

**MISCELLANEOUS ACTS (STATE BANK) REPEAL AND
AMENDMENT ACT, 1981, No. 90**

New South Wales



ANNO TRICESIMO

ELIZABETHÆ II REGINÆ

Act No. 90, 1981.

An Act to repeal certain Acts and to amend certain other Acts, and to make savings, transitional and other provisions, consequent on the enactment of the State Bank Act, 1981. [Assented to, 10th June, 1981.]

Miscellaneous Acts (State Bank) Repeal and Amendment.

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. This Act may be cited as the "Miscellaneous Acts (State Bank) Repeal and Amendment Act, 1981".

Commencement.

2. (1) This section, section 1 and clause 10 of Schedule 2 shall commence on the date of assent to this Act.

(2) Except as provided by subsection (1), this Act shall commence on the day appointed and notified under section 2 (2) of the State Bank Act, 1981.

Schedules.

3. This Act contains the following Schedules:—

SCHEDULE 1.—REPEALS AND AMENDMENTS.

SCHEDULE 2.—SAVINGS, TRANSITIONAL AND OTHER PROVISIONS.

Repeals and amendments.

4. Each Act specified in Schedule 1 is repealed or amended, as the case may be, as indicated in that Schedule.

Savings, transitional and other provisions.

5. Schedule 2 has effect.

Miscellaneous Acts (State Bank) Repeal and Amendment.

SCHEDULE 1.

(Sec. 4.)

REPEALS AND AMENDMENTS.

Wentworth Irrigation Act, 54 Vic. No. 7—

(1) Section 4, definition of "Bank"—

Omit "Rural Bank of New South Wales", insert instead "State Bank".

(2) Section 22—

Omit " , whether made before or after the commencement of Division 8 of Part VIb of the Government Savings Bank Act, 1906,".

(3) Section 23—

Omit " , whether the agreement was entered into before or after the commencement of Division 8 of Part VIb of the Government Savings Bank Act, 1906,".

Western Lands Act, 1901, No. 70—

(1) (a) Section 18E (12)—

Omit "Rural Bank of New South Wales", insert instead "State Bank".

(b) Section 18E (12)—

Omit "said Bank", insert instead "State Bank".

(2) (a) Section 31 (5)—

Omit "Rural Bank of New South Wales", insert instead "State Bank".

(b) Section 31 (5)—

Omit "said Rural Bank" wherever occurring, insert instead "State Bank".

Miscellaneous Acts (State Bank) Repeal and Amendment.

SCHEDULE 1—*continued.*REPEALS AND AMENDMENTS—*continued.*

Hay Irrigation Act, 1902, No. 57—

(1) Section 5, definition of “Bank”—

Omit “Rural Bank of New South Wales”, insert instead “State Bank”.

(2) Sections 17 (5), 20 (4), 27 (5)—

Omit “Division 8 of Part VIB of the Government Savings Bank Act, 1906” wherever occurring, insert instead “Division 4 of Part IV of the State Bank Act, 1981”.

(3) Sections 17 (5), 17A (2), 20 (4), 27 (5)—

Omit “bank” wherever occurring, insert instead “Bank”.

Government Savings Bank Act, 1906, No. 48—

Repeal the Act.

Housing Act, 1912, No. 7—

(1) Section 2, definition of “Purchaser”—

Omit “Commissioners of the Government Savings Bank of New South Wales”, insert instead “State Bank”.

(2) (a) Section 18 (1)—

Omit “commissioners of the Government Savings Bank”, insert instead “State Bank”.

(b) Section 18 (1)—

Omit “said commissioners” wherever occurring, insert instead “State Bank”.

Miscellaneous Acts (State Bank) Repeal and Amendment.

SCHEDULE 1—*continued.*REPEALS AND AMENDMENTS—*continued.*

(3) Section 43 (6)—

Omit the subsection, insert instead:—

(6) The powers conferred on the Commission by this section shall be exercisable by the State Bank in any case where the land the subject of the contract of sale was vested in the State Bank.

(4) (a) Section 45—

Omit “hand of the Commissioners of the Government Savings Banks of New South Wales or any one of them or any officer authorised under the Corporate Seal of the said Commissioners”, insert instead “official seal of the State Bank or under the hand of a director of that Bank or an employee of that Bank authorised under the official seal of that Bank”.

(b) Section 45—

Omit “said Commissioners” where secondly occurring, insert instead “State Bank”.

(5) Section 46—

Omit “said Commissioners”, insert instead “State Bank”.

Water Act, 1912, No. 44—

(1) Section 130, definition of “Bank”—

Omit “Rural Bank of New South Wales”, insert instead “State Bank”.

(2) Section 150, definition of “Bank”—

Omit “Rural Bank of New South Wales”, insert instead “State Bank”.

Miscellaneous Acts (State Bank) Repeal and Amendment.

SCHEDULE 1—*continued.*REPEALS AND AMENDMENTS—*continued.*

(3) (a) Section 163A (2)—

Omit “in Division 1 of Part VI^B of the Government Savings Bank Act, 1906, as amended by subsequent Acts”, insert instead “by section 41 (1) of the State Bank Act, 1981”.

(b) Section 163A (3)—

Omit “Division 1 of Part VI^B of the Government Savings Bank Act, 1906, as amended by subsequent Acts”, insert instead “the State Bank Act, 1981”.

Irrigation Act, 1912, No. 73—

(1) Section 3, definition of “Bank”—

Omit “Rural Bank of New South Wales”, insert instead “State Bank”.

(2) Section 8B (3)—

Omit “and any sum which was, immediately before the commencement of Division 8 of Part VI^B of the Government Savings Bank Act, 1906, owing to the Commission in respect of the sinking of a bore or well and any sum which becomes due after such commencement under any agreement entered into with the Commisison before such commencement shall be payable to the bank”, insert instead “owing to the Commission in respect of the sinking of a bore or well shall be payable to the Bank”.

(3) Section 15 (1)—

Omit “, whether the liability to pay the same as he accrued upon or accrues after the commencement of Division 8 of Part VI^B of the Government Savings Bank Act, 1906,”.

Miscellaneous Acts (State Bank) Repeal and Amendment.

SCHEDULE 1—*continued.*REPEALS AND AMENDMENTS—*continued.*

(4) (a) Section 18 (1)—

Omit “which immediately before the commencement of Division 8 of Part VIb of the Government Savings Bank Act, 1906, were due or owing to the Crown or Commission, or which after such commencement become”.

(b) Section 18 (2)—

Omit “after the commencement of Division 8 of Part VIb of the Government Savings Bank Act, 1906,”.

Crown Lands Consolidation Act, 1913, No. 7—

(1) Section 4—

(i) Omit “Government Savings Bank Act, 1906—”.

(ii) Omit “Coal Mining Act, 1973—or”, insert instead:—

Coal Mining Act, 1973—

State Bank Act, 1981—or

(2) (a) Section 5 (1), definition of “Bank”—

After the definition of “Approved form”, insert:—

“Bank” means the State Bank.

(b) Section 5 (1), definition of “Rural Bank”—

Omit the definition.

(3) Sections 142 (7C), (7D), 145A (3), (4), 146A (4), 147 (2), (3), 167 (14), 167A (8), 208 (b), 209 (b), 216 (3)—

Omit “Rural” wherever occurring.

Miscellaneous Acts (State Bank) Repeal and Amendment.

SCHEDULE 1—*continued.*REPEALS AND AMENDMENTS—*continued.*

(4) Section 147 (2)—

Omit "Division 8 of Part VIB of the Government Savings Bank Act, 1906", insert instead "Division 4 of Part IV of the State Bank Act, 1981".

(5) Sections 167 (14), 167A (8), 216 (3)—

Omit "said" wherever occurring.

Government Savings Bank Amendment Act, 1913, No. 13—

Repeal the Act.

Savings Bank Amalgamation Act, 1914, No. 6—

Repeal the unrepealed portion.

Closer Settlement (Amendment) Act, 1914, No. 7—

Section 3B—

Omit "Rural Bank of New South Wales", insert instead "State Bank".

Valuation of Land Act, 1916, No. 2—

Section 9 (2)—

Omit "Government Savings Bank Act, 1906.", insert instead "State Bank Act, 1981,".

Miscellaneous Acts (State Bank) Repeal and Amendment.

SCHEDULE 1—*continued.*

REPEALS AND AMENDMENTS—*continued.*

Superannuation Act, 1916, No. 28—

(1) Section 5c (1), definition of “bank”—

Omit “Rural Bank of New South Wales”, insert instead “State Bank”.

(2) Schedule III—

Omit “The Rural Bank of New South Wales.”, insert instead “State Bank of New South Wales.”.

Unclaimed Moneys Act, 1917, No. 11—

Section 2, definition of “Company”—

Omit “Government Savings Bank of New South Wales”, insert instead “State Bank”.

Local Government Act, 1919, No. 41—

(1) Section 466 (1), definition of “Private land”—

Omit “Rural Bank of New South Wales”, insert instead “State Bank”.

(2) Section 475N—

Omit “Rural Bank of New South Wales”, insert instead “State Bank”.

Government Savings Bank (Rural Bank) Act, 1920, No. 40—

Repeal the unrepealed portion.

Miscellaneous Acts (State Bank) Repeal and Amendment.

SCHEDULE 1—*continued.*REPEALS AND AMENDMENTS—*continued.*

Stamp Duties Act, 1920, No. 47—

Section 122 (3)—

Omit “Government Savings Bank of New South Wales”, insert instead “State Bank”.

Transfer of Records Act, 1923, No. 14—

Section 6 (5)—

Omit the subsection.

Government Savings Bank (Amendment) Act, 1923, No. 32—

Repeal the unrepealed portion.

Housing (Amendment) Act, 1924, No. 27—

Section 6—

Omit the section.

Trustee Act, 1925, No. 14—

Section 14 (2) (f)—

Omit “Rural Bank of New South Wales”, insert instead “State Bank”.

Closer Settlement and Returned Soldiers Settlement (Amendment) Act, 1927, No. 14—

Section 2 (13)—

Omit “Rural Bank of New South Wales”, insert instead “State Bank”.

Miscellaneous Acts (State Bank) Repeal and Amendment.

SCHEDULE 1—*continued.*

REPEALS AND AMENDMENTS—*continued.*

Government Savings Bank (Housing) Amendment Act, 1928, No. 31—

Repeal the unrepealed portion.

Advances to Settlers (Government Guarantee) Act, 1929, No. 46—

Repeal the Act.

Government Savings Bank (Amendment) Act, 1931, No. 14—

Repeal the Act.

Government Savings Bank (Further Amendment) Act, 1931, No. 34—

Repeal the unrepealed portion.

Government Savings Bank Acts Amendment Act, 1931, No. 37—

Repeal the unrepealed portion.

Commonwealth and State Banks Agreements Ratification Act, 1931,
No. 62—

Section 9—

Omit the section.

Rural Assistance Act, 1932, No. 33—

(1) (a) Section 3 (1), definition of "Bank"—

After the definition of "Assistant Director", insert:—

"Bank" means the State Bank.

Miscellaneous Acts (State Bank) Repeal and Amendment.

SCHEDULE 1—*continued.*REPEALS AND AMENDMENTS—*continued.*

(b) Section 3 (1), definition of "Officer of the Board"—

Omit "Rural Bank through its Rural Reconstruction Agency",
insert instead "Bank through its Rural Assistance Agency".

(c) Section 3 (1), definition of "Rural Bank"—

Omit the definition.

(2) (a) Section 7A (3)—

Omit "commissioner of the Rural Bank", insert instead "director
of the Bank".

(b) Section 7A (13)—

(i) Omit "Rural" where firstly occurring.

(ii) Omit "the Rural Reconstruction Agency of that Bank",
insert instead "its Rural Assistance Agency".

(3) (a) Section 7G—

Omit "Rural Bank" wherever occurring, insert instead "Bank".

(b) Section 7G (1), (2)—

After "Service or" wherever occurring, insert "an employee".

(c) Section 7G (1) (b)—

(i) Omit "officer", insert instead "employee".

(ii) Omit "an office", insert instead "a position".

(d) Section 7G (4)—

Omit "Rural Reconstruction Agency of that Bank", insert
instead "Rural Assistance Agency of the Bank".

Miscellaneous Acts (State Bank) Repeal and Amendment.

SCHEDULE 1—*continued.*REPEALS AND AMENDMENTS—*continued.*

- (4) (a) Section 13 (1A) (a)—
Omit "Rural".
- (b) Section 13 (5A)—
Omit "Rural Bank of New South Wales", insert instead "Bank".
- (c) Section 13 (5B)—
Omit "Rural Bank" wherever occurring, insert instead "Bank".
- (d) Section 13 (5B) (c)—
(i) Omit "Reconstruction", insert instead "Assistance".
(ii) Omit "Government Savings Bank Act, 1906, as amended by subsequent Acts", insert instead "State Bank Act, 1981".
- (5) Sections 14, 28 (2) (d), 29 (1) (d), 34E, 34ED (3) (a), 34H (1), 34J (2), (3), The Schedule—
Omit "Rural Bank of New South Wales" wherever occurring, insert instead "Bank".
- (6) Sections 15 (2A) (a), 34EB (1) (e), 34ED (1), 34GG (1), 34T (1), (2), 34Z (1), (2), 34AN (2) (a), 34AO (1)—
Omit "Rural" wherever occurring.
- (7) Section 26 (7)—
Omit "Commissioners of the Government Savings Bank of New South Wales have regard to the provisions of section 69 of the Government Savings Bank Act, 1906, as amended by subsequent Acts", insert instead "Bank have regard to the provisions of section 66 of the State Bank Act, 1981".

Miscellaneous Acts (State Bank) Repeal and Amendment.

SCHEDULE 1—*continued.*REPEALS AND AMENDMENTS—*continued.*

(8) (a) Section 31 (1) (a), (2A), (4)—

Omit “Rural Bank of New South Wales” wherever occurring, insert instead “State Bank”.

(b) Section 31 (1) (a)—

Omit “Rural Reconstruction Agency”, insert instead “Rural Assistance Agency”.

(c) Section 31 (2), (2A) (b), (4) (b)—

Omit “bank” wherever occurring, insert instead “Bank”.

(d) Section 31 (2A) (b), (4)—

Omit “Rural Reconstruction Agency” wherever occurring, insert instead “Rural Assistance Agency”.

(9) Sections 34E (3) (b), 4 (b), 34ED (3) (b), 34H (1), 34J (2), 34T (3), 34Z (3), 34AK, 34AN (1)—

Omit “Reconstruction” wherever occurring, insert instead “Assistance”.

(10) Sections 34E (3) (b), (4) (b), 34ED (3) (b)—

Omit “said” wherever occurring.

(11) Section 34EB (1) (e)—

Omit “69 of the Government Savings Bank Act, 1906, as amended by subsequent Acts”, insert instead “66 of the State Bank Act, 1981”.

Miscellaneous Acts (State Bank) Repeal and Amendment.

SCHEDULE 1—*continued.*REPEALS AND AMENDMENTS—*continued.*

(12) (a) Section 34G (2) (a)—

Omit the paragraph, insert instead:—

- (a) to the Bank in respect of its Rural Industries Agency,
Advances to Settlers Agency or Irrigation Agency;

(b) Section 34G (2) (b)—

Omit “Rural Bank in respect of the Rural Reconstruction Agency of that Bank”, insert instead “Bank in respect of its Rural Assistance Agency”.

(13) Section 34GG (1)—

Omit “General Bank Department of that Bank” wherever occurring, insert instead “general banking business of the Bank”.

(14) Section 34J (3)—

Omit “Part VI^B of the Government Savings Bank Act, 1906, as amended by subsequent Acts”, insert instead “Part IV of the State Bank Act, 1981”.

(15) Section 34T (3)—

Omit “Rural” where secondly occurring.

(16) Section 34z (3)—

Omit “Rural” where secondly occurring.

(17) Section 34AK—

Omit “Rural” where firstly and thirdly occurring.

Miscellaneous Acts (State Bank) Repeal and Amendment.

SCHEDULE 1—*continued.*REPEALS AND AMENDMENTS—*continued.*

(18) (a) Section 34AN (1)—

Omit “Rural” where firstly occurring.

(b) Section 34AN (2)—

Omit “Part VIB of the Government Savings Bank Act, 1906”, insert instead “Part IV of the State Bank Act, 1981”.

(19) The Schedule, clause 13 (1)—

- (i) Omit “officer” where firstly occurring, insert instead “employee”.
- (ii) After “Director,”, insert “employee,”.

Rural Bank of New South Wales Act, 1932, No. 63—

Repeal the Act.

Advances to Settlers (Government Guarantee) Amendment Act, 1934, No. 36—

Repeal the Act.

Rural Bank (Agency) Act, 1934, No. 56—

Repeal the Act.

Rural Bank (Agency) Amendment Act, 1936, No. 60—

Repeal the Act.

Miscellaneous Acts (State Bank) Repeal and Amendment.

SCHEDULE 1—*continued.*

REPEALS AND AMENDMENTS—*continued.*

Statute Law Revision Act, 1937, No. 35—

Second Schedule—

Omit so much as amends Acts No. 48, 1906, No. 13, 1913, No. 40, 1920, No. 32, 1923, No. 31, 1928, No. 34, 1931, No. 37, 1931, and No. 63, 1932.

Soil Conservation Act, 1938, No. 10—

(1) Section 3, definition of “Bank”—

Omit “Rural Bank of New South Wales”, insert instead “State Bank”.

(2) Section 22D (3)—

Omit “Part VIB of the Government Savings Bank Act, 1906”, insert instead “Part IV of the State Bank Act, 1981”.

Rural Bank (Agency) Soldiers’ Families Housing Act, 1941, No. 21—

Repeal the Act.

War Service Land Settlement Act, 1941, No. 43—

(1) Section 7 (2)—

Omit “Rural Bank of New South Wales” wherever occurring, insert instead “State Bank”.

(2) (a) Section 8DD (1)—

Omit “Rural Bank of New South Wales” wherever occurring insert instead “State Bank”.

Miscellaneous Acts (State Bank) Repeal and Amendment.

SCHEDULE 1—*continued.*REPEALS AND AMENDMENTS—*continued.*

(b) Section 8DD (2)—

Omit “69 of the Government Savings Bank Act, 1906, as amended by subsequent Acts”, insert instead “66 of the State Bank Act, 1981”.

Housing Act, 1941, No. 65—

(1) Section 3—

Omit the matter relating to Division 5 of Part III.

(2) Part III, Division 5—

Omit the Division.

(3) Section 17 (2) (a)—

Omit “Rural Bank of New South Wales”, insert instead “State Bank”.

(4) (a) Section 34 (1) (d)—

Omit “Rural Bank of New South Wales or any commissioner or officer”, insert instead “State Bank or any director or employee”.

(b) Section 34 (4)—

Omit “Rural Bank of New South Wales”, insert instead “State Bank”.

Closer Settlement Amendment (Conversion) Act, 1943, No. 38—

(1) Section 15—

Omit “General Bank Department of the Rural Bank of New South Wales”, insert instead “the State Bank in the course of its general banking business”.

Miscellaneous Acts (State Bank) Repeal and Amendment.

SCHEDULE 1—*continued.*

REPEALS AND AMENDMENTS—*continued.*

(2) Section 15 (a), (b)—

Omit “69 of the Government Savings Bank Act, 1906 or” wherever occurring, insert instead “66 of the State Bank Act, 1981”.

Rural Bank (Personal Loans Department) Act, 1944, No. 3—

Repeal the Act.

Rural Bank (Amendment) Act, 1946, No. 5—

Repeal the Act.

Rural Bank of New South Wales (General Banking) Act, 1947, No. 38—

Repeal the Act.

Rivers and Foreshores Improvement Act, 1948, No. 20—

(1) Section 2, definition of “Bank”—

Omit “Rural Bank of New South Wales”, insert instead “State Bank”.

(2) Section 24 (2), (3)—

Omit “Part VI B of the Government Savings Bank Act, 1906, as amended by subsequent Acts” wherever occurring, insert instead “Part IV of the State Bank Act, 1981”.

Rural Bank of New South Wales (Amendment) Act, 1960, No. 53—

Repeal the Act.

Miscellaneous Acts (State Bank) Repeal and Amendment.

SCHEDULE 1—*continued.*REPEALS AND AMENDMENTS—*continued.*

Decimal Currency Act, 1965, No. 33—

(1) First Schedule—

Omit so much as amends Acts No. 48, 1906, and No. 13, 1913.

(2) Second Schedule—

Omit so much as relates to Act No. 48, 1906.

State Development and Country Industries Assistance Act, 1966, No. 10—

(1) Section 34—

Omit "Rural Bank of New South Wales under section 23A of the Government Savings Bank Act, 1906, as amended by subsequent Acts", insert instead "State Bank under section 19 of the State Bank Act, 1981".

(2) Section 34G (2)—

Omit "Rural Bank of New South Wales for the credit of the account relating to the Special Industries Agency established under the Government Savings Bank Act, 1906", insert instead "State Bank for the credit of the account relating to the Special Industries Agency maintained under the State Bank Act, 1981".

Rural Bank of New South Wales (Amendment) Act, 1969, No. 13—

Repeal the Act.

Miscellaneous Acts (State Bank) Repeal and Amendment.

SCHEDULE 1—*continued.*

REPEALS AND AMENDMENTS—*continued.*

Minors (Property and Contracts) Act, 1970, No. 60—

First Schedule—

Omit so much as amends Act No. 48, 1906.

Rural Assistance Act, 1971, No. 62—

(1) Section 2—

From the matter relating to Division 2 of Part II, omit “10”, insert instead “11”.

(2) Section 10—

Omit the section.

State Development and Country Industries Assistance and Government Savings Bank (Amendment) Act, 1972, No. 65—

Section 4—

Omit the section.

Government Savings Bank (Amendment) Act, 1975 (1975, No. 100)—

Repeal the Act.

Statutory and Other Offices Remuneration Act, 1975 (1976, No. 4)—

Schedule 5—

Omit so much as amends Act No. 63, 1932.

Miscellaneous Acts (State Bank) Repeal and Amendment.

SCHEDULE 1—continued.**REPEALS AND AMENDMENTS—continued.**

Statute Law Revision Act, 1976, No. 63—

Schedule 1—

Omit so much as amends Acts No. 6, 1914, No. 31, 1928, No. 34, 1931, No. 56, 1934, and No. 53, 1960.

Miscellaneous Acts (Retirement of Statutory Officers) Amendment Act, 1980, No. 187—

Schedule 1—

Omit so much as amends Act No. 63, 1932.

SCHEDULE 2.

(Sec. 5.)

SAVINGS, TRANSITIONAL AND OTHER PROVISIONS.**Interpretation: Sch. 2.**

1. (1) In this Schedule, except in so far as the context or subject-matter otherwise indicates or requires—

“appointed day” means the day appointed and notified under section 2 (2) of the Principal Act;

“Principal Act” means the State Bank Act, 1981;

“Rural Bank Act” means the Rural Bank of New South Wales Act, 1932;

“Savings Bank Act” means the Government Savings Bank Act, 1906.

(2) Except so far as the context or subject-matter otherwise indicates or requires, an expression used in this Schedule has the same meaning as it has in the Principal Act.

(3) In this Schedule, a reference to a subclause is, unless a contrary intention appears, a reference to a subclause of the clause in which the reference occurs.

Miscellaneous Acts (State Bank) Repeal and Amendment.

SCHEDULE 2—continued.**SAVINGS, TRANSITIONAL AND OTHER PROVISIONS—continued.****Regulations.**

2. (1) The Governor may make regulations containing provisions of a savings or transitional nature consequent on the enactment of the Principal Act or this Act.

(2) A provision made under subclause (1) may take effect as on and from the appointed day or a later day.

(3) To the extent to which a provision referred to in subclause (1) takes effect on and from a date that is earlier than the date of its publication in the Gazette, the provision does not operate so as—

- (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 its publication; or
- (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 its publication.

(4) A provision made under subclause (1) shall, if the regulations under this clause so provide, have effect notwithstanding any other provision of this Schedule.

Amendments made by repealed enactments.

3. The repeal of any enactment by section 4 and Schedule 1 does not affect any amendment made by any enactment so repealed of an Act, being an enactment that was in force immediately before the appointed day, and any such amendment continues to have force and effect as if this Act had not been enacted.

Interpretation Act, 1897, not affected.

4. Except to the extent of any inconsistency, the savings contained in the Interpretation Act, 1897, are in addition to the savings contained in this Schedule.

Miscellaneous Acts (State Bank) Repeal and Amendment.

SCHEDULE 2—continued.**SAVINGS, TRANSITIONAL AND OTHER PROVISIONS—continued.****Existing members of Rural Bank to cease to hold office.**

5. (1) A person who, immediately before the appointed day, held office as a commissioner of the Rural Bank of New South Wales—

(a) shall cease to hold office as such on the appointed day; and

(b) is eligible, if otherwise qualified, to be appointed as a director of the Bank.

(2) A commissioner of the Rural Bank of New South Wales who ceased to hold office as such by reason of the operation of subclause (1) is not entitled to be paid any remuneration or compensation by reason of his ceasing to hold that office, but nothing in this subclause prevents the payment to that person of such compensation (if any) as the Minister determines out of the funds of the Bank.

(3) A person who, immediately before the appointed day, held office as a commissioner, other than a nominated commissioner, of the Rural Bank of New South Wales and who ceases to hold that office pursuant to subclause (1) is, if he is not appointed as the managing director or deputy managing director of the Bank on the appointed day, and if he was, immediately before his appointment as such a commissioner, an employee of the Bank, entitled to be re-appointed to the position in the Bank which he held immediately before his appointment as such a commissioner or to a position in the Bank not lower in classification and salary than the one which he so held.

Constitution of the Board.

6. Notwithstanding the provisions of the Principal Act, the Board shall be deemed to be as fully and properly constituted during the period commencing on the appointed day and ending on the appointment of the director referred to in clause 2 (1) (c) of Schedule 1 to the Principal Act as it would have been if there were no provision in the Principal Act for the appointment of such a director.

Constitution of body corporate.

7. The corporation constituted under section 7 of the Principal Act with the corporate name of the "State Bank of New South Wales" is a continuation of, and the same legal entity as, the corporation constituted by section 6 of the Savings Bank Act, as in force immediately before the appointed day, with the corporate name of the "Rural Bank of New South Wales".

Miscellaneous Acts (State Bank) Repeal and Amendment.

SCHEDULE 2—continued.**SAVINGS, TRANSITIONAL AND OTHER PROVISIONS—continued.****Construction of references.**

8. On and from the appointed day a reference in any Act (other than this Act) or in any regulation, by-law or other statutory instrument or in any other document, whether of the same or a different kind—

- (a) to the Rural Bank of New South Wales or the Commissioners of the Government Savings Bank of New South Wales shall be construed as a reference to the Bank; and
- (b) to the commissioners of the Rural Bank of New South Wales shall be construed as a reference to the Bank.

Temporary use of the name “Rural Bank”.

9. Notwithstanding any provision of the Principal Act, the Bank may, for a period not exceeding 12 months after the appointed day, continue to carry on business under the name of the “Rural Bank” or the “Rural Bank of New South Wales”.

By-laws.

10. (1) For the purpose of enabling by-laws to be made under section 77 of the Principal Act and to take effect on and from a day not earlier than the day appointed and notified under section 2 (2), the directors may, pursuant to section 37 of the Interpretation Act, 1897, exercise the powers of the Bank under section 77 of the Principal Act before the day so appointed and notified.

(2) The power conferred on the directors by subclause (1) may be exercised by any 4 of them.

(3) For the purposes of section 77 of the Principal Act, the directors by whom the power conferred by subsection (1) is exercised shall be deemed to be the Bank.

Miscellaneous Acts (State Bank) Repeal and Amendment.

SCHEDULE 2—*continued.*SAVINGS, TRANSITIONAL AND OTHER PROVISIONS—*continued.*

(4) Any by-law made pursuant to the power conferred on the directors by subclause (1) shall, if signed by the person appointed as the managing director of the Bank, be deemed to have been sealed with the official seal of the Bank.

References to Bank Departments.

11. On and from the appointed day, a reference in any Act or in any regulation, by-law or statutory instrument or in any other document whether of the same or a different kind—

- (a) to the General Bank Department, the Rural Bank Department, the Advances for Homes Department of the Personal Loans Department of the Rural Bank of New South Wales shall be construed as a reference to the Bank in relation to its general banking business; or
- (b) to the Government Agency Department of the Rural Bank of New South Wales shall be construed as a reference to the Bank in relation to its agency business.

Branches and agencies.

12. Any branch or agency of the Rural Bank of New South Wales, wherever located, in existence immediately before the appointed day shall be deemed to be a branch or agency of the Bank established under section 17 of the Principal Act and to be subject to the same restrictions as applied to it under section 27 of the Savings Bank Act.

Employees, etc., of the Bank.

13. (1) Any officers, servants or employees of the Rural Bank of New South Wales who held office in the service of the Rural Bank of New South Wales immediately before the appointed day shall be deemed to be employees of the Bank.

(2) Any valuers or agents of the Rural Bank of New South Wales who held office as such immediately before the appointed day shall be deemed to be valuers or agents of the Bank and to hold office as such on the same terms and conditions as those that applied to them immediately before the appointed day.

Miscellaneous Acts (State Bank) Repeal and Amendment.

SCHEDULE 2—continued.**SAVINGS, TRANSITIONAL AND OTHER PROVISIONS—continued.**

- (3) Any person who becomes an employee of the Bank under subclause (1)—
- (a) shall retain all rights and privileges which immediately before the appointed day were accruing or had accrued to him in his capacity as an officer, servant or employee of the Rural Bank of New South Wales as if those rights and privileges had been conferred on him in his capacity as an employee of the Bank;
 - (b) shall be paid remuneration, until it is subsequently varied by or in accordance with law, at a rate not lower than that at which he was paid, and be subject to the same conditions of employment as those to which he was subject, immediately before the appointed day; and
 - (c) is not, in respect of the same period of service, entitled to claim a benefit under the Principal Act and under this Act.

Employees' Relief Fund.

14. Any amounts which, immediately before the appointed day, were standing to the credit of the Officers' Relief Fund referred to in section 35A of the Savings Bank Act shall form part of the Employees' Relief Fund referred to in section 73 of the Principal Act.

Medical benefits scheme.

15. (1) The medical benefits scheme established under section 35B of the Savings Bank Act shall be deemed to be the scheme referred to in section 74 of the Principal Act until it is varied by the Bank.

(2) The reference in section 74 of the Principal Act to retired directors referred to in clause 2 (1) (a) of Schedule 1 to that Act includes a reference to a retired commissioner, other than a nominated commissioner of the Rural Bank of New South Wales.

Miscellaneous Acts (State Bank) Repeal and Amendment.

SCHEDULE 2—*continued.*SAVINGS, TRANSITIONAL AND OTHER PROVISIONS—*continued.***Reserve Fund.**

16. Any amounts which, immediately before the appointed day, were standing to the credit of—

- (a) the Reserve Fund referred to in section 48G of the Savings Bank Act shall form part of the Reserve Fund referred to in section 36 of the Principal Act; or
- (b) the Special Reserve Account referred to in section 12 of the Rural Bank Act shall form part of the Special Reserve Account referred to in section 32 of the Principal Act.

Agencies.

17. (1) Any agency of the Rural Bank of New South Wales established under Part VIB of the Savings Bank Act and in existence immediately before the appointed day that corresponds to an agency referred to in Part IV of the Principal Act shall be deemed to be the corresponding agency referred to in that Part of the Principal Act and any assets or liabilities of the agency so established shall be deemed to be assets and liabilities of the corresponding agency.

(2) Any other agency of the Rural Bank of New South Wales in existence immediately before the appointed day shall be deemed to be an agency of the Bank and any assets or liabilities of the agency in existence immediately before the appointed day shall be deemed to be assets or liabilities of the agency of the Bank.

Rural Bank employees entitled to vote at election of director.

18. For the purpose of enabling the election of the director referred to in clause 2 (1) (c) of Schedule 1 of the Principal Act to be held before the appointed day, a reference to an employee of the Bank shall be construed as a reference to an officer of the Rural Bank of New South Wales and any such officer elected at such an election shall be deemed to be the director referred to in that paragraph.

Miscellaneous Acts (State Bank) Repeal and Amendment.

SCHEDULE 2—*continued.*

SAVINGS, TRANSITIONAL AND OTHER PROVISIONS—*continued.*

Contract notes exempt from stamp duty.

19. The reference in section 27 of the Principal Act to debentures and inscribed stock issued by the Bank under the Principal Act includes a reference to debentures and inscribed stock issued by the Rural Bank of New South Wales under the Savings Bank Act.

Regulations of the Rural Bank.

20. Any regulations made under the Savings Bank Act and in force immediately before the appointed day shall be deemed to be by-laws made by the Bank under section 77 of the Principal Act.

In the name and on behalf of Her Majesty, I assent to this Act.

L. W. STREET,
*By Deputation from
His Excellency the Governor.*

*Government House,
Sydney, 10th June, 1981.*

Macquarie Bank (State Bank) Report and Financial Statement

SCHEDULE 2 - CONTINUED

General Information and Other Provisions - continued

(Contact notes received from stamp unit)

17. The reference in section 22 of the Principal Act to deposits and insured stock issued by the bank under the Principal Act includes a reference to deposits and insured stock issued by the bank under the Savings Bank

18. The bank is not a company and is not a body corporate within the meaning of the Companies Act 1936.

19. The bank is not a body corporate within the meaning of the Companies Act 1936.

20. The bank is not a body corporate within the meaning of the Companies Act 1936.

Appendix

21. The names of the directors of the bank are as follows:

Government House
Sydney, 10th June 1981

22. The names of the directors of the bank are as follows:

BY AUTHORITY
THE WEST AUSTRALIAN GOVERNMENT, NEW SOUTH WALES

23. The names of the directors of the bank are as follows:

24. The names of the directors of the bank are as follows:

MISCELLANEOUS ACTS (STATE BANK) REPEAL AND
AMENDMENT BILL, 1981

**MISCELLANEOUS ACTS (STATE BANK) REPEAL AND
AMENDMENT BILL, 1981**

EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

This Bill is cognate with the State Bank Act, 1981.

The objects of this Bill are—

- (a) to repeal certain Acts and to amend certain other Acts consequent upon the enactment of the State Bank Act, 1981;
- (b) to make savings, transitional and other provisions consequent upon the enactment of that Act; and
- (c) to make other provisions of a consequential or ancillary nature.

A BILL FOR

An Act to repeal certain Acts and to amend certain other Acts, and to make savings, transitional and other provisions, consequent on the enactment of the State Bank Act, 1981.

1981 W. 15 (1981)

**MISCELLANEOUS ACTS (STATE BANK) REPEAL AND
AMENDMENT BILL, 1981**

No. , 1981.

A BILL FOR

An Act to repeal certain Acts and to amend certain other Acts, and to make savings, transitional and other provisions, consequent on the enactment of the State Bank Act, 1981.

[MR WRAN—15 April, 1981.]

Miscellaneous Acts (State Bank) Repeal and Amendment.

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

5 Short title.

1. This Act may be cited as the "Miscellaneous Acts (State Bank) Repeal and Amendment Act, 1981".

Commencement.

2. (1) This section, section 1 and clause 10 of Schedule 2 shall commence 10 on the date of assent to this Act.

(2) Except as provided by subsection (1), this Act shall commence on the day appointed and notified under section 2 (2) of the State Bank Act, 1981.

Schedules.

15 3. This Act contains the following Schedules:—

SCHEDULE 1.—REPEALS AND AMENDMENTS.

SCHEDULE 2.—SAVINGS, TRANSITIONAL AND OTHER PROVISIONS.

Repeals and amendments.

4. Each Act specified in Schedule 1 is repealed or amended, as the case 20 may be, as indicated in that Schedule.

Savings, transitional and other provisions.

5. Schedule 2 has effect.

Miscellaneous Acts (State Bank) Repeal and Amendment.

SCHEDULE 1.

(Sec. 4.)

REPEALS AND AMENDMENTS.

Wentworth Irrigation Act, 54 Vic. No. 7—

5 (1) Section 4, definition of "Bank"—

Omit "Rural Bank of New South Wales", insert instead "State Bank".

(2) Section 22—

Omit "whether made before or after the commencement of Division 8 of Part VIb of the Government Savings Bank Act, 1906,".

10 (3) Section 23—

Omit "whether the agreement was entered into before or after the commencement of Division 8 of Part VIb of the Government Savings Bank Act, 1906,".

Western Lands Act, 1901, No. 70—

15 (1) (a) Section 18E (12)—

Omit "Rural Bank of New South Wales", insert instead "State Bank".

(b) Section 18E (12)—

Omit "said Bank", insert instead "State Bank".

20 (2) (a) Section 31 (5)—

Omit "Rural Bank of New South Wales", insert instead "State Bank".

(b) Section 31 (5)—

Omit "said Rural Bank" wherever occurring, insert instead "State Bank".

25

Miscellaneous Acts (State Bank) Repeal and Amendment.

SCHEDULE 1—*continued.*

REPEALS AND AMENDMENTS—*continued.*

Hay Irrigation Act, 1902, No. 57—

(1) Section 5, definition of "Bank"—

5 Omit "Rural Bank of New South Wales", insert instead "State Bank".

(2) Sections 17 (5), 20 (4), 27 (5)—

Omit "Division 8 of Part VIb of the Government Savings Bank Act, 1906" wherever occurring, insert instead "Division 4 of Part IV of the State Bank Act, 1981".

10 (3) Sections 17 (5), 17A (2), 20 (4), 27 (5)—

Omit "bank" wherever occurring, insert instead "Bank".

Government Savings Bank Act, 1906, No. 48—

Repeal the Act.

Housing Act, 1912, No. 7—

15 (1) Section 2, definition of "Purchaser"—

Omit "Commissioners of the Government Savings Bank of New South Wales", insert instead "State Bank".

(2) (a) Section 18 (1)—

20 Omit "commissioners of the Government Savings Bank", insert instead "State Bank".

(b) Section 18 (1)—

Omit "said commisioners" wherever occurring, insert instead "State Bank".

*Miscellaneous Acts (State Bank) Repeal and Amendment.*SCHEDULE 1—*continued.*REPEALS AND AMENDMENTS—*continued.*

(3) Section 43 (6)—

Omit the subsection, insert instead:—

- 5 (6) The powers conferred on the Commission by this section shall be exercisable by the State Bank in any case where the land the subject of the contract of sale was vested in the State Bank.

(4) (a) Section 45—

- 10 Omit “hand of the Commissioners of the Government Savings Banks of New South Wales or any one of them or any officer authorised under the Corporate Seal of the said Commissioners”, insert instead “official seal of the State Bank or under the hand of a director of that Bank or an employee of that Bank authorised under the official seal of that Bank”.

15 (b) Section 45—

Omit “said Commissioners” where secondly occurring, insert instead “State Bank”.

(5) Section 46—

Omit “said Commissioners”, insert instead “State Bank”.

20 Water Act, 1912, No. 44—

(1) Section 130, definition of “Bank”—

Omit “Rural Bank of New South Wales”, insert instead “State Bank”.

(2) Section 150, definition of “Bank”—

Omit “Rural Bank of New South Wales”, insert instead “State Bank”.

*Miscellaneous Acts (State Bank) Repeal and Amendment.***SCHEDULE 1—continued.****REPEALS AND AMENDMENTS—continued.****(3) (a) Section 163A (2)—**

5 Omit “in Division 1 of Part VIb of the Government Savings Bank Act, 1906, as amended by subsequent Acts”, insert instead “by section 41 (1) of the State Bank Act, 1981”.

(b) Section 163A (3)—

10 Omit “Division 1 of Part VIb of the Government Savings Bank Act, 1906, as amended by subsequent Acts”, insert instead “the State Bank Act, 1981”.

Irrigation Act, 1912, No. 73—

(1) Section 3, definition of “Bank”—

Omit “Rural Bank of New South Wales”, insert instead “State Bank”.

(2) Section 8B (3)—

15 Omit “and any sum which was, immediately before the commencement of Division 8 of Part VIb of the Government Savings Bank Act, 1906, owing to the Commission in respect of the sinking of a bore or well and any sum which becomes due after such commencement under
20 any agreement entered into with the Commission before such commencement shall be payable to the bank”, insert instead “owing to the Commission in respect of the sinking of a bore or well shall be payable to the Bank”.

(3) Section 15 (1)—

25 Omit “, whether the liability to pay the same as he accrued upon or accrues after the commencement of Division 8 of Part VIb of the Government Savings Bank Act, 1906,”.

*Miscellaneous Acts (State Bank) Repeal and Amendment.*SCHEDULE 1—*continued.*REPEALS AND AMENDMENTS—*continued.*

(4) (a) Section 18 (1)—

5 Omit “which immediately before the commencement of Division 8 of Part VIb of the Government Savings Bank Act, 1906, were due or owing to the Crown or Commission, or which after such commencement become”.

(b) Section 18 (2)—

10 Omit “after the commencement of Division 8 of Part VIb of the Government Savings Bank Act, 1906,”.

Crown Lands Consolidation Act, 1913, No. 7—

(1) Section 4—

(i) Omit “Government Savings Bank Act, 1906—”.

(ii) Omit “Coal Mining Act, 1973—or”, insert instead:—

15 Coal Mining Act, 1973—

State Bank Act, 1981—or

(2) (a) Section 5 (1), definition of “Bank”—

After the definition of “Approved form”, insert:—

“Bank” means the State Bank.

20 (b) Section 5 (1), definition of “Rural Bank”—

Omit the definition.

(3) Sections 142 (7C), (7D), 145A (3), (4), 146A (4), 147 (2), (3), 167 (14), 167A (8), 208 (b), 209 (b), 216 (3)—

Omit “Rural” wherever occurring.

Miscellaneous Acts (State Bank) Repeal and Amendment.

SCHEDULE 1—*continued.*

REPEALS AND AMENDMENTS—*continued.*

(4) Section 147 (2)—

5 Omit "Division 8 of Part VIb of the Government Savings Bank Act, 1906", insert instead "Division 4 of Part IV of the State Bank Act, 1981".

(5) Sections 167 (14), 167A (8), 216 (3)—

Omit "said" wherever occurring.

Government Savings Bank Amendment Act, 1913, No. 13—

10 Repeal the Act.

Savings Bank Amalgamation Act, 1914, No. 6—

Repeal the unrepealed portion.

Closer Settlement (Amendment) Act, 1914, No. 7—

Section 3b—

15 Omit "Rural Bank of New South Wales", insert instead "State Bank".

Valuation of Land Act, 1916, No. 2—

Section 9 (2)—

Omit "Government Savings Bank Act, 1906", insert instead "State Bank Act, 1981".

*Miscellaneous Acts (State Bank) Repeal and Amendment.*SCHEDULE 1—*continued.*REPEALS AND AMENDMENTS—*continued.*

Superannuation Act, 1916, No. 28—

(1) Section 5c (1), definition of “bank”—

5 Omit “Rural Bank of New South Wales”, insert instead “State Bank”.

(2) Schedule III—

Omit “The Rural Bank of New South Wales.”, insert instead “State Bank of New South Wales.”.

Unclaimed Moneys Act, 1917, No. 11—

10 Section 2, definition of “Company”—

Omit “Government Savings Bank of New South Wales”, insert instead “State Bank”.

Local Government Act, 1919, No. 41—

(1) Section 466 (1), definition of “Private land”—

15 Omit “Rural Bank of New South Wales”, insert instead “State Bank”.

(2) Section 475N—

Omit “Rural Bank of New South Wales”, insert instead “State Bank”.

Government Savings Bank (Rural Bank) Act, 1920, No. 40—

Repeal the unrepealed portion.

*Miscellaneous Acts (State Bank) Repeal and Amendment.*SCHEDULE 1—*continued.*REPEALS AND AMENDMENTS—*continued.*

Stamp Duties Act, 1920, No. 47—

Section 122 (3)—

- 5 Omit "Government Savings Bank of New South Wales", insert instead "State Bank".

Transfer of Records Act, 1923, No. 14—

Section 6 (5)—

Omit the subsection.

10 Government Savings Bank (Amendment) Act, 1923, No. 32—

Repeal the unrepealed portion.

Housing (Amendment) Act, 1924, No. 27—

Section 6—

Omit the section.

15 Trustee Act, 1925, No. 14—

Section 14 (2) (f)—

Omit "Rural Bank of New South Wales", insert instead "State Bank".

Closer Settlement and Returned Soldiers Settlement (Amendment) Act, 1927, No. 14—

20 Section 2 (13)—

Omit "Rural Bank of New South Wales", insert instead "State Bank".

Miscellaneous Acts (State Bank) Repeal and Amendment.

SCHEDULE 1—continued.

REPEALS AND AMENDMENTS—continued.

Government Savings Bank (Housing) Amendment Act, 1928, No. 31—

Repeal the unrepealed portion.

5 Advances to Settlers (Government Guarantee) Act, 1929, No. 46—

Repeal the Act.

Government Savings Bank (Amendment) Act, 1931, No. 14—

Repeal the Act.

Government Savings Bank (Further Amendment) Act, 1931, No. 34—

10 Repeal the unrepealed portion.

Government Savings Bank Acts Amendment Act, 1931, No. 37—

Repeal the unrepealed portion.

Commonwealth and State Banks Agreements Ratification Act, 1931,
No. 62—

15 Section 9—

Omit the section.

Rural Assistance Act, 1932, No. 33—

(1) (a) Section 3 (1), definition of "Bank"—

After the definition of "Assistant Director", insert:—

20

"Bank" means the State Bank.

*Miscellaneous Acts (State Bank) Repeal and Amendment.*SCHEDULE 1—*continued.*REPEALS AND AMENDMENTS—*continued.*

(b) Section 3 (1), definition of "Officer of the Board"—

5 Omit "Rural Bank through its Rural Reconstruction Agency",
insert instead "Bank through its Rural Assistance Agency".

(c) Section 3 (1), definition of "Rural Bank"—

Omit the definition.

(2) (a) Section 7A (3)—

10 Omit "commissioner of the Rural Bank", insert instead "director
of the Bank".

(b) Section 7A (13)—

(i) Omit "Rural" where firstly occurring.

(ii) Omit "the Rural Reconstruction Agency of that Bank",
insert instead "its Rural Assistance Agency".

15 (3) (a) Section 7G—

Omit "Rural Bank" wherever occurring, insert instead "Bank".

(b) Section 7G (1), (2)—

After "Service or" wherever occurring, insert "an employee".

(c) Section 7G (1) (b)—

20 (i) Omit "officer", insert instead "employee".

(ii) Omit "an office", insert instead "a position".

(d) Section 7G (4)—

Omit "Rural Reconstruction Agency of that Bank", insert
instead "Rural Assistance Agency of the Bank".

*Miscellaneous Acts (State Bank) Repeal and Amendment.*SCHEDULE 1—*continued.*REPEALS AND AMENDMENTS—*continued.*

(4) (a) Section 13 (1A) (a)—

Omit "Rural".

5 (b) Section 13 (5A)—

Omit "Rural Bank of New South Wales"; insert instead "Bank".

(c) Section 13 (5B)—

Omit "Rural Bank" wherever occurring, insert instead "Bank".

10 (d) Section 13 (5B) (c)—

(i) Omit "Reconstruction", insert instead "Assistance".

(ii) Omit "Government Savings Bank Act, 1906, as amended by subsequent Acts", insert instead "State Bank Act, 1981".

15 (5) Sections 14, 28 (2) (d), 29 (1) (d), 34E, 34ED (3) (a), 34H (1), 34J (2), (3), The Schedule—

Omit "Rural Bank of New South Wales" wherever occurring, insert instead "Bank".

(6) Sections 15 (2A) (a), 34EB (1) (e), 34ED (1), 34GG (1), 34T (1), (2), 34Z (1), (2), 34AN (2) (a), 34AO (1)—

20 Omit "Rural" wherever occurring.

(7) Section 26 (7)—

25 Omit "Commissioners of the Government Savings Bank of New South Wales have regard to the provisions of section 69 of the Government Savings Bank Act, 1906, as amended by subsequent Acts", insert instead "Bank have regard to the provisions of section 66 of the State Bank Act, 1981".

*Miscellaneous Acts (State Bank) Repeal and Amendment.*SCHEDULE 1—*continued.*REPEALS AND AMENDMENTS—*continued.*

(8) (a) Section 31 (1) (a), (2A), (4)—

5 Omit "Rural Bank of New South Wales" wherever occurring,
insert instead "State Bank".

(b) Section 31 (1) (a)—

Omit "Rural Reconstruction Agency", insert instead "Rural
Assistance Agency".

(c) Section 31 (2), (2A) (b), (4) (b)—

10 Omit "bank" wherever occurring, insert instead "Bank".

(d) Section 31 (2A) (b), (4)—

Omit "Rural Reconstruction Agency" wherever occurring, insert
instead "Rural Assistance Agency".

(9) Sections 34E (3) (b), 4 (b), 34ED (3) (b), 34H (1), 34J (2), 34T
15 (3), 34Z (3), 34AK, 34AN (1)—

Omit "Reconstruction" wherever occurring, insert instead "Assist-
ance".

(10) Sections 34E (3) (b), (4) (b), 34ED (3) (b)—

Omit "said" wherever occurring.

20 (11) Section 34EB (1) (e)—

Omit "69 of the Government Savings Bank Act, 1906, as amended by
subsequent Acts", insert instead "66 of the State Bank Act, 1981".

*Miscellaneous Acts (State Bank) Repeal and Amendment.***SCHEDULE 1—continued.****REPEALS AND AMENDMENTS—continued.**

(12) (a) Section 34G (2) (a)—

Omit the paragraph, insert instead:—

5 (a) to the Bank in respect of its Rural Industries Agency,
Advances to Settlers Agency or Irrigation Agency;

(b) Section 34G (2) (b)—

10 Omit "Rural Bank in respect of the Rural Reconstruction
Agency of that Bank", insert instead "Bank in respect of its
Rural Assistance Agency".

(13) Section 34GG (1)—

Omit "General Bank Department of that Bank" wherever occurring,
insert instead "general banking business of the Bank".

(14) Section 34J (3)—

15 Omit "Part VIb of the Government Savings Bank Act, 1906, as
amended by subsequent Acts", insert instead "Part IV of the State
Bank Act, 1981".

(15) Section 34T (3)—

Omit "Rural" where secondly occurring.

20 (16) Section 34Z (3)—

Omit "Rural" where secondly occurring.

(17) Section 34AK—

Omit "Rural" where firstly and thirdly occurring.

*Miscellaneous Acts (State Bank) Repeal and Amendment.***SCHEDULE 1—continued.****REPEALS AND AMENDMENTS—continued.**

(18) (a) Section 34AN (1)—

Omit "Rural" where firstly occurring.

5 (b) Section 34AN (2)—

Omit "Part VIb of the Government Savings Bank Act, 1906",
insert instead "Part IV of the State Bank Act, 1981".

(19) The Schedule, clause 13 (1)—

(i) Omit "officer" where firstly occurring, insert instead "employee".

10 (ii) After "Director,", insert "employee,".

Rural Bank of New South Wales Act, 1932, No. 63—

Repeal the Act.

Advances to Settlers (Government Guarantee) Amendment Act, 1934,
No. 36—

15 Repeal the Act.

Rural Bank (Agency) Act, 1934, No. 56—

Repeal the Act.

Rural Bank (Agency) Amendment Act, 1936, No. 60—

Repeal the Act.

*Miscellaneous Acts (State Bank) Repeal and Amendment.***SCHEDULE 1—continued.****REPEALS AND AMENDMENTS—continued.**

Statute Law Revision Act, 1937, No. 35—

Second Schedule—

- 5 Omit so much as amends Acts No. 48, 1906, No. 13, 1913, No. 40, 1920, No. 32, 1923, No. 31, 1928, No. 34, 1931, No. 37, 1931, and No. 63, 1932.

Soil Conservation Act, 1938, No. 10—

- (1) Section 3, definition of "Bank"—

- 10 Omit "Rural Bank of New South Wales", insert instead "State Bank".

- (2) Section 22D (3)—

Omit "Part VIb of the Government Savings Bank Act, 1906", insert instead "Part IV of the State Bank Act, 1981".

Rural Bank (Agency) Soldiers' Families Housing Act, 1941, No. 21—

- 15 Repeal the Act.

War Service Land Settlement Act, 1941, No. 43—

- (1) Section 7 (2)—

Omit "Rural Bank of New South Wales" wherever occurring, insert instead "State Bank".

- 20 (2) (a) Section 8DD (1)—

Omit "Rural Bank of New South Wales" wherever occurring, insert instead "State Bank".

Miscellaneous Acts (State Bank) Repeal and Amendment.

SCHEDULE 1—continued.

REPEALS AND AMENDMENTS—continued.

(b) Section 8DD (2)—

5 Omit “69 of the Government Savings Bank Act, 1906, as amended by subsequent Acts”, insert instead “66 of the State Bank Act, 1981”.

Housing Act, 1941, No. 65—

(1) Section 3—

Omit the matter relating to Division 5 of Part III.

10 (2) Part III, Division 5—

Omit the Division.

(3) Section 17 (2) (a)—

Omit “Rural Bank of New South Wales”, insert instead “State Bank”.

(4) (a) Section 34 (1) (d)—

15 Omit “Rural Bank of New South Wales or any commissioner or officer”, insert instead “State Bank or any director or employee”.

(b) Section 34 (4)—

Omit “Rural Bank of New South Wales”, insert instead “State Bank”.

20 Closer Settlement Amendment (Conversion) Act, 1943, No. 38—

(1) Section 15—

Omit “General Bank Department of the Rural Bank of New South Wales”, insert instead “the State Bank in the course of its general banking business”.

*Miscellaneous Acts (State Bank) Repeal and Amendment.*SCHEDULE 1—*continued.*REPEALS AND AMENDMENTS—*continued.*

(2) Section 15 (a), (b)—

5 Omit "69 of the Government Savings Bank Act, 1906 or" wherever occurring, insert instead "66 of the State Bank Act, 1981".

Rural Bank (Personal Loans Department) Act, 1944, No. 3—

Repeal the Act.

Rural Bank (Amendment) Act, 1946, No. 5—

Repeal the Act.

10 Rural Bank of New South Wales (General Banking) Act, 1947, No. 38—

Repeal the Act.

Rivers and Foreshores Improvement Act, 1948, No. 20—

(1) Section 2, definition of "Bank"—

Omit "Rural Bank of New South Wales", insert instead "State Bank".

15 (2) Section 24 (2), (3)—

Omit "Part VIb of the Government Savings Bank Act, 1906, as amended by subsequent Acts" wherever occurring, insert instead "Part IV of the State Bank Act, 1981".

Rural Bank of New South Wales (Amendment) Act, 1960, No. 53—

20 Repeal the Act.

Miscellaneous Acts (State Bank) Repeal and Amendment.

SCHEDULE 1—*continued.*

REPEALS AND AMENDMENTS—*continued.*

Decimal Currency Act, 1965, No. 33—

(1) First Schedule—

5 Omit so much as amends Acts No. 48, 1906, and No. 13, 1913.

(2) Second Schedule—

Omit so much as relates to Act No. 48, 1906.

State Development and Country Industries Assistance Act, 1966, No. 10—

(1) Section 34—

10 Omit "Rural Bank of New South Wales under section 23A of the Government Savings Bank Act, 1906, as amended by subsequent Acts", insert instead "State Bank under section 19 of the State Bank Act, 1981".

(2) Section 34G (2)—

15 Omit "Rural Bank of New South Wales for the credit of the account relating to the Special Industries Agency established under the Government Savings Bank Act, 1906", insert instead "State Bank for the credit of the account relating to the Special Industries Agency maintained under the State Bank Act, 1981".

20 Rural Bank of New South Wales (Amendment) Act, 1969, No. 13—

Repeal the Act.

*Miscellaneous Acts (State Bank) Repeal and Amendment.*SCHEDULE 1—*continued.*REPEALS AND AMENDMENTS—*continued.*

Minors (Property and Contracts) Act, 1970, No. 60—

First Schedule—

5 Omit so much as amends Act No. 48, 1906.

Rural Assistance Act, 1971, No. 62—

(1) Section 2—

From the matter relating to Division 2 of Part II, omit "10", insert instead "11".

10 (2) Section 10—

Omit the section.

State Development and Country Industries Assistance and Government Savings Bank (Amendment) Act, 1972, No. 65—

Section 4—

15 Omit the section.

Government Savings Bank (Amendment) Act, 1975 (1975, No. 100)—

Repeal the Act.

Statutory and Other Offices Remuneration Act, 1975 (1976, No. 4)—

Schedule 5—

20 Omit so much as amends Act No. 63, 1932.

*Miscellaneous Acts (State Bank) Repeal and Amendment.*SCHEDULE 1—*continued.*REPEALS AND AMENDMENTS—*continued.*

Statute Law Revision Act, 1976, No. 63—

Schedule 1—

- 5 Omit so much as amends Acts No. 6, 1914, No. 31, 1928, No 34, 1931, No. 56, 1934, and No. 53, 1960.

Miscellaneous Acts (Retirement of Statutory Officers) Amendment Act, 1980, No. 187—

Schedule 1—

- 10 Omit so much as amends Act No. 63, 1932.

SCHEDULE 2.

(Sec. 5.)

SAVINGS, TRANSITIONAL AND OTHER PROVISIONS.

Interpretation: Sch. 2.

- 15 1. (1) In this Schedule, except in so far as the context or subject-matter otherwise indicates or requires—

“appointed day” means the day appointed and notified under section 2 (2) of the Principal Act;

“Principal Act” means the State Bank Act, 1981;

- 20 “Rural Bank Act” means the Rural Bank of New South Wales Act, 1932;

“Savings Bank Act” means the Government Savings Bank Act, 1906.

(2) Except so far as the context or subject-matter otherwise indicates or requires, an expression used in this Schedule has the same meaning as it has in the Principal Act.

- 25 (3) In this Schedule, a reference to a subclause is, unless a contrary intention appears, a reference to a subclause of the clause in which the reference occurs.

*Miscellaneous Acts (State Bank) Repeal and Amendment.***SCHEDULE 2—continued.****SAVINGS, TRANSITIONAL AND OTHER PROVISIONS—continued.****Regulations.**

2. (1) The Governor may make regulations containing provisions of a savings or
5 transitional nature consequent on the enactment of the Principal Act or this Act.

(2) A provision made under subclause (1) may take effect as on and from the appointed day or a later day.

(3) To the extent to which a provision referred to in subclause (1) takes effect on and from a date that is earlier than the date of its publication in the Gazette, the
10 provision does not operate so as—

(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 its publication; or

(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
15 of its publication.

(4) A provision made under subclause (1) shall, if the regulations under this clause so provide, have effect notwithstanding any other provision of this Schedule.

Amendments made by repealed enactments.

20 3. The repeal of any enactment by section 4 and Schedule 1 does not affect any amendment made by any enactment so repealed of an Act, being an enactment that was in force immediately before the appointed day, and any such amendment continues to have force and effect as if this Act had not been enacted.

Interpretation Act, 1897, not affected.

25 4. Except to the extent of any inconsistency, the savings contained in the Interpretation Act, 1897, are in addition to the savings contained in this Schedule.

Miscellaneous Acts (State Bank) Repeal and Amendment.

SCHEDULE 2—continued.

SAVINGS, TRANSITIONAL AND OTHER PROVISIONS—continued.

Existing members of Rural Bank to cease to hold office.

5. (1) A person who, immediately before the appointed day, held office as a
5 commissioner of the Rural Bank of New South Wales—

(a) shall cease to hold office as such on the appointed day; and

(b) is eligible, if otherwise qualified, to be appointed as a director of the Bank.

(2) A commissioner of the Rural Bank of New South Wales who ceased to hold
office as such by reason of the operation of subclause (1) is not entitled to be paid
10 any remuneration or compensation by reason of his ceasing to hold that office, but
nothing in this subclause prevents the payment to that person of such compensation
(if any) as the Minister determines out of the funds of the Bank.

(3) A person who, immediately before the appointed day, held office as a
commissioner, other than a nominated commissioner, of the Rural Bank of New
15 South Wales and who ceases to hold that office pursuant to subclause (1) is, if he is
not appointed as the managing director or deputy managing director of the Bank on
the appointed day, and if he was, immediately before his appointment as such a
commissioner, an employee of the Bank, entitled to be re-appointed to the position in
the Bank which he held immediately before his appointment as such a commissioner or
20 to a position in the Bank not lower in classification and salary than the one which he
so held.

Constitution of the Board.

6. Notwithstanding the provisions of the Principal Act, the Board shall be deemed to
be as fully and properly constituted during the period commencing on the appointed
25 day and ending on the appointment of the director referred to in clause 2 (1) (c) of
Schedule 1 to the Principal Act as it would have been if there were no provision in the
Principal Act for the appointment of such a director.

Constitution of body corporate.

7. The corporation constituted under section 7 of the Principal Act with the corporate
30 name of the "State Bank of New South Wales" is a continuation of, and the same
legal entity as, the corporation constituted by section 6 of the Savings Bank Act, as in
force immediately before the appointed day, with the corporate name of the "Rural
Bank of New South Wales".

Miscellaneous Acts (State Bank) Repeal and Amendment.

SCHEDULE 2—continued.

SAVINGS, TRANSITIONAL AND OTHER PROVISIONS—continued.

Construction of references.

8. On and from the appointed day a reference in any Act (other than this Act)
5 or in any regulation, by-law or other statutory instrument or in any other document, whether of the same or a different kind—

(a) to the Rural Bank of New South Wales or the Commissioners of the Government Savings Bank of New South Wales shall be construed as a reference to the Bank; and

10 (b) to the commissioners of the Rural Bank of New South Wales shall be construed as a reference to the Bank.

Temporary use of the name "Rural Bank".

9. Notwithstanding any provision of the Principal Act, the Bank may, for a period not exceeding 12 months after the appointed day, continue to carry on business under
15 the name of the "Rural Bank" or the "Rural Bank of New South Wales".

By-laws.

10. (1) For the purpose of enabling by-laws to be made under section 77 of the Principal Act and to take effect on and from a day not earlier than the day appointed and notified under section 2 (2), the directors may, pursuant to section 37 of the
20 Interpretation Act, 1897, exercise the powers of the Bank under section 77 of the Principal Act before the day so appointed and notified.

(2) The power conferred on the directors by subclause (1) may be exercised by any 4 of them.

(3) For the purposes of section 77 of the Principal Act, the directors by whom
25 the power conferred by subsection (1) is exercised shall be deemed to be the Bank.

*Miscellaneous Acts (State Bank) Repeal and Amendment.***SCHEDULE 2—continued.****SAVINGS, TRANSITIONAL AND OTHER PROVISIONS—continued.**

- (4) Any by-law made pursuant to the power conferred on the directors by subclause (1) shall, if signed by the person appointed as the managing director of the 5 Bank, be deemed to have been sealed with the official seal of the Bank.

References to Bank Departments.

11. On and from the appointed day, a reference in any Act or in any regulation, by-law or statutory instrument or in any other document whether of the same or a different kind—
- 10 (a) to the General Bank Department, the Rural Bank Department, the Advances for Homes Department of the Personal Loans Department of the Rural Bank of New South Wales shall be construed as a reference to the Bank in relation to its general banking business; or
- 15 (b) to the Government Agency Department of the Rural Bank of New South Wales shall be construed as a reference to the Bank in relation to its agency business.

Branches and agencies.

12. Any branch or agency of the Rural Bank of New South Wales, wherever located, in existence immediately before the appointed day shall be deemed to be a branch or 20 agency of the Bank established under section 17 of the Principal Act and to be subject to the same restrictions as applied to it under section 27 of the Savings Bank Act.

Employees, etc., of the Bank.

13. (1) Any officers, servants or employees of the Rural Bank of New South Wales who held office in the service of the Rural Bank of New South Wales immediately 25 before the appointed day shall be deemed to be employees of the Bank.

- (2) Any valuers or agents of the Rural Bank of New South Wales who held office as such immediately before the appointed day shall be deemed to be valuers or agents of the Bank and to hold office as such on the same terms and conditions as those that applied to them immediately before the appointed day.

*Miscellaneous Acts (State Bank) Repeal and Amendment.***SCHEDULE 2—continued.****SAVINGS, TRANSITIONAL AND OTHER PROVISIONS—continued.**

- (3) Any person who becomes an employee of the Bank under subclause (1)—
- 5 (a) shall retain all rights and privileges which immediately before the appointed day were accruing or had accrued to him in his capacity as an officer, servant or employee of the Rural Bank of New South Wales as if those rights and privileges had been conferred on him in his capacity as an employee of the Bank;
 - 10 (b) shall be paid remuneration, until it is subsequently varied by or in accordance with law, at a rate not lower than that at which he was paid, and be subject to the same conditions of employment as those to which he was subject, immediately before the appointed day; and
 - (c) is not, in respect of the same period of service, entitled to claim a benefit under the Principal Act and under this Act.

15 Employees' Relief Fund.

14. Any amounts which, immediately before the appointed day, were standing to the credit of the Officers' Relief Fund referred to in section 35A of the Savings Bank Act shall form part of the Employees' Relief Fund referred to in section 73 of the Principal Act.

20 Medical benefits scheme.

15. (1) The medical benefits scheme established under section 35B of the Savings Bank Act shall be deemed to be the scheme referred to in section 74 of the Principal Act until it is varied by the Bank.

25 (2) The reference in section 74 of the Principal Act to retired directors referred to in clause 2 (1) (a) of Schedule 1 to that Act includes a reference to a retired commissioner, other than a nominated commissioner of the Rural Bank of New South Wales.

*Miscellaneous Acts (State Bank) Repeal and Amendment.***SCHEDULE 2—continued.****SAVINGS, TRANSITIONAL AND OTHER PROVISIONS—continued.****Reserve Fund.**

16. Any amounts which, immediately before the appointed day, were standing to the credit of—

- (a) the Reserve Fund referred to in section 48G of the Savings Bank Act shall form part of the Reserve Fund referred to in section 36 of the Principal Act; or
- (b) the Special Reserve Account referred to in section 12 of the Rural Bank Act shall form part of the Special Reserve Account referred to in section 32 of the Principal Act.

Agencies.

17. (1) Any agency of the Rural Bank of New South Wales established under Part VIb of the Savings Bank Act and in existence immediately before the appointed day that corresponds to an agency referred to in Part IV of the Principal Act shall be deemed to be the corresponding agency referred to in that Part of the Principal Act and any assets or liabilities of the agency so established shall be deemed to be assets and liabilities of the corresponding agency.

(2) Any other agency of the Rural Bank of New South Wales in existence immediately before the appointed day shall be deemed to be an agency of the Bank and any assets or liabilities of the agency in existence immediately before the appointed day shall be deemed to be assets or liabilities of the agency of the Bank.

Rural Bank employees entitled to vote at election of director.

18. For the purpose of enabling the election of the director referred to in clause 25 2 (1) (c) of Schedule 1 of the Principal Act to be held before the appointed day, a reference to an employee of the Bank shall be construed as a reference to an officer of the Rural Bank of New South Wales and any such officer elected at such an election shall be deemed to be the director referred to in that paragraph.

Miscellaneous Acts (State Bank) Repeal and Amendment.

SCHEDULE 2—continued.

SAVINGS, TRANSITIONAL AND OTHER PROVISIONS—continued.

Contract notes exempt from stamp duty.

19. The reference in section 27 of the Principal Act to debentures and inscribed stock
5 issued by the Bank under the Principal Act includes a reference to debentures and
inscribed stock issued by the Rural Bank of New South Wales under the Savings Bank
Act.

Regulations of the Rural Bank.

20. Any regulations made under the Savings Bank Act and in force immediately
10 before the appointed day shall be deemed to be by-laws made by the Bank under
section 77 of the Principal Act.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1981

(\$1.20)

Miscellaneous Acts (State Bank) Repeal and Amendment.

SCHEDULE 2—continued

SAVINGS TRANSITIONAL AND OTHER PROVISIONS—continued

Contract notes exempt from stamp duty.

19. The reference in section 27 of the Principal Act to debentures and inscribed stock issued by the Bank under the Principal Act includes a reference to debentures and inscribed stock issued by the Rural Bank of New South Wales under the Savings Bank Act.

20. A deed given to the Bank in the exercise of its powers under the Principal Act shall be deemed to be a deed given to the Bank in the exercise of its powers under the Principal Act.

Regulations of the Rural Bank

21. Any regulations made by the Rural Bank under the Principal Act and in force immediately before the appointed day shall be deemed to be by-laws made by the Bank under section 27 of the Principal Act.

22.

23. The Rural Bank shall have the same powers and authorities as the Rural Bank of New South Wales in relation to the business of the Rural Bank.

24. The Rural Bank shall have the same powers and authorities as the Rural Bank of New South Wales in relation to the business of the Rural Bank.

25. The Rural Bank shall have the same powers and authorities as the Rural Bank of New South Wales in relation to the business of the Rural Bank.

26. The Rural Bank shall have the same powers and authorities as the Rural Bank of New South Wales in relation to the business of the Rural Bank.