

Explanatory note

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

Overview of Bill

The objects of this Bill are:

- (a) to make minor amendments to various Acts (Schedule 1), and
- (b) to amend certain other Acts and instruments for the purpose of effecting statute law revision (Schedules 2–4), and
- (c) to repeal certain Acts and provisions of Acts (Schedule 5), and
- (d) to 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.

Clauses 3 and 5 are machinery provisions that give effect to the Schedules to the proposed Act containing amendments and savings, transitional and other provisions.

Clause 4 gives effect to the Schedule of repeals.

Clause 6 makes it clear that the explanatory notes contained in the Schedules do not form part of the proposed Act.

Clause 7 provides for the repeal of the proposed Act after all the amendments made by the proposed Act have commenced. Once the amendments have commenced, the proposed Act will be spent and section 30 of the *Interpretation Act 1987* provides that the repeal of an amending Act does not affect the amendments made by that Act.

Schedule 1 Minor amendments

Schedule 1 makes amendments to the following Acts and instruments:

Aboriginal Land Rights Act 1983 No 42

Aboriginal Land Rights Amendment Act 2006 No 111

Agricultural Livestock (Disease Control Funding) Act 1998 No 139

Commission for Children and Young People Act 1998 No 146

Community Land Development Act 1989 No 201

Community Land Management Act 1989 No 202

Companion Animals Act 1998 No 87

Constitution Act 1902 No 32

Contaminated Land Management Act 1997 No 140

Conveyancers Licensing Act 2003 No 3

Conveyancing Act 1919 No 6

Crimes at Sea Act 1998 No 173

Criminal Procedure Act 1986 No 209

Crown Lands Act 1989 No 6

Crown Lands (Continued Tenures) Act 1989 No 7

Fines Act 1996 No 99

Fisheries Management Act 1994 No 38

Freedom of Information Act 1989 No 5

Growth Centres (Development Corporations) Act 1974 No 49

Health Care Complaints Act 1993 No 105

Home Building Act 1989 No 147

Independent Commission Against Corruption Act 1988 No 35

Interpretation Act 1987 No 15

Legislation Review Act 1987 No 165

Local Government Act 1993 No 30

Marine Parks Act 1997 No 64

Mining Act 1992 No 29

Motor Dealers Act 1974 No 52

National Parks and Wildlife Act 1974 No 80

Occupational Health and Safety Act 2000 No 40

Occupational Health and Safety Regulation 2001

Offshore Minerals Act 1999 No 42
Ombudsman Act 1974 No 68
Parliamentary Contributory Superannuation Act 1971 No 53
Parliamentary Evidence Act 1901 No 43
Parliamentary Remuneration Act 1989 No 160
Pesticides Act 1999 No 80
Petroleum (Onshore) Act 1991 No 84
Petroleum (Submerged Lands) Act 1982 No 23
Petroleum (Submerged Lands) Regulation 2006
Pipelines Act 1967 No 90
Police Act 1990 No 47
Prevention of Cruelty to Animals Act 1979 No 200
Property, Stock and Business Agents Act 2002 No 66
Public Finance and Audit Act 1983 No 152
Public Works Act 1912 No 45
Road Transport (Safety and Traffic Management) Act 1999 No 20
Strata Schemes (Freehold Development) Act 1973 No 68
Strata Schemes (Leasehold Development) Act 1986 No 219
Subordinate Legislation Act 1989 No 146
Threatened Species Conservation Act 1995 No 101
Travel Agents Act 1986 No 5
Valuation of Land Act 1916 No 2
Valuers Act 2003 No 4
Workers Compensation Act 1987 No 70

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

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

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

Schedule 3 Amendments consequential on the enactment of the Legal Profession Act 2004 No 112

Schedule 3 amends certain Acts for the purpose of effecting statute law revision, consequent on the enactment of the *Legal Profession Act 2004*.

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

Schedule 4 Amendments consequential on the enactment of the Police Amendment (Miscellaneous) Act 2006 No 94

Schedule 4 amends certain Acts and instruments for the purpose of effecting statute law revision, consequent on the enactment of the *Police Amendment (Miscellaneous) Act 2006* which renamed NSW Police as the NSW Police Force.

The nature of the amendments contained in Schedule 4 is explained in detail in the explanatory note at the beginning of the Schedule.

Schedule 5 Repeals

Schedule 5 repeals a number of Acts and provisions of Acts.

The Schedule repeals amending Acts that contain no substantive provisions that need to be retained. It also repeals certain provisions that merely effect amendments to other legislation. The Acts or instruments that were amended by the Acts or provisions being repealed are available electronically at www.legislation.nsw.gov.au.

The Schedule also repeals Acts that are no longer of practical utility.

Schedule 6 General savings, transitional and other provisions

Schedule 6 contains savings, transitional and other provisions of a more general effect than those set out in Schedule 1.

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