

Statute Law (Miscellaneous Provisions) Bill 2006

Explanatory note

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

Overview of Bill

The objects of this Bill are:

- (a) to make minor amendments to various Acts (Schedule 1), and
- (b) to amend certain other Acts and instruments for the purpose of effecting statute law revision (Schedules 2 and 3), and
- (c) to repeal certain Acts and provisions of Acts (Schedule 4), and
- (d) 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 and 5 are machinery provisions that give effect to the Schedules to the proposed Act containing amendments and savings, transitional and other provisions.

Clause 4 gives effect to the Schedule of repeals.

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

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

Schedule 1 Minor amendments

Schedule 1 makes amendments to the following Acts:

Agricultural Scientific Collections Trust Act 1983 No 148
Centenary Institute of Cancer Medicine and Cell Biology Act 1985 No 192
Coal Mine Health and Safety Act 2002 No 129
Commercial Agents and Private Inquiry Agents Act 2004 No 70
Companion Animals Act 1998 No 87
Conveyancing Act 1919 No 6
Co-operatives Act 1992 No 18
Crimes (Administration of Sentences) Act 1999 No 93
Crown Lands Act 1989 No 6
Environmental Planning and Assessment Act 1979 No 203
Game and Feral Animal Control Act 2002 No 64
Garvan Institute of Medical Research Act 1984 No 106
Gene Technology (GM Crop Moratorium) Act 2003 No 12
Higher Education (Amalgamation) Act 1989 No 65
Holiday Parks (Long-term Casual Occupation) Act 2002 No 88
Independent Commission Against Corruption Act 1988 No 35
Liquor Act 1982 No 147
Mine Health and Safety Act 2004 No 74
Non-Indigenous Animals Act 1987 No 166
Passenger Transport Act 1990 No 39
Plant Diseases Act 1924 No 38
Ports Corporatisation and Waterways Management Act 1995 No 13
Property Legislation Amendment Act 2005 No 68
Protection of the Environment Operations Act 1997 No 156
Public Sector Employment and Management Act 2002 No 43
Real Property Act 1900 No 25
Registered Clubs Act 1976 No 31

Restricted Premises Act 1943 No 6
Retail Leases Act 1994 No 46
Security Interests in Goods Act 2005 No 69
State Records Act 1998 No 17
Subordinate Legislation Act 1989 No 146
Superannuation Act 1916 No 28
Surveying Act 2002 No 83
Teaching Service Act 1980 No 23
Terrorism (Police Powers) Act 2002 No 115
Threatened Species Conservation Act 1995 No 101
Transport Administration Act 1988 No 109
University of Sydney Act 1989 No 124
Water Management Act 2000 No 92

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 Acts and instruments for the purpose of effecting statute law revision.

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

Schedule 3 Amendments consequential on the enactment of the Legal Profession Act 2004

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

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

Schedule 4 Repeals

Schedule 4 repeals a number of Acts and provisions of Acts.

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

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

Schedule 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.