

CONCURRENCE COPY

MISCELLANEOUS ACTS (NATIONAL PARKS AND WILDLIFE) AMENDMENT BILL, 1983

EXPLANATORY NOTE

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

This Bill is cognate with the National Parks and Wildlife (Amendment) Bill, 1983.

The object of this Bill is to amend certain Acts in consequence of the enactment of the proposed National Parks and Wildlife (Amendment) Act, 1983.

1910 - 1489

**MISCELLANEOUS ACTS (NATIONAL PARKS AND
WILDLIFE) AMENDMENT BILL, 1983**

No. , 1983.

A BILL FOR

An Act to amend certain Acts in consequence of the enactment of the
National Parks and Wildlife (Amendment) Act, 1983.

[MR BEDFORD—21 *September*, 1983.]

Miscellaneous Acts (National Parks and Wildlife) 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 (National Parks and Wildlife) Amendment Act, 1983".

Commencement.

2. (1) Sections 1 and 2 shall commence on the date of assent to this Act.

10 (2) Except as provided by subsection (1), this Act shall commence or shall be deemed to have commenced, as the case may require, on the date of assent to the National Parks and Wildlife (Amendment) Act, 1983.

Amendments.

3. Each Act specified in Schedule 1 is amended in the manner set forth **15** in that Schedule.

SCHEDULE 1.

(Sec. 3.)

AMENDMENTS.

Bush Fires Act, 1949, No. 31—

20 Sections 10 (7), 13 (6), 14 (3), 15 (5), 22 (2), 22 (3c), 51 (1c)—
Omit "or nature reserve" wherever occurring, insert instead " , nature reserve or state game reserve".

Miscellaneous Acts (National Parks and Wildlife) Amendment.

SCHEDULE 1—*continued.*AMENDMENTS—*continued.***Coal Mining Act, 1973, No. 81—**

- (1) Sections 25 (4), 69 (4)—
- 5 Omit “or nature reserve” wherever occurring, insert instead “, nature reserve or state game reserve”.
- (2) (a) Section 74A (5)—
- After “nature reserve”, insert “, a state game reserve”.
- (b) Section 74A (6) (d)—
- 10 Omit “game reserve”, insert instead “wildlife management area”.

Local Government Act, 1919, No. 41—

- (1) Section 289A (1), definition of “public place”—
- After “nature reserve”, insert “, state game reserve”.
- (2) (a) Section 289B (2) (b) (ii), (c) (ii)—
- 15 After “nature reserve” wherever occurring, insert “, state game reserve”.
- (b) Section 289B (2) (b) (ii)—
- Omit “or the trustees thereof (if any)”.
- (c) Section 289B (2) (b) (ii), (c) (ii)—
- 20 Omit “or those trustees” wherever occurring.
- (d) Section 289B (2) (c) (ii)—
- Omit “or the trustees (if any) thereof”.

Miscellaneous Acts (National Parks and Wildlife) Amendment.

SCHEDULE 1—*continued.*AMENDMENTS—*continued.***Mining Act, 1973, No. 42—**

(1) Sections 25A (4) (c) (v), 26C (3) (m)—

5 After “nature reserve” wherever occurring, insert “, state game reserve”.

(2) Sections 25A (4) (c) (v), 26C (3) (m), 94A (5) (d)—

Omit “game reserve or” wherever occurring, insert instead “wildlife management area or”.

10 (3) (a) Section 86 (4)—

Omit “or nature reserve”, insert instead “, nature reserve or state game reserve”.

(b) Section 86 (5)—

15 Omit “the Crown Lands Consolidation Act, 1913”, insert instead “the National Parks and Wildlife Act, 1974”.

(c) Section 86 (5) (a)—

Omit “the Minister for Lands”, insert instead “the Minister administering that Act”.

(4) Section 94A (5) (d)—

20 After “nature reserve”, insert “, a state game reserve”.

Petroleum Act, 1955, No. 28—

(1) Section 46 (3)—

Omit “the Crown Lands Consolidation Act, 1913”, insert instead “the National Parks and Wildlife Act, 1974”.

Miscellaneous Acts (National Parks and Wildlife) Amendment.

SCHEDULE 1—*continued.*AMENDMENTS—*continued.*

(2) Section 46 (3) (a)—

Omit the paragraph, insert instead:—

- 5 (a) where the lands are not within an irrigation area as defined in the Crown Lands Consolidation Act, 1913—the Minister for the time being administering the National Parks and Wildlife Act, 1974; or

(3) Section 46—

- 10 Omit “(3)” where secondly occurring, insert instead “(4)”.

(4) Section 46—

Omit “or nature reserve”, insert instead “, nature reserve or state game reserve”.

(5) Section 46—

- 15 Omit “the Minister for Lands” where lastly occurring, insert instead “the Minister for the time being administering that Act”.

Public Roads Act, 1902, No. 95—

(1) Section 8 (4) (a), (b)—

- 20 Omit “flora reserve or nature reserve” wherever occurring, insert instead “or flora reserve”.

(2) Section 8 (4) (b)—

Omit “and—”, insert instead “and the Commissioner appointed under the Forestry Act, 1916, so recommends and the Minister administering that Act consents or”.

Miscellaneous Acts (National Parks and Wildlife) Amendment.

SCHEDULE 1—*continued.*

AMENDMENTS—*continued.*

(3) Section 8 (4) (b) (i), (ii)—

Omit the subparagraphs.

5 (4) Section 8 (4) (d) (ii)—

Omit “subparagraph (i) of”.

(5) Section 8 (4) (d) (iii)—

Omit the subparagraph.

(6) Section 8 (4) (f)—

10 Omit “and—”, insert instead “and, where the land is within a State forest, national forest or flora reserve, the provisions of paragraph (b) have been complied with.”.

(7) Section 8 (4) (f) (i), (ii)—

Omit the subparagraphs.

15 Soil Conservation Act, 1938, No. 10—

Section 21A (c)—

Omit “or nature reserve”, insert instead “, nature reserve or state game reserve”.

BY AUTHORITY

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

MISCELLANEOUS ACTS (NATIONAL PARKS AND WILDLIFE)
AMENDMENT ACT, 1983, No. 186

New South Wales



ANNO TRICESIMO SECUNDO

ELIZABETHÆ II REGINÆ

Act No. 186, 1983.

An Act to amend certain Acts in consequence of the enactment of the National Parks and Wildlife (Amendment) Act, 1983. [Assented to, 31st December, 1983.]

Miscellaneous Acts (National Parks and Wildlife) 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 (National Parks and Wildlife) Amendment Act, 1983".

Commencement.

2. (1) Sections 1 and 2 shall commence on the date of assent to this Act.

(2) Except as provided by subsection (1), this Act shall commence or shall be deemed to have commenced, as the case may require, on the date of assent to the National Parks and Wildlife (Amendment) Act, 1983.

Amendments.

3. Each Act specified in Schedule 1 is amended in the manner set forth in that Schedule.

SCHEDULE 1.

(Sec. 3.)

AMENDMENTS.

Bush Fires Act, 1949, No. 31—

Sections 10 (7), 13 (6), 14 (3), 15 (5), 22 (2), 22 (3c), 51 (1c)—

Omit "or nature reserve" wherever occurring, insert instead " , nature reserve or state game reserve".

Miscellaneous Acts (National Parks and Wildlife) Amendment.

SCHEDULE 1—*continued.*AMENDMENTS—*continued.***Coal Mining Act, 1973, No. 81—**

(1) Sections 25 (4), 69 (4)—

Omit “or nature reserve” wherever occurring, insert instead “, nature reserve or state game reserve”.

(2) (a) Section 74A (5)—

After “nature reserve”, insert “, a state game reserve”.

(b) Section 74A (6) (d)—

Omit “game reserve”, insert instead “wildlife management area”.

Local Government Act, 1919, No. 41—

(1) Section 289A (1), definition of “public place”—

After “nature reserve”, insert “, state game reserve”.

(2) (a) Section 289B (2) (b) (ii), (c) (ii)—

After “nature reserve” wherever occurring, insert “, state game reserve”.

(b) Section 289B (2) (b) (ii)—

Omit “or the trustees thereof (if any)”.

(c) Section 289B (2) (b) (ii), (c) (ii)—

Omit “or those trustees” wherever occurring.

(d) Section 289B (2) (c) (ii)—

Omit “or the trustees (if any) thereof”.

Miscellaneous Acts (National Parks and Wildlife) Amendment.

SCHEDULE 1—*continued.*AMENDMENTS—*continued.***Mining Act, 1973, No. 42—**

(1) Sections 25A (4) (c) (v), 26C (3) (m)—

After “nature reserve” wherever occurring, insert “, state game reserve”.

(2) Sections 25A (4) (c) (v), 26C (3) (m), 94A (5) (d)—

Omit “game reserve or” wherever occurring, insert instead “wildlife management area or”.

(3) (a) Section 86 (4)—

Omit “or nature reserve”, insert instead “, nature reserve or state game reserve”.

(b) Section 86 (5)—

Omit “the Crown Lands Consolidation Act, 1913”, insert instead “the National Parks and Wildlife Act, 1974”.

(c) Section 86 (5) (a)—

Omit “the Minister for Lands”, insert instead “the Minister administering that Act”.

(4) Section 94A (5) (d)—

After “nature reserve”, insert “, a state game reserve”.

Petroleum Act, 1955, No. 28—

(1) Section 46 (3)—

Omit “the Crown Lands Consolidation Act, 1913”, insert instead “the National Parks and Wildlife Act, 1974”.

Miscellaneous Acts (National Parks and Wildlife) Amendment.

SCHEDULE 1—*continued.*AMENDMENTS—*continued.*

(2) Section 46 (3) (a)—

Omit the paragraph, insert instead:—

- (a) where the lands are not within an irrigation area as defined in the Crown Lands Consolidation Act, 1913—the Minister for the time being administering the National Parks and Wildlife Act, 1974; or

(3) Section 46—

Omit “(3)” where secondly occurring, insert instead “(4)”.

(4) Section 46—

Omit “or nature reserve”, insert instead “, nature reserve or state game reserve”.

(5) Section 46—

Omit “the Minister for Lands” where lastly occurring, insert instead “the Minister for the time being administering that Act”.

Public Roads Act, 1902, No. 95—

(1) Section 8 (4) (a), (b)—

Omit “flora reserve or nature reserve” wherever occurring, insert instead “or flora reserve”.

(2) Section 8 (4) (b)—

Omit “and—”, insert instead “and the Commissioner appointed under the Forestry Act, 1916, so recommends and the Minister administering that Act consents or”.

Miscellaneous Acts (National Parks and Wildlife) Amendment.

SCHEDULE 1—*continued.*AMENDMENTS—*continued.*

- (3) Section 8 (4) (b) (i), (ii)—

Omit the subparagraphs.

- (4) Section 8 (4) (d) (ii)—

Omit “subparagraph (i) of”.

- (5) Section 8 (4) (d) (iii)—

Omit the subparagraph.

- (6) Section 8 (4) (f)—

Omit “and—”, insert instead “and, where the land is within a State forest, national forest or flora reserve, the provisions of paragraph (b) have been complied with.”.

- (7) Section 8 (4) (f) (i), (ii)—

Omit the subparagraphs.

Soil Conservation Act, 1938, No. 10—

Section 21A (c)—

Omit “or nature reserve”, insert instead “, nature reserve or state game reserve”.

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, 31st December, 1983.



