

[STATE ARMS]

New South Wales

Statute Law (Miscellaneous Provisions) Bill 1998

Explanatory note

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

Overview of Bill

The objects of this Bill are:

- (a) to make minor amendments to various Acts (Schedule 1), and
- (b) to amend certain other Acts and instruments for the purpose of effecting statute law revision (Schedule 2), and
- (c) to transfer certain savings and transitional provisions of ongoing effect from some amending Acts into the relevant Principal Act, so as to permit the repeal of otherwise obsolete amending Acts (Schedule 3), and
- (d) to repeal certain Acts (Schedule 4), and
- (e) to make other provisions of a consequential or ancillary nature (Schedule 5).

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act.

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

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

Schedule 1 Minor amendments

Schedule 1 makes amendments to the following Acts:

Associations Incorporation Act 1984 No 143
Broken Hill Trades Hall Site Act of 1898 No 31
Broken Hill Trades Hall Site Extension Act 1915 No 42
Community Land Management Act 1989 No 202
Contaminated Land Management Act 1997 No 140
Conveyancing Act 1919 No 6
Credit (Finance Brokers) Act 1984 No 96
Education Act 1990 No 8
Environmental Planning and Assessment Act 1979 No 203
Health Services Act 1997 No 154
Home Building Act 1989 No 147
Motor Vehicles Taxation Act 1988 No 111
Native Vegetation Conservation Act 1997 No 133
Ombudsman Act 1974 No 68
Protection of the Environment Operations Act 1997 No 156
Road Transport (Heavy Vehicles Registration Charges) Act 1995 No 72
Security Industry Act 1997 No 157
State Sports Centre Trust Act 1984 No 68
Strata Schemes Management Act 1996 No 138
Subordinate Legislation Act 1989 No 146
Technical and Further Education Commission Act 1990 No 118
Transport Administration Act 1988 No 109

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

Schedule 2 Amendments by way of statute law revision

Schedule 2 amends certain other Acts and instruments for the purpose of effecting statute law revision. A number of other amendments are made relating to formal drafting matters and minor corrections. The amendments to each Act and instrument are explained in detail in the explanatory note relating to the Act or instrument concerned set out in Schedule 2.

Schedule 3 Amendments transferring provisions

Schedule 3 transfers into their parent Act a number of savings, transitional and other provisions of ongoing effect contained in certain amending Acts, the other provisions of which have been incorporated in reprints or are spent. The removal of these provisions from the amending Acts permits the repeal (by Schedule 4 to the proposed Act) of those Acts.

Schedule 4 Repeals

Schedule 4 repeals a number of Acts. Since the Statute Law (Miscellaneous Provisions) Act 1985, the number of Acts in force has been gradually reduced by repealing amending Acts once the amendments contained in the Acts have been incorporated in a reprint. The Schedule continues this process, and also repeals amending Acts enacted at least 20 years ago, the provisions of which have not all been included in a reprint but which contain no provisions of substantive effect that need to be retained. It also repeals certain other amending Acts, the ongoing provisions of which are transferred (by Schedule 3) to their parent Act. The Acts that were amended by the Acts being repealed are up-to-date on the Legislation Database maintained by the Parliamentary Counsel's Office and are available electronically.

Schedule 5 General savings, transitional and other provisions

Schedule 5 contains savings, transitional and other provisions of a more general effect than those set out in Schedule 1.

The purpose of each provision is explained in detail in the explanatory note relating to the provision concerned set out in Schedule 5.