



New South Wales

Licensing and Registration (Uniform Procedures) Bill 2002

Explanatory note

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

Overview of Bill

The object of this Bill is to establish uniform procedures with respect to the administration of certain licensing and registration schemes. It achieves this object:

- (a) by enacting common licensing procedures (proposed Part 2) that are adopted (pursuant to amendments effected by Part 1 of Schedule 4) in relation to certain licensing schemes (listed in Schedule 1), and
- (b) by enacting common registration procedures (proposed Part 3) that are adopted (pursuant to amendments effected by Part 2 of Schedule 4) in relation to certain general registration schemes (listed in Schedule 2), and
- (c) by enacting common registration procedures (proposed Part 4) that are adopted (pursuant to amendments effected by Part 3 of Schedule 4) in relation to certain registration schemes affecting health professionals (listed in Schedule 3).

The Bill also makes consequential amendments to other Acts and statutory rules (Part 4 of Schedule 4) and contains a Schedule of savings, transitional and other provisions (Schedule 5).

Outline of provisions

Part 1 Preliminary

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. The clause enables a provision of Schedule 1, 2 or 3 to be commenced differently for different Acts and statutory rules and different provisions of different Acts and statutory rules and enables a provision of Schedule 4 to be commenced differently so as to commence the amendments effected by the provision on different days.

Part 2 Uniform licensing procedures

This Part establishes uniform procedures for licensing schemes. For the purposes of the proposed Part, a licence is taken to include a permit, approval, certificate, exemption or other such authority. The provisions of the proposed Part are supplemented, and occasionally modified as a consequence of the amendments made by Part 1 of Schedule 4, by the provisions of the legislation under which each individual licensing scheme is established.

Division 1 Preliminary

Clause 3 applies the proposed Part to licensing schemes arising under the legislative provisions referred to in Schedule 1. It also enables that Schedule to be amended by any statutory rule that establishes, amends or repeals a licensing scheme. That Schedule can, of course, be amended by any Act that establishes, amends or repeals a licensing scheme without the need for any express provision to that effect in the proposed Act. The clause further provides that the proposed Act is to give way to any licensing legislation in the event of any inconsistency between the proposed Act and that legislation, and further provides that the proposed Act does not limit or otherwise affect mutual recognition legislation.

Clause 4 defines certain words and expressions for the purposes of the proposed Part.

Clause 5 provides for the proposed Part to bind the Crown.

Division 2 Applications

Clause 6 enables an application for the granting of a licence to be made by any individual, partnership or corporation.

Clause 7 enables a licensee to apply for the amendment of the licence, but only if the relevant licensing legislation allows licences to be amended.

Clause 8 enables a licensee to apply for the transfer of the licence, but only if the relevant licensing legislation allows licences to be transferred.

Clause 9 enables a licensee to apply for the renewal of the licence at any time while the licence is in force.

Clause 10 enables a licensee to apply for the restoration of the licence at any time after the licence has expired.

Clause 11 enables a licensee to apply for the replacement of the licence if the licence is lost, damaged or destroyed.

Clause 12 sets out the procedure for making an application, and expressly authorises applications to be made either in writing or by means of electronic communication.

Clause 13 provides for the payment of fees in connection with an application, and reduces any fee payable for processing the application where the application is made by means of electronic communication.

Division 3 Determination of applications

Clause 14 allows the relevant licensing authority to require an applicant to provide further information in relation to, or evidence in support of, an application, and allows it to refuse to deal with the application if the required information or evidence is not provided.

Clause 15 sets out the procedure to be followed for advertising applications where the relevant licensing legislation requires them to be advertised.

Clause 16 enables an applicant to withdraw an application.

Clause 17 provides that an application that has not been determined within 28 days after it was made is taken to have been refused for the purposes of any right of review. Certain periods are discounted from the calculation of the 28-day period, being periods during which the licensing authority is unable to deal with the application because of (for example) an unfulfilled request for further information from the applicant.

Clause 18 requires a licensing authority to determine an application by granting the application, either conditionally or unconditionally, or by refusing the application.

Clause 19 requires a licensing authority to notify the applicant of its decision on an application and, if the applicant (or, in the case of an advertised application to which there have been objections, any objector) so requests, to notify the applicant (or objector) of its reasons for the decision.

Clause 20 sets out the manner and form in which a licence must be issued.

Clause 21 states when a licence commences and the period for which it has effect. In particular, it extends the period of a licence for which an application for renewal has been made until the date the application is determined.

Clause 22 provides for the refund of certain fees if an application is refused.

Clause 23 provides the applicant (and, in the case of an advertised application, an objector) with a right of review by the Administrative Decisions Tribunal in respect of a licensing authority's decision on an application.

Division 4 Administration of licensing schemes

Clause 24 makes it a condition of a licence that the licensee must notify the relevant licensing authority of certain matters as they occur and, in the case of a continuing licence (that is, a licence that has no fixed term), must periodically notify the licensing authority that specified particulars with respect to the licensee remain unchanged.

Clause 25 makes it a condition of a continuing licence that the licensee must periodically pay a licence administration fee to the relevant licensing authority.

Clause 26 enables a licensing authority to issue evidentiary certificates as to certain matters, such certificates being admissible in legal proceedings as to the matters to which they certify.

Clause 27 provides for the manner in which a licensing authority may serve notices on a person for the purposes of the proposed Act and, in particular, specifies when such a notice may be served by means of electronic communication.

Clause 28 enables applications to be sent by facsimile, and gives the facsimile signature on such an application the same effect as an original signature.

Clause 29 enables a licensing authority to recover any unpaid fees as a debt in any court of competent jurisdiction.

Clause 30 allows a licensing authority's functions under the proposed Part to be exercised on its behalf by its principal officer or by any other person whom it may authorise.

Clause 31 applies sections 13 and 14 of the *Electronic Transactions Act 2000* to electronic communications made for the purposes of the proposed Part.

Part 3 Uniform registration procedures

This Part establishes uniform procedures for registration schemes (other than registration schemes with respect to health professionals, which are dealt with by proposed Part 4). For the purposes of the proposed Part, registration is taken to include enrolment, accreditation or other such authority. The provisions of the proposed Part are supplemented, and occasionally modified as a consequence of the amendments made by Part 2 of Schedule 4, by the provisions of the legislation under which each individual registration scheme is established.

Division 1 Preliminary

Clause 32 applies the proposed Part to registration schemes arising under the legislative provisions referred to in Schedule 2. It also enables that Schedule to be amended by any statutory rule that establishes, amends or repeals a registration scheme. That Schedule can, of course, be amended by any Act that establishes, amends or repeals a registration scheme without the need for any express provision to that effect in the proposed Act. The clause further provides that the proposed Act is to give way to any registration legislation in the event of any inconsistency between the proposed Act and that legislation, and further provides that the proposed Act does not limit or otherwise affect mutual recognition legislation.

Clause 33 defines certain words and expressions for the purposes of the proposed Part.

Clause 34 provides for the proposed Part to bind the Crown.

Division 2 Applications

Clause 35 enables an application for the granting of registration to be made by any individual, partnership or corporation.

Clause 36 enables a registered person to apply for the amendment of registration, but only if the relevant registration legislation allows registration to be amended.

Clause 37 enables a registered person to apply for the transfer of registration, but only if the relevant registration legislation allows registration to be transferred.

Clause 38 enables a registered person to apply for the renewal of registration at any time while registration is in force.

Clause 39 enables a registered person to apply for the restoration of registration at any time after registration has expired.

Clause 40 enables a registered person to apply for the replacement of a certificate of registration if the certificate is lost, damaged or destroyed.

Clause 41 sets out the procedure for making an application, and expressly authorises applications to be made either in writing or by means of electronic communication.

Clause 42 provides for the payment of fees in connection with an application, and reduces any fee payable for processing the application where the application is made by means of electronic communication.

Division 3 Determination of applications

Clause 43 allows the relevant registration authority to require an applicant to provide further information in relation to, or evidence in support of, an application, and allows it to refuse to deal with the application if the required information or evidence is not provided.

Clause 44 sets out the procedure to be followed for advertising applications where the relevant registration legislation requires them to be advertised.

Clause 45 enables an applicant to withdraw an application.

Clause 46 provides that an application that has not been determined within 28 days after it was made is taken to have been refused for the purposes of any right of review. Certain periods are discounted from the calculation of the 28-day period,

being periods during which the registration authority is unable to deal with the application because of (for example) an unfulfilled request for further information from the applicant.

Clause 47 requires a registration authority to determine an application by granting the application, either conditionally or unconditionally, or by refusing the application.

Clause 48 requires a registration authority to notify the applicant of its decision on an application and, if the applicant (or, in the case of an advertised application to which there have been objections, any objector) so requests, to notify the applicant (or objector) of its reasons for the decision.

Clause 49 sets out the manner and form in which registration must be effected and a certificate of registration issued.

Clause 50 states when registration commences and the period for which it has effect. In particular, it extends the period of registration for which an application for renewal has been made until the date the application is determined.

Clause 51 provides for the refund of certain fees if an application is refused.

Clause 52 provides the applicant (and, in the case of an advertised application, an objector) with a right of review by the Administrative Decisions Tribunal in respect of a registration authority's decision on an application.

Division 4 Administration of registration schemes

Clause 53 makes it a condition of registration that a registered person must notify the relevant registration authority of certain matters as they occur and, in the case of continuing registration (that is, registration that has no fixed term), must periodically notify the registration authority that specified particulars with respect to the registered person remain unchanged.

Clause 54 makes it a condition of continuing registration that the registered person must periodically pay a registration administration fee to the relevant registration authority.

Clause 55 enables a registration authority to issue evidentiary certificates as to certain matters, such certificates being admissible in legal proceedings as to the matters to which they certify.

Clause 56 provides for the manner in which a registration authority may serve notices on a person for the purposes of the proposed Act and, in particular, specifies when such a notice may be served by means of electronic communication.

Clause 57 enables applications to be sent by facsimile, and gives the facsimile signature on such an application the same effect as an original signature.

Clause 58 enables a registration authority to recover any unpaid fees as a debt in any court of competent jurisdiction.

Clause 59 allows a registration authority's functions under the proposed Part to be exercised on its behalf by its principal officer or by any other person whom it may authorise.

Clause 60 applies sections 13 and 14 of the *Electronic Transactions Act 2000* to electronic communications made for the purposes of the proposed Part.

Part 4 Uniform registration procedures for health professionals

This Part establishes uniform procedures for registration schemes with respect to health professionals. The provisions of the proposed Part are supplemented, and occasionally modified as a consequence of the amendments made by Part 3 of Schedule 4, by the provisions of the legislation under which each individual registration scheme is established. What distinguishes the proposed Part from Part 3 is that it contains only those provisions that are relevant to the various health professional registration schemes. These schemes are all virtually identical.

Division 1 Preliminary

Clause 61 applies the proposed Part to registration schemes arising under the legislative provisions referred to in Schedule 2. It also enables that Schedule to be amended by any statutory rule that establishes, amends or repeals a registration scheme. That Schedule can, of course, be amended by any Act that establishes, amends or repeals a registration scheme without the need for any express provision to that effect in the proposed Act. The clause further provides that the proposed Act is to give way to any registration legislation in the event of any inconsistency between the proposed Act and that legislation, and further provides that the proposed Act does not limit or otherwise affect mutual recognition legislation.

Clause 62 defines certain words and expressions for the purposes of the proposed Part.

Clause 63 provides for the proposed Part to bind the Crown.

Division 2 Applications

Clause 64 enables an application for the granting of registration to be made by any individual.

Clause 65 enables a registered person to apply for the amendment of registration.

Clause 66 enables a registered person to apply for the restoration of registration at any time after registration has expired.

Clause 67 enables a registered person to apply for the replacement of a certificate of registration if the certificate is lost, damaged or destroyed.

Clause 68 sets out the procedure for making an application, and expressly authorises applications to be made either in writing or by means of electronic communication.

Clause 69 provides for the payment of fees in connection with an application.

Division 3 Determination of applications

Clause 70 allows the relevant registration authority to require an applicant to provide further information in relation to, or evidence in support of, an application, and allows it to refuse to deal with the application if the required information or evidence is not provided.

Clause 71 enables an applicant to withdraw an application.

Clause 72 provides that an application that has not been determined within 3 months after it was made is taken to have been refused for the purposes of any right of review. Certain periods are discounted from the calculation of the 3-month period, being periods during which the registration authority is unable to deal with the application because of (for example) an unfulfilled request for further information from the applicant.

Clause 73 requires a registration authority to determine an application by granting the application, either conditionally or unconditionally, or by refusing the application.

Clause 74 requires a registration authority to notify the applicant of its decision on an application and, if the applicant so requests, to notify the applicant of its reasons for the decision.

Clause 75 sets out the manner and form in which registration must be effected and a certificate of registration issued.

Clause 76 states when registration commences.

Clause 77 provides for the refund of certain fees if an application is refused.

Division 4 Administration of registration schemes

Clause 78 provides for the manner in which a registration authority may serve notices on a person for the purposes of the proposed Act and, in particular, specifies when such a notice may be served by means of electronic communication.

Clause 79 enables applications to be sent by facsimile, and gives the facsimile signature on such an application the same effect as an original signature.

Clause 80 applies sections 13 and 14 of the *Electronic Transactions Act 2000* to electronic communications made for the purposes of the proposed Part.

Part 5 Miscellaneous

Clause 81 is a formal provision giving effect to a Schedule of amendments to other Acts and statutory rules.

Clause 82 is a formal provision giving effect to a Schedule of savings, transitional and other provisions.

Clause 83 requires the Minister administering the proposed Act to review the Act after 5 years and to table in Parliament a report on the outcome of the review.

Schedule 1 Licences to which Part 2 of Act applies

This Schedule contains a list of statutory provisions that provide for the granting of certain licences. By virtue of proposed section 3, and corresponding provisions being inserted into the relevant Act or statutory rule by the amendments in proposed Part 1 of Schedule 4, the granting of such a licence will be subject to the provisions of Part 2 of the proposed Act. The statutory provisions belong to the following Acts and statutory rules:

Charitable Fundraising Act 1991

Conveyancers Licensing Act 1995

Dangerous Goods Act 1975

Dangerous Goods (General) Regulation 1999

Employment Agents Act 1996

Home Building Act 1989

Lotteries and Art Unions Act 1901

Motor Dealers Act 1974

National Parks and Wildlife Act 1974

Occupational Health and Safety Regulation 2001

Pawnbrokers and Second-hand Dealers Act 1996

Property, Stock and Business Agents Act 1941

Trade Measurement Act 1989

Travel Agents Act 1986

Schedule 2 Registration to which Part 3 of Act applies

This Schedule contains a list of statutory provisions that provide for the granting of certain registration (other than registration with respect to health professionals). By virtue of proposed section 3, and corresponding provisions being inserted into the relevant Act or statutory rule by the amendments in proposed Part 2 of Schedule 4, the granting of such registration will be subject to the provisions of Part 3 of the proposed Act. The statutory provisions belong to the following Acts and statutory rules:

Occupational Health and Safety Regulation 2001

Property, Stock and Business Agents Act 1941

Valuers Registration Act 1975

Schedule 3 Registration to which Part 4 of Act applies

This Schedule contains a list of statutory provisions that provide for the granting of certain registration with respect to health professionals. By virtue of proposed section 3, and corresponding provisions being inserted into the relevant Act or

statutory rule by the amendments in proposed Part 3 of Schedule 4, the granting of such registration will be subject to the provisions of Part 4 of the proposed Act. The statutory provisions belong to the following Acts:

Chiropractors Act 2001

Dental Technicians Registration Act 1975

Optical Dispensers Act 1963

Optometrists Act 1930

Osteopaths Act 2001

Physiotherapists Act 2001

Podiatrists Act 1989

Psychologists Act 2001

Schedule 4 Amendment of other Acts and statutory rules

Parts 1, 2 and 3 of this Schedule contains amendments to each of the Acts and statutory rules listed in Schedules 1, 2 and 3. These amendments insert provisions that apply the provisions of proposed Part 2, 3 or 4, with appropriate modifications, and amend or repeal other provisions as a consequence of their application.

Part 4 of this Schedule contains a number of other amendments:

- (a) amendments to the *Business Names Act 1962* to facilitate the electronic lodgment of applications, statements and notices, and to ensure that certain private information is not improperly disclosed,
- (b) an amendment to the *Crimes Act 1900* to create an offence of wilfully or recklessly providing false or misleading information, or of withholding information, in response to the requirements of an Act or statutory rule or in connection with an application under an Act or statutory rule (an offence punishable by imprisonment for 2 years, or a fine of 200 penalty units, or both),
- (c) an amendment to the *Dental Technicians Registration Act 1975* to omit a provision with respect to the giving of false or misleading information,
- (d) an amendment to the *Home Building Act 1989* to update certain references to electrical wiring work and gasfitting work,

- (e) an amendment to the *Motor Dealers Act 1974* to omit a provision with respect to the giving of false or misleading information,
- (f) an amendment to the *Optical Dispensers Act 1963* to omit a provision with respect to the giving of false or misleading information,
- (g) an amendment to the *Travel Agents Act 1986* to omit a provision with respect to the giving of false or misleading information.

Schedule 5 Savings, transitional and other provisions

This Schedule contains a number of savings, transitional and other provisions consequent on the enactment of the proposed Act, and enables the regulations under any Act amended by proposed Schedule 4 to make further regulations of a savings or transitional nature. In particular, the provisions of this Schedule facilitate the lodgment of electronic applications for licences and registration by providing that, pending the commencement of the amendments made by Schedule 4, certain statutory requirements for signatures, statutory declarations and accompanying documentation are not to have effect.



New South Wales

Licensing and Registration (Uniform Procedures) Bill 2002

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New South Wales

Licensing and Registration (Uniform Procedures) Bill 2002

No. , 2002

A Bill for

An Act to establish uniform procedures with respect to the administration of licensing and registration schemes; and consequentially to amend various Acts and regulations.

Clause 1 Licensing and Registration (Uniform Procedures) Bill 2002

Part 1 Preliminary

The Legislature of New South Wales enacts: 1

Part 1 Preliminary 2

1 Name of Act 3

This Act is the *Licensing and Registration (Uniform Procedures) Act 2002*. 4
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2 Commencement 6

(1) This Act commences on a day or days to be appointed by proclamation. 7
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(2) Different days may be appointed for the commencement of Schedules 1, 2 and 3 with respect to matter relating to different Acts or statutory rules or different provisions of the same Act or statutory rule. 9
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(3) Different days may be appointed for the commencement of a single provision of Schedule 4 for the purpose of commencing the amendments effected by the provision on different days. 13
14
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Part 2 Uniform licensing procedures	1
Division 1 Preliminary	2
3 Application of Part	3
(1) This Part applies to licences arising under a legislative provision referred to in Schedule 1, subject to any modifications or limitations prescribed by or under the relevant licensing legislation.	4 5 6
(2) A statutory rule that establishes, amends or repeals a licensing scheme may amend Schedule 1 so as to include, amend or omit any matter arising from the establishment, amendment or repeal of the scheme.	7 8 9
(3) In the event of an inconsistency between this Part (as applied to a licence arising under a legislative provision referred to in Schedule 1) and the relevant licensing legislation, the relevant licensing legislation prevails to the extent of the inconsistency.	10 11 12 13
(4) This Part does not limit or otherwise affect the operation of:	14
(a) the <i>Mutual Recognition Act 1992</i> of the Commonwealth, or	15
(b) the <i>Trans-Tasman Mutual Recognition Act 1997</i> of the Commonwealth.	16 17
4 Definitions	18
In this Part:	19
<i>advertised application</i> means an application referred to in section 15 (1).	20 21
<i>application</i> means any application referred to in Division 2.	22
<i>continuing licence</i> means a licence that is not a fixed-term licence.	23
<i>discretionary condition</i> , in relation to a licence, means a condition that the relevant licensing legislation authorises to be imposed on the licence, but does not include a condition:	24 25 26
(a) that the relevant licensing legislation or this Part imposes, or requires to be imposed, on the licence, or	27 28
(b) that the relevant licensing legislation authorises to be imposed on the licence in consequence of any disciplinary proceedings against the licensee.	29 30 31

Clause 4	Licensing and Registration (Uniform Procedures) Bill 2002
Part 2	Uniform licensing procedures
Division 1	Preliminary

<i>electronic communication</i> has the same meaning as it has in the <i>Electronic Transactions Act 2000</i> , but does not include communication by means of facsimile transmission.	1 2 3
<i>fixed-term licence</i> means a licence that, under the relevant licensing legislation, has effect for a fixed period or until a fixed date.	4 5
<i>information technology requirements</i> includes software requirements.	6 7
<i>licence</i> includes any permit, approval, certificate, exemption or other such authority, other than a certificate issued in connection with registration under Part 3.	8 9 10
<i>licensing authority</i> means the person or body that, under the relevant licensing legislation, is authorised to grant a licence.	11 12
<i>licensing legislation</i> means the Act or statutory rule under which a licence is granted.	13 14
<i>objector</i> , in relation to an advertised application, means a person who has made submissions with respect to the application under section 15.	15 16
<i>principal officer</i> , in relation to a licensing authority, means the person prescribed by or under the relevant licensing legislation as the principal officer of that authority for the purposes of this Part or, if no such person is prescribed:	17 18 19 20
(a) if the authority is a statutory body:	21
(i) in the case of a body corporate that has no members, the person who manages the authority's affairs, or	22 23
(ii) in the case of a body constituted by one person, that person, or	24 25
(iii) in the case of a body constituted by more than one person, the person entitled to preside at meetings of those persons, or	26 27 28
(b) if the authority is the council of a local government area, the general manager of the council, or	29 30
(c) if the authority is a public office, the holder of that office.	31
<i>processing fee</i> , in relation to an application, means any fee prescribed by or under the relevant licensing legislation as a fee to cover:	32 33
(a) the costs incurred by the relevant licensing authority in processing the application, and	34 35
(b) in the case of an advertised application, the costs incurred by the relevant licensing authority in advertising the application.	36 37

registered particulars means such particulars with respect to a licence as are required by or under the relevant licensing legislation to be registered or recorded by the relevant licensing authority. 1
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5 Part binds Crown 4

This Part binds the Crown in right of New South Wales and, in so far as the legislative power of Parliament permits, the Crown in all its other capacities. 5
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Division 2 Applications 8

6 Applications for granting of licences 9

- (1) An application for the granting of a licence may be made to the relevant licensing authority by any individual aged 18 years or more, by any partnership or other association whose members are all individuals aged 18 years or more or by any corporation. 10
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- (2) If the relevant licensing legislation provides for the issuing of different classes of licence, the application must specify the class of licence sought by the applicant. 14
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16
- (3) If in the case of a fixed-term licence the relevant licensing legislation provides for the issuing of licences for varying terms, the application must specify the term of licence sought by the applicant. 17
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7 Applications for amendment of licences 20

- (1) This section applies to any licence that, pursuant to the relevant licensing legislation, may be amended. 21
22
- (2) An application for the amendment of a licence may be made to the relevant licensing authority by the licensee at any time while the licence is in force. 23
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8 Applications for transfer of licences 26

- (1) This section applies to any licence that, pursuant to the relevant licensing legislation, may be transferred. 27
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- (2) An application for the transfer of a licence may be made to the relevant licensing authority by the licensee, together with the proposed transferee, at any time while the licence is in force. 29
30
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(3) The proposed transferee may be any individual aged 18 years or more, any partnership or other association whose members are all individuals aged 18 years or more or any corporation.	1 2 3
9 Applications for renewal of licences	4
(1) An application for the renewal of a fixed-term licence may be made to the relevant licensing authority by the licensee:	5 6
(a) in the case of a licence having a term of less than 3 months, at any time within 2 weeks before the licence expires, or	7 8
(b) in the case of a licence having a term of 3 months or more up to 12 months, at any time within 4 weeks before the licence expires, or	9 10 11
(c) in the case of a licence having a term of more than 12 months, at any time within 8 weeks before the licence expires.	12 13
(2) If the relevant licensing legislation provides for the issuing of licences for varying terms, the application must specify the term of licence sought by the applicant.	14 15 16
10 Applications for restoration of licences	17
(1) An application for the restoration of a licence may be made to the relevant licensing authority by the licensee at any time after the licence expires or is cancelled.	18 19 20
(2) If in the case of a fixed-term licence the relevant licensing legislation provides for the issuing of licences for varying terms, the application must specify the term of licence sought by the applicant.	21 22 23
11 Applications for replacement of licences	24
An application for the replacement of a licence may be made to the relevant licensing authority by the licensee if the licence is lost, damaged or destroyed.	25 26 27
12 Procedure for making applications	28
(1) An application may be made in writing or by means of electronic communication.	29 30
(2) An application with respect to a partnership or other association may be made on its behalf by any duly authorised member or employee.	31 32

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- | | |
|---|----------------|
| (3) An application with respect to a corporation may be made on its behalf by any director or by any duly authorised employee. | 1
2 |
| (4) If made in writing, an application: | 3 |
| (a) must contain such information as is required by the relevant application form or as is otherwise required by or under the relevant licensing legislation, and | 4
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| (b) must be signed: | 7 |
| (i) by the applicant, and | 8 |
| (ii) in the case of an application for the transfer of a licence, by the proposed transferee, and | 9
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| (c) must be lodged with, or sent to, the relevant licensing authority. | 11 |
| (5) If made by means of electronic communication, an application: | 12 |
| (a) must contain such information as is required by the relevant application form or as is otherwise required by or under the relevant licensing legislation, and | 13
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| (b) must be authenticated, as required by the relevant licensing authority: | 16
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| (i) by the applicant, and | 18 |
| (ii) in the case of an application for the transfer of a licence, by the proposed transferee, and | 19
20 |
| (c) must be lodged with the relevant licensing authority in accordance with that authority's information technology requirements for the receipt of electronic communications. | 21
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23 |
| (6) A single application may be made to the same licensing authority in relation to more than one licence. | 24
25 |
| 13 Application fees | 26 |
| (1) An applicant must make provision, as required by the relevant licensing authority, for paying any fees payable under the relevant licensing legislation in connection with the application. | 27
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| (2) In the case of an application made by means of electronic communication, any processing fee that is otherwise payable in respect of the application: | 30
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| (a) is to be reduced by \$5, or | 33 |

Clause 13 Licensing and Registration (Uniform Procedures) Bill 2002

Part 2 Uniform licensing procedures

Division 2 Applications

- (b) is to be reduced by 10 per cent, and rounded to the nearest whole dollar, 1
2
whichever results in the greater reduction. 3

Division 3 Determination of applications 4

14 Provision of further information and supporting evidence 5

- (1) The relevant licensing authority may serve notice on an applicant requiring the applicant to provide: 6
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(a) such information further to the original information contained in the application, and 8
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(b) such documentary or other evidence (such as a photograph of the applicant) in support of the original or further information, 10
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as the authority may require to enable it to deal with the application. 12
(2) In particular, the relevant licensing authority may require an applicant to provide: 13
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(a) details of any offence for which the applicant has been convicted or found guilty in this State or elsewhere (together with details of any penalty imposed for the offence), and 15
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(b) details of any criminal proceedings pending against the applicant in this State or elsewhere. 18
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(3) If the applicant fails to comply with the requirements of a notice referred to in subsection (1) within 14 days after the notice is served, the relevant licensing authority may refuse the application without dealing with it any further. 20
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(4) The refusal of an application under this section entitles the applicant to a refund of fees under section 22 but not to a right of review under section 23. 24
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15 Advertising of applications 27

- (1) This section applies to any application that, pursuant to the relevant licensing legislation, is required to be advertised. 28
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(2) Notice of such an application must be published in at least one daily newspaper circulating throughout New South Wales: 30
31
(a) by the applicant, or 32

(b)	by the relevant licensing authority,	1
	as the relevant licensing legislation requires.	2
(3)	The notice must indicate:	3
(a)	that any person may make submissions to the relevant licensing authority with respect to the application, and	4
		5
(b)	the procedure by which, and the date before which, any such submission must be lodged.	6
		7
(4)	The date referred to in subsection (3) (b) may be any date occurring not earlier than 14 days, and not later than 28 days, after the date on which notice is first published under this section.	8
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		10
16	Withdrawal of applications	11
(1)	An applicant may withdraw an application at any time before a licence is issued under section 20.	12
		13
(2)	The withdrawal of an application under this section entitles the applicant to a refund of fees under section 22.	14
		15
17	Period within which applications to be dealt with	16
(1)	For the purpose of enabling an applicant to exercise any rights of appeal or review, a licensing authority is taken to have made a decision to refuse the application if it has failed to determine the application within 28 days after the application is made.	17
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(2)	A licensing authority's failure to determine an application within the period referred to in subsection (1) does not prevent the authority from continuing to deal with the application after that period has expired.	21
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		23
(3)	In calculating a period referred to in subsection (1), the following periods are to be excluded:	24
		25
(a)	any period between:	26
(i)	the date on which a request for further information or supporting evidence is made under section 14, and	27
		28
(ii)	the date on which that further information or supporting evidence is furnished,	29
		30
(b)	any period between:	31
(i)	the date on which a notice is published under section 15 with respect to the application, and	32
		33

(ii)	the date fixed by the notice as the date by which any submission with respect to the application must be lodged,	1 2 3
(c)	in the case of an application that the relevant licensing authority is required to refer to some other person or body for consideration, whether under the relevant licensing legislation or otherwise, any period (not exceeding 14 days) between:	4 5 6 7
(i)	the date on which the authority refers the application to that other person or body, and	8 9
(ii)	the date on which the authority receives a response to that reference from that other person or body,	10 11
(d)	in the case of an application with respect to a person whom the relevant licensing authority has referred for assessment (whether or not to some other person or body) in connection with the determination of the application, any period between:	12 13 14 15
(i)	the date on which the authority refers the applicant for assessment, and	16 17
(ii)	the date on which the authority obtains or receives the results of the assessment.	18 19
18	Decision on applications	20
(1)	A licensing authority may make either of the following decisions with respect to an application:	21 22
(a)	a decision to grant the application, either unconditionally or subject to such conditions as are authorised or required by the relevant licensing legislation,	23 24 25
(b)	a decision to refuse the application.	26
(2)	Before making its decision with respect to an advertised application, the licensing authority must have regard to such submissions as have been made in accordance with section 15.	27 28 29
19	Notice of decision on applications	30
(1)	A licensing authority must cause notice of its decision under section 18 on an application to be served on the applicant and (in the case of an advertised application to which any objection has been made) on each objector within 14 days after the decision is made.	31 32 33 34

- (2) If the decision is that the application is to be granted but the relevant licensing legislation requires payment of any fee in connection with the licence before it is issued under section 20, the notice must indicate the amount of the fee to be paid. 1
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- (3) As soon as practicable after an applicant or (in the case of an advertised application to which any objection has been made) an objector so requests, the relevant licensing authority must cause notice of the reasons for its decision to be served on the applicant or objector. 5
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- (4) Subsection (3) does not apply to any decision in respect of which there is a right of review by the Administrative Decisions Tribunal under section 23. 9
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- 20 Issue of licence** 12
- (1) A licensing authority that grants an application must issue to the applicant an original or replacement licence, as the case requires. 13
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- (2) The licence is to be issued: 15
- (a) if the relevant licensing legislation requires payment of any fee in connection with the licence before it is issued, on payment of the fee, or 16
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- (b) in any other case, when notice of the licensing authority's decision is served on the applicant as referred to in section 19. 19
20
- (3) A licence: 21
- (a) must be in a form approved by the licensing authority, and 22
- (b) must include the following particulars: 23
- (i) a unique identifier, 24
- (ii) the name of the licensee, 25
- (iii) the kind of licence it is, whether by reference to the provision of the relevant licensing legislation or otherwise, 26
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28
- (iv) the authority conferred by the licence and (in the case of a licence that is subject to discretionary conditions) a statement to that effect, 29
30
31
- (v) the date on which the licence comes into force and (in the case of a fixed-term licence) the date on which the licence expires, and 32
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34
- (c) may include such other particulars as the licensing authority considers appropriate to include in the licence. 35
36

(4)	A licence may indicate the kind of licence it is, and the authority it confers, by reference to words, codes or symbols prescribed for that purpose by the relevant licensing legislation.	1 2 3
(5)	A single document may contain one or more licences together with one or more certificates of registration under Part 3.	4 5
21	Duration of licence	6
(1)	Subject to subsection (2), a licence comes into force:	7
(a)	on the date on which it is issued, or	8
(b)	on such other date (whether earlier or later) as is specified in the licence.	9 10
(2)	A renewed (but not a restored) licence comes into force on the date following the expiry date of the licence it renews.	11 12
(3)	A licence that comes into force before the date on which it is issued has effect in relation to the period before that date for the purposes only of this Act and the relevant licensing legislation.	13 14 15
(4)	Unless sooner cancelled, a fixed-term licence remains in force for such period as is specified in the licence.	16 17
(5)	If an application for renewal of a licence is made before the date on which the licence would otherwise expire, the licence remains in force, for the purposes only of this Act and the relevant licensing legislation, until the date on which the applicant is notified of the relevant licensing authority's decision on the application.	18 19 20 21 22
(6)	Subsection (5) does not affect any requirements (such as requirements as to insurance) that must be complied with by a licensee under the relevant licensing legislation.	23 24 25
(7)	Without limiting any other circumstances in which a licence may be cancelled, a licence is taken to be cancelled for the purposes of this section if the licensee surrenders the licence to the relevant licensing authority together with a notice to the effect that the licensee intends that the licence be cancelled.	26 27 28 29 30
(8)	Subject to subsection (7), nothing in this section authorises the suspension or cancellation of a licence.	31 32
22	Refund of certain fees	33
	All fees paid in connection with an application that is refused (other than any processing fee) are to be refunded to the applicant.	34 35

23	Review of decisions	1
(1)	An applicant who is aggrieved by the relevant licensing authority's decision to refuse the application, or to grant the application subject to discretionary conditions, may apply for a review of the decision:	2 3 4
(a)	to the extent to which the relevant licensing legislation provides the applicant with a right of appeal or review, in accordance with the right so provided, or	5 6 7
(b)	to the extent to which the relevant licensing legislation does not provide the applicant with such a right, to the Administrative Decisions Tribunal.	8 9 10
(2)	An objector who is aggrieved by the relevant licensing authority's decision to grant an advertised application, either generally or because the authority has failed to impose particular discretionary conditions, may apply for a review of the decision:	11 12 13 14
(a)	to the extent to which the relevant licensing legislation provides the objector with a right of appeal or review, in accordance with the right so provided, or	15 16 17
(b)	to the extent to which the relevant licensing legislation does not provide the objector with such a right, to the Administrative Decisions Tribunal.	18 19 20
(3)	For the purposes of section 67 (2) (e) of the <i>Administrative Decisions Tribunal Act 1997</i> , the parties to proceedings before the Administrative Decisions Tribunal on a review arising under subsection (1) (b) or (2) (b) include, in the case of an advertised application in respect of which any objection has been duly made under section 15, any objector who, in accordance with rules of the Tribunal, gives notice to the Tribunal of the objector's wish to become a party to the appeal.	21 22 23 24 25 26 27 28
Division 4	Administration of licensing schemes	29
24	Periodic updating of registered particulars	30
(1)	It is a condition of a licence (whether fixed-term or continuing) that the licensee must notify the relevant licensing authority, within 14 days after the change, of any change that occurs in the licensee's name, address or other registered particulars.	31 32 33 34

Clause 24 Licensing and Registration (Uniform Procedures) Bill 2002

Part 2 Uniform licensing procedures

Division 4 Administration of licensing schemes

(2)	It is a condition of a continuing licence that the licensee must notify the relevant licensing authority, within 14 days after each anniversary of the date on which the licence was issued, that the licensee's registered particulars have not changed since the more recent of the following:	1
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(a)	the date on which the licence was issued,	5
(b)	the date on which the licensee last gave notice under this section.	6
		7
25	Periodic administration fees for continuing licences	8
	It is a condition of a continuing licence that the licensee must, within 14 days after each anniversary of the date on which the licence was issued, pay to the relevant licensing authority a licence administration fee of an amount prescribed by or under the relevant licensing legislation.	9
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26	Evidentiary certificates	14
(1)	A certificate that is issued by a licensing authority and that states that, on a specified date or during a specified period:	15
		16
(a)	a specified person was or was not a licensee under a specified licence or under a licence of a specified kind, or	17
		18
(b)	a specified person's licence was or was not in specified terms, or	19
		20
(c)	a specified person's licence was or was not subject to specified conditions, or	21
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(d)	a specified person's licence was or was not suspended or cancelled,	23
		24
	is admissible in legal proceedings as evidence of the matters so stated.	25
(2)	This section is in addition to any provision of the relevant licensing legislation with respect to evidentiary certificates.	26
		27
27	Service of notices	28
(1)	Any notice that a licensing authority is authorised or required by this Part to serve on a person may be served:	29
		30
(a)	in the case of an individual:	31
(i)	by delivering it personally to the individual, or	32

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|-------|--|--|
| (ii) | by sending it by post, addressed to the individual at the address recorded in the register as the individual's residential address, business address or address for service of notices, or | 1
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| (iii) | by leaving it with a person apparently aged 16 years or more at the address recorded in the register as the individual's residential address or business address, or | 5
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| (iv) | by sending it by means of electronic communication or facsimile transmission, addressed to the individual at the address recorded in the register as the individual's address for service of electronic communications or facsimile transmissions, in accordance with the individual's information technology requirements with respect to the receipt of electronic communications or facsimile transmissions, or | 8
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| (b) | in the case of a corporation: | 16 |
| (i) | by delivering it personally to a person concerned in the corporation's management, or | 17
18 |
| (ii) | by sending it by post, addressed to the corporation at the address recorded in the register as the corporation's business address or address for service of notices, or | 19
20
21 |
| (iii) | by leaving it with a person apparently aged 16 years or more at the address recorded in the register as the corporation's business address, or | 22
23
24 |
| (iv) | by sending it by means of electronic communication or facsimile transmission, addressed to the corporation at the address recorded in the register as the corporation's address for service of electronic communications or facsimile transmissions, in accordance with the corporation's information technology requirements with respect to the receipt of electronic communications or facsimile transmissions. | 25
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| (2) | In the case of joint applicants or joint licensees, any notice that under this Part is required to be served on an applicant or licensee is taken to have been served on all of them when it is served on any one of them. | 33
34
35 |
| (3) | This section does not affect any other Act or law with respect to the service of notices or other documents. | 36
37 |

28	Applications sent by facsimile	1
(1)	The facsimile copy of an application sent by facsimile transmission is taken to be in writing and has the same effect as the original and, for that purpose, a facsimile signature on the facsimile copy has the same effect as an original signature.	2 3 4 5
(2)	This section does not apply to any document that accompanies an application.	6 7
29	Recovery of unpaid fees	8
	Any fee payable in connection with a licence or an application for a licence may be recovered by the relevant licensing authority as a debt in any court of competent jurisdiction.	9 10 11
30	Exercise of licensing authority's functions	12
	A licensing authority's functions under this Part may be exercised on its behalf:	13 14
(a)	by the principal officer of the licensing authority, or	15
(b)	by such other person as the licensing authority may authorise in that regard.	16 17
31	Application of Electronic Transactions Act 2000	18
	Subject to the provisions of the relevant licensing legislation:	19
(a)	any question as to the time and place of dispatch or receipt of an electronic communication made for the purposes of this Part is to be decided in accordance with section 13 of the <i>Electronic Transactions Act 2000</i> , and	20 21 22 23
(b)	any question as to whether the purported originator of an electronic communication made for the purposes of this Part is bound by that communication is to be decided in accordance with section 14 of the <i>Electronic Transactions Act 2000</i> .	24 25 26 27

Part 3	Uniform registration procedures	1
Division 1	Preliminary	2
32	Application of Part	3
(1)	This Part applies to registration under a legislative provision referred to in Schedule 2, subject to any modifications or limitations prescribed by or under the relevant registration legislation.	4 5 6
(2)	A statutory rule that establishes, amends or repeals a registration scheme may amend Schedule 2 so as to include, amend or omit any matter arising from the establishment, amendment or repeal of the scheme.	7 8 9 10
(3)	In the event of an inconsistency between this Part (as applied to registration arising under a legislative provision referred to in Schedule 2) and the relevant registration legislation, the relevant registration legislation prevails to the extent of the inconsistency.	11 12 13 14
(4)	This Part does not limit or otherwise affect the operation of:	15
(a)	the <i>Mutual Recognition Act 1992</i> of the Commonwealth, or	16
(b)	the <i>Trans-Tasman Mutual Recognition Act 1997</i> of the Commonwealth.	17 18
33	Definitions	19
	In this Part:	20
	<i>advertised application</i> means an application referred to in section 44 (1).	21 22
	<i>application</i> means any application referred to in Division 2.	23
	<i>certificate of registration</i> means a certificate referred to in section 49.	24
	<i>continuing registration</i> means registration that is not fixed-term registration.	25 26
	<i>discretionary condition</i> , in relation to registration, means a condition that the relevant registration legislation authorises to be imposed on registration, but does not include a condition:	27 28 29
(a)	that the relevant registration legislation or this Part imposes, or requires to be imposed, on registration, or	30 31

(b) that the relevant registration legislation authorises to be imposed on registration in consequence of any disciplinary proceedings against the registered person. 1
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electronic communication has the same meaning as it has in the *Electronic Transactions Act 2000*, but does not include communication by means of facsimile transmission. 4
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fixed-term registration means registration that, under the relevant registration legislation, has effect for a fixed period or until a fixed date. 7
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information technology requirements includes software requirements. 10
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objector, in relation to an advertised application, means a person who has made submissions with respect to the application under section 44. 12
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principal officer, in relation to a registration authority, means the person prescribed by or under the relevant registration legislation as the principal officer of that authority for the purposes of this Part or, if no such person is prescribed: 14
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- (a) if the authority is a statutory body: 18
(i) in the case of a body corporate that has no members, the person who manages the authority's affairs, or 19
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(ii) in the case of a body constituted by one person, that person, or 21
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(iii) in the case of a body constituted by more than one person, the person entitled to preside at meetings of those persons, or 23
24
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(b) if the authority is the council of a local government area, the general manager of the council, or 26
27

(c) if the authority is a public office, the holder of that office. 28

processing fee, in relation to an application, means any fee prescribed by or under the relevant registration legislation as a fee to cover: 29
30

(a) the costs incurred by the relevant registration authority in processing the application, and 31
32

(b) in the case of an advertised application, the costs incurred by the relevant registration authority in advertising the application. 33
34

<i>registered particulars</i> means such particulars with respect to registration as are required by or under the relevant registration legislation to be registered or recorded by the relevant registration authority.	1 2 3 4
<i>registration</i> includes any enrolment, accreditation or other such authority.	5 6
<i>registration authority</i> means the person or body that, under the relevant registration legislation, is authorised to grant registration.	7 8
<i>registration legislation</i> means the Act or statutory rule under which registration is granted.	9 10
34 Part binds Crown	11
This Part binds the Crown in right of New South Wales and, in so far as the legislative power of Parliament permits, the Crown in all its other capacities.	12 13 14
Division 2 Applications	15
35 Applications for granting of registration	16
(1) An application for the granting of registration may be made to the relevant registration authority by any individual aged 18 years or more, by any partnership or other association whose members are all individuals aged 18 years or more or by any corporation.	17 18 19 20
(2) If the relevant registration legislation provides for the granting of different classes of registration, the application must specify the class of registration sought by the applicant.	21 22 23
(3) If in the case of fixed-term registration the relevant registration legislation provides for the granting of registration for varying terms, the application must specify the term of registration sought by the applicant.	24 25 26 27
36 Applications for amendment of registration	28
(1) This section applies to registration that, pursuant to the relevant registration legislation, may be amended.	29 30
(2) An application for the amendment of registration may be made to the relevant registration authority by the registered person at any time while registration is in force.	31 32 33

37	Applications for transfer of registration	1
(1)	This section applies to registration that, pursuant to the relevant registration legislation, may be transferred.	2 3
(2)	An application for the transfer of registration may be made to the relevant registration authority by the registered person, together with the proposed transferee, at any time while registration is in force.	4 5 6
(3)	The proposed transferee may be any individual aged 18 years or more, any partnership or other association whose members are all individuals aged 18 years or more or any corporation.	7 8 9
38	Applications for renewal of registration	10
(1)	An application for the renewal of fixed-term registration may be made to the relevant registration authority by the registered person:	11 12
(a)	in the case of registration having a term of less than 3 months, at any time within 2 weeks before registration expires, or	13 14
(b)	in the case of registration having a term of 3 months or more up to 12 months, at any time within 4 weeks before registration expires, or	15 16 17
(c)	in the case of registration having a term of more than 12 months, at any time within 8 weeks before registration expires.	18 19
(2)	If the relevant registration legislation provides for the granting of registration for varying terms, the application must specify the term of registration sought by the applicant.	20 21 22
39	Applications for restoration of registration	23
(1)	An application for the restoration of registration may be made to the relevant registration authority by the registered person at any time after registration expires or is cancelled.	24 25 26
(2)	If in the case of fixed-term registration the relevant registration legislation provides for the granting of registration for varying terms, the application must specify the term of registration sought by the applicant.	27 28 29 30
40	Applications for replacement of certificates of registration	31
	An application for the replacement of a certificate of registration may be made to the relevant registration authority by the registered person if the certificate is lost, damaged or destroyed.	32 33 34

41	Procedure for making applications	1
(1)	An application may be made in writing or by means of electronic communication.	2 3
(2)	An application with respect to a partnership or other association may be made on its behalf by any duly authorised member or employee.	4 5
(3)	An application with respect to a corporation may be made on its behalf by any director or by any duly authorised employee.	6 7
(4)	If made in writing, an application:	8
(a)	must contain such information as is required by the relevant application form or as is otherwise required by or under the relevant registration legislation, and	9 10 11
(b)	must be signed:	12
(i)	by the applicant, and	13
(ii)	in the case of an application for the transfer of registration, by the proposed transferee, and	14 15
(c)	must be lodged with, or sent to, the relevant registration authority.	16 17
(5)	If made by means of electronic communication, an application:	18
(a)	must contain such information as is required by the relevant application form or as is otherwise required by or under the relevant registration legislation, and	19 20 21
(b)	must be authenticated, as required by the relevant registration authority:	22 23
(i)	by the applicant, and	24
(ii)	in the case of an application for the transfer of registration, by the proposed transferee, and	25 26
(c)	must be lodged with the relevant registration authority in accordance with that authority's information technology requirements for the receipt of electronic communications.	27 28 29
(6)	A single application may be made to the same registration authority in relation to more than one form of registration.	30 31
42	Application fees	32
(1)	An applicant must make provision, as required by the relevant registration authority, for paying any fees payable under the relevant registration legislation in connection with the application.	33 34 35

Clause 42 Licensing and Registration (Uniform Procedures) Bill 2002

Part 3 Uniform registration procedures

Division 2 Applications

- (2) In the case of an application made by means of electronic communication, any processing fee that is otherwise payable in respect of the application: 1
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(a) is to be reduced by \$5, or 4
(b) is to be reduced by 10 per cent, and rounded to the nearest whole dollar, 5
6
whichever results in the greater reduction. 7

Division 3 Determination of applications 8

43 Provision of further information and supporting evidence 9

- (1) The relevant registration authority may serve notice on an applicant requiring the applicant to provide: 10
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(a) such information further to the original information contained in the application, and 12
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(b) such documentary or other evidence (such as a photograph of the applicant) in support of the original or further information, 14
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as the authority may require to enable it to deal with the application. 16
(2) In particular, the relevant registration authority may require an applicant to provide: 17
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(a) details of any offence for which the applicant has been convicted or found guilty in this State or elsewhere (together with details of any penalty imposed for the offence), and 19
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(b) details of any criminal proceedings pending against the applicant in this State or elsewhere. 22
23
(3) If the applicant fails to comply with the requirements of a notice referred to in subsection (1) within 14 days after the notice is served, the relevant registration authority may refuse the application without dealing with it any further. 24
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(4) The refusal of an application under this section entitles the applicant to a refund of fees under section 51 but not to a right of review under section 52. 28
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44 Advertising of applications	1
(1) This section applies to any application that, pursuant to the relevant registration legislation, is required to be advertised.	2 3
(2) Notice of such an application must be published in at least one daily newspaper circulating throughout New South Wales:	4 5
(a) by the applicant, or	6
(b) by the relevant registration authority,	7
as the relevant registration legislation requires.	8
(3) The notice must indicate:	9
(a) that any person may make submissions to the relevant registration authority with respect to the application, and	10 11
(b) the procedure by which, and the date before which, any such submission must be lodged.	12 13
(4) The date referred to in subsection (3) (b) may be any date occurring not earlier than 14 days, and not later than 28 days, after the date on which notice is first published under this section.	14 15 16
45 Withdrawal of applications	17
(1) An applicant may withdraw an application at any time before a certificate of registration is issued under section 49.	18 19
(2) The withdrawal of an application under this section entitles the applicant to a refund of fees under section 51.	20 21
46 Period within which applications to be dealt with	22
(1) For the purpose of enabling an applicant to exercise any rights of appeal or review, a registration authority is taken to have made a decision to refuse the application if it has failed to determine the application within 28 days after the application is made.	23 24 25 26
(2) A registration authority's failure to determine an application within the period referred to in subsection (1) does not prevent the authority from continuing to deal with the application after that period has expired.	27 28 29
(3) In calculating a period referred to in subsection (1), the following periods are to be excluded:	30 31
(a) any period between:	32
(i) the date on which a request for further information or supporting evidence is made under section 43, and	33 34

(ii)	the date on which that further information or supporting evidence is furnished,	1
		2
(b)	any period between:	3
(i)	the date on which a notice is published under section 44 with respect to the application, and	4
		5
(ii)	the date fixed by the notice as the date by which any submission with respect to the application must be lodged,	6
		7
		8
(c)	in the case of an application that the relevant registration authority is required to refer to some other person or body for consideration, whether under the relevant registration legislation or otherwise, any period (not exceeding 14 days) between:	9
		10
		11
(i)	the date on which the authority refers the application to that other person or body, and	12
		13
(ii)	the date on which the authority receives a response to that reference from that other person or body,	14
		15
		16
(d)	in the case of an application with respect to a person whom the relevant registration authority has referred for assessment (whether or not to some other person or body) in connection with the determination of the application, any period between:	17
		18
		19
(i)	the date on which the authority refers the applicant for assessment, and	20
		21
		22
(ii)	the date on which the authority obtains or receives the results of the assessment.	23
		24
47	Decision on applications	25
(1)	A registration authority may make either of the following decisions with respect to an application:	26
		27
(a)	a decision to grant the application, either unconditionally or subject to such conditions as are authorised or required by the relevant registration legislation,	28
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		30
(b)	a decision to refuse the application.	31
(2)	Before making its decision with respect to an advertised application, the registration authority must have regard to such submissions as have been made in accordance with section 44.	32
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48	Notice of decision on applications	1
(1)	A registration authority must cause notice of its decision under section 47 on an application to be served on the applicant and (in the case of an advertised application to which any objection has been made) on each objector within 14 days after the decision is made.	2 3 4 5
(2)	If the decision is that the application is granted but the relevant registration legislation requires payment of any fee in connection with registration before a certificate of registration is issued under section 49, the notice must indicate the amount of the fee to be paid.	6 7 8 9
(3)	As soon as practicable after an applicant or (in the case of an advertised application to which any objection has been made) an objector so requests, the relevant registration authority must cause notice of the reasons for its decision to be served on the applicant or objector.	10 11 12 13 14
(4)	Subsection (3) does not apply to any decision in respect of which there is a right of review by the Administrative Decisions Tribunal under section 52.	15 16 17
49	Issue of certificate of registration	18
(1)	A registration authority that grants an application for registration:	19
(a)	must record the following particulars in the relevant register:	20
(i)	the name of the registered person,	21
(ii)	the kind of registration it is, whether by reference to the provision of the relevant registration legislation or otherwise,	22 23 24
(iii)	the authority conferred by registration and (in the case of registration that is subject to discretionary conditions) a statement to that effect,	25 26 27
(iv)	the date on which registration comes into force and (in the case of fixed-term registration) the date on which registration expires, and	28 29 30
(b)	must record in the relevant register such other particulars as the relevant registration legislation requires to be recorded in the register, and	31 32 33
(c)	may record in the relevant register such other particulars as the relevant registration legislation authorises to be recorded in the register, and	34 35 36
(d)	must issue a certificate of registration to the applicant.	37

(2) The certificate of registration is to be issued:	1
(a) if the relevant registration legislation requires payment of any fee in connection with registration before the certificate is issued, on payment of the fee, or	2 3 4
(b) in any other case, when notice of the decision is served on the applicant as referred to in section 48.	5 6
(3) A certificate of registration:	7
(a) must be in a form approved by the registration authority, and	8
(b) must include the following particulars:	9
(i) a unique identifier,	10
(ii) the particulars recorded in the register under subsection (1) (a), and	11 12
(c) may include such other particulars as the registration authority considers appropriate to include in the certificate.	13 14
(4) The registration authority may issue replacement certificates of registration not only in response to an application by the registered person under Division 2 but also whenever there is a change in the particulars recorded in the register under subsection (1) (a) in relation to the registered person.	15 16 17 18 19
(5) A certificate of registration may indicate the kind of registration it refers to, and the authority conferred by registration, by reference to words, codes or symbols prescribed for that purpose by the relevant registration legislation.	20 21 22 23
(6) A single document may contain one or more certificates of registration together with one or more licences under Part 2.	24 25
50 Duration of registration	26
(1) Subject to subsection (2), registration comes into force:	27
(a) on the date on which the relevant certificate of registration is issued, or	28 29
(b) on such other date (whether earlier or later) as is specified in the certificate.	30 31
(2) Renewed (but not restored) registration comes into force, or is taken to have come into force, on the date following the expiry date of the registration it renews.	32 33 34

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- (3) Registration that comes into force before the date on which the relevant certificate of registration is issued has effect in relation to the period before that date for the purposes only of this Act and the relevant registration legislation. 1
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- (4) Unless sooner cancelled, fixed-term registration remains in force for such period as is specified in the relevant certificate of registration. 5
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- (5) If an application for renewal of registration is made before the date on which registration would otherwise expire, registration remains in force, for the purposes only of this Act and the relevant registration legislation, until the date on which the applicant is notified of the relevant registration authority's decision on the application. 7
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- (6) Subsection (5) does not affect any requirements (such as requirements as to insurance) that must be complied with by a registered person under the relevant registration legislation. 12
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- (7) Without limiting any other circumstances in which registration may be cancelled, registration is taken to be cancelled for the purposes of this section if the registered person surrenders the relevant certificate of registration together with a notice to the effect that the registered person intends that registration be cancelled. 15
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- (8) Subject to subsection (7), nothing in this section authorises the suspension or cancellation of registration. 20
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- 51 Refund of certain fees** 22
- All fees paid in connection with an application that is refused (other than any processing fee) are to be refunded to the applicant. 23
24
- 52 Review of decisions** 25
- (1) An applicant who is aggrieved by the relevant registration authority's decision to refuse the application, or to grant the application subject to discretionary conditions, may apply for a review of the decision: 26
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- (a) to the extent to which the relevant registration legislation provides the applicant with a right of appeal or review, in accordance with the right so provided, or 29
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- (b) to the extent to which the relevant registration legislation does not provide the applicant with such a right, to the Administrative Decisions Tribunal. 32
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Clause 52 Licensing and Registration (Uniform Procedures) Bill 2002

Part 3 Uniform registration procedures

Division 3 Determination of applications

- (2) An objector who is aggrieved by the relevant registration authority's decision to grant an advertised application, either generally or because the authority has failed to impose particular discretionary conditions, may apply for a review of the decision: 1
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- (a) to the extent to which the relevant registration legislation provides the objector with a right of appeal or review, in accordance with the right so provided, or 5
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7
- (b) to the extent to which the relevant registration legislation does not provide the objector with such a right, to the Administrative Decisions Tribunal. 8
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- (3) For the purposes of section 67 (2) (e) of the *Administrative Decisions Tribunal Act 1997*, the parties to proceedings before the Administrative Decisions Tribunal on a review arising under subsection (1) (b) or (2) (b) include, in the case of an advertised application in respect of which any submission has been duly made under section 44, any objector who, in accordance with rules of the Tribunal, gives notice to the Tribunal of the objector's wish to become a party to the appeal. 11
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Division 4 Administration of registration schemes 19

53 Periodic updating of registered particulars 20

- (1) It is a condition of registration (whether fixed-term or continuing) that the registered person must notify the relevant registration authority, within 14 days after the change, of any change that occurs in the registered person's name, address or other registered particulars. 21
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23
24
- (2) It is a condition of continuing registration that the registered person must notify the relevant registration authority, within 14 days after each anniversary of the date on which the relevant certificate of registration was issued, that the registered person's registered particulars have not changed since the more recent of the following: 25
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29
- (a) the date on which the certificate was issued, 30
- (b) the date on which the registered person last gave notice under this section. 31
32

54	Periodic administration fees for continuing registration	1
	It is a condition of continuing registration that the registered person must, within 14 days after each anniversary of the date on which the relevant certificate of registration was issued, pay to the relevant registration authority a registration administration fee of an amount prescribed by or under the relevant registration legislation.	2 3 4 5 6
55	Evidentiary certificates	7
(1)	A certificate that is issued by a registration authority and that states that, on a specified date or during a specified period:	8 9
(a)	a specified person was or was not a registered person in respect of registration of a specified kind, or	10 11
(b)	a specified person's registration was or was not in specified terms, or	12 13
(c)	a specified person's registration was or was not subject to specified conditions, or	14 15
(d)	a specified person's registration was or was not suspended or cancelled,	16 17
	is admissible in legal proceedings as evidence of the matters so stated.	18
(2)	This section is in addition to any provision of the relevant registration legislation with respect to evidentiary certificates.	19 20
56	Service of notices	21
(1)	Any notice that a registration authority is authorised or required by this Part to serve on a person may be served:	22 23
(a)	in the case of an individual:	24
(i)	by delivering it personally to the individual, or	25
(ii)	by sending it by post, addressed to the individual at the address recorded in the register as the individual's residential address, business address or address for service of notices, or	26 27 28 29
(iii)	by leaving it with a person apparently aged 16 years or more at the address recorded in the register as the individual's residential address or business address, or	30 31 32
(iv)	by sending it by means of electronic communication or facsimile transmission, addressed to the individual at the address recorded in the register as the individual's address for service of electronic communications or	33 34 35 36

Clause 56 Licensing and Registration (Uniform Procedures) Bill 2002

Part 3 Uniform registration procedures

Division 4 Administration of registration schemes

	facsimile transmissions, in accordance with the individual's information technology requirements with respect to the receipt of electronic communications or facsimile transmissions, or	1 2 3 4
(b)	in the case of a corporation:	5
	(i) by delivering it personally to a person concerned in the corporation's management, or	6 7
	(ii) by sending it by post, addressed to the corporation at the address recorded in the register as the corporation's business address or address for service of notices, or	8 9 10
	(iii) by leaving it with a person apparently aged 16 years or more at the address recorded in the register as the corporation's business address, or	11 12 13
	(iv) by sending it by means of electronic communication or facsimile transmission, addressed to the corporation at the address recorded in the register as the corporation's address for service of electronic communications or facsimile transmissions, in accordance with the corporation's information technology requirements with respect to the receipt of electronic communications or facsimile transmissions.	14 15 16 17 18 19 20 21
(2)	In the case of joint applicants or joint registered persons, any notice that under this Part is required to be served on an applicant or registered person is taken to have been served on all of them when it is served on any one of them.	22 23 24 25
(3)	This section does not affect any other Act or law with respect to the service of notices or other documents.	26 27
57	Applications sent by facsimile	28
(1)	The facsimile copy of an application sent by facsimile transmission is taken to be in writing and has the same effect as the original and, for that purpose, a facsimile signature on the facsimile copy has the same effect as an original signature.	29 30 31 32
(2)	This section does not apply to any document that accompanies an application.	33 34

58	Recovery of unpaid fees	1
	Any fee payable in connection with registration or an application for registration may be recovered by the relevant registration authority as a debt in any court of competent jurisdiction.	2 3 4
59	Exercise of registration authority's functions	5
	A registration authority's functions under this Part may be exercised on its behalf:	6 7
	(a) by the principal officer of the registration authority, or	8
	(b) by such other person as the registration authority may authorise in that regard.	9 10
60	Application of Electronic Transactions Act 2000	11
	Subject to the provisions of the relevant registration legislation:	12
	(a) any question as to the time and place of dispatch or receipt of an electronic communication made for the purposes of this Part is to be decided in accordance with section 13 of the <i>Electronic Transactions Act 2000</i> , and	13 14 15 16
	(b) any question as to whether the purported originator of an electronic communication made for the purposes of this Part is bound by that communication is to be decided in accordance with section 14 of the <i>Electronic Transactions Act 2000</i> .	17 18 19 20

Clause 61	Licensing and Registration (Uniform Procedures) Bill 2002
Part 4	Uniform registration procedures for health professionals
Division 1	Preliminary

Part 4	Uniform registration procedures for health professionals	1 2
Division 1	Preliminary	3
61	Application of Part	4
(1)	This Part applies to registration under a legislative provision referred to in Schedule 3, subject to any modifications or limitations prescribed by or under the relevant registration legislation.	5 6 7
(2)	A statutory rule that establishes, amends or repeals a registration scheme may amend Schedule 3 so as to include, amend or omit any matter arising from the establishment, amendment or repeal of the scheme.	8 9 10 11
(3)	In the event of an inconsistency between this Part (as applied to registration arising under a legislative provision referred to in Schedule 3) and the relevant registration legislation, the relevant registration legislation prevails to the extent of the inconsistency.	12 13 14 15
(4)	This Part does not limit or otherwise affect the operation of:	16
(a)	the <i>Mutual Recognition Act 1992</i> of the Commonwealth, or	17
(b)	the <i>Trans-Tasman Mutual Recognition Act 1997</i> of the Commonwealth.	18 19
62	Definitions	20
	In this Part:	21
	<i>application</i> means any application referred to in Division 2.	22
	<i>certificate of registration</i> means a certificate referred to in section 75.	23
	<i>discretionary condition</i> , in relation to registration, means a condition that the relevant registration legislation authorises to be imposed on registration, but does not include a condition:	24 25 26
(a)	that the relevant registration legislation imposes, or requires to be imposed, on registration, or	27 28
(b)	that the relevant registration legislation authorises to be imposed on registration in consequence of any disciplinary proceedings against the registered person.	29 30 31

electronic communication has the same meaning as it has in the *Electronic Transactions Act 2000*, but does not include communication by means of facsimile transmission. 1
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information technology requirements includes software requirements. 4
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processing fee, in relation to an application, means any fee prescribed by or under the relevant registration legislation as a fee to cover the costs incurred by the relevant registration authority in processing the application. 6
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registered particulars means such particulars with respect to registration as are required by or under the relevant registration legislation to be registered or recorded by the relevant registration authority. 10
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registration authority means the person or body that, under the relevant registration legislation, is authorised to grant registration. 14
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registration legislation means the Act or statutory rule under which registration is granted. 16
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63 Part binds Crown 18

This Part binds the Crown in right of New South Wales and, in so far as the legislative power of Parliament permits, the Crown in all its other capacities. 19
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Division 2 Applications 22

64 Applications for granting of registration 23

(1) An application for the granting of registration may be made to the relevant registration authority by any individual. 24
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(2) If the relevant registration legislation provides for the granting of different classes of registration, the application must specify the class of registration sought by the applicant. 26
27
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65 Applications for amendment of registration 29

An application for the amendment of registration may be made to the relevant registration authority by the registered person at any time while registration is in force. 30
31
32

66	Applications for restoration of registration	1
	An application for the restoration of registration may be made to the relevant registration authority by the registered person at any time after registration is cancelled.	2 3 4
67	Applications for replacement of certificates of registration	5
	An application for the replacement of a certificate of registration may be made to the relevant registration authority by the registered person if the certificate is lost, damaged or destroyed.	6 7 8
68	Procedure for making applications	9
	(1) An application may be made in writing or by means of electronic communication.	10 11
	(2) If made in writing, an application:	12
	(a) must contain such information as is required by the relevant application form or as is otherwise required by or under the relevant registration legislation, and	13 14 15
	(b) must be signed by the applicant, and	16
	(c) must be lodged with, or sent to, the relevant registration authority.	17 18
	(3) If made by means of electronic communication, an application:	19
	(a) must contain such information as is required by the relevant application form or as is otherwise required by or under the relevant registration legislation, and	20 21 22
	(b) must be authenticated, as required by the relevant registration authority, by the applicant, and	23 24
	(c) must be lodged with the relevant registration authority in accordance with that authority's information technology requirements for the receipt of electronic communications.	25 26 27
69	Application fees	28
	An applicant must make provision, as required by the relevant registration authority, for paying any fees payable under the relevant registration legislation in connection with the application.	29 30 31

Division 3	Determination of applications	1
70	Provision of further information and supporting evidence	2
(1)	The relevant registration authority may serve notice on an applicant requiring the applicant to provide:	3
(a)	such information further to the original information contained in the application, and	4
(b)	such documentary or other evidence (such as a photograph of the applicant) in support of the original or further information, as the authority may require to enable it to deal with the application.	5
(2)	In particular, the relevant registration authority may require an applicant to provide:	6
(a)	details of any offence for which the applicant has been convicted or found guilty in this State or elsewhere (together with details of any penalty imposed for the offence), and	7
(b)	details of any criminal proceedings pending against the applicant in this State or elsewhere.	8
(3)	If the applicant fails to comply with the requirements of a notice referred to in subsection (1) within 3 months after the notice is served, the relevant registration authority may refuse the application without dealing with it any further.	9
(4)	The refusal of an application under this section entitles the applicant to a refund of fees under section 77 but not to a right of review under the relevant registration legislation.	10
71	Withdrawal of applications	11
(1)	An applicant may withdraw an application at any time before a certificate of registration is issued under section 75.	12
(2)	The withdrawal of an application under this section entitles the applicant to a refund of fees under section 77.	13
72	Period within which applications to be dealt with	14
(1)	For the purpose of enabling an applicant to exercise any rights of appeal or review, a registration authority is taken to have made a decision to refuse the application if it has failed to determine the application within 3 months after the application is made.	15

(2)	A registration authority's failure to determine an application within the period referred to in subsection (1) does not prevent the authority from continuing to deal with the application after that period has expired.	1 2 3
(3)	In calculating a period referred to in subsection (1), the following periods are to be excluded:	4 5
(a)	any period between:	6
(i)	the date on which a request for further information or supporting evidence is made under section 70, and	7 8
(ii)	the date on which that further information or supporting evidence is furnished,	9 10
(b)	in the case of an application with respect to a person whom the relevant registration authority has referred for assessment (whether or not to some other person or body) in connection with the determination of the application, any period between:	11 12 13 14
(i)	the date on which the authority refers the applicant for assessment, and	15 16
(ii)	the date on which the authority obtains or receives the results of the assessment.	17 18
73	Decision on applications	19
	A registration authority may make either of the following decisions with respect to an application:	20 21
(a)	a decision to grant the application, either unconditionally or subject to such conditions as are authorised or required by the relevant registration legislation,	22 23 24
(b)	a decision to refuse the application.	25
74	Notice of decision on applications	26
(1)	A registration authority must cause notice of its decision under section 73 on an application to be served on the applicant within 21 days after the decision is made.	27 28 29
(2)	As soon as practicable after an applicant so requests, the relevant registration authority must cause notice of the reasons for its decision to be served on the applicant.	30 31 32

75 Issue of certificate of registration	1
(1) A registration authority that grants an application for registration:	2
(a) must record the following particulars in the relevant register:	3
(i) the name of the registered person,	4
(ii) the kind of registration it is, whether by reference to the provision of the relevant registration legislation or otherwise,	5 6 7
(iii) the authority conferred by registration and (in the case of registration that is subject to discretionary conditions) a statement to that effect,	8 9 10
(iv) the date on which registration comes into force, and	11
(b) must record in the relevant register such other particulars as the relevant registration legislation requires to be recorded in the register, and	12 13 14
(c) may record in the relevant register such other particulars as the relevant registration legislation authorises to be recorded in the register, and	15 16 17
(d) must issue a certificate of registration to the applicant.	18
(2) The certificate of registration is to be issued when notice of the decision is served on the applicant as referred to in section 74.	19 20
(3) A certificate of registration:	21
(a) must be in a form approved by the registration authority, and	22
(b) must include the following particulars:	23
(i) a unique identifier,	24
(ii) the particulars recorded in the register under subsection (1) (a), and	25 26
(c) may include such other particulars as the registration authority considers appropriate to include in the certificate.	27 28
(4) The registration authority may issue replacement certificates of registration not only in response to an application by the registered person under Division 2 but also whenever there is a change in the particulars recorded in the register under subsection (1) (a) in relation to the registered person.	29 30 31 32 33

Clause 76 Licensing and Registration (Uniform Procedures) Bill 2002

Part 4 Uniform registration procedures for health professionals

Division 3 Determination of applications

76	Duration of registration	1
(1)	Registration comes into force:	2
(a)	on the date on which the relevant certificate of registration is issued, or	3 4
(b)	on such other date (whether earlier or later) as is specified in the certificate.	5 6
(2)	Registration that comes into force before the date on which the relevant certificate of registration is issued has effect in relation to the period before that date for the purposes only of this Act and the relevant registration legislation.	7 8 9 10
77	Refund of certain fees	11
	All fees paid in connection with an application that is refused (other than any processing fee) are to be refunded to the applicant.	12 13
Division 4	Administration of registration schemes	14
78	Service of notices	15
(1)	Any notice that a registration authority is authorised or required by this Part to serve on a person may be served on an individual:	16 17
(a)	by delivering it personally to the individual, or	18
(b)	by sending it by post, addressed to the individual at the address recorded in the register as the individual's residential address, business address or address for service of notices, or	19 20 21
(c)	by leaving it with a person apparently aged 16 years or more at the address recorded in the register as the individual's residential address or business address, or	22 23 24
(d)	by sending it by means of electronic communication or facsimile transmission, addressed to the individual at the address recorded in the register as the individual's address for service of electronic communications or facsimile transmissions, in accordance with the individual's information technology requirements with respect to the receipt of electronic communications or facsimile transmissions.	25 26 27 28 29 30 31

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- (2) In the case of joint applicants or joint registered persons, any notice that under this Part is required to be served on an applicant or registered person is taken to have been served on all of them when it is served on any one of them. 1
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- (3) This section does not affect any other Act or law with respect to the service of notices or other documents. 5
6
- 79 Applications sent by facsimile** 7
- (1) The facsimile copy of an application sent by facsimile transmission is taken to be in writing and has the same effect as the original and, for that purpose, a facsimile signature on the facsimile copy has the same effect as an original signature. 8
9
10
11
- (2) This section does not apply to any document that accompanies an application. 12
13
- 80 Application of Electronic Transactions Act 2000** 14
- Subject to the provisions of the relevant registration legislation: 15
- (a) any question as to the time and place of dispatch or receipt of an electronic communication made for the purposes of this Part is to be decided in accordance with section 13 of the *Electronic Transactions Act 2000*, and 16
17
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19
- (b) any question as to whether the purported originator of an electronic communication made for the purposes of this Part is bound by that communication is to be decided in accordance with section 14 of the *Electronic Transactions Act 2000*. 20
21
22
23

Clause 81 Licensing and Registration (Uniform Procedures) Bill 2002

Part 5 Miscellaneous

Part 5	Miscellaneous	1
81	Amendment of other Acts and statutory rules	2
	Each Act and statutory rule referred to in Schedule 4 is amended as set out in that Schedule.	3 4
82	Savings, transitional and other provisions	5
	Schedule 5 has effect.	6
83	Review of Act	7
(1)	The Minister is to review this Act to determine whether the policy objectives of the Act remain valid and whether the terms of the Act remain appropriate for securing those objectives.	8 9 10
(2)	The review is to be undertaken as soon as possible after the period of 5 years from the date of assent to this Act.	11 12
(3)	A report on the outcome of the review is to be tabled in each House of Parliament within 12 months after the end of the period of 5 years.	13 14

Schedule 1 Licences to which Part 2 of Act applies	1
(Section 3)	2
Charitable Fundraising Act 1991	3
section 13A (1), authority to conduct fundraising appeal	4
Conveyancers Licensing Act 1995	5
section 8A (1), conveyancer's licence	6
Dangerous Goods Act 1975	7
section 27B (1) (a), licence to keep dangerous goods in or on premises	8
section 27B (1) (b), licence authorising the carriage of dangerous goods	9
section 27B (1) (c), licence or permit authorising the importation of explosives	10
section 27B (1) (d), licence or permit authorising the manufacture of explosives in or on premises	11 12
section 27B (1) (e), licence authorising the sale of explosives	13
Dangerous Goods (General) Regulation 1999	14
clause 52 (1), shotfirer's permit	15
clause 53 (1), collector's permit	16
clause 54 (1), display fireworks permit	17
clause 55 (1), firework wholesaler's permit	18
clause 61 (1), permit to receive explosives	19
clause 70 (1), explosives user's permit	20
clause 72 (1), learner's permit	21
Employment Agents Act 1996	22
section 7 (1), private employment agent's licence	23

Licensing and Registration (Uniform Procedures) Bill 2002

Schedule 1 Licences to which Part 2 of Act applies

Home Building Act 1989	1
section 19 (1), contractor licence	2
section 24 (1) (a), tradesperson certificate	3
section 24 (1) (b), supervisor certificate	4
section 30 (1), owner-builder permit	5
section 32A (1), building consultancy licence	6
Lotteries and Art Unions Act 1901	7
section 7 (1) (a), permit to conduct game of chance for charitable purposes	8
section 7 (1) (b), permit to conduct lottery or game of chance for trade promotion	9
section 7 (1) (c), permit to conduct lottery or game of chance in registered club	10
section 7 (1) (d), permit to conduct sweep or calcutta	11
section 7 (1) (e), permit to conduct progressive lottery	12
section 7 (1) (f), permit to form art union	13
Motor Dealers Act 1974	14
section 10 (1) (a), dealer's licence	15
section 10 (1) (b), auto-dismantler's licence	16
section 10 (1) (c), wholesaler's licence	17
section 10 (1) (d), motor vehicle parts reconstructor's licence	18
section 10 (1) (e), car market operator's licence	19
section 10 (1) (f), motor vehicle consultant's licence	20
section 10 (1) (g), prescribed dealer's licence	21
National Parks and Wildlife Act 1974	22
section 133A (1) (a), general licence	23
section 133A (1) (b), occupier's licence	24
section 133A (1) (c), game licence	25
section 133A (1) (d), trapper's licence	26
section 133A (1) (e), fauna dealer's licence	27
section 133A (1) (f), fauna dealer's registration certificate	28

section 133A (1) (g), skin dealer's licence	1
section 133A (1) (h), skin dealer's registration certificate	2
section 133A (1) (i), emu licence	3
section 133A (1) (j), import or export licence	4
section 133A (1) (k), licence to liberate animals	5
section 133A (1) (l), aviary registration certificate	6
section 133A (1) (m), licence to pick native plants	7
section 133A (1) (n), licence to grow native plants for sale	8
section 133A (1) (o), import licence	9
section 133A (1) (p), export licence	10
Occupational Health and Safety Regulation 2001	11
clause 289A (1), certificate of competency to do scheduled work	12
clause 308A (1) (a), certificate of competency to do formwork	13
clause 308A (1) (b), certificate of competency to use explosive-powered tools	14
clause 319A (1) (a), licence for demolition work	15
clause 319A (1) (b), licence for restricted demolition work	16
clause 319A (1) (c), licence for friable asbestos removal work	17
clause 319A (1) (d), licence for bonded asbestos removal work	18
clause 333A (1) (a), permit for demolition work	19
clause 333A (1) (b), permit for friable asbestos removal work	20
clause 347A (1), exemption from operation of Regulation	21
Pawnbrokers and Second-hand Dealers Act 1996	22
section 9 (1) (a), pawnbroker's licence	23
section 9 (1) (b), second-hand dealer's licence	24
Property, Stock and Business Agents Act 1941	25
section 22A (1) (a), real estate agent's licence	26
section 22A (1) (b), stock and station agent's licence	27
section 22A (1) (c), business agent's licence	28

Licensing and Registration (Uniform Procedures) Bill 2002

Schedule 1 Licences to which Part 2 of Act applies

section 22A (1) (d), strata managing agent's licence	1
section 22A (1) (e), on-site residential property manager's licence	2
Trade Measurement Act 1989	3
section 44A (1) (a), servicing licence	4
section 44A (1) (b), public weighbridge licence	5
Travel Agents Act 1986	6
section 7A (1), travel agent's licence	7

Schedule 2	Registration to which Part 3 of Act applies	1
	(Section 32)	2
Occupational Health and Safety Regulation 2001		3
clause 107A (1), registration of plant design		4
clause 114A (1), registration of item of plant		5
clause 284A (1), accreditation of assessors		6
Property, Stock and Business Agents Act 1941		7
section 56A (1) (a), registration as a real estate salesperson		8
section 56A (1) (b), registration as a stock and station salesperson		9
section 56A (1) (c), registration as a business salesperson		10
section 56A (1) (d), registration as a trainee managing agent		11
Valuers Registration Act 1975		12
section 13A (1) (a), registration as an associate real estate valuer		13
section 13A (1) (b), registration as a practising real estate valuer		14
section 13A (1) (c), registration as a non-practising real estate valuer		15
section 13A (1) (d), registration as an associate valuer of licensed premises		16
section 13A (1) (e), registration as a valuer of licensed premises		17

Schedule 3 Registration to which Part 4 of Act applies	1
(Section 61)	2
Chiropractors Act 2001	3
section 11A (1), full registration as a chiropractor	4
Dental Technicians Registration Act 1975	5
section 15A (1), registration as a dental technician	6
section 18BA (1), registration as a dental prosthetist	7
Optical Dispensers Act 1963	8
section 22AA (1), registration as an optical dispenser	9
Optometrists Act 1930	10
section 22 (1), full registration as an optometrist	11
Osteopaths Act 2001	12
section 11A (1), full registration as an osteopath	13
Physiotherapists Act 2001	14
section 11A (1), full registration as a physiotherapist	15
Podiatrists Act 1989	16
section 8A (1), registration as a podiatrist	17
Psychologists Act 2001	18
section 11A (1), full registration as a psychologist	19

Schedule 4	Amendment of other Acts and statutory rules	1
		2
	(Section 81)	3
Part 1	Amendments with respect to licensing procedures	4
		5
4.1	Charitable Fundraising Act 1991 No 69	6
[1]	Section 13 False representations in conduct of fundraising appeal	7
	Omit section 13 (1).	8
[2]	Section 13A	9
	Insert before section 14:	10
13A	Application to authorities of Licensing and Registration (Uniform Procedures) Act 2002	11
		12
	(1) The Minister may grant authorities for the purposes of this Act.	13
	(2) Part 2 of the <i>Licensing and Registration (Uniform Procedures) Act 2002 (the applied Act)</i> applies to and in respect of an authority, subject to the modifications and limitations prescribed by or under this Act.	14
		15
		16
		17
	(3) For the purpose of applying Part 2 of the applied Act to an authority:	18
		19
	(a) the authority may be amended under that Act, and	20
	(b) the reference to 14 days in section 14 (3) of that Act (as to the period within which further information must be provided) is to be read as a reference to 3 months, and	21
		22
		23
	(c) section 17 (1) of that Act does not have effect, and	24
	(d) the reference to 14 days in section 24 (1) of that Act (as to the period within which changed particulars must be notified) is to be read as a reference to 28 days.	25
		26
		27

(4)	Subject to this section, the regulations may make provision for or with respect to such matters concerning an authority as are relevant to the operation of Part 2 of the applied Act.	1 2 3
[3]	Section 14 Special applications	4
	Omit section 14 (1).	5
[4]	Section 14 (2)	6
	Insert “for an authority” after “application”.	7
[5]	Section 15 Application to nominate registered office	8
	Omit section 15 (1).	9
[6]	Section 15 (2)	10
	Omit “A form approved for such an application”.	11
	Insert instead “An application for an authority”.	12
[7]	Section 16 How application dealt with	13
	Omit section 16 (1), (3) and (4).	14
[8]	Section 16 (5) and (6)	15
	Omit “under subsection (4)” wherever occurring.	16
[9]	Section 18	17
	Omit the section.	18
[10]	Section 52	19
	Omit the section.	20

4.2	Conveyancers Licensing Act 1995 No 57	1
[1]	Section 8A	2
	Insert before section 9:	3
	8A Application to licences of Licensing and Registration (Uniform Procedures) Act 2002	4 5
	(1) The Director-General may grant licences for the purposes of this Act.	6 7
	(2) Part 2 of the <i>Licensing and Registration (Uniform Procedures) Act 2002</i> (<i>the applied Act</i>) applies to and in respect of a licence, subject to the modifications and limitations prescribed by or under this Act.	8 9 10 11
	(3) For the purpose of applying Part 2 of the applied Act to a licence:	12 13
	(a) the licence may be amended under that Act, and	14
	(b) the reference to 2 weeks in section 9 (1) (a) of that Act is to be read as a reference to 4 weeks, and	15 16
	(c) an application for restoration of a licence under section 10 of that Act may not be made more than 3 months after the date on which the licence expires, and	17 18 19
	(d) the reference to 28 days in section 17 (1) of that Act (as to the period within which an application must be determined) is to be read as a reference to 8 weeks, and	20 21 22
	(e) the reference to 14 days in section 24 (1) of that Act (as to the period within which changed particulars must be notified) is to be read as a reference to 7 days, and	23 24 25
	(f) section 25 of that Act does not have effect.	26
	(4) An application for a licence may be made only by an individual, and not by a corporation, partnership or other association.	27 28 29
	(5) Subject to this section, the regulations may make provision for or with respect to such matters concerning a licence as are relevant to the operation of Part 2 of the applied Act.	30 31 32

[2] Section 9 Contributions to Public Purpose Fund	1
Omit section 9 (1)–(5).	2
[3] Section 9 (6)	3
Omit “under this section”.	4
[4] Section 10 Grounds for refusal of licence	5
Omit section 10 (1), (4) and (5).	6
[5] Section 88	7
Omit the section.	8
4.3 Dangerous Goods Act 1975 No 68	9
[1] Section 27B	10
Insert after section 27A:	11
27B Application to licences and permits of Licensing and Registration (Uniform Procedures) Act 2002	12
	13
(1) The Authority may grant the following licences and permits for the purposes of this Act:	14
	15
(a) licences to keep dangerous goods in or on premises,	16
(b) licences authorising the carriage of dangerous goods,	17
(c) licences and permits authorising the importation of explosives,	18
	19
(d) licences and permits authorising the manufacture of explosives in or on premises,	20
	21
(e) licences authorising the sale of explosives,	22
(f) such permits under the regulations as are referred to in Schedule 1 to the <i>Licensing and Registration (Uniform Procedures) Act 2002</i> .	23
	24
	25

(2) Part 2 of the <i>Licensing and Registration (Uniform Procedures) Act 2002</i> (<i>the applied Act</i>) applies to and in respect of a licence or permit, subject to the modifications and limitations prescribed by or under this Act.	1 2 3 4
(3) For the purpose of applying Part 2 of the applied Act to a licence or permit:	5 6
(a) the licence or permit may be amended under that Act, and	7 8
(b) the licence or permit may be transferred under that Act.	9
(4) Subject to this section, the regulations may make provision for or with respect to such matters concerning a licence or permit as are relevant to the operation of Part 2 of the applied Act.	10 11 12
[2] Section 40 Evidence	13
Omit section 40 (2) (a).	14
[3] Section 41 Regulations	15
Insert “amendment,” after “issue,” in section 41 (1) (a).	16
4.4 Dangerous Goods (General) Regulation 1999	17
[1] Clause 6	18
Omit the clause.	19
[2] Part 2, Divisions 2 and 3	20
Omit the Divisions.	21

4.5	Employment Agents Act 1996 No 18	1
[1]	Section 7	2
	Omit the section. Insert instead:	3
	7 Application to licences of Licensing and Registration (Uniform Procedures) Act 2002	4
		5
	(1) The Director-General may grant licences for the purposes of this Act.	6
		7
	(2) Part 2 of the <i>Licensing and Registration (Uniform Procedures) Act 2002</i> (<i>the applied Act</i>) applies to and in respect of a licence, subject to the modifications and limitations prescribed by or under this Act.	8
		9
		10
		11
	(3) For the purpose of applying Part 2 of the applied Act to a licence:	12
		13
	(a) the licence may be amended under that Act, and	14
	(b) an application for restoration of a licence under section 10 of that Act may not be made more than 3 months after the date on which the licence expires, and	15
		16
		17
	(c) an application is required to be advertised by the applicant under that Act, and	18
		19
	(d) section 25 of that Act does not have effect.	20
	(4) Subject to this section, the regulations may make provision for or with respect to such matters concerning a licence as are relevant to the operation of Part 2 of the applied Act.	21
		22
		23
[2]	Section 8 Inquiries and objections relating to applications	24
	Omit section 8 (3), (4) and (5).	25
[3]	Section 9 Determination of application for licence	26
	Omit section 9 (3).	27
[4]	Section 10 Form of licence	28
	Omit the section.	29

[5] Section 11 Duration of licence	1
Omit section 11 (1).	2
4.6 Home Building Act 1989 No 147	3
[1] The whole Act	4
Omit “endorsed licence”, “a permit”, “registration certificate” and “registration certificates” wherever occurring.	5 6
Insert instead “endorsed contractor licence”, “an owner-builder permit”, “tradesperson certificate” and “tradesperson certificates”, respectively.	7 8
[2] Section 3 Definitions	9
Omit the definitions of <i>building consultancy licence</i> , <i>contractor licence</i> , <i>permit</i> , <i>registration certificate</i> and <i>supervisor certificate</i> .	10 11
Insert instead in alphabetical order:	12
<i>building consultancy licence</i> means a building consultancy licence referred to in section 18H or 18I.	13 14
<i>contractor licence</i> means a contractor licence referred to in section 4 or 5.	15 16
<i>owner-builder permit</i> means an owner-builder permit referred to in section 12 or 13.	17 18
<i>supervisor certificate</i> means a supervisor certificate referred to in section 13, 14, 15 or 16.	19 20
<i>tradesperson certificate</i> means a tradesperson certificate referred to in section 13, 14, 15 or 16.	21 22
[3] Section 19	23
Omit the section. Insert instead:	24
19 Application to contractor licences of Licensing and Registration (Uniform Procedures) Act 2002	25 26
(1) The Director-General may grant contractor licences for the purposes of this Act.	27 28

<p>(2) Part 2 of the <i>Licensing and Registration (Uniform Procedures) Act 2002</i> (<i>the applied Act</i>) applies to and in respect of a contractor licence, subject to the modifications and limitations prescribed by or under this Act.</p> <p>(3) For the purpose of applying Part 2 of the applied Act to a contractor licence:</p> <p style="padding-left: 2em;">(a) the licence may be amended under that Act, and</p> <p style="padding-left: 2em;">(b) the references to 2 weeks, 4 weeks and 8 weeks in section 9 (1) (a), (b) and (c) of that Act are each to be read as references to 6 weeks, and</p> <p style="padding-left: 2em;">(c) an application for restoration of a licence under section 10 of that Act may not be made more than 3 months after the date on which the licence expires, and</p> <p style="padding-left: 2em;">(d) the reference to 14 days in section 24 (1) of that Act (as to the period within which changed particulars must be notified) is to be read as a reference to 7 days.</p> <p>(4) Subject to this section, the regulations may make provision for or with respect to such matters concerning a contractor licence as are relevant to the operation of Part 2 of the applied Act.</p> <p>[4] Section 20 Issue of contractor licences</p> <p>Omit section 20 (1).</p> <p>[5] Section 20 (5)</p> <p>Insert “or any other” after “this”.</p> <p>[6] Section 24</p> <p>Omit the section. Insert instead:</p> <p style="padding-left: 2em;">24 Application to tradesperson and supervisor certificates of Licensing and Registration (Uniform Procedures) Act 2002</p> <p style="padding-left: 2em;">(1) The Director-General may grant the following certificates for the purposes of this Act:</p> <p style="padding-left: 4em;">(a) tradesperson certificates,</p> <p style="padding-left: 4em;">(b) supervisor certificates.</p>	<p>1</p> <p>2</p> <p>3</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p>26</p> <p>27</p> <p>28</p> <p>29</p> <p>30</p> <p>31</p>
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(2) Part 2 of the <i>Licensing and Registration (Uniform Procedures) Act 2002</i> (<i>the applied Act</i>) applies to and in respect of a tradesperson certificate or supervisor certificate, subject to the modifications and limitations prescribed by or under this Act.	1 2 3 4
(3) For the purpose of applying Part 2 of the applied Act to a tradesperson certificate or supervisor certificate:	5 6
(a) the certificate may be amended under that Act, and	7
(b) the references to 2 weeks, 4 weeks and 8 weeks in section 9 (1) (a), (b) and (c) of that Act are each to be read as references to 6 weeks, and	8 9 10
(c) an application for restoration of a licence under section 10 of that Act may not be made more than 3 months after the date on which the licence expires, and	11 12 13
(d) the reference to 14 days in section 24 (1) of that Act (as to the period within which changed particulars must be notified) is to be read as a reference to 7 days.	14 15 16
(4) An application for a tradesperson certificate or supervisor certificate may be made only by an individual, and not by a corporation, partnership or other association.	17 18 19
(5) Subject to this section, the regulations may make provision for or with respect to such matters concerning a tradesperson certificate or supervisor certificate as are relevant to the operation of Part 2 of the applied Act.	20 21 22 23
[7] Section 25 Issue of certificates	24
Omit section 25 (1).	25
[8] Section 25 (4)	26
Insert “or any other” after “this”.	27
[9] Section 27 Authority conferred by certificates	28
Omit “A registration certificate” from section 27 (2) (as inserted by Schedule 1 [11] to the <i>Home Building Legislation Amendment Act 2001</i>).	29 30
Insert instead “A tradesperson certificate”.	31

[10] Section 29 Definitions	1
Omit the definition of <i>permit</i> from section 29 (1).	2
[11] Section 30	3
Omit the section. Insert instead:	4
30 Application to owner-builder permits of Licensing and Registration (Uniform Procedures) Act 2002	5
(1) The Director-General may grant owner-builder permits for the purposes of this Act.	7
(2) Part 2 of the <i>Licensing and Registration (Uniform Procedures) Act 2002 (the applied Act)</i> applies to and in respect of an owner-builder permit, subject to the modifications and limitations prescribed by or under this Act.	9
(3) For the purpose of applying Part 2 of the applied Act to an owner-builder permit:	13
(a) the permit may be amended under that Act, and	15
(b) the reference to 14 days in section 24 (1) of that Act (as to the period within which changed particulars must be notified) is to be read as a reference to 7 days.	16
(4) An application for an owner-builder permit may be made only by an individual, and not by a corporation, partnership or other association.	19
(5) Subject to this section, the regulations may make provision for or with respect to such matters concerning an owner-builder permit as are relevant to the operation of Part 2 of the applied Act.	22
[12] Section 31 Issue of owner-builder permits	26
Omit section 31 (1).	27
[13] Section 31 (3)	28
Omit “another permit”. Insert instead “another owner-builder permit”.	29

[14]	Section 32 Authority conferred by owner-builder permits	1
	Omit “A permit” from section 32 (1).	2
	Insert instead “An owner-builder permit”.	3
[15]	Section 32A (as inserted by Schedule 3 [7] to the Home Building Legislation Amendment Act 2001)	4
	Omit the section. Insert instead:	6
	32A Application to building consultancy licences of Licensing and Registration (Uniform Procedures) Act 2002	7
		8
	(1) The Director-General may grant building consultancy licences for the purposes of this Act.	9
		10
	(2) Part 2 of the <i>Licensing and Registration (Uniform Procedures) Act 2002</i> (<i>the applied Act</i>) applies to and in respect of a building consultancy licence, subject to the modifications and limitations prescribed by or under this Act.	11
		12
		13
		14
	(3) For the purpose of applying Part 2 of the applied Act to a contractor licence:	15
		16
	(a) the licence may be amended under that Act, and	17
	(b) the references to 2 weeks, 4 weeks and 8 weeks in section 9 (1) (a), (b) and (c) of that Act are each to be read as references to 6 weeks, and	18
		19
		20
	(c) an application for restoration of a licence under section 10 of that Act may not be made more than 3 months after the date on which the licence expires, and	21
		22
		23
	(d) the reference to 14 days in section 24 (1) of that Act (as to the period within which changed particulars must be notified) is to be read as a reference to 7 days.	24
		25
		26
	(4) Subject to this section, the regulations may make provision for or with respect to such matters concerning a building consultancy licence as are relevant to the operation of Part 2 of the applied Act.	27
		28
		29
		30
[16]	Section 32B Issue of building consultancy licences (as inserted by Schedule 3 [7] to the Home Building Legislation Amendment Act 2001)	31
		32
	Omit section 32B (1).	33

[17] Section 32B (4)	1
Insert “or any other” after “this”.	2
[18] Sections 34, 35 and 39	3
Omit the sections.	4
[19] Section 40 Renewal or restoration of authorities	5
Omit section 40 (1) and (5).	6
[20] Section 40 (2)	7
Omit “Despite subsection (1), the”. Insert instead “The”.	8
[21] Section 41	9
Omit the section.	10
[22] Section 120 Register	11
Omit “and permits”, “a permit” and “or permit” wherever occurring.	12
Insert instead “and owner-builder permits”, “an owner-builder permit” and	13
“or owner-builder permit”, respectively.	14
[23] Section 131 Certificate evidence	15
Omit “or permit” and “specified permit”, wherever occurring.	16
Insert instead “or owner-builder permit” and “specified owner-builder	17
permit”, respectively.	18
[24] Section 131 (e)	19
Omit “permit”. Insert instead “owner-builder permit”.	20
4.7 Lotteries and Art Unions Act 1901 No 34	21
[1] Section 4A Certain organisations authorised to conduct games of chance	22 23
Omit section 4A (4), (4A) and (5).	24

[2] Section 4B Lotteries and games of chance for the promotion of trade	1
Omit section 4B (4), (4A) and (5).	2
[3] Section 4C Games of chance in registered clubs	3
Omit section 4C (4) and (4AA).	4
[4] Section 4D Sweepstakes in relation to Melbourne Cup and other events	5
Omit section 4D (5), (5A) and (6).	6
[5] Section 4F Conduct of progressive lotteries authorised	7
Omit section 4F (3), (4) and (5).	8
[6] Section 6 Conditions and permits for art unions	9
Omit section 6 (2), (2A), (3) and (4).	10
[7] Section 7	11
Insert after section 6B:	12
7 Application to permits of Licensing and Registration (Uniform Procedures) Act 2002	13
	14
(1) The Minister may grant the following permits for the purposes of this Act:	15
	16
(a) permits under section 4A to conduct games of chance for charitable purposes,	17
	18
(b) permits under section 4B to conduct lotteries or games of chance for trade promotion,	19
	20
(c) permits under section 4C to conduct lotteries or games of chance in registered clubs,	21
	22
(d) permits under section 4D to conduct sweeps or calcuttas,	23
	24
(e) permits under section 4F to conduct progressive lotteries,	25
	26
(f) permits under section 6 to form art unions.	27

(2) Part 2 of the <i>Licensing and Registration (Uniform Procedures) Act 2002</i> (<i>the applied Act</i>) applies to and in respect of a permit, subject to the modifications and limitations prescribed by or under this Act.	1 2 3 4
(3) For the purpose of applying Part 2 of the applied Act to a permit:	5 6
(a) the permit may be amended under that Act, and	7
(b) the reference to 14 days in section 14 (3) of that Act (as to the period within which further information must be provided) is to be read as a reference to 21 days.	8 9 10
(4) Subject to this section, the regulations may make provision for or with respect to such matters concerning a permit as are relevant to the operation of Part 2 of the applied Act.	11 12 13
[8] Section 17A False representations	14
Omit section 17A (1).	15
[9] Section 23 Regulations	16
Insert “, application” after “permit” in section 23 (1) (f).	17
4.8 Motor Dealers Act 1974 No 52	18
[1] Section 10	19
Omit the section. Insert instead:	20
10 Application to permits of Licensing and Registration (Uniform Procedures) Act 2002	21 22
(1) The Director-General may grant the following licences for the purposes of this Act:	23 24
(a) dealers’ licences,	25
(b) auto-dismantlers’ licences,	26
(c) wholesalers’ licences,	27
(d) motor vehicle parts reconstructors’ licences,	28
(e) car market operators’ licences,	29

(f)	motor vehicle consultants' licences,	1
(g)	prescribed dealers' licences.	2
(2)	Part 2 of the <i>Licensing and Registration (Uniform Procedures) Act 2002</i> (<i>the applied Act</i>) applies to and in respect of a licence, subject to the modifications and limitations prescribed by or under this Act.	3 4 5 6
(3)	For the purpose of applying Part 2 of the applied Act to a licence:	7 8
(a)	the licence may be amended under that Act, and	9
(b)	an application for restoration of a licence under section 10 of that Act may not be made more than 3 months after the date on which the licence expires.	10 11 12
(4)	Subject to this section, the regulations may make provision for or with respect to such matters concerning a licence as are relevant to the operation of Part 2 of the applied Act.	13 14 15
[2]	Section 12 Grounds on which application to be granted or refused	16
	Omit section 12 (2) (f1).	17
[3]	Section 12 (4) (e1)	18
	Omit the paragraph.	19
[4]	Section 13 Grant of approval for licence	20
	Omit "the matter referred to in section 10 (4) (d)" from section 13 (1).	21
	Insert instead "the address of the place or places of business at which, or the name or names under which, the applicant intends to carry on business".	22 23
[5]	Section 13 (4) (a)	24
	Omit "section 10 (4) (d)". Insert instead "subsection (1)".	25
[6]	Section 15 Name under which holder of licence may operate	26
	Omit section 15 (3).	27
[7]	Section 16	28
	Omit the section.	29

[8] Section 17 Change of place of business	1
Omit section 17 (1) and (2).	2
[9] Section 17 (5)	3
Omit “the place of business specified in accordance with section 10 (4) (d) or, where the place of business has been varied under subsection (3), at the place of business as so varied”.	4 5 6
Insert instead “a place of business authorised by the licence”.	7
[10] Section 19 Term of, and authority conferred by, licence	8
Omit “referred to in section 16 (c)” from section 19 (2).	9
[11] Section 19 (2)	10
Omit “specified in accordance with section 10 (4) (d)”.	11
Insert instead “so specified”.	12
[12] Section 19 (5)	13
Omit “sections 12 (5) and 17 (2)”. Insert instead “section 12 (5)”.	14
[13] Section 20 Annual fee and annual statement	15
Omit “in accordance with section 10 (4), (5) and (6)” from section 20 (9) (a).	16 17
[14] Section 20C Duplicate licence	18
Omit the section.	19

4.9 National Parks and Wildlife Act 1974 No 80	1
Section 133A	2
Insert after section 133:	3
133A Application to licences and certificates of Licensing and Registration (Uniform Procedures) Act 2002	4
	5
(1) An authorised officer may grant the following licences and certificates for the purposes of this Act:	6
	7
(a) general licences under section 120,	8
(b) occupiers' licences under section 121,	9
(c) game licences under section 122,	10
(d) trappers' licences under section 123,	11
(e) fauna dealers' licences under section 124,	12
(f) fauna dealers' registration certificates under section 124,	13
(g) skin dealers' licences under section 125,	14
(h) skin dealers' registration certificates under section 125,	15
(i) emu licences under section 125A,	16
(j) import and export licences under section 126,	17
(k) licences to liberate animals under section 127,	18
(l) aviary registration certificates under section 128,	19
(m) licences to pick native plants under section 131,	20
(n) licences to grow native plants for sale under section 132,	21
	22
(o) import licences under section 132A (1),	23
(p) export licences under section 132A (2).	24
(2) Part 2 of the <i>Licensing and Registration (Uniform Procedures) Act 2002 (the applied Act)</i> applies to and in respect of a licence or certificate under this Part, subject to the modifications and limitations prescribed by or under this Act.	25
	26
	27
	28
(3) For the purpose of applying Part 2 of the applied Act to a licence or certificate:	29
	30

(a)	an application under section 6 may be made by an individual (of any age) or by a corporation, but not by a partnership or other association, and	1 2 3
(b)	the licence or certificate may be amended under that Act, and	4 5
(c)	in addition to details of any offence referred to in section 14 (2) (a), the licensing authority may require an applicant to provide details of any offence against this Act or the regulations in respect of which a penalty notice has been served on the applicant, and	6 7 8 9 10
(d)	sections 26 and 30 of that Act do not have effect.	11
(4)	Subject to this section, the regulations may make provision for or with respect to such matters concerning a licence or certificate as are relevant to the operation of Part 2 of the applied Act.	12 13 14 15
(5)	Part 2 of the applied Act does not apply to any licence or certificate with respect to kangaroos or game birds.	16 17
 4.10 Occupational Health and Safety Regulation 2001		 18
 [1] Clauses 289 and 289A		 19
Omit clause 289. Insert instead:		20
 289 Applications for certificates of competency		 21
(1)	Any person may apply to WorkCover for a certificate of competency to do scheduled work.	22 23
(2)	The application must be accompanied by the fee fixed for the time being by WorkCover to cover expenses in connection with the regulation of holders of certificates of competency of the class concerned.	24 25 26 27
 289A Application to certificates of competency of Licensing and Registration (Uniform Procedures) Act 2002		 28 29
(1)	WorkCover may grant certificates of competency for the purposes of this Part.	30 31

(2) Part 2 of the <i>Licensing and Registration (Uniform Procedures) Act 2002 (the applied Act)</i> applies to and in respect of a certificate of competency under this Part, subject to the modifications and limitations prescribed by this Regulation.	1 2 3 4
(3) For the purpose of applying Part 2 of the applied Act to a certificate of competency under this Part:	5 6
(a) the certificate may be amended under that Act, and	7
(b) section 26 of that Act does not have effect.	8
[2] Clause 290 Issue of certificates	9
Omit clause 290 (1) (a) and (3).	10
[3] Clause 292 Form of certificates	11
Omit clause 292 (1).	12
[4] Clause 292 (2)	13
Omit “also”.	14
[5] Clause 308 Applications for certificates	15
Omit clause 308 (2) (a), (b) and (c) and (3).	16
[6] Clause 308A	17
Insert after clause 308:	18
308A Application to certificates of competency of Licensing and Registration (Uniform Procedures) Act 2002	19 20
(1) WorkCover may grant the following certificates of competency for the purposes of this Part:	21 22
(a) certificates of competency to do formwork,	23
(b) certificates of competency to use explosive-powered tools.	24 25
(2) Part 2 of the <i>Licensing and Registration (Uniform Procedures) Act 2002 (the applied Act)</i> applies to and in respect of a certificate of competency under this Part, subject to the modifications and limitations prescribed by this Regulation.	26 27 28 29

	(3) For the purpose of applying Part 2 of the applied Act to a certificate of competency under this Part:	1
		2
	(a) the certificate may be amended under that Act, and	3
	(b) sections 25 and 26 of that Act do not have effect.	4
[7]	Clause 310 Form of certificates	5
	Omit clause 310 (1).	6
[8]	Clauses 319 and 319A	7
	Omit clause 319. Insert instead:	8
	319 Applications for licences	9
	(1) Any person may apply to WorkCover for a licence.	10
	(2) The application must be accompanied by the fee fixed for the time being by WorkCover to cover expenses in connection with applications for licences of the class concerned.	11
		12
		13
	319A Application to licences of Licensing and Registration (Uniform Procedures) Act 2002	14
		15
	(1) WorkCover may grant the following licences for the purposes of this Part:	16
		17
	(a) licences for demolition work,	18
	(b) licences for restricted demolition work,	19
	(c) licences for friable asbestos removal work,	20
	(d) licences for bonded asbestos removal work.	21
	(2) Part 2 of the <i>Licensing and Registration (Uniform Procedures) Act 2002</i> (<i>the applied Act</i>) applies to and in respect of a licence, subject to the modifications and limitations prescribed by this Regulation.	22
		23
		24
		25
	(3) For the purpose of applying Part 2 of the applied Act to a licence, section 26 of that Act does not have effect.	26
		27
[9]	Clauses 321 and 322	28
	Omit the clauses.	29

[10] Clause 333 Applications for permits	1
Omit clause 333 (1) (a) and (2).	2
[11] Clause 333A	3
Insert after clause 333:	4
333A Application to permits of Licensing and Registration (Uniform Procedures) Act 2002	5 6
(1) WorkCover may grant the following permits for the purposes of this Part:	7 8
(a) permits for demolition work,	9
(b) permits for friable asbestos removal work.	10
(2) Part 2 of the <i>Licensing and Registration (Uniform Procedures) Act 2002</i> (<i>the applied Act</i>) applies to and in respect of a permit, subject to the modifications and limitations prescribed by this Regulation.	11 12 13 14
(3) For the purpose of applying Part 2 of the applied Act to a permit, section 26 of that Act does not have effect.	15 16
[12] Clause 334	17
Omit the clause.	18
[13] Clause 347 Exemptions for particular persons on application	19
Omit clause 347 (4) and (6).	20
[14] Clause 347A	21
Insert after clause 347:	22
347A Application to certain exemptions of Licensing and Registration (Uniform Procedures) Act 2002	23 24
(1) WorkCover may grant exemptions for the purposes of clause 347.	25 26

(2) Part 2 of the <i>Licensing and Registration (Uniform Procedures) Act 2002 (the applied Act)</i> applies to and in respect of an exemption under clause 347, subject to the modifications and limitations prescribed by this Regulation.	1 2 3 4
(3) For the purpose of applying Part 2 of the applied Act to an exemption under clause 347:	5 6
(a) the exemption may be amended under that Act, and	7
(b) section 26 of that Act does not have effect.	8
4.11 Pawnbrokers and Second-hand Dealers Act 1996 No 13	9
[1] Section 9	10
Omit the section. Insert instead:	11
9 Application to licences of Licensing and Registration (Uniform Procedures) Act 2002	12 13
(1) The Director-General may grant the following licences for the purposes of this Act:	14 15
(a) pawnbrokers' licences,	16
(b) second-hand dealers' licences.	17
(2) Part 2 of the <i>Licensing and Registration (Uniform Procedures) Act 2002 (the applied Act)</i> applies to and in respect of a licence, subject to the modifications and limitations prescribed by or under this Act.	18 19 20 21
(3) For the purpose of applying Part 2 of the applied Act to a licence:	22 23
(a) the licence may be amended under that Act, and	24
(b) an application for restoration of a licence under section 10 of that Act may not be made more than 3 months after the date on which the licence expires.	25 26 27
(4) Subject to this section, the regulations may make provision for or with respect to such matters concerning a licence as are relevant to the operation of Part 2 of the applied Act.	28 29 30

[2] Sections 10 and 10A	1
Omit the sections.	2
[3] Section 13 Register of licences	3
Omit section 13 (3).	4
4.12 Property, Stock and Business Agents Act 1941 No 28	5
[1] Section 22 Licences	6
Omit section 22 (3) (a), (4) (b) and (c), (5), (6) and (7).	7
[2] Section 22A	8
Omit the section. Insert instead:	9
22A Application to licences of Licensing and Registration (Uniform Procedures) Act 2002	10 11
(1) The Director-General may grant the following licences for the purposes of this Act:	12 13
(a) real estate agents' licences,	14
(b) stock and station agents' licences,	15
(c) business agents' licences,	16
(d) strata managing agents' licences,	17
(e) on-site residential property managers' licences.	18
(2) Part 2 of the <i>Licensing and Registration (Uniform Procedures) Act 2002</i> (the applied Act) applies to and in respect of a licence, subject to the modifications and limitations prescribed by or under this Act.	19 20 21 22
(3) For the purpose of applying Part 2 of the applied Act to a licence:	23 24
(a) the licence may be amended under that Act, and	25
(b) the references to 2 weeks, 4 weeks and 8 weeks in section 9 (1) (a), (b) and (c) of that Act are each to be read as references to 6 weeks, and	26 27 28

(c)	an application for restoration of a licence under section 10 of that Act may not be made more than 3 months after the date on which the licence expires, and	1 2 3
(d)	section 21 (4) of that Act does not have effect, and	4
(e)	the reference to 14 days in section 24 (1) of that Act (as to the period within which changed particulars must be notified) is to be read as a reference to 7 days.	5 6 7
(4)	Subject to this section, the regulations may make provision for or with respect to such matters concerning a licence as are relevant to the operation of Part 2 of the applied Act.	8 9 10
[3]	Section 23 Further procedural provisions	11
	Omit section 23 (1) and (2). Insert instead:	12
(2)	An application for a licence or for renewal of a licence is to be accompanied by:	13 14
(a)	the prescribed application fee, and	15
(b)	the prescribed administration fee, and	16
(c)	the prescribed contribution.	17
[4]	Section 23 (6) and (6A)	18
	Omit the subsections.	19
[5]	Sections 23A and 23B	20
	Omit the sections.	21
4.13	Trade Measurement Act 1989 No 233	22
	Section 44A	23
	Insert after section 44:	24
44A	Application to licences of Licensing and Registration (Uniform Procedures) Act 2002	25 26
(1)	The licensing authority may grant the following licences for the purposes of this Act:	27 28

(a)	servicing licences,	1
(b)	public weighbridge licences.	2
(2)	Part 2 of the <i>Licensing and Registration (Uniform Procedures) Act 2002</i> (<i>the applied Act</i>) applies to and in respect of a servicing licence or public weighbridge licence, subject to the modifications and limitations prescribed by or under this Act.	3 4 5 6
(3)	For the purpose of applying Part 2 of the applied Act to a servicing licence or public weighbridge licence :	7 8
(a)	the licence may be amended under that Act, and	9
(b)	an application for restoration of a licence under section 10 of that Act may not be made more than 3 months after the date on which the licence expires, and	10 11 12
(c)	the reference to 14 days in section 14 (3) of that Act (as to the period within which further information must be provided) is to be read as a reference to 21 days.	13 14 15
(4)	Subject to this section, the regulations may make provision for or with respect to such matters concerning a servicing licence or public weighbridge licence as are relevant to the operation of Part 2 of the applied Act.	16 17 18 19
4.14	Travel Agents Act 1986 No 5	20
[1]	Section 7A	21
	Insert before section 8:	22
7A	Application to licences of Licensing and Registration (Uniform Procedures) Act 2002	23 24
(1)	The Director-General may grant licences for the purposes of this Act.	25 26
(2)	Part 2 of the <i>Licensing and Registration (Uniform Procedures) Act 2002</i> (<i>the applied Act</i>) applies to and in respect of a licence, subject to the modifications and limitations prescribed by or under this Act.	27 28 29 30
(3)	For the purpose of applying Part 2 of the applied Act to a licence:	31 32

(a)	the licence may be amended under that Act, and	1
(b)	an application for restoration of a licence under section 10 of that Act may not be made more than 3 months after the date on which the licence expires.	2 3 4
(4)	Subject to this section, the regulations may make provision for or with respect to such matters concerning a licence as are relevant to the operation of Part 2 of the applied Act.	5 6 7
[2]	Section 8 Application for licence	8
	Omit section 8 (2), (4), (5), (6), (7) and (8).	9
[3]	Section 10 Grant or refusal of licence	10
	Omit section 10 (6) and (7).	11
[4]	Section 10B Grant of approval for licence	12
	Omit “the matter referred to in section 8 (4) (d) or (e)” from section 10B (1).	13
	Insert instead “the address of any place of business at which, or the name or names under which, the applicant intends to carry on business”.	14 15
[5]	Section 10B (4) (a)	16
	Omit “section 8 (4) (d) or (e) (as the case may be)”.	17
	Insert instead “subsection (1)”.	18
[6]	Section 10B (4)	19
	Omit “must, subject to section 10 (7), grant the application and issue the licence”.	20 21
	Insert instead “must grant the application”.	22
[7]	Sections 13, 14, 18 and 19	23
	Omit the sections.	24
[8]	Section 16 Term of, and authority conferred by. licence	25
	Omit “, 18” from section 16 (4).	26

[9] Section 17 Annual fee and annual statement	1
Omit “specified in, or in connection with, the application or provided in accordance with section 8 (6)” from section 17 (11) (a).	2
Insert instead “specified in, or provided in connection with, the application”.	3
	4
[10] Section 17 (11)	5
Omit “a change required to be notified under section 14 or”.	6
Part 2 Amendments with respect to registration procedures	7
	8
4.15 Occupational Health and Safety Regulation 2001	9
[1] Clause 107 Registration of plant design	10
Omit clause 107 (1).	11
[2] Clause 107 (2)	12
Insert “for plant specified in the Table to this clause” after “registration of a plant design”.	13
	14
[3] Clause 107 (3)	15
Omit “The application for registration of a plant design must be accompanied by the following:”.	16
	17
Insert instead “The following must be provided to WorkCover before an application for registration of a plant design may be dealt with:”.	18
	19

[4] Clause 107A	1
Insert after clause 107:	2
107A Application to registration of plant design of Licensing and Registration (Uniform Procedures) Act 2002	3 4
(1) WorkCover may grant registration of plant design for plant specified in the Table to clause 107.	5 6
(2) Part 3 of the <i>Licensing and Registration (Uniform Procedures) Act 2002 (the applied Act)</i> applies to and in respect of registration of plant design, subject to the modifications and limitations prescribed by or under this Regulation.	7 8 9 10
(3) For the purpose of applying Part 3 of the applied Act to registration of plant design:	11 12
(a) registration may be amended under that Act, and	13
(b) registration may be transferred under that Act, and	14
(c) section 53 (1) of that Act does not have effect.	15
[5] Clauses 108 and 109	16
Omit the clauses.	17
[6] Clause 113 Registration of item of plant	18
Omit clause 113 (1) and (2).	19
[7] Clause 113 (3)	20
Omit “A person who applies for the registration of an item of plant must provide the following at the time of making the application:”.	21 22
Insert instead “The following must be provided to WorkCover before an application for registration of an item of plant specified in the Table to this clause may be dealt with:”.	23 24 25
[8] Clause 113 (4)	26
Omit the subclause and the note following the subclause.	27

[9] Clause 114 Additional requirements for application to register amusement device	1 2
Omit “An owner of an amusement device who wishes to apply to WorkCover to register an amusement device referred to in the Table to clause 113 must, in addition to complying with clause 113, provide the following at the time of making the application:”.	3 4 5 6
Insert instead “In addition to the requirements of clause 113, the following must be provided to WorkCover before an application for registration of an amusement device specified in the Table to clause 113 may be dealt with:”.	7 8 9
[10] Clause 114A	10
Insert after clause 114:	11
114A Application to registration of plant design of Licensing and Registration (Uniform Procedures) Act 2002	12 13
(1) WorkCover may grant registration of an item of plant specified in the Table to clause 113.	14 15
(2) Part 3 of the <i>Licensing and Registration (Uniform Procedures) Act 2002 (the applied Act)</i> applies to and in respect of registration of an item of plant, subject to the modifications and limitations prescribed by or under this Regulation.	16 17 18 19
(3) For the purpose of applying Part 3 of the applied Act to registration of an item of plant:	20 21
(a) registration may be amended under that Act, and	22
(b) registration may be transferred under that Act, and	23
(c) section 53 (1) of that Act does not have effect.	24
(4) An application for registration of an item of plant may be made only by the owner or lessee of the plant or by some other person having control of the plant.	25 26 27
[11] Clause 115	28
Omit the clause.	29
[12] Clause 284 Accreditation of assessors	30
Omit clause 284 (2) (a) and (b), (4) and (5).	31

[13] Clause 284A	1
Insert after clause 284:	2
284A Application to accreditation as assessor of Licensing and Registration (Uniform Procedures) Act 2002	3 4
(1) WorkCover may grant accreditation as an assessor for the purposes of this Part.	5 6
(2) Part 3 of the <i>Licensing and Registration (Uniform Procedures) Act 2002 (the applied Act)</i> applies to and in respect of accreditation as an assessor, subject to the modifications and limitations prescribed by or under this Regulation.	7 8 9 10
(3) For the purpose of applying Part 3 of the applied Act to accreditation as an assessor:	11 12
(a) accreditation may be amended under that Act, and	13
(b) section 53 (1) of that Act does not have effect.	14
 4.16 Property, Stock and Business Agents Act 1941 No 28	 15
 [1] Section 56A	 16
Insert after section 56:	17
56A Application to registration of Licensing and Registration (Uniform Procedures) Act 2002	18 19
(1) The Director-General may grant the following registration for the purposes of this Act:	20 21
(a) registration as real estate salesperson,	22
(b) registration as a stock and station salesperson,	23
(c) registration as a business salesperson,	24
(d) registration as a trainee managing agent.	25
(2) Part 3 of the <i>Licensing and Registration (Uniform Procedures) Act 2002 (the applied Act)</i> applies to and in respect of registration under this Act, subject to the modifications and limitations prescribed by or under this Act.	26 27 28 29

(3) For the purpose of applying Part 3 of the applied Act to registration under this Act:	1 2
(a) an application for the granting of registration may only be made by an individual aged 16 years or more, and	3 4
(b) registration may be amended under that Act, and	5
(c) the references to 2 weeks, 4 weeks and 8 weeks in section 38 (1) (a), (b) and (c) of that Act are each to be read as references to 6 weeks, and	6 7 8
(d) an application for restoration of registration under section 39 of that Act may not be made more than 3 months after the date on which registration expires, and	9 10 11
(e) the reference to 14 days in section 53 (1) of that Act (as to the period within which changed particulars must be notified) is to be read as a reference to 7 days.	12 13 14
(4) Subject to this section, the regulations may make provision for or with respect to such matters concerning registration under this Act as are relevant to the operation of Part 3 of the applied Act.	15 16 17 18
[2] Section 57 Further procedural provisions	19
Omit section 57 (1), (2), (4E), (9) (d) and (12).	20
4.17 Valuers Registration Act 1975 No 92	21
[1] Section 13 Applications for registration—generally	22
Omit section 13 (2) (a).	23
[2] Section 13A	24
Insert after section 13:	25
13A Application to registration of Licensing and Registration (Uniform Procedures) Act 2002	26 27
(1) The Director-General may grant the following registration for the purposes of this Part:	28 29
(a) registration as an associate real estate valuer,	30

(b)	registration as a practising real estate valuer,	1
(c)	registration as a non-practising real estate valuer,	2
(d)	registration as an associate valuer of licensed premises,	3
(e)	registration as a valuer of licensed premises.	4
(2)	Part 3 of the <i>Licensing and Registration (Uniform Procedures) Act 2002</i> (<i>the applied Act</i>) applies to and in respect of registration under this Part, subject to the modifications and limitations prescribed by or under this Act.	5 6 7 8
(3)	For the purpose of applying Part 3 of the applied Act to registration under this Part:	9 10
(a)	registration may be amended under that Act, and	11
(b)	the references to 2 weeks, 4 weeks and 8 weeks in section 38 (1) (a), (b) and (c) of that Act are each to be read as references to 6 weeks, and	12 13 14
(c)	an application for restoration of registration under section 39 of that Act may not be made more than 3 months after the date on which registration expires, and	15 16 17
(d)	the reference to 28 days in section 46 (1) of that Act (as to the period within which an application must be determined) is to be read as a reference to 3 months.	18 19 20
(4)	Subject to this section, the regulations may make provision for or with respect to such matters concerning registration under this Part as are relevant to the operation of Part 3 of the applied Act.	21 22 23 24
[3]	Section 16 Renewal of registration under this Part	25
	Omit section 16 (1) (b).	26
[4]	Section 16 (2), (3) and (3A)	27
	Omit the subsections.	28
[5]	Sections 17 and 18	29
	Omit the sections.	30

[6] Section 25 Penalties for false statements etc	1
Omit section 25 (b).	2
Part 3 Amendments with respect to registration procedures for health professionals	3
	4
4.18 Chiropractors Act 2001 No 15	5
[1] Section 11A	6
Insert after section 11:	7
11A Application to full registration of Licensing and Registration (Uniform Procedures) Act 2002	8
	9
(1) The Board may grant full registration under section 11 for the purposes of this Act.	10
	11
(2) Part 4 of the <i>Licensing and Registration (Uniform Procedures) Act 2002 (the applied Act)</i> applies to and in respect of full registration under section 11, subject to the modifications and limitations prescribed by or under this Act.	12
	13
	14
	15
(3) The regulations may make provision for or with respect to such matters concerning full registration as are relevant to the operation of Part 4 of the applied Act.	16
	17
	18
[2] Section 117 Application of Criminal Records Act	19
Insert “(including Part 4 of the <i>Licensing and Registration (Uniform Procedures) Act 2002</i> , as applied to this Act by section 11A)” after “the application of this Act”.	20
	21
	22
[3] Schedule 1 Registration procedures	23
Omit clauses 1, 3, 4, 5, 6, and 7.	24

[4] Schedule 1, clause 2 (1)	1
Omit “The application”.	2
Insert instead “An application for registration”.	3
4.19 Dental Technicians Registration Act 1975 No 40	4
[1] Section 5 Definitions	5
Omit the definition of <i>dental prosthetist</i> from section 5 (1). Insert instead:	6
<i>dental prosthetist</i> means a dental technician who is registered	7
as a dental prosthetist.	8
[2] Section 15 Qualifications for registration	9
Omit section 15 (6).	10
[3] Section 15A	11
Insert after section 15:	12
15A Application to registration as a dental technician of Licensing and Registration (Uniform Procedures) Act 2002	13
	14
(1) The board may grant registration as a dental technician for the purposes of this Act.	15
	16
(2) Part 4 of the <i>Licensing and Registration (Uniform Procedures) Act 2002 (the applied Act)</i> applies to and in respect of registration as a dental technician, subject to the modifications and limitations prescribed by or under this Act.	17
	18
	19
	20
(3) The regulations may make provision for or with respect to such matters concerning registration as a dental technician as are relevant to the operation of Part 4 of the applied Act.	21
	22
	23
[4] Section 18A Index	24
Omit “a practising certificate is granted to a dental technician” from section 18A (2).	25
	26
Insert instead “a person is registered as a dental prosthetist”.	27

[5] Section 18A (2) (c) and (d)	1
Omit “the dental practitioner’s practising certificate” wherever occurring.	2
Insert instead “registration as a dental prosthetist”.	3
[6] Section 18B Practising certificates	4
Omit “a practising certificate” wherever occurring in section 18B (1) and (3).	5
Insert instead “registration as a dental prosthetist”.	7
[7] Section 18B (1)	8
Omit “the practising certificate”. Insert instead “the registration”.	9
[8] Section 18B (2)	10
Omit the subsection. Insert instead:	11
(2) On receiving an application under subsection (1) by a person who is entitled to be granted authority to practise dental prosthetics, the board:	12
(a) must register the applicant as a dental prosthetist, and	13
(b) on payment of the prescribed fee, must issue a practising certificate to the applicant.	14
(a) must register the applicant as a dental prosthetist, and	15
(b) on payment of the prescribed fee, must issue a practising certificate to the applicant.	16
(b) on payment of the prescribed fee, must issue a practising certificate to the applicant.	17
[9] Section 18B (4) and (5)	18
Omit section 18B (4). Insert instead:	19
(4) An application made under subsection (1) before the commencement of Schedule 4.19 of the <i>Licensing and Registration (Uniform Procedures) Act 2002</i> is to be dealt with as if that Act had not been enacted.	20
(4) An application made under subsection (1) before the commencement of Schedule 4.19 of the <i>Licensing and Registration (Uniform Procedures) Act 2002</i> is to be dealt with as if that Act had not been enacted.	21
(4) An application made under subsection (1) before the commencement of Schedule 4.19 of the <i>Licensing and Registration (Uniform Procedures) Act 2002</i> is to be dealt with as if that Act had not been enacted.	22
(4) An application made under subsection (1) before the commencement of Schedule 4.19 of the <i>Licensing and Registration (Uniform Procedures) Act 2002</i> is to be dealt with as if that Act had not been enacted.	23
(5) Any person:	24
(a) in respect of whom a practising certificate was in force immediately before the commencement of Schedule 4.19 of the <i>Licensing and Registration (Uniform Procedures) Act 2002</i> , or	25
(a) in respect of whom a practising certificate was in force immediately before the commencement of Schedule 4.19 of the <i>Licensing and Registration (Uniform Procedures) Act 2002</i> , or	26
(a) in respect of whom a practising certificate was in force immediately before the commencement of Schedule 4.19 of the <i>Licensing and Registration (Uniform Procedures) Act 2002</i> , or	27
(a) in respect of whom a practising certificate was in force immediately before the commencement of Schedule 4.19 of the <i>Licensing and Registration (Uniform Procedures) Act 2002</i> , or	28

	(b) to whom a practising certificate is granted in connection with an application referred to in subsection (4),	1
	is taken to have been registered as a dental prosthetist.	2
		3
[10]	Section 18BA	4
	Insert after section 18B:	5
18BA	Application to registration as a dental prosthetist of Licensing and Registration (Uniform Procedures) Act 2002	6
		7
	(1) The board may grant registration as a dental prosthetist for the purposes of this Act.	8
		9
	(2) Part 4 of the <i>Licensing and Registration (Uniform Procedures) Act 2002</i> (<i>the applied Act</i>) applies to and in respect of registration as a dental prosthetist, subject to the modifications and limitations prescribed by or under this Act.	10
		11
		12
		13
	(3) The regulations may make provision for or with respect to such matters concerning registration as a dental prosthetist as are relevant to the operation of Part 4 of the applied Act.	14
		15
		16
[11]	Section 18C Inquiries into applications for registration as a dental prosthetist	17
		18
	Omit “a practising certificate” from section 18C (1).	19
	Insert instead “registration as a dental prosthetist”.	20
[12]	Section 19A Proceedings before board against prosthetist	21
	Omit “practising certificate” wherever occurring in section 19A (1) (b) and (c).	22
		23
	Insert instead “registration”.	24
[13]	Section 19A (3)	25
	Omit “a practising certificate” and “whose practising certificate”.	26
	Insert instead “registration” and “whose registration”, respectively.	27
[14]	Section 19A (3)	28
	Omit “another practising certificate” wherever occurring.	29
	Insert instead “further registration as a dental prosthetist”.	30

[15] Section 21 Appeal	1
Insert “or dental prosthetist” after “dental technician” in section 21 (1) (a) (i).	2 3
[16] Section 21 (1) (a) (ii)	4
Omit the subparagraph. Insert instead:	5
(ii) to direct under section 19 (2) or 19A (3) that the person may apply for registration or further registration, or	6 7 8
[17] Section 21 (3) (a)	9
Omit “or that the person applying for a practising certificate be granted a practising certificate”.	10 11
[18] Section 21 (3) (a1)	12
Omit “practising certificate” wherever occurring. Insert instead “registration”.	13 14
[19] Section 26 Practice by unregistered persons	15
Insert “who holds a practising certificate” after “dental prosthetist” in section 26 (2).	16 17
[20] Section 35 Regulations	18
Insert “or dental prosthetist” after “dental technician” wherever occurring in section 35 (2) (a) and (b).	19 20
[21] Section 35 (2) (a)	21
Omit “or for practising certificates”. Insert instead “or dental prosthetist”.	22
[22] Section 35 (2) (b)	23
Omit “and the grant of a practising certificate”. Insert instead “or dental prosthetist”.	24 25

4.20	Optical Dispensers Act 1963 No 35	1
[1]	Long title	2
	Omit “licensing” wherever occurring. Insert instead “registration”.	3
[2]	Long title	4
	Omit “Licensing”.	5
[3]	Section 2 Definitions	6
	Omit “Licensing” from the definition of <i>Board</i> in section 2 (1).	7
[4]	Section 2 (1), definition of “Optical dispenser”	8
	Omit “licensed”. Insert instead “registered”.	9
[5]	Section 4 Optical Dispensers Board	10
	Omit “Licensing”.	11
[6]	Sections 20, 21, 22 (paragraph (c) excepted), 22A, 22B, 23, 24, 25, 28, 30, 33, 35	12
	Omit “license”, “a licence”, “the licence”, “licences”, “licensed” and “licensing” wherever occurring.	13
	Insert instead “register”, “registration”, “the registration”, “registration”, “registered” and “registration”, respectively.	14
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		16
		17
[7]	Sections 21 (2) (c), 22, 25 (1) and (2), 26 (2), 26A (1)	18
	Omit “licence” wherever occurring. Insert instead “registration”.	19
[8]	Section 21 Register	20
	Insert after section 21 (3):	21
	(4) An application for a licence made under section 22 (1) before the commencement of Schedule 4.20 of the <i>Licensing and Registration (Uniform Procedures) Act 2002</i> is to be dealt with as if that Act had not been enacted.	22
		23
		24
		25

(5) Any person:	1
(a) in respect of whom a licence under section 22 was in force immediately before the commencement of Schedule 4.20 of the <i>Licensing and Registration (Uniform Procedures) Act 2002</i> , or	2 3 4 5
(b) to whom a licence is granted in connection with an application referred to in subsection (4),	6 7
is taken to have been registered under section 22.	8
[9] Section 22AA	9
Insert after section 22:	10
22AA Application to registration of Licensing and Registration (Uniform Procedures) Act 2002	11 12
(1) The board may grant registration as an optical dispenser, as referred to in section 22.	13 14
(2) Part 4 of the <i>Licensing and Registration (Uniform Procedures) Act 2002</i> (<i>the applied Act</i>) applies to and in respect of registration as an optical dispenser, subject to the modifications and limitations prescribed by or under this Act.	15 16 17 18
(3) The regulations may make provision for or with respect to such matters concerning registration as an optical dispenser as are relevant to the operation of Part 4 of the applied Act.	19 20 21
4.21 Optometrists Act 1930 No 20	22
[1] Section 22	23
Insert after section 21:	24
22 Application to full registration of Licensing and Registration (Uniform Procedures) Act 2002	25 26
(1) The board may grant full registration under section 19 for the purposes of this Act.	27 28

<p>(2) Part 4 of the <i>Licensing and Registration (Uniform Procedures) Act 2002 (the applied Act)</i> applies to and in respect of registration under section 19, subject to the modifications and limitations prescribed by or under this Act.</p> <p>(3) The regulations may make provision for or with respect to such matters concerning registration under section 19 as are relevant to the operation of Part 4 of the applied Act.</p> <p>[2] Section 28 Obtaining registration by false pretences</p> <p>Omit section 28 (a).</p> <p>4.22 Osteopaths Act 2001 No 16</p> <p>[1] Section 11A</p> <p>Insert after section 11:</p> <p>11A Application to full registration of Licensing and Registration (Uniform Procedures) Act 2002</p> <p>(1) The Board may grant full registration under section 11 for the purposes of this Act.</p> <p>(2) Part 4 of the <i>Licensing and Registration (Uniform Procedures) Act 2002 (the applied Act)</i> applies to and in respect of full registration under section 11, subject to the modifications and limitations prescribed by or under this Act.</p> <p>(3) The regulations may make provision for or with respect to such matters concerning full registration as are relevant to the operation of Part 4 of the applied Act.</p> <p>[2] Section 117 Application of Criminal Records Act</p> <p>Insert “(including Part 4 of the <i>Licensing and Registration (Uniform Procedures) Act 2002</i>, as applied to this Act by section 11A)” after “the application of this Act”.</p> <p>[3] Schedule 1 Registration procedures</p> <p>Omit clauses 1, 3, 4, 5, 6, and 7.</p>	<p>1</p> <p>2</p> <p>3</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p>26</p> <p>27</p> <p>28</p> <p>29</p>
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[4] Schedule 1, clause 2 (1)	1
Omit “The application”. Insert instead “An application for registration”.	2
4.23 Physiotherapists Act 2001 No 67	3
[1] Section 11A	4
Insert after section 11:	5
11A Application to full registration of Licensing and Registration (Uniform Procedures) Act 2002	6
	7
(1) The Board may grant full registration under section 11 for the purposes of this Act.	8
	9
(2) Part 4 of the <i>Licensing and Registration (Uniform Procedures) Act 2002 (the applied Act)</i> applies to and in respect of full registration under section 11, subject to the modifications and limitations prescribed by or under this Act.	10
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	12
	13
(3) The regulations may make provision for or with respect to such matters concerning full registration as are relevant to the operation of Part 4 of the applied Act.	14
	15
	16
[2] Section 118 Application of Criminal Records Act	17
Insert “(including Part 4 of the <i>Licensing and Registration (Uniform Procedures) Act 2002</i> , as applied to this Act by section 11A)” after “the application of this Act”.	18
	19
	20
[3] Schedule 1 Registration procedures	21
Omit clauses 1, 3, 4, 5, 6, and 7.	22
[4] Schedule 1, clause 2 (1)	23
Omit “The application”. Insert instead “An application for registration”.	24

4.24 Podiatrists Act 1989 No 23	1
[1] Section 8A	2
Insert after section 8:	3
8A Application to registration of Licensing and Registration (Uniform Procedures) Act 2002	4
	5
(1) The Board may grant registration for the purposes of this Act.	6
(2) Part 4 of the <i>Licensing and Registration (Uniform Procedures) Act 2002</i> (<i>the applied Act</i>) applies to and in respect of registration under this Act, subject to the modifications and limitations prescribed by or under this Act.	7
	8
	9
	10
(3) The regulations may make provision for or with respect to such matters concerning registration under this Act as are relevant to the operation of Part 4 of the applied Act.	11
	12
	13
[2] Section 9 The register	14
Omit section 9 (1) (a) and (b).	15
[3] Section 9 (2)	16
Omit “also”.	17
4.25 Psychologists Act 2001 No 69	18
[1] Section 11A	19
Insert after section 11:	20
11A Application to full registration of Licensing and Registration (Uniform Procedures) Act 2002	21
	22
(1) The Board may grant full registration under section 11 for the purposes of this Act.	23
	24

(2) Part 4 of the <i>Licensing and Registration (Uniform Procedures) Act 2002</i> (<i>the applied Act</i>) applies to and in respect of full registration under section 11, subject to the modifications and limitations prescribed by or under this Act.	1 2 3 4
(3) The regulations may make provision for or with respect to such matters concerning full registration as are relevant to the operation of Part 4 of the applied Act.	5 6 7
[2] Section 117 Application of Criminal Records Act	8
Insert “(including Part 4 of the <i>Licensing and Registration (Uniform Procedures) Act 2002</i> , as applied to this Act by section 11A)” after “the application of this Act”.	9 10 11
[3] Schedule 1 Registration procedures	12
Omit clauses 1, 3, 4, 5, 6, and 7.	13
[4] Schedule 1, clause 2 (1)	14
Omit “The application”.	15
Insert instead “An application for registration”.	16
 Part 4 Other amendments	 17
 4.26 Business Names Act 1962 No 11	 18
[1] Section 4 Interpretation	19
Insert in alphabetical order in section 4 (1):	20
<i>Electronic communication</i> has the same meaning as it has in the <i>Electronic Transactions Act 2000</i> , but does not include communication by means of facsimile transmission.	21 22 23
[2] Section 7 Registration of business names	24
Insert “one of the” after “person or” in section 7 (1).	25

[3] Section 7 (2)	1
Omit “for the purposes of section 17”.	2
[4] Section 7 (4)	3
Omit “signed by the Director-General”.	4
[5] Section 11 Duration of registration and renewal of registration	5
Omit “signed by the Director-General” from section 11 (3).	6
[6] Section 12 Notification of changes in particulars relating to registered business names, cessation of business etc	7
	8
Omit “each person” from section 12 (3).	9
Insert instead “the person or one of the persons”	10
[7] Section 12 (4)	11
Omit “all of the persons”. Insert instead “one of the persons”.	12
[8] Section 12 (4)	13
Omit “each person required to sign the statement”.	14
Insert instead “each such person”.	15
[9] Section 12 (4)	16
Omit all matter from “and where the person” to the end of the subsection.	17
[10] Section 12 (4A)	18
Insert after section 12 (4):	19
(4A) If the person or persons who commence carrying on business	20
as referred to in subsection (4) are not resident within the State	21
or do not have fixed addresses in the State, the statement	22
referred to in that subsection is to be accompanied by a further	23
statement:	24
(a) that sets out the name and address of a person who is	25
resident in the State who, in relation to the carrying on	26
of the business:	27

(i)	has consented in writing to be the resident agent for the purposes of this Act of the person or persons who have commenced carrying on business, and	1 2 3 4
(ii)	is authorised in writing by the person or persons who have commenced carrying on business to accept service on their behalf of any notices for the purposes of this Act and of any process, and	5 6 7 8
(b)	that is signed by the person who has consented to be the resident agent.	9 10
[11]	Section 15 Signing of statements	11
	Insert after section 15 (2):	12
(3)	Any provision of this Act that requires an application or notice to be signed does not have effect with respect to an application or notice that is made or lodged by means of electronic communication.	13 14 15 16
(4)	Such an application or notice must instead be authenticated as required by the Director-General.	17 18
[12]	Sections 16 and 17	19
	Omit the sections.	20
[13]	Section 22 Inspection of statements	21
	Insert after section 22 (4):	22
(5)	Nothing in this section requires the Director-General:	23
(a)	to disclose information as to the date or place of birth of any person in respect of whom a business name is or has at any time been registered, or	24 25 26
(b)	to disclose information as to any such person's place of residence, unless that place of residence is registered, or has at all relevant times been registered, as a place where that person carries on business.	27 28 29 30

[14] Section 23 Certificates of registration or non-registration	1
Insert after section 23 (2):	2
(3) Nothing in this section requires the Director-General:	3
(a) to disclose information as to the date or place of birth of any person in respect of whom a business name is or has at any time been registered, or	4 5 6
(b) to disclose information as to any such person's place of residence, unless that place of residence is registered, or has at all relevant times been registered, as a place where that person carries on business.	7 8 9 10
[15] Section 31B	11
Insert after section 31A:	12
31B Reduction of fees for applications made by electronic communication	13 14
(1) Any processing fee that is otherwise payable in respect of an application made under this Act, or a statement lodged under this Act:	15 16 17
(a) is to be reduced by \$5, or	18
(b) is to be reduced by 10 per cent, and rounded to the nearest whole dollar,	19 20
whichever results in the greater reduction, if the application is made or statement lodged by means of electronic communication.	21 22 23
(2) In this section, <i>processing fee</i> , in relation to an application or statement, means any fee prescribed by the regulations as a fee to cover the costs incurred by the Director-General in processing the application or statement.	24 25 26 27

4.27 Crimes Act 1900 No 40	1
[1] Part 5, Division 3	2
Insert after Division 2 of Part 5:	3
Division 3 False and misleading information	4
307A False or misleading applications	5
(1) A person is guilty of an offence if:	6
(a) the person makes a statement (whether orally, in a document or in any other way), and	7 8
(b) the person does so knowing that, or reckless as to whether, the statement:	9 10
(i) is false or misleading, or	11
(ii) omits any matter or thing without which the statement is misleading, and	12 13
(c) the statement is made in connection with an application for an authority or benefit, and	14 15
(d) any of the following subparagraphs apply:	16
(i) the statement is made to a public authority,	17
(ii) the statement is made to a person who is exercising or performing any power, authority, duty or function under, or in connection with, a law of the State,	18 19 20 21
(iii) the statement is made in compliance or purported compliance with a law of the State.	22 23
Maximum penalty: Imprisonment for 2 years, or a fine of 200 penalty units, or both.	24 25
(2) Subsection (1) does not apply as a result of subsection (1) (b) (i) if the statement is not false or misleading in a material particular.	26 27 28
(3) Subsection (1) does not apply as a result of subsection (1) (b) (ii) if the statement did not omit any matter or thing without which the statement is misleading in a material particular.	29 30 31
(4) The burden of establishing a matter referred to in subsection (2) or (3) lies on the accused person.	32 33

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- (5) In this section: 1
- application* includes any claim, request or other form of 2
application and also includes, in the case of an application for 3
an authority, any application for the issue, grant, amendment, 4
transfer, renewal, restoration or replacement of the authority 5
and any other application in connection with the authority. 6
- authority* includes any licence, permit, consent, approval, 7
registration or other form of authority. 8
- benefit* includes any advantage and is not limited to property. 9
- 307B False or misleading information 10**
- (1) A person is guilty of an offence if: 11
- (a) the person gives information to another person, and 12
- (b) the person does so knowing that the information: 13
- (i) is false or misleading, or 14
- (ii) omits any matter or thing without which the 15
information is misleading, and 16
- (c) any of the following subparagraphs apply: 17
- (i) the information is given to a public authority, 18
- (ii) the information is given to a person who is 19
exercising or performing any power, authority, 20
duty or function under, or in connection with, a 21
law of the State, 22
- (iii) the information is given in compliance or 23
purported compliance with a law of the State. 24
- Maximum penalty: Imprisonment for 2 years, or a fine of 200 25
penalty units, or both. 26
- (2) Subsection (1) does not apply as a result of subsection (1) (b) 27
(i) if the information is not false or misleading in a material 28
particular. 29
- (3) Subsection (1) does not apply as a result of subsection (1) (b) 30
(ii) if the information did not omit any matter or thing without 31
which the information is misleading in a material particular. 32

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|---|-------------------------|
| (4) Subsection (1) does not apply as a result of subsection (1) (c) | 1 |
| (i) if, before the information was given by a person to the public authority, the public authority did not take reasonable steps to inform the person of the existence of the offence against subsection (1). | 2
3
4
5 |
| (5) Subsection (1) does not apply as a result of subsection (1) (c) | 6 |
| (ii) if, before the information was given by a person (the <i>first person</i>) to the person mentioned in that subparagraph (the <i>second person</i>), the second person did not take reasonable steps to inform the first person of the existence of the offence against subsection (1). | 7
8
9
10
11 |
| (6) The burden of establishing a matter referred to in subsection (2), (3), (4) or (5) lies on the accused person. | 12
13 |
| (7) For the purposes of subsections (4) and (5), it is sufficient if the following form of words is used: | 14
15 |
| “Giving false or misleading information is a serious offence.” | 16 |
| 307C False or misleading documents | 17 |
| (1) A person is guilty of an offence if: | 18 |
| (a) the person produces a document to another person, and | 19 |
| (b) the person does so knowing that the document is false or misleading, and | 20
21 |
| (c) the document is produced in compliance or purported compliance with a law of the State. | 22
23 |
| Maximum penalty: Imprisonment for 2 years, or a fine of 200 penalty units, or both. | 24
25 |
| (2) Subsection (1) does not apply if the document is not false or misleading in a material particular. | 26
27 |
| (3) Subsection (1) does not apply to a person who produces a document if the document is accompanied by a written statement signed by the person or, in the case of a body corporate, by a competent officer of the body corporate: | 28
29
30
31 |
| (a) stating that the document is, to the knowledge of the first-mentioned person, false or misleading in a material particular, and | 32
33
34 |
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(b)	setting out, or referring to, the material particular in which the document is, to the knowledge of the first-mentioned person, false or misleading.	1 2 3
(4)	The burden of establishing a matter referred to in subsection (2) or (3) lies on the accused person.	4 5
[2]	Section 356K	6
	Omit the section.	7
4.28	Dental Technicians Registration Act 1975 No 40	8
	Section 24	9
	Omit the section.	10
4.29	Home Building Act 1989 No 147	11
[1]	The whole Act	12
	Omit “electrical work”, wherever occurring.	13
	Insert instead “electrical wiring work”.	14
[2]	Section 3 Definitions	15
	Omit the definitions of <i>electrical work</i> and <i>gasfitting work</i> from section 3 (1).	16 17
	Insert instead in alphabetical order:	18
	<i>electrical wiring work</i> has the same meaning as it has in the <i>Electricity Safety Act 1945</i> .	19 20
	<i>gasfitting work</i> has the same meaning as it has in the <i>Gas Supply Act 1996</i> .	21 22

4.30	Motor Dealers Act 1974 No 52	1
	Section 10 Application for licence	2
	Omit section 10 (7) and (8).	3
4.31	Optical Dispensers Act 1963 No 35	4
	Section 30	5
	Omit the section.	6
4.32	Travel Agents Act 1986 No 5	7
	Section 8 Application for licence	8
	Omit section 8 (7) and (8).	9

Schedule 5 Savings, transitional and other provisions 1

(Section 82) 2

Part 1 Provisions consequent on enactment of this Act 3

1 Definitions 4

In this Part: 5

amended licensing legislation means any Act or statutory rule referred to in Part 1 of Schedule 4, as that Act or statutory rule is amended by this Act. 6
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amended registration legislation means any Act or statutory rule referred to in Part 2 or 3 of Schedule 4, as that Act or statutory rule is amended by this Act. 9
10
11

application has the same meaning as it has in Part 2, 3 or 4, as the case requires. 12
13

electronic communication has the same meaning as it has in the *Electronic Transactions Act 2000*. 14
15

licence and *licensing authority* have the same meanings as they have in Part 2. 16
17

registration and *registration authority* have the same meanings as they have in Part 3 or 4. 18
19

unamended licensing legislation means any Act or statutory rule referred to in Part 1 of Schedule 4, as that Act or statutory rule is in force immediately before it is amended by this Act. 20
21
22

unamended registration legislation means any Act or statutory rule referred to in Part 2 or 3 of Schedule 4, as that Act or statutory rule is in force immediately before it is amended by this Act. 23
24
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2 Pending applications 26

Any application made under the unamended licensing legislation or unamended registration legislation that has not been determined when that legislation is amended by this Act is to be determined in accordance with that legislation as if this Act had not been enacted. 27
28
29
30

3	Current licences and registration	1
	Any licence or registration:	2
	(a) that was in force under the unamended licensing legislation or unamended registration legislation when that legislation is amended by this Act, or	3 4 5
	(b) that is granted under the unamended licensing legislation or unamended registration legislation as referred to in clause 2,	6 7
	is taken to have been granted under the amended licensing legislation or amended registration legislation, as the case requires.	8 9
4	Transitional suspension of requirements as to signature	10
	(1) Subject to clause 2, any provision of the unamended licensing legislation or the unamended registration legislation that requires an application to be signed does not have effect with respect to an application that is made by means of electronic communication.	11 12 13 14
	(2) Such an application must instead be authenticated as required by the relevant licensing or registration authority.	15 16
5	Transitional suspension of requirements as to verification of information	17
	(1) Subject to clause 2, any provision of the unamended licensing legislation or the unamended registration legislation:	18 19
	(a) that requires information contained in an application to be verified by statutory declaration, or	20 21
	(b) that requires information provided in connection with an application to be verified by statutory declaration,	22 23
	does not have effect with respect to an application, whether made in writing or by means of electronic communication.	24 25
	(2) For the avoidance of doubt, it is declared that section 307A of the <i>Crimes Act 1900</i> , as amended by this Act, extends to any statement made in connection with an application referred to in subclause (1).	26 27 28
6	Transitional suspension of requirements as to the provision of documentary or other evidence	29 30
	(1) Subject to clause 2, any provision of the unamended licensing legislation or the unamended registration legislation that requires an application to be accompanied by documentary or other evidence of	31 32 33

any matter does not have effect with respect to an application that is made by means of electronic communication.	1 2
(2) Nothing in this clause prevents the relevant licensing or registration authority from requiring the provision of such documentary or other evidence pursuant to section 14, 43 or 70, as the case requires, as if that section were in force with respect to the application concerned.	3 4 5 6
7 Disclosures in relation to offences	7
Any requirement to disclose information concerning any conviction or finding of guilt that is imposed on an applicant under section 14, 43 or 70 extends to any conviction or finding of guilt that occurred before the commencement of this Act.	8 9 10 11
8 Savings and transitional regulations	12
(1) The regulations under any Act amended by Schedule 4 may contain provisions of a savings or transitional nature consequent on the enactment this Act.	13 14 15
(2) Such a provision may, if the regulations so provide, take effect from the date of assent to this Act or a later day.	16 17
(3) To the extent to which such a provision takes effect from a date that is earlier than the date of its publication in the Gazette, the provision does not operate so as:	18 19 20
(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 that publication, or	21 22 23
(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 that publication.	24 25 26