

# CONCURRENCE COPY

## MISCELLANEOUS ACTS (COMMUNITY WELFARE) AMENDMENT BILL, 1983

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### EXPLANATORY NOTE

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

This Bill is cognate with the Community Welfare (Amendment) Bill, 1983.

The object of this Bill is to vary the commencement provisions of the Community Welfare Act, 1982, and other Acts which were introduced into Parliament as cognate Bills with the Community Welfare Bill, 1982, to enable different provisions of the legislation to be commenced on different days.

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**MISCELLANEOUS ACTS (COMMUNITY WELFARE)  
AMENDMENT BILL, 1983**

No. , 1983.

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**A BILL FOR**

An Act to amend the Community Welfare Act, 1982, and certain other Acts, with respect to the commencing dates of the provisions of those Acts.

[MR WALKER—17 February, 1983.]

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*Miscellaneous Acts (Community Welfare) Amendment.*

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**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 (Community Welfare) Amendment Act, 1983".

**Amendments.**

**2.** Each Act specified in Schedule 1 is amended in the manner set forth 10 in that Schedule.

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SCHEDULE 1.

(Sec. 2.)

AMENDMENTS TO THE COMMUNITY WELFARE ACT, 1982, AND CERTAIN OTHER ACTS.

**Adoption of Children (Community Welfare) Amendment Act, 1982, No. 77—**

**15 Section 2—**

Omit the section, insert instead:—

**Commencement.**

**2.** (1) Except as provided by subsections (2) and (3), this Act shall commence on the date of assent to this Act.

**20** (2) Section 3, in its application to a provision of Schedule 1, shall commence on the day on which that provision commences.

(3) The several provisions of Schedule 1 shall commence on such day or days as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

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*Miscellaneous Acts (Community Welfare) Amendment.*

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SCHEDULE 1—*continued.*AMENDMENTS TO THE COMMUNITY WELFARE ACT, 1982,  
AND CERTAIN OTHER ACTS—*continued.***Bail (Community Welfare) Amendment Act, 1982, No. 78—**

## 5 Section 2—

Omit the section, insert instead:—

**Commencement.**

2. (1) Except as provided by subsections (2) and (3), this Act shall commence on the date of assent to this Act.

## 10 (2) Section 3, in its application to a provision of Schedule 1, shall commence on the day on which that provision commences.

(3) The several provisions of Schedule 1 shall commence on such day or days as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

**15 Community Service Orders (Community Welfare) Amendment Act, 1982, No. 79—**

## Section 2 (2)—

20 Omit “the day appointed and notified under section 2 (2) of the Community Welfare Act, 1982”, insert instead “such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette”.

**Community Welfare Act, 1982, No. 76—**

## (1) Section 2 (2)—

Omit the subsection, insert instead:—

25 (2) Except as provided by subsection (1), the several provisions of this Act shall commence on such day or days as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

## (2) Section 28 (a)—

30 Omit “the day appointed and notified under section 2 (2)”, insert instead “the date of commencement of this section”.

**Coroners (Community Welfare) Amendment Act, 1982, No. 80—**

## Section 2 (2)—

35 Omit “the day appointed and notified under section 2 (2) of the Community Welfare Act, 1982”, insert instead “such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette”.

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*Miscellaneous Acts (Community Welfare) Amendment.*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE COMMUNITY WELFARE ACT, 1982,  
AND CERTAIN OTHER ACTS—*continued.*

**Crimes (Community Welfare) Amendment Act, 1982, No. 81—**

5 Section 2—

Omit the section, insert instead:—

**Commencement.**

2. (1) Except as provided by subsections (2) and (3), this Act shall commence on the date of assent to this Act.

10 (2) Section 3, in its application to a provision of Schedule 1, shall commence on the day on which that provision commences.

(3) The several provisions of Schedule 1 shall commence on such day or days as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

**15 Defamation (Community Welfare) Amendment Act, 1982, No. 82—**

Section 2 (2)—

20 Omit “the day appointed and notified under section 2 (2) of the Community Welfare Act, 1982”, insert instead “such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette”.

**Infants' Custody and Settlements (Community Welfare)  
Amendment Act, 1982, No. 83—**

Section 2—

Omit the section, insert instead:—

25 **Commencement.**

2. (1) Except as provided by subsections (2) and (3), this Act shall commence on the date of assent to this Act.

(2) Section 3, in its application to a provision of Schedule 1, shall commence on the day on which that provision commences.

30 (3) The several provisions of Schedule 1 shall commence on such day or days as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

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*Miscellaneous Acts (Community Welfare) Amendment.*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE COMMUNITY WELFARE ACT, 1982,  
AND CERTAIN OTHER ACTS—*continued.*

**Justices (Community Welfare) Amendment Act, 1982, No. 84—**

5 Section 2—

Omit the section, insert instead:—

**Commencement.**

2. (1) Except as provided by subsections (2) and (3), this Act shall commence on the date of assent to this Act.

10 (2) Section 3, in its application to a provision of Schedule 1, shall commence on the day on which that provision commences.

(3) The several provisions of Schedule 1 shall commence on such day or days as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

**15 Land and Environment Court (Community Welfare) Amendment Act, 1982, No. 85—**

Section 2 (2)—

20 Omit “the day appointed and notified under section 2 (2) of the Community Welfare Act, 1982”, insert instead “such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette”.

**Maintenance (Community Welfare) Amendment Act, 1982, No. 86—**

Section 2—

Omit the section, insert instead:—

**Commencement.**

25 2. (1) Except as provided by subsections (2) and (3), this Act shall commence on the date of assent to this Act.

(2) Section 3, in its application to a provision of Schedule 1, shall commence on the day on which that provision commences.

30 (3) The several provisions of Schedule 1 shall commence on such day or days as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

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*Miscellaneous Acts (Community Welfare) Amendment.*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE COMMUNITY WELFARE ACT, 1982,  
AND CERTAIN OTHER ACTS—*continued.*

**Mental Health (Community Welfare) Amendment Act, 1982, No. 87—**

5 Section 2 (2)—

Omit “the day appointed and notified under section 2 (2) of the Community Welfare Act, 1982”, insert instead “such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette”.

10 **Miscellaneous Acts (Community Welfare) Repeal and Amendment Act, 1982, No. 88—**

(1) Section 2—

Omit the section, insert instead:—

**Commencement.**

15 2. (1) Except as provided by this section, this Act shall commence on the date of assent to this Act.

(2) Section 4, in its application to a repeal or amendment specified in Schedule 1, shall commence on the day on which that repeal or amendment takes effect.

20 (3) Section 5, in its application to a provision of Schedule 2, shall commence on the day on which that provision commences.

(4) The several repeals and amendments specified in Schedule 1 shall take effect on such day or days as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

25 (5) The several provisions of Schedule 2 shall commence on such day or days as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

(2) Schedule 2, clause 1, definition of “appointed day”—

Omit the definition, insert instead:—

30 “appointed day”, in relation to a provision of this Schedule, means the day appointed and notified under section 2 (5) in respect of that provision;



*Miscellaneous Acts (Community Welfare) Amendment.*SCHEDULE 1—*continued.*AMENDMENTS TO THE COMMUNITY WELFARE ACT, 1982,  
AND CERTAIN OTHER ACTS—*continued.*

(3) Schedule 2, clause 3 (1), (2)—

5 Omit the subclauses, insert instead:—

(1) The Governor may make regulations containing provisions of a savings or transitional nature consequent on the enactment of the Principal Act, this Act or any of the following Acts:—

- 10 Adoption of Children (Community Welfare) Amendment Act, 1982;  
Bail (Community Welfare) Amendment Act, 1982;  
Community Service Orders (Community Welfare) Amendment Act, 1982;  
Coroners (Community Welfare) Amendment Act, 1982;  
Crimes (Community Welfare) Amendment Act, 1982;  
Defamation (Community Welfare) Amendment Act, 1982;  
15 Infants' Custody and Settlements (Community Welfare) Amendment Act, 1982;  
Justices (Community Welfare) Amendment Act, 1982;  
Land and Environment Court (Community Welfare) Amendment Act, 1982;  
Maintenance (Community Welfare) Amendment Act, 1982;  
20 Mental Health (Community Welfare) Amendment Act, 1982;  
Miscellaneous Acts (Community Welfare) Amendment Act, 1983;  
Parole of Prisoners (Community Welfare) Amendment Act, 1982;  
Public Instruction (Community Welfare) Amendment Act, 1982.

25 (2) A provision made under subclause (1) may take effect on and from the earliest day appointed and notified under section 2 (2) of the Principal Act or a later day.

**Parole of Prisoners (Community Welfare) Amendment Act, 1982, No. 89—**

Section 2—

Omit the section, insert instead:—

30 **Commencement.**

2. (1) Except as provided by subsections (2) and (3), this Act shall commence on the date of assent to this Act.

(2) Section 3, in its application to a provision of Schedule 1, shall commence on the day on which that provision commences.

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*Miscellaneous Acts (Community Welfare) Amendment.*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE COMMUNITY WELFARE ACT, 1982,  
AND CERTAIN OTHER ACTS—*continued.*

- 5 (3) The several provisions of Schedule 1 shall commence on such day or days as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

**Public Instruction (Community Welfare) Amendment Act, 1982, No. 90—**

Section 2—

Omit the section, insert instead:—

10 **Commencement.**

2. (1) Except as provided by subsections (2) and (3), this Act shall commence on the date of assent to this Act.

(2) Section 3, in its application to a provision of Schedule 1, shall commence on the day on which that provision commences.

- 15 (3) The several provisions of Schedule 1 shall commence on such day or days as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

**Statutory and Other Offices Remuneration (Children's Panel Council)  
Amendment Act, 1982, No. 91—**

20 Section 2 (2)—

Omit "the day appointed and notified under section 2 (2) of the Community Welfare Act, 1982", insert instead "such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette".

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BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1983



