	8
[3] Clause 57(3)(a) and (4)	9
Omit “RMS” wherever occurring. Insert instead “TfNSW”.	10
4.95 State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	11
	12
Clauses 2.114(d)(xiii)(A) and 5.22(c)(i)	13
Omit “Roads and Maritime Services” wherever occurring.	14
Insert instead “Transport for NSW”.	15
4.96 State Environmental Planning Policy (Gosford City Centre) 2018	16
Clause 5.1 Relevant acquisition authority	17
Omit “Roads and Maritime Services” from clause 5.1(2).	18
Insert instead “Transport for NSW”.	19
4.97 State Environmental Planning Policy (Infrastructure) 2007	20
[1] Clause 5 Interpretation—general	21
Insert in alphabetical order in clause 5(2)—	22
<i>Transport for NSW</i> or <i>TfNSW</i> means Transport for NSW constituted under the <i>Transport Administration Act 1988</i> .	23
	24
[2] Clauses 16(2)(e), 68(1)(a), 70, 71(1), 72(i)(ii) and 129C(1)	25
Omit “Roads and Maritime Services” wherever occurring.	26
Insert instead “Transport for NSW”.	27
[3] Clause 93 Definitions	28
Omit the definition of <i>RMS</i> .	29
[4] Clause 93, definition of “road infrastructure facilities”	30
Omit “RMS” wherever occurring. Insert instead “TfNSW”.	31
[5] Clause 100 Development on proposed classified road	32
Omit “the chief executive officer of RMS” wherever occurring in clause 100(1), (2)(a), (3) and (5).	33
	34
Insert instead “TfNSW”.	35

[6] Clauses 100(3)(b) and (c) and (4), 102(1), 103(2)(a) and (3) and 104(2A), (3) and (4)	1
Omit “RMS” wherever occurring. Insert instead “TfNSW”.	2
[7] Schedule 3, heading	3
Omit “Roads and Maritime Services”. Insert instead “Transport for NSW”.	4
4.98 State Environmental Planning Policy (Sydney Region Growth Centres) 2006	5
	6
[1] Appendix 4 Alex Avenue and Riverstone Precinct Plan 2010	7
Omit “Roads and Traffic Authority” from clause 5.1(2).	8
Insert instead “Transport for NSW”.	9
[2] Appendix 5 Marsden Park Industrial Precinct Plan	10
Omit “Roads and Traffic Authority” wherever occurring in clause 5.1(2).	11
Insert instead “Transport for NSW”.	12
[3] Appendix 6 Area 20 Precinct Plan	13
Omit “Roads and Traffic Authority” from clause 5.1(2).	14
Insert instead “Transport for NSW”.	15
[4] Appendix 7 Schofields Precinct Plan	16
Omit “Roads and Maritime Services” from clause 5.1(2).	17
Insert instead “Transport for NSW”.	18
[5] Appendix 8 Liverpool Growth Centres Precinct Plan	19
Omit “Roads and Maritime Services” wherever occurring in clause 5.1(2).	20
Insert instead “Transport for NSW”.	21
[6] Appendix 9 Camden Growth Centres Precinct Plan	22
Omit “Roads and Maritime Services” from clause 5.1(2).	23
Insert instead “Transport for NSW”.	24
[7] Appendix 10 Campbelltown Growth Centres Precinct Plan	25
Omit “Roads and Maritime NSW” from clause 5.1(2).	26
Insert instead “Transport for NSW”.	27
[8] Appendix 11 The Hills Growth Centre Precincts Plan	28
Omit “Roads and Maritime Services” from clause 5.1(2).	29
Insert instead “Transport for NSW”.	30
[9] Appendix 12 Blacktown Growth Centres Precinct Plan	31
Omit “Roads and Maritime Services” wherever occurring in clause 5.1(2).	32
Insert instead “Transport for NSW”.	33
[10] Appendix 13 Hawkesbury Growth Centres Precinct Plan	34
Omit “Roads and Maritime Services” from clause 5.1(2).	35

Insert instead “Transport for NSW”.	1
[11] Appendix 14 South East Wilton Precinct Plan	2
Omit “Roads and Maritime Services” from clause 5.1(2).	3
Insert instead “Transport for NSW”.	4
[12] Appendix 15 North Wilton Precinct Plan	5
Omit “Roads and Maritime Services” from clause 5.1(2).	6
Insert instead “Transport for NSW”.	7
4.99 State Environmental Planning Policy (Three Ports) 2013	8
Clause 4 Definitions	9
Omit “Roads and Maritime Services” from the definition of <i>Channel User Licence Agreement</i> in clause 4(1).	10
Insert instead “Transport for NSW”.	11
4.100 State Environmental Planning Policy (Western Sydney Employment Area) 2009	12
Clause 28 Relevant acquisition authority	13
Omit “Roads and Maritime Services” from clause 28(2).	14
Insert instead “Transport for NSW”.	15
4.101 Sydney Local Environmental Plan 2012	16
Schedule 2 Exempt development	17
Omit “RMS” from the note under the heading “Street art”.	18
Insert instead “Transport for NSW”.	19
4.102 Sydney Local Environmental Plan (Glebe Affordable Housing Project) 2011	20
[1] Clause 5.1 Relevant acquisition authority	21
Omit “Roads and Traffic Authority” from clause 5.1(2).	22
Insert instead “Transport for NSW”.	23
[2] Schedule 2 Exempt development	24
Omit “RMS” from the note under the heading “Street art”.	25
Insert instead “Transport for NSW”.	26
4.103 Sydney Local Environmental Plan (Green Square Town Centre) 2013	27
[1] Clause 5.1 Relevant acquisition authority	28
Omit “Roads and Maritime Services” from clause 5.1(2).	29
Insert instead “Transport for NSW”.	30

[2] Schedule 2 Exempt development	1
Omit “RMS” from the note under the heading “Street art”.	2
Insert instead “Transport for NSW”.	3
4.104 Sydney Local Environmental Plan (Green Square Town Centre—Stage 2) 2013	4
[1] Clause 5.1 Relevant acquisition authority	6
Omit “Roads and Maritime Services” from clause 5.1(2).	7
Insert instead “Transport for NSW”.	8
[2] Schedule 2 Exempt development	9
Omit “RMS” from the note under the heading “Street art”.	10
Insert instead “Transport for NSW”.	11
4.105 Sydney Local Environmental Plan (Harold Park) 2011	12
Schedule 2 Exempt development	13
Omit “RMS” from the note under the heading “Street art”.	14
Insert instead “Transport for NSW”.	15
4.106 Sydney Olympic Park Authority Act 2001 No 57	16
[1] Section 4 Definitions	17
Omit the definition of <i>RMS</i> from section 4(1). Insert in alphabetical order—	18
<i>TfNSW</i> means Transport for NSW constituted under the <i>Transport Administration Act 1988</i> .	19
[2] Sections 19(7), 41(5) and (6), 42 and 45 (including note)	21
Omit “RMS” wherever occurring. Insert instead “TfNSW”.	22
[3] Section 45	23
Omit “section 50”. Insert instead “section 3I”.	24
4.107 Sydney Regional Environmental Plan No 26—City West	25
[1] Clause 54A Temporary use of land for the purpose of a school at Wentworth Park	26
Omit “RMS” wherever occurring in clause 54A(4).	27
Insert instead “TfNSW”.	28
[2] Clause 54A(5)	29
Omit the definition of <i>RMS</i> . Insert in alphabetical order—	30
<i>TfNSW</i> means Transport for NSW constituted under the <i>Transport Administration Act 1988</i> .	31
	32

4.108Tattoo Parlours Act 2012 No 32	1
Section 36 Exchange of information	2
Omit “or Roads and Maritime Services” from paragraph (c) of the definition of <i>relevant agency</i> in section 36(4).	3 4
4.109Tattoo Parlours Regulation 2013	5
Clause 12 Additional information and requirements for applications for licences	6
Omit “Roads and Maritime Services” from the definition of <i>NSW driver licence</i> in clause 12(2).	7 8
Insert instead “Transport for NSW constituted under the <i>Transport Administration Act 1988</i> ”.	9 10
4.110Terrorism (High Risk Offenders) Regulation 2018	11
Clause 6 Prescribed circumstances	12
Omit item 18 of the table to clause 6(2).	13
4.111The Hills Local Environmental Plan 2019	14
Clause 5.1 Relevant acquisition authority	15
Omit “Roads and Maritime Services” where secondly occurring in clause 5.1(2).	16
Insert instead “Transport for NSW”.	17
4.112Tow Truck Industry Act 1998 No 111	18
[1] Section 57 Tow Truck number plates	19
Omit “Truck” from the section heading. Insert instead “truck”.	20
[2] Section 57(1)	21
Omit “Roads and Maritime Services”.	22
Insert instead “Transport for NSW”.	23
4.113Transport Administration Act 1988 No 109	24
Section 3A Metropolitan rail area	25
Omit “also lodged in the office of Transport NSW” from section 3A(1).	26
Insert instead “held by TfNSW”.	27
4.114Transport Administration (General) Regulation 2018	28
Clause 20 Further additional classes of persons to whom TfNSW may delegate functions	29 30
Omit “RMS” wherever occurring. Insert instead “TfNSW”.	31

4.115Valuation of Land Regulation 2018	1
Clause 4 Crown lease restricted land	2
Omit clause 4(e). Insert instead—	3
(e) Transport for NSW constituted under the <i>Transport Administration Act</i>	4
1988,	5
4.116Victims Rights and Support Act 2013 No 37	6
Section 75 Access to information about whereabouts of defendant	7
Omit “Roads and Maritime Services”. Insert instead “Transport for NSW”.	8
4.117Water Management (General) Regulation 2018	9
[1] Schedule 4 Exemptions	10
Omit “Maritime Authority” from the heading to clause 19.	11
Insert instead “Transport for NSW”.	12
[2] Schedule 4, clause 19(a)	13
Omit “Roads and Maritime Services”. Insert instead “Transport for NSW”.	14
4.118Waverley Local Environmental Plan 2012	15
Clause 5.1 Relevant acquisition authority	16
Omit “Roads and Maritime Services” where secondly and thirdly occurring in clause	17
5.1(2).	18
Insert instead “Transport for NSW”.	19
4.119Wollongong Local Environmental Plan 2009	20
Clause 5.1 Relevant acquisition authority	21
Omit “Roads and Maritime Services” where secondly and thirdly occurring in clause	22
5.1(2).	23
Insert instead “Transport for NSW”.	24
4.120Woollahra Local Environmental Plan 2014	25
Clause 5.1 Relevant acquisition authority	26
Omit “Roads and Maritime Services” where secondly and thirdly occurring in clause	27
5.1(2).	28
Insert instead “Transport for NSW”.	29
4.121Workers Compensation Regulation 2016	30
Schedule 6 Maximum costs—compensation matters	31
Omit “Roads and Maritime Services” from clause 17(a).	32
Insert instead “Transport for NSW”.	33

Schedule 5 Repeals

1

Repeal of redundant instruments

2

The following Acts and instrument, and provisions of an Act are repealed—

3

Act or instrument	Provisions repealed
<i>Statute Law (Miscellaneous Provisions) Act (No 2) 2018</i> No 68	Whole instrument
<i>Statute Law (Miscellaneous Provisions) Act (No 2) 2019</i> No 14	Whole instrument
<i>Wool, Hide and Skin Dealers Regulation 2015</i>	Whole instrument
<i>Fair Trading Legislation Amendment (Reform) Act 2018</i> No 65	Schedule 1.2

Schedule 6 General savings, transitional and other provisions

1 Effect of amendment of amending provisions

- (1) An amendment made by Schedule 1 to an amending provision contained in an Act or instrument is, if the amending provision has commenced before the Schedule 1 amendment concerned, taken to have effect as from the commencement of the amending provision, whether or not the amending provision has been repealed.

- (2) In this clause—

amending provision means a provision of an Act or instrument that makes a direct amendment to an Act or instrument by—

- (a) the repeal or omission of matter contained in the amended Act or instrument without the insertion of any matter instead of the repealed or omitted matter, or
- (b) the omission of matter contained in the amended Act or instrument and the insertion of matter instead of the omitted matter, or
- (c) the insertion into the amended Act or instrument of matter, not being matter inserted instead of matter omitted from the Act or instrument.

Explanatory note

This clause ensures that an amendment made by the proposed Act to a repealing or amending provision of an Act or instrument will (if the repealing or amending provision commences before the amendment made by the proposed Act) be taken to have commenced on the date the repealing or amending provision commences.

2 Effect of amendment or repeal on acts done or decisions made

Unless expressly provided to the contrary, if this Act—

- (a) amends a provision of an Act or an instrument, or
- (b) repeals and re-enacts (with or without modification) a provision of an Act or an instrument,

any act done or decision made under the provision amended or repealed has effect after the amendment or repeal as if it had been done or made under the provision as so amended or repealed.

Explanatory note

This clause ensures that the amendment or repeal of a provision will not, unless expressly provided, vitiate any act done or decision made under the provision as in force before the amendment or repeal.

3 Effect of amendment on instruments

Unless expressly provided to the contrary, any instrument made under an Act amended by this Act, that is in force immediately before the commencement of the amendment, is taken to have been made under the Act as amended.

Explanatory note

This clause ensures that, unless expressly provided, any instrument that is in force and made under a provision of an Act that is amended or substituted by the proposed Act will be taken to have been made under the Act as amended.

4 Revocation of repeal

Section 29A of the *Interpretation Act 1987* applies to the repeal of Acts or instruments, or provisions of Acts or instruments, by this Act.

Explanatory note

The effect of this clause is to enable the Governor, by proclamation, to revoke the repeal of any Act or instrument, or any provision of any Act or instrument, by the proposed Act. The Act or instrument, or provision, the subject of the revocation of repeal is taken not to be, and never to have been, repealed.

5 Regulations	1
(1) The Governor may make regulations containing provisions of a savings or transitional nature consequent on the enactment of this Act.	2 3
(2) Any such provision may, if the regulations so provide, take effect from the date of assent to this Act or a later date.	4 5
(3) To the extent to which any such provision takes effect from a date that is earlier than the date of its publication on the NSW legislation website, the provision does not operate so as—	6 7 8
(a) to affect, in a manner prejudicial to any person (other than the State or an authority of the State), the rights of that person existing before the date of its publication, or	9 10 11
(b) to impose liabilities on any person (other than the State or an authority of the State) in respect of anything done or omitted to be done before the date of its publication.	12 13 14
Explanatory note	15
This clause enables the making of regulations of a savings or transitional nature relating to incidental matters arising out of the proposed Act.	16 17