

Business Licences Repeal and Miscellaneous Amendments Bill 2001

Explanatory note

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

Overview of Bill

The objects of this Bill are:

- (a) to repeal the *Business Licences Act 1990*, and
- (b) to amend certain other Acts and regulations and make other provisions as a consequence of the repeal of that Act, and
- (c) to make 2 additional amendments to the *Motor Vehicle Repairs Act 1980*.

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 on a day or days to be appointed by proclamation.

Clause 3 repeals the *Business Licences Act 1990*.

Clause 4 is a formal provision that gives effect to the amendments set out in Schedule 1.

Amendments related to repeal of Business Licences Act 1990

Schedule 1 amends certain Acts and regulations as a consequence of the repeal of the *Business Licences Act 1990*. In particular, Schedule 1:

- (a) amends the *Dangerous Goods Act 1975* and the *Motor Vehicle Repairs Act 1980* so as to restore certain provisions with respect to their licensing schemes that were in force before the amendment of those Acts by the *Business Licences Act 1990*, and
- (b) repeals uncommenced provisions of the *Statute Law (Miscellaneous Provisions) Act (No 2) 1991* that amend the *Business Licences Act 1990*.

Additional amendments

The amendments to the *Motor Vehicle Repairs Act 1980* also include 2 amendments that are not related to the repeal of the *Business Licences Act 1990*.

Schedule 1.3 [14] repeals and re-enacts a provision concerning the surrender of licences and certificates under the *Motor Vehicle Repairs Act 1980*. The provision as proposed to be re-enacted includes a new subsection preventing the surrender of such a licence or certificate by a licence-holder or certificate-holder who is the subject of disciplinary proceedings under that Act until after the Motor Vehicle Repair Industry Council has made a determination in respect of those proceedings. The proposed provision is similar to section 20D (2A) of the *Motor Dealers Act 1974*.

Schedule 1.3 [21] repeals an outdated provision.