

FIRST PRINT

**STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL  
(No. 1) 1987**

NEW SOUTH WALES



**EXPLANATORY NOTE**

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

The objects of this Bill are—

- (a) to make amendments to various Acts (Schedules 1–30);
- (b) to amend certain other Acts for the purpose of effecting statute law revision (Schedules 31 and 32);
- (c) to repeal certain Acts containing only—
  - (i) amendments to other Acts that have been incorporated in a reprint under the Reprints Act 1972;
  - (ii) repeals of other Acts;
  - (iii) spent or unnecessary provisions of a saving or transitional nature; or
  - (iv) validation or referential provisions,(Schedules 33 and 34);
- (d) to repeal an expired Act (Schedule 33); and
- (e) to make other provisions of a minor, consequential or ancillary nature.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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Schedule 1 repeals section 17 (4) of the Agricultural Holdings Act 1941 (under which an agricultural committee may state a case for the opinion of the district court on any question of law arising in the course of an arbitration) to provide that, instead of that subsection, sections 38 and 39 of the Commercial Arbitration Act 1984 apply to an arbitration under the Act. Those sections provide for appeal to the Supreme Court on any question of law arising out of an award and for the Court to determine any question of law arising in the course of an arbitration.

Schedule 2 amends the Compensation Court Act 1984 to enable rules to be made relating to the payment or transfer of money into or out of Court.

Schedule 3 amends the Conveyancing Act 1919 to make it clear that section 184D (2) of the Act (which states that registration of instruments in the General Register of Deeds has effect for the purposes of record only) does not affect other provisions relating to the effect of such registration.

Schedule 4 amends the Crimes Act 1900—

- (a) to facilitate verification of the existence of a warrant for the purposes of section 352 (4) of the Act by enabling the existence of the warrant to be certified by use of communication devices such as those used to transmit facsimiles of documents (Schedule 4 (1) and (5));
- (b) to amend sections 73 and 74 of the Act to maintain consistency of language with other provisions of the Act (Schedule 4 (2) and (3));
- (c) to amend section 125 of the Act to make it clear that a person deemed to be guilty of larceny under the section is liable to be indicted for the offence of larceny (instead of for a separate offence under the section) (Schedule 4 (4));
- (d) to amend section 352AA of the Act to enable a warrant to be issued for the arrest of a person who is unlawfully at large within the meaning of that section (Schedule 4 (6));
- (e) to amend section 405B of the Act to extend the operation of that section to cover certain homosexual offences against males under the age of 18 years (that section requires the Judge to explain to the jury that the absence of complaint, or delay in complaining, about a sexual offence does not necessarily mean that the allegation of an offence is false) (Schedule 4 (7));
- (f) to amend section 405C of the Act (which by virtue of the proposed amendment to section 405B will also operate to cover certain homosexual offences against males under the age of 18 years) to make savings with respect to the operation of any rule of law requiring a Judge to warn a jury in relation to uncorroborated evidence given by persons upon whom certain sexual offences are alleged to have been committed (Schedule 4 (8));
- (g) to amend section 440B of the Act, so as to increase (from \$4,000 to \$10,000) the maximum fine that may be imposed when a court defers sentence for an indictable offence and requires the offender to enter into a recognizance (Schedule 4 (9));

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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- (h) to amend section 444 of the Act to enable a Judge in New South Wales to impose a cumulative sentence on a prisoner serving an unexpired sentence passed outside New South Wales (Schedule 4 (10)); and
- (i) to amend section 447B of and the Ninth Schedule to the Act to enable a Judge to take into account summary offences for which a person has been charged in sentencing the person for any indictable offence (at present the procedure, which enables a Judge to take into account offences that have been admitted in sentencing and for no further proceedings to be taken in respect of those offences, is available only in respect of indictable offences) (Schedule 4 (11) and (12)).

Schedule 5 amends the Dangerous Goods Act 1975 to enable the making of a regulation requiring a person concerned in the conveyance of dangerous goods to effect a policy of insurance to indemnify the person in respect of liability incurred on account of injury or damage arising out of a fire or explosion in, on or in the vicinity of, or the escape or spillage of dangerous goods in, on or from, the container in which the dangerous goods are carried. The amendment will enable the adoption by regulation of a provision of the Australian Code for the Transport of Dangerous Goods by Road and Rail.

Schedule 6 amends the Dormant Funds Act 1942—

- (a) to enable a person who has made a request under section 13 of the Act for a proposal formulated in relation to a dormant fund to be referred to the Charity Referees to request that the reference be withdrawn (Schedule 6 (2));
- (b) to extend the powers, protections and immunities presently conferred on the Charity Referees and chairman of the Charity Referees (which are the same as those conferred on commissioners and on the chairman of a commission, respectively, under Division 1 of Part II of the Royal Commissions Act 1923) with respect to the examination of proposals for the application of dormant funds to include the hearing by the Charity Referees of an appeal against a determination by the Commissioner of Dormant Funds that a fund is dormant (Schedule 6 (4) (a));
- (c) to make it clear that both in hearing such an appeal and in considering such a proposal the Charity Referees may require the production of books and documents (Schedule 6 (4) (a)); and
- (d) to make amendments by way of statute law revision.

Schedule 7 amends section 11 (Possession of equipment for administration of prohibited drugs) of the Drug Misuse and Trafficking Act 1985. In its present form the section provides (section 11 (2) (e)) that a person is not guilty of an offence if the person has in his or her possession an item of equipment which has been lawfully supplied. The provision does not make sufficiently clear the relationship between possession of the equipment (which in most cases will have been lawfully supplied) and the purpose for which the equipment so supplied is used. The proposed amendment will provide instead that a person is not guilty of an offence if the person possesses the equipment for use in the administration of a prohibited drug lawfully prescribed or supplied.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

---

Schedule 8 amends the Egg Industry Act 1983—

- (a) to replace a provision describing the persons to whom Part V of the Act applies that will be ineffective once a levy (payable under the Poultry Industry Levy Act 1985 of the Commonwealth) is discontinued with a provision that describes the same persons without reference to that levy (Schedule 8 (2));
- (b) to repeal a definition that will be unnecessary if the amendment referred to in paragraph (a) is made (Schedule 8 (1)); and
- (c) to make an amendment by way of statute law revision (Schedule 8 (3)).

Schedule 9 amends the definition of “prescribed narcotics offence” in section 6 (1) of the Firearms and Dangerous Weapons Act 1973 to include within that definition certain offences committed under the Poisons Act 1966 (or the regulations under that Act) before the commencement of the Drug Misuse and Trafficking Act 1985. The offences to be included in the definition were replaced by those offences under the Drug Misuse and Trafficking Act 1985 referred to in paragraph (a) of the definition. The amendment will assist in interpreting sections 7 (5) (c1) and 10 (4) (c1) of the Firearms and Dangerous Weapons Act 1973 by making it clear that references in those sections to offences committed in a 10 year period include both the offences under the Drug Misuse and Trafficking Act 1985 described in paragraph (a) of the definition and the offences under the Poisons Act 1966 they replaced.

Schedule 10 amends the Industrial Arbitration Act 1940—

- (a) to make it clear that a conciliation commissioner may summon a person to a compulsory conference under section 25 of the Act to attend and confer, attend and give evidence or attend and produce documents or things (Schedule 10 (1));
- (b) to amend references to a company that has changed its name (Schedule 10 (2) and (4)); and
- (c) to extend the purposes for which a summons may be issued under section 79A (1) of the Act to include the production of things (Schedule 10 (3)).

Schedule 11 substitutes section 5 (1A) of the Intoxicated Persons Act 1979 to make it clear that the effect of the provision (which was designed to encourage the use of non-police or “civilian” proclaimed places for the purpose of detaining intoxicated persons) is to prevent a member of the police force detaining an intoxicated person in a police station unless—

- (a) the person is, or is likely to become violent; or
- (b) where the person is not violent, or likely to become violent, no proclaimed place other than a police station is available and it is impractical to take the person home.

Schedule 12 amends the Justices Act 1902—

- (a) to amend an obsolete requirement to pay a fee of 10 cents in order to obtain a certificate under section 25 of the Act (Schedule 12 (1));

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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- (b) to amend section 40 (2) of the Act (which enables a person charged upon an information under section 21 to obtain a copy of the depositions taken at the hearing of the matter of the information) so that it accords with section 73 (1) of the Act (Schedule 12 (2));
- (c) to amend section 76 of the Act to permit the hearing together of all or any charges against a defendant who does not appear at an adjourned hearing (under section 75A of the Act a similar procedure is available where a person does not appear to summonses) (Schedule 12 (4)); and
- (d) to make amendments by way of statute law revision (Schedule 12 (3) and (5)).

Schedule 13 amends clause 2 (2) of Schedule 1 to the Law Foundation Act 1979 to increase from 1 to 3 the number of members of the Board of Governors of the Foundation who may be barristers or solicitors. The members appointed under that subclause are persons who, in the opinion of the Attorney General, have special knowledge, experience or interest in relation to any of the objects of the Foundation.

Schedule 14 amends the Local Courts (Civil Claims) Act 1970—

- (a) to extend from 14 to 28 days the minimum period after service on a defendant of a default summons which must pass before judgment may be entered under section 27 of the Act (the amendment will have the effect of extending the time in which a defendant may file a notice of defence or statement of confession) (Schedule 14 (1));
- (b) to enable courts and registrars authorised by the rules to order costs against a party making an application to set aside any judgment or order if the application is refused (Schedule 14 (2) and (5));
- (c) to discourage the making of vexatious applications in relation to payment of judgment debts by instalments by enabling courts and registrars authorised by the rules to order costs against a party making an unreasonable application (Schedule 14 (3)); and
- (d) to increase from \$100 to \$1,000 the penalty for interfering with, disposing of or removing property seized or subject to a notice under section 59 of the Act without the consent of the bailiff seizing the property or serving the notice (Schedule 14 (4)).

Schedule 15 amends the Local Government Act 1919—

- (a) to enable the making of an ordinance to authorise the public to inspect either the original or a copy of council minutes or an extract from the minutes (Schedule 15 (1));
- (b) to require councils to keep a register, to be available for public inspection and without charge, of approvals of the erection of buildings required under Division 4 of Part XI of the Act (Schedule 15 (2)); and
- (c) to enable service of notices under section 628 of the Act through document exchanges (Schedule 15 (3)).

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

---

Schedule 16 amends the Lotto Act 1979 to create an offence of organising or promoting for fee, gain or reward the formation of syndicates to enter in, or subscribe to, games of lotto. The offence is similar to that under section 6A of the State Lotteries Act 1930.

Schedule 17 contains an amendment to the Motor Vehicles (Third Party Insurance) Act 1942 as a consequence of the proposed amendment of the State Transport (Co-ordination) Act 1931 (Schedule 26).

Schedule 18 amends the Pay-roll Tax Act 1971—

- (a) to amend section 3 of the Act, which defines certain expressions for the purposes of that Act, by providing that a travelling or accommodation allowance will be regarded as wages for the purposes of that Act only to the extent that the allowance exceeds an amount to be prescribed by regulation or an amount calculated at a rate to be so prescribed (the effect will be to reduce the amount of wages liable to pay-roll tax in a case where an employer pays travelling or accommodation allowances to employees) (Schedule 18 (1));
- (b) to amend formulae (inserted in sections 11A (2) and 16J (2) of the Act by the Pay-roll Tax (Further Amendment) Act 1986) relating to calculation of deductions from taxable wages liable to pay-roll tax so as to include brackets omitted from the formulae (Schedule 18 (2) and (4)); and
- (c) to omit an unnecessary requirement that employers who are members of a group who do not incur any pay-roll tax liability (as the combined weekly wages paid or payable by the group do not exceed \$5,769 per week) register as employers under section 12 of the Act (Schedule 18 (3)).

Schedule 19 amends the Pesticides and Allied Chemicals Act 1978—

- (a) to repeal those provisions of the Act relating to the approval of aircraft used for the application of pesticides (Schedule 19 (1) (a), (2)–(10) and (12)–(14));
- (b) to enable pesticides relating to animals to be controlled under the Stock Foods and Medicines Act 1940 (Schedule 19 (1) (b)); and
- (c) to omit the requirement that the holder of an aircraft (pesticide applicator) licence keep a record of causing an aircraft to be used in the application of a fertilizer (Schedule 19 (11)).

The provisions of the Act to be repealed as referred to in paragraph (a) were intended to be used to determine the suitability of spray equipment for use in the application of pesticides attached to aircraft but have proved to be inappropriate. It is proposed instead, at a later date, to prescribe standards for pesticide application equipment under section 73 (1) of the Act.

Schedule 20 amends the Police Board Act 1983 to make it clear that a member of the Board who is an applicant for appointment to the office of Commissioner shall not exercise any functions of the Board with respect to the appointment.

Schedule 21 amends the Police Regulation Act 1899 to enable the Minister to invite applications for appointment to the offices of Commissioner of Police, Deputy Commissioner of Police and Assistant Commissioner of Police from persons other than members of the police force without first considering a recommendation by the Police Board as to whether applications should be invited from such persons.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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Schedule 22 amends the Public Authorities Superannuation Act 1985—

- (a) to enable the Public Authorities Superannuation Board to determine, having regard to the circumstances of a contributor, the date on which an election to reduce contribution rates because of financial hardship will take effect (at present, such an election takes effect, irrespective of the circumstances of the contributor, from 1 April of the superannuation year in which the election is received at the office of the Board) (Schedule 22 (1)); and
- (b) to include the Orange Agricultural College as an employer within the meaning of the Act (Schedule 22 (2)).

Schedule 23 amends the Registration of Interests in Goods Act 1986 to extend from 7 to 14 days the time within which the holder of a registered interest in goods is required to register early termination of the registered interest.

Schedule 24 amends the State Development and Industries Assistance Act 1966—

- (a) to make amendments consequential on the proposed amendment of the State Development and Industries Assistance (Amendment) Act 1986 (Schedule 25) (Schedule 24 (1) and (2));
- (b) to enable the Ministerial Corporation, once the Industries Assistance Fund is established under section 34IA of the Act, to exercise its powers under—
  - (i) Part III of the Act; and
  - (ii) Part IIIA of the Act in relation to the acquisition of land for the purposes of Part III, or in relation to land acquired for those purposes,
 in relation to all industries not just country industries (Schedule 24 (4), (5) (b), (6)–(10));
- (c) to clarify the relationship between sections 34IA and 34G (2) of the Act (Schedule 24 (11)); and
- (d) to make amendments by way of statute law revision (Schedule 24 (3) and (5) (a)).

Schedule 25 amends the State Development and Industries Assistance (Amendment) Act 1986 to omit those parts of the Act making provision for the establishment of the New South Wales Economic Development Advisory Council and prescribing its functions. The need for such a Council has been superseded by establishment of the State Development Council.

Schedule 26 amends the State Transport (Co-ordination) Act 1931 to omit those provisions of the Act relating to the licensing of public motor vehicles which carry goods. The Schedule also omits certain anachronistic provisions relating to charges (which have not been collected since 1974) payable in respect of the carriage of goods and passengers in such vehicles. The abolition of the requirement to license goods carrying vehicles as of 1 July 1986 has already been reported to Parliament as a variation of statute.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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Schedule 27 repeals section 3 (4) of the Transport Act 1930 to omit an anomalous requirement to obtain the consent of a local authority to the inclusion in, addition to or exclusion from a transport district of the area, or part of the area, of the local authority. The provision was complementary to section 507 of the Local Government Act 1919 which was repealed as a consequence of the enactment of the State Transport (Co-ordination) Amendment Act 1980 which transferred certain functions relating to the operation of public passenger vehicles from local authorities to the Commissioner for Motor Transport.

Schedule 28 amends the Transport Authorities Act 1980 to enable the person currently holding office as Chairman of the State Rail Authority to remain in office for a period of up to 2 years after the person reaches the age of 70 years.

Schedule 29 amends the Auctioneers and Agents Act 1941 and the Landlord and Tenant (Rental Bonds) Act 1977 to enable money contained in the Auctioneers and Agents Statutory Interest Account and the Rental Bond Interest Account, respectively, to be used for paying the costs of administration of the Residential Tenancies Act 1987. The amendments could not be introduced in the Legislative Council with the Residential Tenancies Bill 1987 (which, as was made clear by clause 129 (2) of the Bill, includes no provision to appropriate public revenue) because section 5 of the Constitution Act 1902 requires Bills appropriating any part of the public revenue to originate in the Legislative Assembly. The Schedule omits section 129 (2) of the Residential Tenancies Act 1987 as the provision will be unnecessary if the Auctioneers and Agents Act 1941 and the Landlord and Tenant (Rental Bonds) Act 1977 are amended in the manner proposed.

Schedule 30 amends the Crown Advocate Act 1979, the Crown Prosecutors Act 1986, the Director of Public Prosecutions Act 1986, the Law Reform Commission Act 1967, the Public Defenders Act 1969 and the Solicitor General Act 1969 to give the Attorney General statutory authority to determine the leave entitlements of certain persons appointed to offices under those Acts.

Schedule 31 amends certain other Acts for the purpose of effecting statute law revision. A number of amendments are made relating to formal drafting matters such as referential provisions and cross-references within Acts and minor corrections.

Schedule 31 also contains amendments for the following purposes:

To amend section 48 of the Housing Act 1912 to omit a misleading reference to rebate of rental being granted under that Act (such rebates are granted under the Housing Act 1976).

To amend the Legal Aid Commission Act 1979 so that the provisions of that Act requiring the Director of the Commission to devote the whole of his or her time to the duties of office are consistent with provisions of this nature in other Acts.

To amend the Plant Diseases (Amendment) Act 1987 so that a provision intended to clarify the powers of the Governor with respect to the making of proclamations for the purpose of the definition of "disease" in the Plant Diseases Act 1924 will not omit more words from the definition than are necessary to achieve the intended effect.

To amend section 5A of the Police Regulation (Appeals) Act 1923 as a consequence of the enactment of the Government and Related Employees Appeal Tribunal (Amendment) Act 1986.



*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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To amend the Statute Law (Miscellaneous Provisions) Act (No. 2) 1986 as a consequence of the proposed amendment of the State Development and Industries Assistance (Amendment) Act 1986 (Schedule 24).

Schedule 32 amends a number of Acts as a consequence of the enactment of the Interpretation Act 1987. The Schedule—

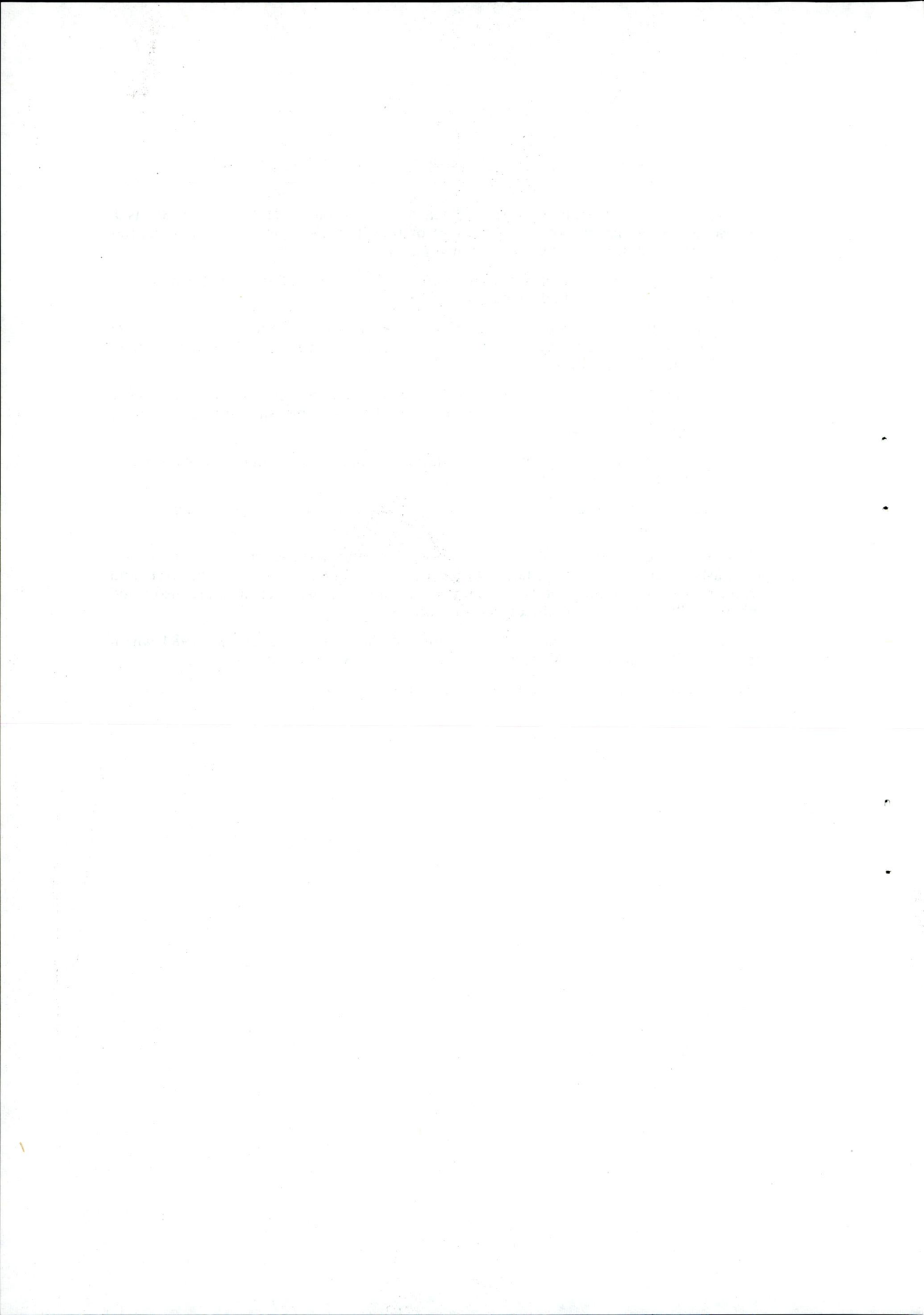
- (a) repeals provisions containing express references to the Interpretation Act 1897 (such as those applying section 41 of the 1897 Act in relation to the machinery for making regulations);
- (b) repeals provisions that provide for the gazettal, commencement and disallowance of what will, after the commencement of the 1987 Act, be “statutory rules” within the meaning of that Act;
- (c) repeals other such provisions in relation to other subordinate legislation and expressly applies the 1987 Act to them; and
- (d) repeals certain provisions that currently provide for the adoption of publications by reference.

The Statute Law (Miscellaneous Provisions) Act 1985 reduced the number of Acts previously in force by approximately 45 per cent. Schedule 33 repeals certain Acts and further reduces the number of Acts previously in force. The Acts repealed are also listed alphabetically in the note at the end of the Bill.

Schedule 33 also repeals the Commissioner of Public Complaints Act 1984 which expired on 20 August 1986 in accordance with section 37 (1) of that Act.

Schedule 34 contains savings, transitional and other provisions.

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**STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL  
(No. 1) 1987**

NEW SOUTH WALES



**TABLE OF PROVISIONS**

1. Short title
2. Commencement
3. Amendments
4. Repeals
5. Savings, transitional and other provisions

SCHEDULE 1—AMENDMENT TO THE AGRICULTURAL HOLDINGS ACT 1941  
SCHEDULE 2—AMENDMENTS TO THE COMPENSATION COURT ACT 1984  
SCHEDULE 3—AMENDMENT TO THE CONVEYANCING ACT 1919  
SCHEDULE 4—AMENDMENTS TO THE CRIMES ACT 1900  
SCHEDULE 5—AMENDMENTS TO THE DANGEROUS GOODS ACT 1975  
SCHEDULE 6—AMENDMENTS TO THE DORMANT FUNDS ACT 1942  
SCHEDULE 7—AMENDMENTS TO THE DRUG MISUSE AND TRAFFICKING  
ACT 1985  
SCHEDULE 8—AMENDMENTS TO THE EGG INDUSTRY ACT 1983  
SCHEDULE 9—AMENDMENTS TO THE FIREARMS AND DANGEROUS  
WEAPONS ACT 1973  
SCHEDULE 10—AMENDMENTS TO THE INDUSTRIAL ARBITRATION ACT 1940  
SCHEDULE 11—AMENDMENT TO THE INTOXICATED PERSONS ACT 1979  
SCHEDULE 12—AMENDMENTS TO THE JUSTICES ACT 1902  
SCHEDULE 13—AMENDMENT TO THE LAW FOUNDATION ACT 1979  
SCHEDULE 14—AMENDMENTS TO THE LOCAL COURTS (CIVIL CLAIMS) ACT  
1970  
SCHEDULE 15—AMENDMENTS TO THE LOCAL GOVERNMENT ACT 1919  
SCHEDULE 16—AMENDMENT TO THE LOTTO ACT 1979  
SCHEDULE 17—AMENDMENT TO THE MOTOR VEHICLES (THIRD PARTY  
INSURANCE) ACT 1942  
SCHEDULE 18—AMENDMENTS TO THE PAY-ROLL TAX ACT 1971  
SCHEDULE 19—AMENDMENTS TO THE PESTICIDES AND ALLIED  
CHEMICALS ACT 1978  
SCHEDULE 20—AMENDMENT TO THE POLICE BOARD ACT 1983

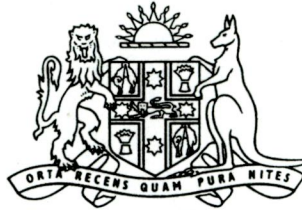
*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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- SCHEDULE 21—AMENDMENT TO THE POLICE REGULATION ACT 1899  
SCHEDULE 22—AMENDMENTS TO THE PUBLIC AUTHORITIES  
SUPERANNUATION ACT 1985  
SCHEDULE 23—AMENDMENT TO THE REGISTRATION OF INTERESTS IN  
GOODS ACT 1986  
SCHEDULE 24—AMENDMENTS TO THE STATE DEVELOPMENT AND  
INDUSTRIES ASSISTANCE ACT 1966  
SCHEDULE 25—AMENDMENTS TO THE STATE DEVELOPMENT AND  
INDUSTRIES ASSISTANCE (AMENDMENT) ACT 1986  
SCHEDULE 26—AMENDMENTS TO THE STATE TRANSPORT (CO-  
ORDINATION) ACT 1931  
SCHEDULE 27—AMENDMENT TO THE TRANSPORT ACT 1930  
SCHEDULE 28—AMENDMENT TO THE TRANSPORT AUTHORITIES ACT 1980  
SCHEDULE 29—AMENDMENTS RELATING TO ADMINISTRATION OF THE  
RESIDENTIAL TENANCIES ACT 1987  
SCHEDULE 30—AMENDMENTS RELATING TO DETERMINATION OF LEAVE  
ENTITLEMENTS  
SCHEDULE 31—AMENDMENTS TO OTHER ACTS BY WAY OF STATUTE LAW  
REVISION  
SCHEDULE 32—MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE  
ENACTMENT OF THE INTERPRETATION ACT 1987  
SCHEDULE 33—REPEALS  
SCHEDULE 34—SAVINGS, TRANSITIONAL AND OTHER PROVISIONS
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**STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL  
(No. 1) 1987**

NEW SOUTH WALES



No. , 1987

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**A BILL FOR**

An Act to repeal certain Acts and to amend certain other Acts in various respects and for the purpose of effecting statute law revision; and to make certain savings.

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*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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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 "Statute Law (Miscellaneous Provisions) Act (No. 1) 1987".

**Commencement**

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

**(2)** Section 3, in its application to a provision of a Schedule, shall commence, or be deemed to have commenced, on the day on which the provision commences.

**(3)** Schedule 3 shall be deemed to have commenced on 1 March 1985.

15 **(4)** Schedule 8 (1) and (2) shall commence on 19 June 1987.

**(5)** Schedules 14 and 15 (2) shall commence on such day or days as may be appointed by the Governor and notified by proclamation published in the Gazette.

20 **(6)** Schedule 18 (2) and (4) shall be deemed to have commenced on 17 December 1986.

**(7)** Schedule 22 (2) shall be deemed to have commenced on 1 July 1985.

**(8)** A provision of Schedule 26 that amends a provision amended by the State Transport (Co-ordination) Amendment Act 1986 shall commence—

(a) on the date of assent to this Act; or

25 (b) on the commencement of the provision of that Act that effects the amendment,

whichever is the later.

**(9)** Schedule 29 shall commence—

(a) on the date of assent to this Act; or

30 (b) on the date of assent to the Residential Tenancies Act 1987,

whichever is the later.



*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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- (10)** The provision of Schedule 30 relating to the Crown Prosecutors Act 1986 shall commence—
- (a) on the date of assent to this Act; or
  - (b) on the commencement of section 12 of that Act,
- 5 whichever is the later.
- (11)** The provisions of Schedule 31 relating to the—
- (a) Corporate Affairs Commission Act 1981 shall commence on the commencement of the Corporate Affairs Commission (Amendment) Act 1987;
- 10 (b) Permanent Building Societies Act 1967 shall commence—
- (i) on the date of assent to this Act; or
  - (ii) on the commencement of Schedule 1 (9) to the Permanent Building Societies (Amendment) Act 1987,
- whichever is the later; and
- 15 (c) Police Regulation (Appeals) Act 1923 shall be deemed to have commenced on 1 January 1987.
- (12)** Except as provided by subsection (13), the provisions of Schedule 32 shall commence on the commencement of the Interpretation Act 1987.
- (13)** The provisions of Schedule 32 relating to the—
- 20 (a) Bursary Endowment Act 1912 shall commence—
- (i) on the commencement of the Interpretation Act 1987; or
  - (ii) on the commencement of the Miscellaneous Acts (Education and Public Instruction) Repeal and Amendment Act 1987,
- whichever is the later; and
- 25 (b) Trade Union Act 1881 shall commence—
- (i) on the commencement of the Interpretation Act 1987; or
  - (ii) on the commencement of the Trade Union (Amendment) Act 1986,
- whichever is the later.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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**Amendments**

3. Each Act specified in Schedules 1–32 is amended in the manner set forth in those Schedules.

**Repeals**

5 4. Each Act specified in Schedule 33 is repealed.

**Savings, transitional and other provisions**

5. Schedule 34 has effect.

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SCHEDULE 1

(Sec. 3)

10 AMENDMENT TO THE AGRICULTURAL HOLDINGS ACT 1941

Section 17 (**Procedure for determining disputes**)—

Section 17 (4)—

Omit the subsection.

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SCHEDULE 2

(Sec. 3)

15

AMENDMENTS TO THE COMPENSATION COURT ACT 1984

Section 43 (**Rules**)—

(1) Section 43 (2) (g)—

Omit “and”.

SCHEDULE 2—*continued*AMENDMENTS TO THE COMPENSATION COURT ACT 1984—  
*continued*

(2) Section 43 (2) (h), (i)—

At the end of section 43 (2) (h), insert:

; and

5 (i) the regulation of the payment or transfer of money into or  
out of Court.

## SCHEDULE 3

(Sec. 3)

## AMENDMENT TO THE CONVEYANCING ACT 1919

10 Section 184D (**Registration of instruments**)—

Section 184D (2)—

Omit “Division” where firstly occurring, insert instead “Act or any  
other Act”.

## SCHEDULE 4

(Sec. 3)

15

## AMENDMENTS TO THE CRIMES ACT 1900

(1) Section 4 (**Interpretation**)—Section 4 (1), definition of “*Telegraph*”—

Omit the definition.

20 (2) Section 73 (**Carnal knowledge by teacher &c.**)—Omit “of the age of 16 years”, insert instead “of or above the age  
of 16 years, and under the age of 17 years,”.

SCHEDULE 4—*continued*AMENDMENTS TO THE CRIMES ACT 1900—*continued*(3) Section 74 (**Attempts**)—

Omit “of the age of 16 years”, insert instead “of or above the age of 16 years, and under the age of 17 years.”.

(4) Section 125 (**Larceny by bailee**)—

5 After “larceny”, insert “and liable to be indicted for that offence”.

(5) Section 352 (**Person in act of committing or having committed offence**)—

Section 352 (5)—

After section 352 (4), insert:

10 (5) In this section, “telegraph” includes telephone, radio, telex, facsimile transmission, computer used to relay information and any other communication device.

(6) Section 352AA (**Arrest of prisoners unlawfully at large**)—

(a) Section 352AA (1)—

15 Omit “without warrant”, insert instead “with or without warrant”.

(b) Section 352AA (1)—

Omit paragraphs (a) and (b) and the matter “before—”, insert instead “before an authorised Justice”.

(c) Section 352AA (3)–(6)—

20 After section 352AA (2), insert:

(3) A constable may apply to an authorised Justice for a warrant for the apprehension of a prisoner whom the constable, with reasonable cause, suspects of being a prisoner unlawfully at large.

25 (4) The authorised Justice to whom an application is made under subsection (3) may, if satisfied that there are reasonable grounds for doing so, issue a warrant for the apprehension of the prisoner concerned.

30 (5) Section 64 of the Justices Act 1902 applies, with any necessary adaptations, to such a warrant in the same way as it applies to a warrant referred to in that section.

SCHEDULE 4—*continued*AMENDMENTS TO THE CRIMES ACT 1900—*continued*

- (6) In this section, “authorised Justice” means—
- (a) a Magistrate; or
  - (b) a Justice employed in the Local Courts Administration, Attorney General’s Department.
- 5 (7) **Section 405B (Warning to be given by Judge in relation to lack of complaint in certain sexual offence proceedings)—**
- Section 405B (1)—
- From paragraph (a) of the definition of “prescribed sexual offence”, omit “or 66D”, insert instead “,66D, 78H, 78I, 78K or 78L”.
- 10
- (8) **Section 405C (Judge not required to warn jury against convicting person of certain sexual offences)—**
- Section 405C (4)—
- After section 405C (3), insert:
- 15 (4) Nothing in subsection (2) affects the operation (if any) of any rule of law or practice which requires—
- (a) a Judge on the trial of a person for an offence alleged to have been committed under section 78H, 78I, 78K or 78L before the commencement of the amendments made to this Act by the Statute Law (Miscellaneous Provisions) Act (No. 1) 1987 to give the jury a warning as referred to in subsection (2); or
  - (b) a Judge on the trial of a person for a sexual offence alleged to have been committed after that commencement, being a sexual offence other than a prescribed sexual offence, to give the jury a warning as referred to in subsection (2).
- 20
- 25
- (9) **Section 440B (Imposition of fine on sentence being deferred or suspended)—**
- Section 440B (1)—
- 30 Omit “\$4,000”, insert instead “\$10,000”.

SCHEDULE 4—*continued*AMENDMENTS TO THE CRIMES ACT 1900—*continued*(10) Section 444 (**Cumulative or concurrent sentences**)—

Section 444 (6)—

After section 444 (5), insert:

- 5 (6) This section applies in relation to unexpired sentences passed outside New South Wales and being served or to be served within New South Wales in the same way as it applies in relation to unexpired sentences passed within New South Wales.

(11) Section 447B (**Outstanding charges may be taken into account in passing sentence**)—

## 10 (a) Section 447B (1)—

Omit “not punishable with penal servitude for life” where firstly occurring.

## (b) Section 447B (1) (a)—

Omit the paragraph, insert instead:

- 15 (a) there has been filed in court a document in or to the effect of the form contained in the Ninth Schedule, signed by a member of the police force and by the person so found guilty, showing on its back a list of other offences with which the person has been charged;

## 20 (c) Section 447B (7), (8)—

After section 447B (6), insert:

- 25 (7) Indictable offences may be taken into account under this section whether or not the person concerned has been committed for trial in respect of the offences, but indictable offences punishable with penal servitude for life may not be taken into account.

(8) Summary offences may be taken into account under this section.

SCHEDULE 4—*continued*  
 AMENDMENTS TO THE CRIMES ACT 1900—*continued*

- (12) Ninth Schedule (*Form of list of other indictable offences charged*)—  
 From the heading, omit “*indictable*”.

---

SCHEDULE 5

(Sec. 3)

5           AMENDMENTS TO THE DANGEROUS GOODS ACT 1975

Section 41 (**Regulations**)—

- (1) Section 41 (1) (l)—

Omit “and” where lastly occurring.

- (2) Section 41 (1) (m), (n)—

10           At the end of section 41 (1) (m), insert:

; and

(n) the insurance to be effected by a person concerned in the conveyance of dangerous goods for the purpose of indemnifying the person in respect of liability that may be incurred on account of injury or damage—

15

(i) arising out of a fire or an explosion on or in, or in the vicinity of; or

(ii) the escape or spillage of dangerous goods in, on or from,

20

a container in which dangerous goods are carried.

---

## SCHEDULE 6

(Sec. 3)

## AMENDMENTS TO THE DORMANT FUNDS ACT 1942

(1) Section 8 (**Power to require attendance of trustees and persons**)—

5 Section 8 (2)—

Omit “, as amended by subsequent Acts” wherever occurring.

(2) Section 13 (**Proposals—dormant fund exceeding \$2,000**)—

Section 13 (2A)–(2B)—

After section 13 (2), insert:

10 (2A) A person who has made a request that a proposal be referred to the Charity Referees may, at any time before the Charity Referees have completed their consideration of the proposal, deliver or send to the Commissioner a request in writing to have the reference withdrawn.

15 (2B) If a reference is withdrawn, the proposal shall be dealt with as if no request has been received within the time limited in the notice.

(3) Section 15 (**Effect of order**)—

Section 15 (5)—

20 Omit “—1940” wherever occurring.

(4) Section 16 (**Procedure of Charity Referees**)—

(a) Section 16 (2)—

Omit the subsection, insert instead:

(2) The Charity Referees may, for the purpose of—

25 (a) hearing an appeal under section 2 (3), require any trustee or other person referred to in section 7; or

(b) considering a proposal referred to them under section 13, require any person interested in the administration, utilisation or application of the dormant fund concerned or in the proposal,

30



SCHEDULE 6—*continued*AMENDMENTS TO THE DORMANT FUND ACT 1942—*continued*

5 to attend before the Charity Referees, at such times and places as may be reasonably appointed, for the purpose of being examined in relation to any matter arising out of the appeal or reference and to produce on such examination all books and documents in his or her custody or control relating to the dormant fund.

(b) Section 16 (3)—

Omit “, as amended by subsequent Acts” wherever occurring.

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## SCHEDULE 7

(Sec. 3)

10 AMENDMENTS TO THE DRUG MISUSE AND TRAFFICKING ACT  
1985

Section 11 (**Possession of equipment for administration of prohibited drugs**)—

Section 11 (2) (e)—

15 Omit the paragraph, insert instead:

(e) a person for use in the administration of a prohibited drug lawfully prescribed or supplied.

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## SCHEDULE 8

(Sec. 3)

## 20 AMENDMENTS TO THE EGG INDUSTRY ACT 1983

(1) Section 4 (**Interpretation**)—

Section 4 (1), definition of “Commonwealth Levy Act”—

Omit the definition.

SCHEDULE 8—*continued*AMENDMENTS TO THE EGG INDUSTRY ACT 1983—*continued*(2) Section 30 (**Application of Part and exemptions**)—

Section 30 (1)—

Omit the subsection, insert instead:

5 (1) This Part applies to and in respect of any person who owns or keeps more than 20 hens for commercial purposes.

(3) Section 52 (**Powers of inspectors**)—

Section 52 (1) (c)—

Omit “takes”, insert instead “take”.

## SCHEDULE 9

10

(Sec. 3)

AMENDMENTS TO THE FIREARMS AND DANGEROUS WEAPONS  
ACT 1973Section 6 (**Interpretation**)—

Section 6 (1), definition of “prescribed narcotics offence”—

15

(1) From paragraph (a), omit “or” where lastly occurring.

(2) After paragraph (a), insert:

20

(a1) an offence committed before the commencement of the Drug Misuse and Trafficking Act 1985 under the Poisons Act 1966, or the regulations thereunder, being an offence committed in respect of a restricted substance prescribed for the purposes of section 16 of the Poisons Act 1966 or in respect of—

(i) a drug of addiction;

(ii) a prohibited drug; or

25

(iii) a prohibited plant,

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*SCHEDULE 9—*continued*AMENDMENTS TO THE FIREARMS AND DANGEROUS WEAPONS  
ACT 1973—*continued*

within the meaning of the Poisons Act 1966, other than any such offence declared by regulations made under this Act to be an offence to which this paragraph does not apply; or

- 5 (3) In paragraph (b), after “paragraph (a)”, insert “or (a1)”.

## SCHEDULE 10

(Sec. 3)

## AMENDMENTS TO THE INDUSTRIAL ARBITRATION ACT 1940

- (1) Section 25 (**Compulsory conferences**)—

- 10 Section 25 (1)—

Omit “to attend”, insert instead “, for any one or more of the purposes referred to in section 79A (2), to”.

- (2) Section 38A (**Interpretation**)—

Definition of “prescribed employer”—

- 15 Omit “Australian Oil Refining Pty. Limited”, insert instead “Caltex Refining Co. Pty. Limited”.

- (3) Section 79A (**Signature and issue of, and obedience to, a summons**)—

Section 79A (2) (c)—

After “documents”, insert “or things”.

- 20 (4) Schedule 3, Part II—

(a) Omit “Australian Oil Refining Pty Ltd.”.

(b) Insert in appropriate alphabetical order “Caltex Refining Co. Pty. Limited.”.

## SCHEDULE 11

(Sec. 3)

## AMENDMENT TO THE INTOXICATED PERSONS ACT 1979

Section 5 (**Detention of intoxicated persons**)—

5 Section 5 (1A)—

Omit the subsection, insert instead:

(1A) An intoxicated person may not be taken to a police station under subsection (1)—

(a) unless—

10 (i) no other proclaimed place which has facilities adequate for the detention of the person is close by or the person has been refused entry into a proclaimed place within the last 4 hours; and

15 (ii) it is impracticable to take the person home, because of distance or the unavailability of resources or for any similar reason; or

20 (b) unless the behaviour of the intoxicated person has become so violent, or there is a real possibility that it will become so violent, as to warrant not taking the person home or to another proclaimed place.

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SCHEDULE 12

(Sec. 3)

## AMENDMENTS TO THE JUSTICES ACT 1902

(1) Section 25 (**Issue of warrant where indictment filed**)—

25 Section 25 (1)—

Omit “and upon payment of a fee of ten cents.”

SCHEDULE 12—*continued*AMENDMENTS TO THE JUSTICES ACT 1902—*continued*(2) Section 40 (**Copies of depositions**)—

Section 40 (2), (2A)—

Omit section 40 (2), insert instead:

5 (2) If a person has been charged upon an information under section 21 (whether or not the person has been committed for trial), any person is, on showing sufficient cause to the appropriate officer or the clerk of the Justice or Justices who heard the matter of the information, entitled to demand and have copies of the depositions.

10 (2A) Subject to this section, the copies shall be supplied by the appropriate officer or clerk on payment of a fee calculated at the rate prescribed by the regulations.

(3) Section 73 (**Person interested in conviction or order may obtain copies thereof and of the information, depositions, &c.**)—

15 Section 73 (2)—

Omit the subsection, insert instead:

(2) Subject to this section, the copies shall be supplied by the clerk on payment of a fee calculated at the rate prescribed by the regulations.

20 (4) Section 76 (**Procedure where either party does not appear at adjourned hearing**)—

Section 76 (2)—

At the end of section 76, insert:

25 (2) Where a defendant charged with two or more offences (whether of a like or a different nature), the hearings or further hearings of which have been adjourned to the same time and place, does not appear at the time and place, the Justice or Justices may proceed to hear and determine all or any of the charges together and adjudicate on the charges in the absence of the defendant.

30

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*SCHEDULE 12—*continued*AMENDMENTS TO THE JUSTICES ACT 1902—*continued*(5) Section 100T (**Appeal**)—

## (a) Section 100T (5)—

Omit “section”, insert instead “Division”.

(b) Renumber section 100T (5) as section 100TA (**Service of notices**),  
and insert the renumbered provision after section 100T.

## SCHEDULE 13

(Sec. 3)

## AMENDMENT TO THE LAW FOUNDATION ACT 1979

Schedule 1, clause 2 (**Composition of the Board**)—

## 10 Clause 2 (2) (a)—

Omit “1 may be a barrister or solicitor”, insert instead “3 may be barristers or solicitors”.

## SCHEDULE 14

(Sec. 3)

15 AMENDMENTS TO THE LOCAL COURTS (CIVIL CLAIMS) ACT  
1970(1) Section 27 (**Default judgment**)—

## Section 27 (1)—

Omit “14”, insert instead “28”.

SCHEDULE 14—*continued*AMENDMENTS TO THE LOCAL COURTS (CIVIL CLAIMS) ACT  
1970—*continued*(2) Section 30 (**Judgment may be set aside**)—

Section 30 (3)—

After section 30 (2), insert:

- 5 (3) If a court refuses an application to set aside any judgment or order, it may, at the same time or subsequently, order that the applicant pay such amount as the court thinks fit for the costs of any other party incurred because of the application.

(3) Section 40 (**Payment by instalments**)—

After section 40 (6), insert:

- 10 (6A) If a court deals with an application under subsection (6), it may, at the same time or subsequently, make such orders as it thinks fit as to the costs incurred by any party if it is of the opinion that a party has acted unreasonably in respect of the application.

15 (4) Section 59 (**Bailiff to take under writ of execution**)—

Section 59 (7)—

Omit “\$100”, insert instead “\$1,000”.

(5) Section 84 (**Rules**)—

(a) Section 84 (1A) (j)—

20 Omit “or”.

(b) Section 84 (1A) (k), (l)—

At the end of section 84 (1A) (k), insert:

; or

(l) an order under section 30 (3).

## SCHEDULE 15

(Sec. 3)

## AMENDMENTS TO THE LOCAL GOVERNMENT ACT 1919

(1) Section 49 (**Ordinances**)—

5 Section 49 (d)—

Omit the paragraph, insert instead:

(d) the inspection by the public of the original or a copy of the minute book or of an extract from it;

(2) Section 311 (**Approval of the council**)—

10 Section 311 (2), (3)—

At the end of section 311, insert:

(2) The council shall, in the prescribed form and manner (if any), keep a register of approvals of the erection of buildings given after the commencement of this subsection.

15 (3) The register shall be available for public inspection, without charge, at the office of the council during ordinary office hours.

(3) Section 628 (**Ratable persons, owners and occupiers**)—

(a) Section 628 (2) (d), (e)—

At the end of section 628 (d), insert:

20 ; or

(e) if the person to be served maintains a box at a document exchange established in New South Wales, by depositing the notice in that box or leaving it at another such exchange for transmission to the firstmentioned exchange for deposit in that box.

25



SCHEDULE 15—*continued*AMENDMENTS TO THE LOCAL GOVERNMENT ACT 1919—  
*continued*

(b) Section 628 (2A)—

After section 628 (2), insert:

5 (2A) If a notice is deposited in a box referred to in subsection (2) (e), or left at a document exchange so referred to for transmission to another exchange for depositing in such a box, service of the notice shall, until the contrary is proved, be taken to be effected 2 days after the day on which the notice is so deposited or left.

## SCHEDULE 16

10

(Sec. 3)

## AMENDMENT TO THE LOTTO ACT 1979

Section 12A—

After section 12, insert:

**Prohibition on promotion of syndicates for fee, gain or reward**

15

12A. (1) A person shall not for fee, gain or reward promote or take part in the formation of a syndicate to enter in, or subscribe to, a game of lotto.

20

(2) A person shall not advertise by any means that he or she will receive money for purchase of a share in an entry in, or subscription to, a game of lotto.

(3) A person shall not print or publish any advertisement referred to in subsection (2).

Penalty: \$200.

## SCHEDULE 17

(Sec. 3)

AMENDMENT TO THE MOTOR VEHICLES (THIRD PARTY  
INSURANCE) ACT 19425 Section 33A (**Maximum amount of premium**)—

Section 33A (4)—

Omit the subsection.

## SCHEDULE 18

(Sec. 3)

## 10 AMENDMENTS TO THE PAY-ROLL TAX ACT 1971

(1) Section 3 (**Interpretation**)—

## (a) Section 3 (1), definition of “wages”—

After “means”, insert “, subject to subsections (2) and (5).”.

## (b) Section 3 (5)—

## 15 After section 3 (4), insert:

20 (5) A travelling or accommodation allowance paid or payable to an employee shall be regarded as an allowance for the purpose of the definition of “wages” in subsection (1) only to the extent that it exceeds the prescribed amount, or an amount calculated at the prescribed rate, that is applicable to the particular case.

(2) Section 11A (**Interpretation for purposes of ss. 11A–11C**)—

Section 11A (2)—

Omit the formula set out in the subsection, insert instead:

$$25 \frac{TW}{TW + IW} \left[ \left\{ \frac{100000A}{184} + \frac{150000B}{181} \right\} - \left\{ (TW + IW) - \left\{ \frac{100000A}{184} + \frac{150000B}{181} \right\} \right\} \right]$$

SCHEDULE 18—*continued*AMENDMENTS TO THE PAY-ROLL TAX ACT 1971—*continued*(3) Section 12 (**Registration**)—

## (a) Section 12 (1)–(2)—

Omit section 12 (1) and (2), insert instead:

5 (1) An employer who is not already registered shall apply for registration as an employer under this Act if—

(a) during a month the employer pays or is liable to pay, anywhere, wages of more than \$5,769 per week which are wholly or partly taxable wages; or

10 (b) the employer is a member of a group the members of which together during a month pay or are liable to pay, anywhere, wages of more than \$5,769 per week which are wholly or partly taxable wages.

15 (1A) The application for registration shall be made to the Chief Commissioner in the prescribed form and manner within 7 days after the end of the month concerned.

(1B) The Chief Commissioner shall register the applicant as an employer under this Act.

20 (2) The Chief Commissioner may cancel the registration of a person as an employer if satisfied that the person has ceased to pay or to have a liability to pay wages as described in subsection (1).

## (b) Section 12 (2A)—

Omit “(otherwise than as a member of a group)”.

## (c) Section 12 (2A)—

25 Omit “during any month he pays or is liable to pay wages at a rate not in excess of \$5,769 per week”, insert instead “the person is not required to apply for registration”.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*SCHEDULE 18—*continued*AMENDMENTS TO THE PAY-ROLL TAX ACT 1971—*continued*

- (4) Section 16J (“**Prescribed amount**” for the purposes of ss. 16K and 16L)—

Section 16J (2)—

Omit the formula set out in the subsection, insert instead: .

$$5 \quad \frac{TW}{TW + IW} \left[ \left\{ \frac{100000A}{184} + \frac{150000B}{181} \right\} - \left\{ (TW + IW) - \left\{ \frac{100000A}{184} + \frac{150000B}{181} \right\} \right\} \right]$$

## SCHEDULE 19

(Sec. 3)

AMENDMENTS TO THE PESTICIDES AND ALLIED CHEMICALS  
ACT 1978

- 10 (1) Section 5 (**Interpretation**)—

(a) Section 5 (1), definition of “approved aircraft”—

Omit the definition.

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

Omit paragraph (e), insert instead:

- 15 (e) a substance or organism that is represented solely in a manner which would make it a stock medicine under the Stock Foods and Medicines Act 1940;

- (2) Section 22A (**Applications generally**)—

(a) Section 22A (1)—

20 Omit “22D”, insert instead “22C”.

(b) Section 22A (1) (a)—

At the end of the paragraph, insert “or”.

(c) Section 22A (1) (b)—

Omit “or”.

SCHEDULE 19—*continued*AMENDMENTS TO THE PESTICIDES AND ALLIED CHEMICALS  
ACT 1978—*continued*

- (d) Section 22A (1) (c)—  
Omit the paragraph.
- (3) Section 22D (**Application for approval of aircraft**)—  
Omit the section.
- 5 (4) Section 22E (**Further information**)—  
(a) Section 22E (1) (a)—  
At the end of the paragraph, insert “or”.  
(b) Section 22E (1) (b)—  
Omit “or”.
- 10 (c) Section 22E (1) (c)—  
Omit the paragraph.
- (5) Section 22F (**Licences and approvals**)—  
Section 22F (3), (4)—  
Omit the subsections.
- 15 (6) Section 22I (**Restriction on approval of certain aircraft**)—  
Omit the section.
- (7) Section 22J (**Notification of certain particulars**)—  
Section 22J (2), (3)—  
Omit the subsections.
- 20 (8) Section 22K (**Duties of Registrar**)—  
Omit the section.

SCHEDULE 19—*continued*AMENDMENTS TO THE PESTICIDES AND ALLIED CHEMICALS  
ACT 1978—*continued*(9) Section 22M (**Applicants to supply certain further information**)—

Section 22M (1)—

Omit the subsection, insert instead:

(1) When—

5 (a) information comes to the knowledge of a person who is an applicant for, or holder of, an aircraft (pesticide applicator) licence or pilot (pesticide rating) licence, not being information that has come to the person's knowledge after—

10 (i) the application has been refused or withdrawn; or

(ii) the licence has been suspended or cancelled or has otherwise ceased to be in force; and

15 (b) the information contradicts or modifies any information supplied by the person in connection with an application made by the person to the Registrar for the licence,

the person shall forthwith supply the Registrar with particulars of the firstmentioned information.

(10) Section 22O (**Cancellation of approvals**)—

Omit the section.

20 (11) Section 49B (**Records of aircraft application of pesticides**)—

Section 49B (1), (2)—

Omit “or fertilizer” wherever occurring.

(12) Section 49D (**Certain statements prohibited**)—

Section 49D (3)—

25 Omit the subsection.

(13) Section 49E (**Piloting of aircraft used in the application of pesticides**)—

(a) Section 49E (1) (a)—

At the end of the paragraph, insert “and”.

SCHEDULE 19—*continued*AMENDMENTS TO THE PESTICIDES AND ALLIED CHEMICALS  
ACT 1978—*continued*

(b) Section 49E (1) (b)—

Omit “and” where lastly occurring.

(c) Section 49E (1) (c)—

Omit the paragraph.

5 (d) Section 49E (2) (a)—

At the end of the paragraph, insert “and”.

(e) Section 49E (2) (b) (ii)—

Omit “and”.

(f) Section 49E (2) (c)—

10 Omit the paragraph.

(14) Section 60 (**Evidence**)—

Section 60 (a) (iia)—

Omit the subparagraph.

---

## SCHEDULE 20

(Sec. 3)

## AMENDMENT TO THE POLICE BOARD ACT 1983

## Section 13A—

5 After section 13, insert:

**Member applying for appointment as Commissioner not to act on Board**

13A. (1) An applicant for appointment to the office of Commissioner who is a member of the Board shall not—

10 (a) be present during any deliberation of the Board, or take part in any decision of the Board, with respect to the appointment; or

(b) exercise any functions conferred or imposed on it with respect to the appointment.

15 (2) Notwithstanding that a member of the Board contravenes this section, that contravention does not invalidate any decision of the Board or the exercise by the Board of any functions conferred or imposed on it.

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SCHEDULE 21

20 (Sec. 3)

## AMENDMENT TO THE POLICE REGULATION ACT 1899

## Section 5AAA (Procedure for appointment of Commissioner, Deputy Commissioner or Assistant Commissioner)—

## Section 5AAA (2) (b)—

25 Omit “, after considering a recommendation by the Police Board,”.



## SCHEDULE 22

(Sec. 3)

AMENDMENTS TO THE PUBLIC AUTHORITIES  
SUPERANNUATION ACT 19855 (1) Section 15 (**Variations of contribution rate**)—

## (a) Section 15 (7)—

10 Omit “the commencement of the superannuation year in which the election is received in the office of the Board”, insert instead “a date determined by the Board having regard to the circumstances of the contributor”.

## (b) Section 15 (8)—

Omit “from the beginning of the superannuation year so referred to”, insert instead “on or after the date from which the contributor’s rate of contribution is reduced”.

15 (2) Schedule 3 (**Employers**)—

Insert in Part 1 in appropriate alphabetical order “The Orange Agricultural College.”.

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SCHEDULE 23

(Sec. 3)

20 AMENDMENT TO THE REGISTRATION OF INTERESTS IN GOODS  
ACT 1986Section 17 (**Offences**)—

## Section 17 (2)—

Omit “7 days”, insert instead “14 days”.

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## SCHEDULE 24

(Sec. 3)

AMENDMENTS TO THE STATE DEVELOPMENT AND  
INDUSTRIES ASSISTANCE ACT 1966

- 5 (1) Long title—  
Omit “to constitute a Development Corporation and to confer on it certain powers and functions;”.
- (2) Part II (**New South Wales Development Corporation**)—  
Omit the Part.
- 10 (3) Section 8G (5) (a)—  
Omit “business or undertaking”, insert instead “business undertaking”.
- (4) Part III, heading—  
Omit “COUNTRY”.
- 15 (5) Section 11 (**Functions of Ministerial Corporation under this Part**)—  
(a) Omit “Part,”, insert instead “Part”.  
(b) Omit “country”.
- (6) Section 20 (as substituted by Act No. 83, 1986) (**Ministerial Corporation’s powers to make grants and pay subsidies**)—  
20 Omit “a country” wherever occurring, insert instead “an”.
- (7) Sections 29, 30 (1) (c), (d)—  
Omit “a country” wherever occurring, insert instead “an”.
- (8) Section 30 (1) (a), (b), 34A (1) (a), (b)—  
Omit “country” wherever occurring.
- 25 (9) Section 34A (1) (c)—  
Omit “, other than country industries,”.

SCHEDULE 24—*continued*AMENDMENTS TO THE STATE DEVELOPMENT AND  
INDUSTRIES ASSISTANCE ACT 1966—*continued*

## (10) Section 34F—

Omit the section, insert instead:

**Ministerial Corporation's powers to erect, alter or extend buildings for industries and business undertakings**

- 5           34F. The Ministerial Corporation may, on land acquired by the Corporation under this Part, cause buildings to be erected, altered or extended for use and operation for the purposes of industries and business undertakings.

10 (11) Section 34IA (as inserted by Act No. 83, 1986) (**Industries Assistance Fund**)—

Section 34IA (1) (e)—

After "Act", insert "(except so much as was acquired out of funds drawn from the account relating to the Special Industries Agency maintained under the State Bank Act 1981)".

15

## SCHEDULE 25

(Sec. 3)

AMENDMENTS TO THE STATE DEVELOPMENT AND  
INDUSTRIES ASSISTANCE (AMENDMENT) ACT 1986

## (1) Schedule 1 (1)—

- 20           Omit the item.

## (2) Schedule 1 (2) (a)—

Omit the paragraph.

## (3) Schedules 2, 6—

Omit the Schedules.

## SCHEDULE 26

(Sec. 3)

AMENDMENTS TO THE STATE TRANSPORT (CO-ORDINATION)  
ACT 1931

- 5 (1) Section 3 (**Interpretation**)—
- (a) Section 3 (1), definitions of “Goods”, “Receiving depot”,  
“Store”—
- Omit the definitions.
- 10 (b) Section 3 (1), definitions of “Motor omnibus”, “Owner”, “Private  
hire car”, “Taxi-cab”—
- Omit “public motor” wherever occurring, insert instead “public  
passenger”.
- (c) Section 3 (1), definition of “Operate”—
- Omit “or goods”.
- 15 (d) Section 3 (1), definitions of “Public motor vehicle”, “Public  
passenger vehicle”—
- Omit the definitions, insert instead:
- “Public passenger vehicle” means a motor vehicle—
- 20 (a) used or let or intended to be used or let for the  
conveyance of passengers for hire or for any  
consideration or in the course of any trade or business;  
or
- (b) plying or travelling or standing in a public street for or  
in hire or in the course of any trade or business.
- 25 (2) Sections 3A (1), 3B (2), 14, 14B, 15 (1), 16, 17 (2) (a), (c), (d) (as  
amended by Act No. 138, 1986), 18 (1), (11), 19, 20, 21 (as amended  
by Act No. 138, 1986), 28, 29, 39A (as inserted by Act No. 138, 1986),  
44, 48 (8), Schedules 2 and 4—
- 30 Omit “public motor” wherever occurring, insert instead “public  
passenger”.

SCHEDULE 26—*continued*AMENDMENTS TO THE STATE TRANSPORT (CO-ORDINATION)  
ACT 1931—*continued*(3) Section 10 (**Advice and reports by Commissioner**)—

Omit “and of goods”.

(4) Section 12 (as amended by Act No. 138, 1986) (**Public passenger vehicle not to be operated in certain cases unless vehicle licensed**)—

## 5 (a) Section 12—

Omit “public motor” wherever occurring, insert instead “public passenger”.

## (b) Section 12 (2), (3)—

Omit the subsections.

## 10 (5) Section 13—

Omit the section, insert instead:

**Passengers not to be conveyed by unlicensed vehicle**

15 13. (1) Any person who conveys or agrees or offers to convey any passenger by a public passenger vehicle is guilty of an offence against this Act unless a licence has been issued in respect of the vehicle.

(2) In any proceedings for an offence under this section it shall be a sufficient defence if the person charged proves that he or she—

20 (a) had reasonable grounds for believing; and

(b) did in fact believe,

that the passenger vehicle was at the time of the alleged offence licensed under this Act.

(6) Section 14 (**Licences**)—

25 Section 14 (2) (c)—

Omit “or maximum weight of goods”.

SCHEDULE 26—*continued*AMENDMENTS TO THE STATE TRANSPORT (CO-ORDINATION)  
ACT 1931—*continued*(7) Section 17 (**Certain conditions of licence**)—

## (a) Section 17 (2) (a)—

Omit “, freights,” wherever occurring.

## (b) Section 17 (2) (b)—

5 Omit the paragraph, insert instead:

(b) the circumstances in which and days and times on which passengers may be conveyed, including the limiting of the number of passengers that may be conveyed on the vehicle;

10 (8) Section 18 (**Certain obligations in respect of public passenger vehicles**)—

## (a) Section 18 (1) (a), (c)—

Omit “and goods” wherever occurring.

## (b) Section 18 (1) (c)—

Omit “, freight”.

## 15 (c) Section 18 (1) (d)—

At the end of the paragraph, insert “and”.

## (d) Section 18 (1) (f)—

Omit the paragraph.

## (e) Section 18 (1)—

20 Omit “obligations mentioned in paragraphs (e) and (f)”, insert instead “obligation mentioned in paragraph (e)”.

## (f) Section 18 (2)—

Omit “public motor” where firstly occurring, insert instead “public passenger”.

## 25 (g) Section 18 (2)—

Omit “or of goods carried or to be carried by a public motor vehicle”.

SCHEDULE 26—*continued*AMENDMENTS TO THE STATE TRANSPORT (CO-ORDINATION)  
ACT 1931—*continued*

## (h) Section 18 (3)—

Omit the subsection, insert instead:

(3) The regulations may provide that the weight of a public passenger vehicle, as assessed for the purposes of any other Act, may be adopted for the purposes of this Act.

## (i) Section 18 (4)–(10), (12)—

Omit the subsections.

(9) Section 20 (**Agents etc. to be licensed**)—

## (a) Section 20 (1) (b)—

Omit “or goods”.

## (b) Section 20 (1) (b)—

Omit “or” where lastly occurring.

## (c) Section 20 (1) (c)—

Omit the paragraph.

15 (10) Section 21 (as amended by Act No. 138, 1986) (**Cancellation of licence**)—

## Section 21 (1) (b)—

Omit “or of or attaching to an exemption granted by the Commissioner under section 18 (8) or (9)”.

20 (11) Section 22 (**Permits to use vehicle for carriage of passengers**)—

## (a) Section 22 (1)—

Omit “or goods”.

## (b) Section 22 (4)—

Omit the subsection.

25 (12) Section 27 (**Goods motor vehicle not to be used for passengers**)—

Omit the section.

SCHEDULE 26—*continued*AMENDMENTS TO THE STATE TRANSPORT (CO-ORDINATION)  
ACT 1931—*continued*

- (13) Section 29 (**Advertisements**)—
- (a) Section 29 (1) (b)—  
Omit “or”.
  - (b) Section 29 (1) (c), (d)—  
5 Omit the paragraphs.
  - (c) Section 29 (1) (i), (iv)—  
Omit “or goods” wherever occurring.
- (14) Section 30 (**Records to be kept**)—
- (a) Section 30 (1), (2)—  
10 Omit the subsections.
  - (b) Section 30 (3)—  
Omit “(not being the proprietor of a receiving depot)”.
  - (c) Section 30 (3)—  
Omit “and of goods”.
- 15 (15) Section 35 (**Proof as to passengers being carried for hire**)—
- (a) Omit “or goods” where lastly occurring.
  - (b) Omit “or goods carried for hire”.
- (16) Section 37 (**Payments in respect of vehicle not licensed**)—  
Omit the section.
- 20 (17) Section 38A (**Order, upon conviction, for payment of amount due**)—  
Omit the section.
- (18) Section 39 (**Recovery of amounts due**)—  
25 Omit “Any amount due to or recoverable under section 18 (4) or (5), any amount due under section 37, any other”, insert instead “Any”.



SCHEDULE 26—*continued*AMENDMENTS TO THE STATE TRANSPORT (CO-ORDINATION)  
ACT 1931—*continued*

- (19) Section 44 (as amended by Act No. 138, 1986) (**Prima facie evidence**)—

Section 44 (h)—

Omit the paragraph.

- 5 (20) Section 45 (**Production of certificate**)—

Omit the section.

- (21) Section 48 (**Regulations**)—

- (a) Section 48 (8) (b)—

Omit “, freights,” wherever occurring.

- 10 (b) Section 48 (8) (b)—

Omit “or goods”.

- (c) Section 48 (8) (e)—

Omit the paragraph.

- (22) Schedule 5 (**Savings, transitional and other provisions**)—

- 15 Clauses 2, 3—

At the end of the Schedule, insert:

**References to public motor vehicles**

- 20 2. A reference, however expressed, in any Act or in an instrument or document, of any kind, to a public motor vehicle within the meaning of this Act as in force immediately before the commencement of Schedule 26 to the Statute Law (Miscellaneous Provisions) Act (No. 1) 1987 shall be read as a reference to a public passenger vehicle.

SCHEDULE 26—*continued*

AMENDMENTS TO THE STATE TRANSPORT (CO-ORDINATION)  
ACT 1931—*continued*

**Regulations saved**

5        3. A regulation made under section 18 or 22 and in force immediately before the commencement of Schedule 26 to the Statute Law (Miscellaneous Provisions) Act (No. 1) 1987 shall be deemed to have been made under that section as amended by that Act.

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SCHEDULE 27

(Sec. 3)

AMENDMENT TO THE TRANSPORT ACT 1930

10    Section 3 (**Application of Act**)—

Section 3 (4)—

Omit the subsection.

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## SCHEDULE 28

(Sec. 3)

AMENDMENT TO THE TRANSPORT AUTHORITIES ACT 1980  
 Schedule 1 (**Constitution and procedure of the corporations**)—

5 Clause 13—

After clause 12, insert:

**Extension of office of Chairman of State Rail Authority**

13. In the case of the person holding office as Chairman of the State Rail Authority as from 6 August 1985—

- 10 (a) the references in clauses 3 and 7 to the age of 70 years shall be read as references to the age of 72 years;
- (b) he shall be deemed to have been appointed for a further term of 18 months commencing on his 70th birthday; and
- 15 (c) he shall be deemed not to have vacated office because his term of office which commenced on 6 August 1985 expired or because he attained the age of 70 years.

## SCHEDULE 29

(Sec. 3)

20 AMENDMENTS RELATING TO ADMINISTRATION OF THE RESIDENTIAL  
 TENANCIES ACT 1987

**Auctioneers and Agents Act 1941 No. 28—**

Section 63E (**Application of moneys for the purposes of the Residential Tenancies Acts**)—

25 Section 63E (1)—

After "Residential Tenancies Tribunal Act 1986" wherever occurring, insert "or the Residential Tenancies Act 1987".

**Landlord and Tenant (Rental Bonds) Act 1977 No. 44—**

Section 20 (**Rental Bond Interest Account**)—

30 Section 20 (2A)—

After "Residential Tenancies Tribunal Act 1986" wherever occurring, insert "or the Residential Tenancies Act 1987".

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 29—*continued*

AMENDMENTS RELATING TO ADMINISTRATION OF THE RESIDENTIAL  
TENANCIES ACT 1987—*continued*

**Residential Tenancies Act 1987—**

Section 129 (**Costs of administration**)—

Section 129 (2)—

Omit the subsection.

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5

SCHEDULE 30

(Sec. 3)

AMENDMENTS RELATING TO DETERMINATION OF LEAVE ENTITLEMENTS

**Crown Advocate Act 1979 No. 59—**

Section 7 (**Remuneration and leave**)—

10 Section 7 (2)—

At the end of section 7, insert:

(2) The leave which may be granted to the Crown Advocate shall be as the Minister may from time to time determine in respect of the Crown Advocate.

**Crown Prosecutors Act 1986 No. 208—**

15 Section 12 (**Remuneration and leave**)—

Section 12 (2)—

At the end of section 12, insert:

20 (2) The leave which may be granted to a Crown Prosecutor shall be as the Attorney General may from time to time determine in respect of the Crown Prosecutors.

**Director of Public Prosecutions Act 1986 No. 207—**

Schedule 1 (**Provisions relating to senior officers**)—

Clause 3 (2)—

At the end of clause 3, insert:

25 (2) The leave which may be granted to a Senior Officer shall be as the Attorney General may from time to time determine in respect of the Senior Officers.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 30—*continued*

AMENDMENTS RELATING TO DETERMINATION OF LEAVE  
ENTITLEMENTS—*continued*

**Law Reform Commission Act 1967 No. 39—**

Section 8 (**Remuneration, allowances, leave and rights**)—

Section 8 (2A)—

After section 8 (2), insert:

- 5           (2A) The leave which may be granted to a full-time commissioner, not being the holder of a judicial office, shall be as the Minister may from time to time determine in respect of such commissioners.

**Public Defenders Act 1969 No. 60—**

Section 3 (**Public Defenders**)—

- 10          Section 3 (4A)—

After section 3 (4), insert:

(4A) The leave which may be granted to a Public Defender shall be as the Minister may from time to time determine in respect of the Public Defenders.

**Solicitor General Act 1969 No. 80—**

- 15          Section 2 (**Appointment of Solicitor General**)—

Section 2 (3A)—

After section 2 (3), insert:

- 20           (3A) The leave which may be granted to the Solicitor General shall be as the Minister may from time to time determine in respect of the Solicitor General.

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SCHEDULE 31

(Sec. 3)

AMENDMENTS TO OTHER ACTS BY WAY OF STATUTE LAW REVISION

**Commercial Agents and Private Inquiry Agents Act 1963 No. 4—**

- 25          Section 10 (10)—

Omit "stipendiary magistrate", insert instead "Magistrate".

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 31—*continued*

AMENDMENTS TO OTHER ACTS BY WAY OF STATUTE LAW REVISION—  
*continued*

**Community Services Orders Act 1979 No. 192—**

Section 4 (3) (a)—

Omit “437 (1)”, insert instead “437 (3)”.

**Corporate Affairs Commission Act 1981 No. 64—**

5     **Schedule 2 (Savings and transitional provisions)—**

Clause 11 (3)—

After clause 11 (2), insert:

10     (3) A reference in any Act, by-law, regulation, order or statutory or other instrument to a Commissioner or member, or the Chairman, of the old Commission shall be construed as a reference to the Commissioner for Corporate Affairs.

**Heritage Act 1977 No. 136—**

Section 101—

Omit “and in Schedule 2”.

15   **Housing Act 1912 No. 7—**

Section 48 (False statements)—

Section 48 (a)—

Omit “under this Act”.

**Legal Aid Commission Act 1979 No. 78—**

20   (1) Section 15 (Provisions relating to Director)—

After “Director” where secondly occurring, insert “except as permitted by this Act or except with the consent of the Minister”.

(2) Schedule 4 (General provisions relating to the statutory officers of the Commission)—

25    Clause 5 (1) (c)—

After “office” where secondly occurring, insert “, except with the consent of the Minister”.

**Local Government (General Revision) Amendment Act 1986 No. 159—**

Schedule 3, item 13—

30    Omit “364 (2) (a)”, insert instead “364A (2) (a)”.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*SCHEDULE 31—*continued*AMENDMENTS TO OTHER ACTS BY WAY OF STATUTE LAW REVISION—  
*continued***Miscellaneous Acts (Public Prosecutions) Amendment Act 1986 No. 212—**

Schedule 1, matter relating to the Justices Act 1902—

From item (3) (d), omit “the”.

**Miscellaneous Acts (Water Administration) Amendment Act 1986 No. 205—**

5 Schedule 2—

From the matter relating to the Electricity Commission Act 1950, omit “No. 2”, insert instead “No. 22”.

**National Parks and Wildlife Act 1974 No. 80—**

(1) Section 176 (1)—

10 Omit “, the regulations or the by-laws”, insert instead “or the regulations”.

(2) Section 179 (1A)—

Omit “or member”.

**Permanent Building Societies Act 1967 No. 18—**

Section 117A (Takeover Review Committee)—

15 Section 117A (3) (b)—

Omit the paragraph, insert instead:

(b) the Commissioner for Corporate Affairs or an officer of the Corporate Affairs Commission nominated by the Commissioner;

**Plant Diseases (Amendment) Act 1987 No. 17—**

20 Schedule 1 (2) (b)—

Omit “which causes an abnormal or unhealthy condition in plants and includes anything”.

**Police Regulation (Appeals) Act 1923 No. 33—**

Section 5A (Appeal against decision to recommend appointment of inspector)—

25 Section 5A (4) (c)—

Omit “section 19 (3)”, insert instead “section 19 (1) and (5), respectively”.

**Police Regulation (Superannuation) Act 1906 No. 28—**

Section 2A (6)—

Omit “(3)”, insert instead “(4)”.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*SCHEDULE 31—*continued*AMENDMENTS TO OTHER ACTS BY WAY OF STATUTE LAW REVISION—  
*continued***Prisons Act 1952 No. 9—**

Section 11A (as inserted by Act No. 109, 1986)—

Section 11A (2)—

Omit “adaptions”, insert instead “adaptations”.

**5 Registered Clubs Act 1976 No. 31—**

(1) Section 4 (4) (b)—

Before “such amount”, insert “to”.

(2) Section 17 (2) (e)—

Omit the paragraph, insert instead:

10 (e) dismiss the complaint.

(3) Section 79 (8) (b)—

Before “it”, insert “if”.

(4) (a) Section 129 (2)—

After “specified premises”, insert “, a poker machine”.

15 (b) Section 129 (2) (a)—

Omit “a poker machine”.

**Statute Law (Miscellaneous Provisions Act) (No. 2) 1986 No. 218—**

Schedule 38, Part 2—

Omit the Part.

**20 Supreme Court (Commercial Arbitration) Amendment Act 1984 No. 166—**

Schedule 1 (1) (a)—

After “or”, insert “where lastly occurring”.

**Theatres and Public Halls (Liquor) Amendment Act 1984 No. 59—**

Schedule 1 (2) (b)—

25 Omit “purpose”, insert instead “purposes”.



*Statute Law (Miscellaneous Provisions) (No. 1) 1987*SCHEDULE 31—*continued*AMENDMENTS TO OTHER ACTS BY WAY OF STATUTE LAW REVISION—  
*continued***Timber Marketing Act 1977 No. 72—**

- (1) Section 4 (1), definition of “corporation”—

Omit “Companies Act, 1961”, insert instead “Companies (New South Wales Code”.

- 5 (2) Sections 10 (1) (c), 11 (1) (c), 31 (b) (vi)—

Omit “per centum” wherever occurring, insert instead “per cent”.

- (3) Section 32 (1)—

Omit “Companies Act, 1961,”, insert instead “Companies (New South Wales Code”.

10

## SCHEDULE 32

(Sec. 3)

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987**Adoption of Children Act 1965 No. 23—**

- 15 Section 73 (2)—

Omit the subsection.

**Agricultural Holdings Act 1941 No. 55—**

- Section 38 (3)—

Omit the subsection.

20 **Air Transport Act 1964 No. 36—**

- (1) Section 13 (3)—

Omit the subsection.

- (2) Schedule 1, clause 2—

Omit “, subject to section 30 of the Interpretation Act, 1897,”.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Animals Act 1977 No. 25—**

Schedule 1, clause 4—

Omit the clause.

**Annual Holidays Act 1944 No. 31—**

5 Section 15 (3)—

Omit the subsection.

**Anti-Discrimination Act 1977 No. 48—**

(1) Section 31 (6)—

10 Omit “Section 21 (a) of the Interpretation Act, 1897,” insert instead “Section 8 (a) of the Interpretation Act 1987”.

(2) Section 127 (3) (a)—

Omit “it is”, insert instead “written notice of its making is, pursuant to section 40 of the Interpretation Act 1987,”.

**Anzac Memorial (Building) Act 1923 No. 27—**

15 Section 9 (2A)—

Omit the subsection.

**Apiaries Act 1985 No. 16—**

Section 50 (5)—

Omit the subsection.

20 **Apprenticeship Act 1981 No. 80—**

(1) Section 5 (3)—

Omit “section 27 (I) of the Interpretation Act 1897”, insert instead “section 76 of the Interpretation Act 1987”.

(2) Schedule 4, clause 1 (3)—

25 Omit the subclause.

**Architects Act 1921 No. 8—**

Section 25 (3)—

Omit the subsection.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Archives Act 1960 No. 46—**

(1) Section 21 (3), (4)—

Omit the subsections, insert instead:

5 (3) A by-law shall be sealed with the common seal of the Authority and shall be submitted to the Governor for approval.

(2) Section 25 (2)—

Omit the subsection.

**Auctioneers and Agents Act 1941 No. 28—**

Section 92 (4)—

10 Omit the subsection.

**Australian Jockey Club Act 1873—**

Section 13—

Omit the section, insert instead:

**Approval of by-laws**

15 13. A by-law made under this Act shall be submitted to the Governor for approval.

**Balranald Irrigation Act 1902 No. 78—**

(1) Section 34—

Omit the section, insert instead:

20 **Saving of by-laws**

34. Any by-law—

(a) made or deemed to be made under this section and in force immediately before the substitution of this section by the Statute Law (Miscellaneous Provisions) Act (No. 1) 1987; or

25 (b) set out in the Second Schedule immediately before the repeal of that Schedule by the Statute Law (Miscellaneous Provisions) Act (No. 1) 1987,

shall be deemed to be a regulation.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*SCHEDULE 32—*continued*MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

## (2) (a) Section 35 (1)—

Omit “for or with respect to the form of lease to be used under this Act.”,  
insert instead:

for or with respect to—

- 5 (a) the form of lease to be issued under this Act;
- (b) the administration and maintenance of the works constructed pursuant  
to this Act;
- (c) the conditions on which water shall be supplied;
- (d) the mode of assessing property and levying rates; and
- 10 (e) the ensuring of bona fide settlement, improvement and cultivation of  
land within the irrigation area, and all matters relating thereto.

## (b) Section 35 (2)—

Omit the subsection, insert instead:

- 15 (2) A regulation may create an offence punishable by a penalty not exceeding  
\$200.

## (3) Second Schedule—

Omit the Schedule.

**Banana Industry Act 1969 No. 38—**

Section 27 (4)—

- 20 Omit the subsection.

**Baptist Churches of New South Wales Property Trust Act 1984 No. 4—**

Sections 12 (2), 21 (1)—

Omit “section 38 of the Interpretation Act, 1897” wherever occurring, insert  
instead “section 50 of the Interpretation Act 1987”.

25 **Bills of Sale Act 1898 No. 10—**

Section 15 (3)—

Omit the subsection.

**Book Purchasers’ Protection Act 1899 No. 25—**

Section 9 (2)—

- 30 Omit the subsection.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Bookmakers (Taxation) Act 1917 No. 15—**

Section 38 (4)—

Omit the subsection.

**Broken Hill Water and Sewerage Act 1938 No. 20—**

5 Section 122—

Omit the section.

**Builders Licensing Act 1971 No. 16—**

(1) Section 3 (2)—

Omit the subsection.

10 (2) Section 49 (1A)—

Omit “section 38 of the Interpretation Act 1897”, insert instead “section 50 of the Interpretation Act 1987”.

**Building and Construction Industry Long Service Payments Act 1986 No. 19—**

Schedule 3, clause 15—

15 Omit the clause.

**Bursary Endowment Act 1912 No. 14—**

Section 11—

Omit the section, insert instead:

**Regulations**

20 11. (1) The Governor may make regulations, not inconsistent with this Act, for or with respect to any matter that by this Act is required or permitted to be prescribed or that is necessary or convenient to be prescribed for carrying out or giving effect to this Act and, in particular, for or with respect to—

- (a) the powers and duties of the board;
- 25 (b) the manner in which representatives on the board shall be nominated or selected for the purposes of section 4 (1) (a) (i) and (iii); and
- (c) the conditions on which bursaries may be granted and shall be held.

30 (2) Any by-law made under this section, and in force immediately before the substitution of this section by the Statute Law (Miscellaneous Provisions) Act (No. 1) 1987, shall be deemed to be a regulation.

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*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Bush Fires Act 1949 No. 31—**

Section 57 (4)—

Omit the subsection.

**Business Franchise Licences (Petroleum Products) Act 1982 No. 92—**

5 Section 12 (4)—

Omit “Subject to section 30 (b) of the Interpretation Act 1897, the”, insert instead “The”.

**Business Franchise Licences (Tobacco) Act 1975 No. 63—**

Section 6 (4)—

10 Omit “Subject to section 30 (b) of the Interpretation Act, 1897, the”, insert instead “The”.

**Business Names Act 1962 No. 11—**

Section 32 (4)—

Omit the subsection.

15 **Cattle Compensation Act 1951 No. 26—**

Section 19 (2)—

Omit the subsection.

**Cattle Slaughtering and Diseased Animals and Meat Act 1902 No. 36—**

Sections 29 (3), 56 (2) and 57 (3)—

20 Omit the subsections.

**Charitable Collections Act 1934 No. 59—**

Section 18 (4)—

Omit the subsection.

**Child Welfare Act 1939 No. 17—**

25 Section 161 (3)—

Omit the subsection.

**Chiropodists Registration Act 1962 No. 17—**

Section 35 (2), (3)—

Omit the subsections.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Cinematograph Films Act 1935 No. 41—**

Section 14 (2), (3)—

Omit the subsections.

**Civil Aviation (Carriers' Liability) Act 1967 No. 64—**

5 (1) Section 7 (4)—

Omit the subsection.

(2) Section 7 (5)—

Omit "or regulation" wherever occurring.

(3) Section 7 (5)—

10 Omit "made under this Act".

**Clean Air Act 1961 No. 69—**

Section 34 (5)—

Omit the subsection.

**Closer Settlement Act 1904 No. 37—**

15 Section 53 (3)—

Omit the subsection.

**Coal and Oil Shale Mine Workers (Superannuation) Act 1941 No. 45—**

Sections 15 (1A), 32 (4)—

Omit the subsections.

20 **Coal Industry Act 1946 No. 44—**

Section 61 (2)—

Omit the subsection.

**Coal Mines Regulation Act 1982 No. 67—**

(1) Section 23 (2)–(6)—

25 Omit the subsections, insert instead:

(2) Part 6 of the Interpretation Act 1987 applies to a rule made under this section in the same way as it applies to a statutory rule within the meaning of that Act.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

(2) Section 155 (3)–(8)—

Omit the subsections.

(3) Section 174 (9) (c)—

Omit the paragraph.

5 (4) Schedule 2, clause 3 (2) (d)—

Omit “or under section 30 of the Interpretation Act 1897”.

(5) Schedule 2, clause 3 (5)—

Omit “In addition to his powers under section 30 of the Interpretation Act 1897, the”, insert instead “The”.

10 **Coal Mining Industry Long Service Leave Act 1950 No. 23—**

Section 13 (4)—

Omit the subsection.

**Cobar Water Supply Act 1963 No. 44—**

Section 47—

15 Omit the section.

**Colleges of Advanced Education Act 1975 No. 11—**

(1) Section 7 (6)—

Omit the subsection.

(2) Section 23 (3) (b)—

20 Omit “for the purposes of section 41 (V) of the Interpretation Act, 1897”.

(3) Schedule 1, clause 13—

Omit the clause.

**Commercial Agents and Private Inquiry Agents Act 1963 No. 4—**

Section 44 (3)—

25 Omit the subsection.

**Commercial Tribunal Act 1984 No. 98—**

Section 38 (3), (4), (5)—

Omit the subsections.



*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Commons Regulation Act 1898 No. 15—**

Section 29 (2)—

Omit the subsection.

**Community Justice Centres Act 1983 No. 127—**

5 Schedule 4, clause 17—

Omit the clause.

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

(1) Section 6 (3)—

10 Omit “Subject to section 30 (b) of the Interpretation Act, 1897, a”, insert instead “A”.

(2) Sections 184 (3), 214 (2), 310 (2)—

Omit the subsections.

(3) Schedule 8, clause 25 (3), Schedule 9, clause 27 (3)—

Omit the subclauses.

15 **Companies Act 1961 No. 71—**

Section 385 (6)—

Omit the subsection.

**Companies (Death Duties) Act 1901 No. 30—**

Section 12—

20 Omit the following matter:

All such regulations shall—

(a) be published in the Gazette;

(b) take effect from the date of publication or from a later date to be specified in the regulations; and

25 (c) be laid before both Houses of Parliament within fourteen sitting days after publication if Parliament is in session, and if not, then within fourteen sitting days after the commencement of the next session.

30 If either House of Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after the regulations have been laid before such House disallowing any regulation or part thereof, such regulation or part shall thereupon cease to have effect.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Compensation Court Act 1984 No. 89—**

Sections 44, 45, 46—

Omit the sections.

**Constitution Act 1902 No. 32—**

5 Section 14A (6)—

Omit “, 1897”, insert instead “1987”.

**Constitution Further Amendment (Referendum) Act 1930 No. 2—**

Section 35 (4)—

Omit the subsection.

10 **Construction Safety Act 1912 No. 38—**

Section 22 (3), (5)—

Omit the subsections.

**Consumer Protection Act 1969 No. 28—**

(1) Section 39E (2)—

15 Omit the subsection, insert instead:

(2) Sections 39, 40 and 41 of the Interpretation Act 1987 apply to an order made under subsection (1) or (1A) in the same way as they apply to a statutory rule within the meaning of that Act.

(2) Section 59 (2)—

20 Omit the subsection.

**Conveyancing Act 1919 No. 6—**

Section 202 (7)—

Omit the subsection.

**Co-operation Act 1923 (Act No. 1, 1924)—**

25 Section 124 (2)—

Omit the subsection.

**Coroners Act 1980 No. 27—**

Schedule 3, clause 4—

Omit the clause.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Credit Union Act 1969 No. 8—**

Section 103 (4)—

Omit the subsection.

**Crimes Act 1900 No. 40—**

5 (1) Section 4 (3)—

Omit “section 11A of the Interpretation Act, 1897”, insert instead “section 35 of the Interpretation Act 1987”.

(2) Section 560A (2)—

Omit the subsection.

10 **Crown Lands Consolidation Act 1913 No. 7—**

Sections 37 (4), 37FF (7), (8), 37II (8), 37BBB (2)—

Omit the subsections.

**Dairy Industry Act 1979 No. 208—**

(1) Section 103 (3)—

15 Omit the subsection.

(2) Schedule 5, clause 1 (2)—

Omit the subclause.

**Dangerous Goods Act 1975 No. 68—**

Section 41 (3) (e)—

20 Omit the paragraph.

**Decimal Currency Act 1965 No. 33—**

Sections 7 (3), 8 (2)—

Omit the subsections.

**Dentists Act 1934 No. 10—**

25 Section 13 (3)—

Omit the subsection.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Disposal of Uncollected Goods Act 1966 No. 57—**

Section 22 (3), (4)—

Omit the subsections.

**District Court Act 1973 No. 9—**

5 (1) Sections 162, 163, 164, 171A, 171B, 171C, 183—

Omit the sections.

(2) (a) Section 188 (3)—

Omit “subsection (5)”, insert instead “section 41 of the Interpretation Act 1987”.

10 (b) Section 188 (4)–(6)—

Omit the subsections, insert instead:

(4) Sections 39, 40 and 41 of the Interpretation Act 1987 apply to a proclamation under subsection (3) in the same way as they apply to a statutory rule within the meaning of that Act.

15 **Dividing Fences Act 1951 No. 8—**

Section 23 (2)—

Omit the subsection.

**Dog Act 1966 No. 2—**

Section 27 (5)—

20 Omit the subsection.

**Door-to-Door Sales Act 1967 No. 36—**

Section 9 (3), (4)—

Omit the subsections.

**Dormant Funds Act 1942 No. 25—**

25 Section 19 (3)—

Omit the subsection.

**Drainage Act 1939 No. 29—**

Section 78 (2), (3)—

Omit the subsections.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*SCHEDULE 32—*continued*MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued***Dried Fruits Act 1939 No. 7—**

## (1) (a) Section 39 (3) (b)—

Omit “kind;”, insert instead “kind; or”.

## (b) Section 39 (3) (c)—

5 Omit “body; or”, insert instead “body.”.

## (c) Section 39 (3) (d)—

Omit the paragraph.

## (2) Section 39 (4)—

Omit the subsection.

10 **Education Act 1961 No. 47—**

## Sections 20 (3), 21 (2)—

Omit the subsections.

**Education Commission Act 1980 No. 23—**

## (1) Section 41 (10)—

15 Omit “Section 40 of the Interpretation Act, 1897, ”, insert instead “Section 49 of the Interpretation Act 1987”.

## (2) Section 100 (2)—

Omit the subsection, insert instead:

20 (2) The Director-General of Education shall cause a copy of each regulation made under subsection (1) to be published in the Education Gazette as soon as practicable after it has been published in the Government Gazette under section 39 of the Interpretation Act 1987.

## (3) Section 101 (2)—

Omit the subsection, insert instead:

25 (2) The Director-General of Technical and Further Education shall cause a copy of each regulation made under subsection (1) to be published in the Technical and Further Education Gazette as soon as practicable after it has been published in the Government Gazette under section 39 of the Interpretation Act 1987.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Election Funding Act 1981 No. 78—**

Section 13 (3)—

Omit “Section 30 (b) of the Interpretation Act, 1897,” insert instead “Section 47 (1) (b) of the Interpretation Act 1987”.

**5 Electricity Commission Act 1950 No. 22—**

Section 90 (1)—

Omit the subsection.

**Electricity Development Act 1945 (Act No. 13, 1946)—**

(1) Section 37 (2B) (aa)—

10 Omit the paragraph.

(2) Section 37 (6)—

Omit the subsection.

**Electricity (Special Provisions) Act 1935 No. 42—**

Section 85 (4)—

15 Omit the subsection.

**Energy Authority Act 1976 No. 69—**

(1) Section 6 (4)—

Omit “Notwithstanding anything in section 38 of the Interpretation Act 1897, the”, insert instead “The”.

20 (2) Section 32 (5)—

Omit the subsection.

(3) Section 37 (4)—

Omit the subsection, insert instead:

25 (4) Section 30 of the Interpretation Act 1987 applies to an order or direction made or given under this Part in the same way as it applies to a statutory rule within the meaning of that Act.

**Environmental Planning and Assessment Act 1979 No. 203—**

(1) Section 155—

30 Omit “section 37 of the Interpretation Act, 1897”, insert instead “section 26 of the Interpretation Act 1987”.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

(2) Schedule 3, clause 3—

Omit “and section 30 of the Interpretation Act, 1897”.

**Environmentally Hazardous Chemicals Act 1985 No. 14—**

(1) Section 50 (2)—

5 Omit “section 27 (i) of the Interpretation Act, 1897”, insert instead “section 76 of the Interpretation Act 1987”.

(2) (a) Section 58 (3) (b)—

Omit “or” where lastly occurring.

(b) Section 58 (3) (c)—

10 Omit the paragraph.

**Factories, Shops and Industries Act 1962 No. 43—**

(1) Section 5 (5)—

Omit the subsection, insert instead:

15 (5) Sections 39, 40 and 41 of the Interpretation Act 1987 apply to a proclamation made under this section in the same way as they apply to a statutory rule within the meaning of that Act.

(2) (a) Section 144 (2) (d)—

Omit the paragraph.

(b) Section 144 (3)—

20 Omit the subsection.

**Farm Water Supplies Act 1946 No. 22—**

Section 18 (3)—

Omit the subsection.

**Farrer Memorial Research Scholarship Fund Act 1930 No. 38—**

25 Section 10 (3)—

Omit the subsection.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Fellowship of Congregational Churches (New South Wales) Incorporation Act 1977 No. 39—**

Section 4 (3)—

- 5 Omit “Without affecting the generality of section 38 of the Interpretation Act, 1897, but subject”, insert instead “Subject”.

**Fertilizers Act 1985 No. 5—**

(1) Section 42 (2) (b)—

Omit “kind;”, insert instead “kind; or”.

(2) Section 42 (2) (c)—

- 10 Omit “person; or”, insert instead “person,”.

(3) Section 42 (2) (d)—

Omit the paragraph.

**Finance (Greyhound-racing Taxation) Management Act 1931 No. 57—**

Section 19 (3)—

- 15 Omit the subsection.

**Fines and Forfeited Recognizances Act 1954 No. 25—**

Section 19 (2)—

Omit the subsection.

**Fire Brigades Act 1909 No. 9—**

- 20 Sections 42 (2), 54 (3)—

Omit the subsections.

**Fish River Water Supply Administration Act 1945 No. 16—**

Section 19 (2)—

Omit the subsection.

- 25 **Fisheries and Oyster Farms Act 1935 No. 58—**

(1) Section 2—

Omit the section.

(2) Sections 4E (6), 121 (4)—

Omit the subsections.



*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Fluoridation of Public Water Supplies Act 1957 No. 58—**

Section 11 (3)—

Omit the subsection.

**Forestry Act 1916 No. 55—**

5 Section 42—

Omit the section.

**Friendly Societies Act 1912 No. 46—**

Section 118 (2)—

Omit the subsection.

10 **Gaming and Betting Act 1912 No. 25—**

Section 59 (2)—

Omit the subsection.

**General Traffic Act 1900 No. 8—**

Section 17—

15 Omit the section.

**Geographical Names Act 1966 No. 13—**

Section 19 (2)—

Omit the subsection.

**Glen Davis Act 1939 No. 38—**

20 Section 33 (3)—

Omit the subsection.

**Government and Related Employees Appeal Tribunal Act 1980 No. 39—**

Schedule 6, clause 2 (3)—

Omit the subclause.

25 **Government Guarantees Act 1934 No. 57—**

Section 6 (2)—

Omit the subsection.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Government Insurance Act 1927 No. 18—**

Section 12 (2)—

Omit the subsection.

**Government Railways Act 1912 No. 30—**

5 (1) Section 65 (1)–(3)—

Omit the subsections, insert instead:

(1) A by-law made under this Act shall be submitted to the Governor for approval.

(2) Section 129—

10 Omit the following matter:

Such regulations shall be published in the Gazette, and shall take effect from the date of such publication or from a later date to be specified in such regulations.

15 Such regulations shall be laid before both Houses of Parliament within fourteen sitting days after publication if Parliament is in session, and if not, then within fourteen sitting days after the commencement of the next session. But if either House of Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after such regulations have been  
20 laid before such House disallowing any regulation or part thereof such regulation or part shall thereupon cease to take effect.

**Grain Handling Act 1954 No. 36—**

Sections 7 (6), 57 (3)—

Omit the subsections.

**Harness Racing Authority Act 1977 No. 57—**

25 Section 28 (5)—

Omit the subsection.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Hay Irrigation Act 1902 No. 57—**

(1) Section 28—

Omit the section, insert instead:

**Saving of by-laws**

5           28. Any by-law made or deemed to be made under this section, and in force immediately before the substitution of this section by the Statute Law (Miscellaneous Provisions) Act (No. 1) 1987, shall be deemed to be a regulation.

(2) (a) Section 29 (1)—

10           Omit “to this Act.”, insert instead:

to this Act and, in particular, for or with respect to—

- (a) the administration and maintenance of the works constructed pursuant to this Act;
- (b) the conditions on which water shall be supplied;
- 15           (c) the mode of levying rates for the supply of any such water and the times and manner of their payment;
- (d) the charging of interest on a daily basis on overdue rates (whether or not the subject of a judgment by a court) and the times and manner of its payment; and
- 20           (e) authorising the Ministerial Corporation, if payment of rates relating to any land, or of any interest on the rates, is overdue, to withhold the supply of water to the land without affecting the liability to pay the rates and interest.

(b) Section 29 (2)—

25           Omit the subsection, insert instead:

(2) A regulation may create an offence punishable by a penalty not exceeding \$1,000.

**Higher Education Act 1975 No. 47—**

(1) Section 6 (3)—

30           Omit the subsection.

(2) Schedule 2, clause 10—

Omit the clause.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Horticultural Stock and Nurseries Act 1969 No. 3—**

Section 23 (4)—

Omit the subsection.

**Housing Act 1912 No. 7—**

5 Section 23 (3)—

Omit the subsection.

**Housing Indemnities Act 1962 No. 4—**

Section 11 (2)—

Omit the subsection.

10 **Hunter District Water, Sewerage and Drainage Act 1938 No. 11—**

Sections 131, 133—

Omit the sections.

**Hunter Valley Conservation Trust Act 1950 No. 34—**

Section 61 (4), (5)—

15 Omit the subsections.

**Hunter Valley Flood Mitigation Act 1956 No. 10—**

Section 58 (2), (3)—

Omit the subsections.

**Indecent Articles and Classified Publications Act 1975 No. 32—**

20 Section 28 (5)—

Omit the subsection.

**Industrial Arbitration Act 1940 No. 2—**

(1) Section 91—

25 Omit “, excepting rules or regulations required or directed by this Act or the Interpretation Act, 1897, to be published in the Gazette”.

(2) Section 130 (2)—

Omit the subsection.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*SCHEDULE 32—*continued*MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued***Inebriates Act 1912 No. 24—**

## Section 28—

Omit the following matter:

All such regulations shall—

- 5 (a) be published in the Gazette;
- (b) take effect from the date of publication or from a later date to be specified in the regulations; and
- 10 (c) be laid before both Houses of Parliament within fourteen sitting days after publication if Parliament is in session, and if not, then within fourteen days after the commencement of the next session.

If either House of Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after the regulations have been laid before such House disallowing any regulation or part thereof, such regulation or part shall thereupon cease to have effect.

**15 Infants' Custody and Settlements Act 1899 No. 39—**

## Section 4 (4)–(6)—

Omit the subsections.

**Insurance (Application of Laws) Act 1986 No. 13—**

## Section 3 (3)—

- 20 Omit “section 14A of the Interpretation Act 1897”, insert instead “section 31 of the Interpretation Act 1987”.

**Irrigation Act 1912 No. 73—**

## Section 28 (2)—

Omit the subsection.

**25 Judicial Officers Act 1986 No. 100—**

## Section 53 (5)—

Omit “1897”, insert instead “1987”.

**Justices Act 1902 No. 27—**

## Section 154 (2B)—

- 30 Omit the subsection.

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*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Land and Environment Court Act 1979 No. 204—**

Sections 75, 76, 77—

Omit the sections.

**Land Sales Act 1964 No. 12—**

5 Section 29 (2)—

Omit the subsection.

**Land Tax Management Act 1956 No. 26—**

Sections 38 (2), 82 (2)—

Omit the subsections.

10 **Landlord and Tenant Act 1899 No. 18—**

Section 2AA (3)—

Omit the subsection, insert instead:

(3) The Governor may make regulations for the purposes of subsection (1) (g).

15 **Landlord and Tenant (Amendment) Act 1948 No. 25—**

Sections 96 (3), 97 (5)—

Omit the subsections.

**Law Foundation Act 1979 No. 32—**

Section 6—

20 Omit “Without limiting the operation of section 38 (I) of the Interpretation Act 1897, the”, insert instead “The”.

**Law Reform (Miscellaneous Provisions) Act 1946 No. 33—**

Section 4 (2)—

Omit the subsection.

25 **Lay-by Sales Act 1943 No. 36—**

Section 22 (4)—

Omit the subsection.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Legal Practitioners Act 1898 No. 22—**

(1) Section 6 (2)–(4)—

Omit the subsections, insert instead:

5 (2) Part 6 of the Interpretation Act 1987 applies to a rule made under this section in the same way as it applies to a statutory rule within the meaning of that Act.

(2) Section 12A (4)–(8)—

Omit the subsections, insert instead:

10 (4) Part 6 of the Interpretation Act 1987 applies to a rule made under this section in the same way as it applies to a statutory rule within the meaning of that Act.

(3) Section 81A (2)–(6)—

Omit the subsections, insert instead:

15 (2) Part 6 of the Interpretation Act 1987 applies to a rule made under this section in the same way as it applies to a statutory rule within the meaning of that Act.

(4) Sections 86 (4), 87 (3)—

Omit the subsections.

**Library Act 1939 No. 40—**

20 Sections 3 (3), 15 (5)—

Omit the subsections.

**Limitation Act 1969 No. 31—**

Section 77 (2), (3)—

Omit the subsections.

25 **Liquefied Petroleum Gas Act 1961 No. 3—**

Section 7 (3), (4)—

Omit the subsections.

**Listening Devices Act 1984 No. 69—**

(1) Section 31 (2)—

30 Omit “section 41 of the Interpretation Act, 1897” where firstly occurring, insert instead “section 39 of the Interpretation Act 1987”.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

(2) Section 31 (2)—

Omit “section 41 of the Interpretation Act, 1897,” where secondly occurring, insert instead “section 41 of the Interpretation Act 1987”.

(3) Section 31 (3)—

- 5 Omit “section 41 of the Interpretation Act, 1897,” insert instead “section 39 of the Interpretation Act 1987”.

**Local Courts (Civil Claims) Act 1970 No. 11—**

Section 3—

Omit the section.

**10 Local Government Act 1919 No. 41—**

(1) Section 8 (1), (3)—

Omit the subsections.

(2) Section 277 (2) (e)—

Omit the paragraph.

**15 (3) Section 319 (2)—**

Omit the subsection.

(4) Section 407A—

Omit the section.

**Local Government and Other Authorities (Superannuation) Act 1927 No. 35—**

**20 Section 20 (3)—**

Omit the subsection.

**Long Service Leave Act 1955 No. 38—**

Section 15 (3)—

Omit the subsection.

**25 Long Service Leave (Metalliferous Mining Industry) Act 1963 No. 48—**

Section 15 (3)—

Omit the subsection.



*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Lord Howe Island Act 1953 No. 39—**

Section 38 (6)—

Omit the subsection.

**Lotteries and Art Unions Act 1901 No. 34—**

5 Section 23 (3)—

Omit the subsection.

**Macquarie University Act 1964 No. 29—**

Section 23 (4)—

Omit the subsection.

10 **Maintenance Act 1964 No. 74—**

Section 120 (3)—

Omit the subsection.

**Maritime Services Act 1935 No. 47—**

(1) Section 3B (4)—

15 Omit the subsection.

(2) Section 5 (2) (d)—

Omit “, nor shall this section or any other section in this Part limit any saving in the Interpretation Act, 1897”.

(3) Section 38 (5)—

20 Omit the subsection.

(4) Schedule 6, clause 3 (9)—

Omit the subclause.

**Meat Industry Act 1978 No. 54—**

Section 6—

25 Omit “section 14A of the Interpretation Act, 1897,” insert instead “section 31 of the Interpretation Act 1987”.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Medical Practitioners Act 1938 No. 37—**

(1) Section 3 (4)—

Omit “section 27 (1) of the Interpretation Act, 1897”, insert instead “section 76 of the Interpretation Act 1987”.

5 (2) Section 53 (5)—

Omit the subsection.

**Mental Defectives (Convicted Persons) Act 1939 No. 19—**

Section 11 (2)—

Omit the subsection.

10 **Mental Health Act 1958 No. 45—**

Section 112 (2)—

Omit the subsection.

**Metropolitan Water, Sewerage, and Drainage Act 1924 No. 50—**

(1) Section 6 (7)—

15 Omit “or in the Interpretation Act, 1897”.

(2) Sections 128, 130—

Omit the sections.

**Mine Subsidence Compensation Act 1961 No. 22—**

Section 18 (2)—

20 Omit the subsection.

**Mines Inspection Act 1901 No. 75—**

Sections 48 (3), 56 (2), (2B), 58 (1B)—

Omit the subsections.

**Mines Rescue Act 1925 No. 3—**

25 Section 26 (2)—

Omit the subsection.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Mining Act 1973 No. 42—**

Section 197 (3)–(5)—

Omit the subsections.

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

5 Section 51 (3)–(5)—

Omit the subsections.

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

Schedule 2, clause 5—

Omit the clause.

10 **Monopolies Act 1923 No. 54—**

Section 20 (3), (4)—

Omit the subsections.

**Motor Traffic Act 1909 No. 5—**

Section 13—

15 Omit the section.

**Motor Vehicle Driving Instructors Act 1961 No. 60—**

Section 14 (5)—

Omit the subsection.

**Motor Vehicle Repairs Act 1980 No. 71—**

20 Section 82 (1) (a)—

Omit “section 38 (II) of the Interpretation Act, 1897”, insert instead “section 51 (2) of the Interpretation Act 1987”.

**Motor Vehicles Taxation Management Act 1949 No. 34—**

Section 20 (4)—

25 Omit the subsection.

**Motor Vehicles (Third Party Insurance) Act 1942 No. 15—**

Section 46—

Omit the section.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Museum of Applied Arts and Sciences Act 1945 No. 31—**

Section 18 (2)—

Omit the subsection.

**National Parks and Wildlife Act 1974 No. 80—**

5 (1) Sections 33 (7), 35 (5), 47B (5), 47D (4)—

Omit the subsections.

(2) (a) Section 155 (2A) (a)—

Omit “and” where lastly occurring.

(b) Section 155 (2A) (b)—

10 Omit the paragraph.

(3) Schedule 3, clause 19—

Omit the clause.

(4) Schedule 9A, clause 14 (6)—

15 Omit “Section 38 (I) (paragraph (b) excepted) and section 38 (III) of the Interpretation Act, 1897,” insert instead “Section 50 (1) (paragraph (b) excepted) and (3) of the Interpretation Act 1987”.

**Navigation Act 1901 No. 60—**

(1) Section 127 (3)—

Omit “, when published in the Gazette, and while in force,”.

20 (2) Section 167—

Omit the section.

**New South Wales Government Engineering and Shipbuilding Undertaking Act 1943 No. 19—**

Section 14 (3), (4)—

25 Omit the subsections.

**New South Wales Institute of Psychiatry Act 1964 No. 44—**

Section 24 (4)—

Omit the subsection.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**New South Wales—Queensland Border Rivers Act 1947 No. 10—**

Section 22 (2), (3)—

Omit the subsections.

**New South Wales State Cancer Council Act 1955 No. 25—**

5 Section 19 (4)—

Omit the subsection.

**New South Wales State Conservatorium of Music Act 1965 No. 5—**

Section 16 (7)—

Omit the subsection.

10 **Notification of Births Act 1915 No. 4—**

Section 4—

Omit the following matter:

Such regulations shall—

- (a) be published in the Gazette;
- 15 (b) take effect from the date of publication or from a later date to be specified in the regulations; and
- (c) be laid before both Houses of Parliament within fourteen sitting days after publication if Parliament is in session, and if not, then within fourteen sitting days after the commencement of the next session.

20 If either House of Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after the regulations have been laid before such House disallowing any regulation or part thereof such regulation or part shall thereupon cease to have effect.

**Noxious Insects Act 1934 No. 22—**

25 Section 12 (2)—

Omit the subsection.

**Noxious Trades Act 1902 No. 82—**

Section 16 (3)—

Omit the subsection.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

---

SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Nurses Registration Act 1953 No. 10—**

Section 35 (2)—

Omit the subsection.

**Optical Dispensers Act 1963 No. 35—**

5 Section 35 (2)—

Omit the subsection.

**Optometrists Act 1930 No. 20—**

Section 31—

Omit the section.

**10 Parliamentary Contributory Superannuation Act 1971 No. 53—**

Section 14 (4)—

Omit “section 38 (subsection (2) excepted) of the Interpretation Act, 1897,”  
insert instead “section 50 (subsection (2) excepted) of the Interpretation Act  
1987”.

**15 Parliamentary Electorates and Elections Act 1912 No. 41—**

Sections 55 (3), 176 (1A)—

Omit the subsections.

**Pastures Protection Act 1934 No. 35—**

Section 171 (3)—

20 Omit the subsection.

**Pawnbrokers Act 1902 No. 66—**

Section 46 (5)—

Omit the subsection.

**Permanent Building Societies Act 1967 No. 18—**

25 Section 119 (4)—

Omit the subsection.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Pesticides and Allied Chemicals Act 1978 No. 57—**

(1) Section 5 (6)—

Omit “section 27 (I) of the Interpretation Act 1897”, insert instead “section 76 of the Interpretation Act 1987”.

5 (2) Section 73 (2) (c)—

Omit the paragraph.

**Petroleum Act 1955 No. 28—**

Section 86 (3), (4)—

Omit the subsections.

10 **Petroleum Products Subsidy Act 1965 No. 1—**

Section 19 (3)—

Omit the subsection.

**Pharmacy Act 1964 No. 48—**

Section 38 (3), (4)—

15 Omit the subsections.

**Physiotherapists Registration Act 1945 No. 9—**

Section 33 (2)—

Omit the subsection.

**Pipelines Act 1967 No. 90—**

20 Section 69 (4)—

Omit the subsection.

**Plant Diseases Act 1924 No. 38—**

(1) (a) Section 5A (1)—

Omit “published in the Gazette”.

25 (b) Section 5A (2)—

Omit “published”, insert instead “made”.

(c) Section 5A (2) (b)—

Omit “order;”, insert instead “order; and”.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

(d) Section 5A (2) (c)—

Omit “coverings; and”, insert instead “coverings.”.

(e) Section 5A (2) (d)—

Omit the paragraph.

5 (f) Section 5A (3)—

After section 5A (2), insert:

(3) Sections 39, 40 and 41 of the Interpretation Act 1987 apply to an order made under subsection (1) in the same way as they apply to a statutory rule within the meaning of that Act.

10 (2) Section 28 (3)—

Omit the subsection.

**Plumbers, Gasfitters and Drainers Act 1979 No. 44—**

(1) Section 57 (2)—

15 Omit “section 38 of the Interpretation Act, 1897,” insert instead “section 50 of the Interpretation Act 1987”.

(2) Section 66 (1) (a)—

Omit “section 38 (II) of the Interpretation Act, 1897”, insert instead “section 50 (2) of the Interpretation Act 1987”.

**Poisons Act 1966 No. 31—**

20 Section 46—

Omit the section, insert instead:

**Publication, commencement and disallowance of publications and orders**

46. Sections 39, 40 and 41 of the Interpretation Act 1987 apply to—

(a) a proclamation made under section 8; and

25 (b) an order made under section 37,

in the same way as they apply to a statutory rule within the meaning of that Act.

**Police Regulation Act 1899 No. 20—**

(1) Section 6E (5)—

30 Omit the subsection.



*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

(2) Section 12 (2)—

Omit the subsection.

(3) Section 18 (c) (ii)—

5 Omit “section 30 of the Interpretation Act, 1897”, insert instead “section 47 of the Interpretation Act 1987”.

**Police Regulation (Superannuation) Act 1906 No. 28—**

Section 24 (4)—

Omit the subsection.

**Potato Growers Licensing Act 1940 No. 13—**

10 Section 9 (3)—

Omit the subsection.

**Poultry Processing Act 1969 No. 45—**

(1) Section 16 (3) (b)—

Omit “kind;”, insert instead “kind; or”.

15 (2) Section 16 (3) (c)—

Omit “regulation; or”, insert instead “regulation,”.

(3) Section 16 (3) (d)—

Omit the paragraph.

(4) Section 16 (4)—

20 Omit the subsection.

**Prevention of Oil Pollution of Navigable Waters Act 1960 No. 48—**

Section 14 (3)—

Omit the subsection.

**Prices Regulation Act 1948 No. 26—**

25 Section 60 (2)—

Omit the subsection.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Prickly-pear Act 1924 No. 31—**

Section 34 (3)—

Omit the subsection.

**Prisons Act 1952 No. 9—**

5 Section 50 (3)—

Omit the subsection.

**Privacy Committee Act 1975 No. 37—**

Section 5 (6)—

10 Omit “section 39 of the Interpretation Act, 1897”, insert instead “section 52 of the Interpretation Act 1987”.

**Private Hospitals Act 1908 No. 14—**

Section 18 (5)—

Omit the subsection.

**Public Accountants Registration Act 1945 No. 18—**

15 Section 35 (4)—

Omit the subsection.

**Public Health Act 1902 No. 30—**

Section 103—

Omit the section.

20 **Public Health (Amendment) Act 1937 No. 1—**

Section 12—

Omit the section, insert instead:

**Commencement, tabling and disallowance of proclamations**

25 12. Sections 39, 40 and 41 of the Interpretation Act 1987 apply to a proclamation made under this Act in the same way as they apply to a statutory rule within the meaning of that Act.

**Public Hospitals Act 1929 No. 8—**

Section 42 (2)—

Omit the subsection.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Public Instruction Act 1880 (43 Vic. No. 23)—**

Section 37 (2)—

Omit the subsection.

**Public Roads Act 1902 No. 95—**

5 Section 36 (3)—

Omit the subsection.

**Public Service Act 1979 No. 89—**

Section 48 (11)—

10 Omit “Section 40 of the Interpretation Act 1897”, insert instead “Section 49  
of the Interpretation Act 1987”.

**Public Trustee Act 1913 No. 19—**

Section 59 (2)—

Omit the subsection.

**Public Works Act 1912 No. 45—**

15 Section 5—

Omit the following matter:

Such regulations shall—

- (a) be published in the Gazette;
- 20 (b) take effect from the date of publication or from a later date to be  
specified in the regulations; and
- (c) be laid before both Houses of Parliament within fourteen sitting days  
after publication if Parliament is in session, and if not, then within  
fourteen sitting days after the commencement of the next session.

25 If either House of Parliament passes a resolution of which notice has  
been given at any time within fifteen sitting days after the regulations  
have been laid before such House, disallowing any regulation or part  
thereof, such regulation or part shall thereupon cease to have effect.

**Pure Food Act 1908 No. 31—**

(1) Section 54 (5)—

30 Omit the subsection.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

(2) Section 55—

Omit the section.

**Radioactive Substances Act 1957 No. 5—**

Section 18 (3)—

5 Omit the subsection.

**Real Property Act 1900 No. 25—**

Section 144 (3)—

Omit the subsection.

**Recreation Vehicles Act 1983 No. 136—**

10 (1) Section 6 (4)—

Omit the subsection.

(2) (a) Section 44 (3) (d)—

Omit “conditions;”, insert instead “conditions; or”.

(b) Section 44 (3) (e)—

15 Omit “area; or”, insert instead “area,”.

(c) Section 44 (3) (f)—

Omit the paragraph.

**Registration of Births, Deaths and Marriages Act 1973 No. 87—**

(1) Section 5 (5)—

20 Omit the subsection.

(2) Schedule 3, clause 6 (3)—

Omit “section 41 (I) (b) of the Interpretation Act, 1897”, insert instead “section 39 (1) (b) of the Interpretation Act 1987”.

**Registration of Stock Brands Act 1921 No. 14—**

25 Section 13 (3)—

Omit the subsection.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Reprints Act 1972 No. 48—**

Section 11 (2)—

Omit the subsection.

**Returned Soldiers Settlement Act 1916 No. 21—**

5 Section 6 (2)—

Omit the subsection.

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

Section 25 (4)—

Omit the subsection.

10 **Road Obstructions (Special Provisions) Act 1979 No. 9—**

Section 10 (3)—

Omit “section 41 of the Interpretation Act, 1897”, insert instead “section 39 of the Interpretation Act 1987”.

**Rural Assistance Act 1932 No. 33—**

15 Sections 7D (11), 41 (3)—

Omit the subsections.

**Rural Workers Accommodation Act 1969 No. 34—**

Section 18 (3), (4)—

Omit the subsections.

20 **School Forest Areas Act 1936 No. 20—**

Section 23 (5), (6)—

Omit the subsections.

**Second-hand Dealers and Collectors Act 1906 No. 30—**

Section 24—

25 Omit the following matter:

All such regulations shall—

(a) be published in the Gazette;

(b) take effect from the date of such publication or from a later date to be specified in the regulations;

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

- (c) be laid before both Houses of Parliament within fourteen sitting days if Parliament is in session, and if not, then within fourteen sitting days after the commencement of the next session.

5 If either House of Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after such regulations have been laid before such House disallowing any regulation or part thereof, such regulation or part thereof shall thereupon cease to have effect.

**Seeds Act 1982 No. 14—**

- 10 (1) Section 31 (2) (c)—  
Omit “person;”, insert instead “person; or”.
- (2) Section 31 (2) (d)—  
Omit the paragraph.

**Snowy Mountains Hydro-electric Agreements Act 1958 No. 20—**

- 15 Section 15 (2)—  
Omit the subsection.

**Soil Conservation Act 1938 No. 10—**

- Section 36—  
Omit the section.

20 **South-west Tablelands Water Supply Administration Act 1941 No. 36—**

- Section 20 (2), (3)—  
Omit the subsections.

**Sporting Injuries Insurance Act 1978 No. 141—**

- Section 30 (3)—
- 25 Omit “section 41 (1) (b) of the Interpretation Act, 1897”, insert instead “section 39 (1) (b) of the Interpretation Act 1987”.

**Stamp Duties Act 1920 No. 47—**

- (1) Section 9 (2)—  
Omit the subsection.
- 30 (2) Section 9 (3)—  
Omit “the Interpretation Act 1897 or”.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Standard Time Act 1971 No. 38—**

Section 6—

Omit the section, insert instead:

**Saving**

- 5           6. For the purposes of section 30 of the Interpretation Act 1987, an order made under this Act shall be deemed to effect an amendment of this Act.

**State Bank Act 1981 No. 89—**

Section 5 (3)—

Omit the subsection, insert instead:

- 10           (3) Section 50 (2) of the Interpretation Act 1987 does not apply to the Bank.

**State Brickworks Act 1946 No. 16—**

Section 11 (3), (4)—

Omit the subsections.

**State Coal Mines Act 1912 No. 70—**

- 15           Section 22 (2)—

Omit the subsection.

**State Development and Industries Assistance Act 1966 No. 10—**

Section 35 (2)—

Omit the subsection.

- 20           **State Lotteries Act 1930 No. 51—**

Section 9 (4)—

Omit the subsection.

**State Tileworks Act 1947 No. 29—**

Section 11 (3), (4)—

- 25           Omit the subsections.

**State Transport (Co-ordination) Act 1931 No. 32—**

Section 48 (2)—

Omit the subsection.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*SCHEDULE 32—*continued*MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued***Statutory and Other Offices Remuneration Act 1975 (Act No. 4, 1976)—**

Sections 19, 19A—

Omit section 19, insert instead:

**Report to be tabled**

- 5           19. (1) The report of a determination shall—
- (a) be published in the Gazette as soon as practicable after the report is received by the Minister; and
- (b) be laid before each House of Parliament within 14 sitting days of that House after the day on which it is so published.
- 10          (2) Failure to lay a report before each House of Parliament in accordance with this section does not affect the validity of a determination, but the report must nevertheless be laid before each House.

**Disallowance of determinations**

- 15          19A. (1) Either House of Parliament may pass a resolution disallowing a determination—
- (a) at any time before the relevant report is laid before the House; or
- (b) at any time after the relevant report is laid before the House, but only if notice of the resolution was given within 15 sitting days of the House after the relevant report was so laid.
- 20          (2) On the passing of a resolution disallowing a determination—
- (a) in the case of a determination under section 13 or 15A—the determination shall have effect as if it were a determination that remuneration payable to office holders shall be of the same classes or kinds, and at the same rates, as those payable immediately before the determination came or comes into force, as the case requires; or
- 25           (b) in the case of a determination under section 14 or 15—the determination shall thereupon cease to have effect.
- (3) Nothing in subsection (2) affects any remuneration paid or payable in respect of any period before the date of the resolution referred to in that subsection.
- 30

**Stock (Artificial Insemination) Act 1948 No. 11—**

Section 11 (2)—

Omit the subsection.



*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Stock Diseases Act 1923 No. 34—**

Sections 2 (6), 5 (8B), 23 (2)—

Omit the subsections.

**Stock Foods and Medicines Act 1940 No. 19—**

5 Sections 12 (9), 35 (3B), (4)—

Omit the subsections.

**Strata Titles Act 1973 No. 68—**

(1) Section 56—

Omit the section, insert instead:

10 **Certain provisions of Interpretation Act 1987 not to apply to bodies corporate**

56. Section 50 (1) (d), (2) and (3) of the Interpretation Act 1987 do not apply to a body corporate.

(2) Section 160 (2)—

Omit the subsection.

15 (3) Schedule 4, clause 34 (3)—

Omit the subclause, insert instead:

(3) Section 39 (1) (b) of the Interpretation Act 1987 does not apply to a regulation made under this clause.

**Strata Titles (Leasehold) Act 1986 No. 219—**

20 Section 85—

Omit the section, insert instead:

**Certain provisions of Interpretation Act 1987 not to apply to bodies corporate**

85. Section 50 (1) (d), (2) and (3) of the Interpretation Act 1987 do not apply to a body corporate.

25 **Suitors' Fund Act 1951 No. 3—**

Section 7 (3)—

Omit the subsection.

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*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Superannuation Act 1916 No. 28—**

(1) Section 70 (5)—

Omit the subsection.

(2) Section 86 (3)—

5           Omit the subsection.

**Supreme Court Act 1970 No. 52—**

(1) Sections 20, 125, 127 and 128—

Omit the sections.

(2) (a) Section 24 (7)—

10           Omit “subsection (9)”, insert instead “section 41 of the Interpretation Act 1987”.

(b) Section 24 (8)–(10)—

Omit the subsections, insert instead:

15           (8) Sections 39, 40 and 41 of the Interpretation Act 1987 apply to a proclamation under subsection (7) in the same way as they apply to a statutory rule within the meaning of that Act.

**Survey Co-ordination Act 1949 No. 27—**

Section 22 (3), (4)—

Omit the subsections.

20 **Surveyors Act 1929 No. 3—**

Section 23 (4)—

Omit the subsection.

**Swine Compensation Act 1928 No. 36—**

Section 18 (2)—

25           Omit the subsection.

**Sydney Cove Redevelopment Authority Act 1968 No. 56—**

Section 46 (4), (5)—

Omit the subsections.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Sydney Harbour Bridge (Administration) Act 1932 No. 2—**

Section 13 (4)—

Omit the subsection.

**Sydney Harbour Trust Act 1900 (Act No. 1, 1901)—**

5 Section 81—

Omit the section, insert instead:

**Regulations to be approved by Governor**

81. A regulation made under this Act shall be submitted to the Governor for approval.

10 **Sydney Market Authority Act 1968 No. 11—**

Section 35 (3)—

Omit the subsection.

**Sydney Opera House Trust Act 1961 No. 9—**

Section 28 (4)—

15 Omit the subsection.

**Sydney Turf Club Act 1943 No. 22—**

Section 32 (3)—

Omit the subsection.

**Technical Education Trust Funds Act 1967 No. 95—**

20 Section 14 (5), (6)—

Omit the subsections, insert instead:

(5) A by-law made under this Act shall be submitted to the Governor for approval.

**Textile Products Labelling Act 1954 No. 26—**

25 Section 10 (3)—

Omit the subsection.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**The National Trust of Australia (New South Wales) Act 1960 No. 10—**

Section 16 (4), (5)—

Omit the subsections, insert instead:

- 5 (4) A by-law made by the Council shall be sealed with the common seal of the National Trust and shall be submitted to the Governor for approval.

**Theatres and Public Halls Act 1908 No. 13—**

(1) Section 31 (4)—

Omit the subsection.

(2) Section 32—

- 10 Omit the section.

**Therapeutic Goods and Cosmetics Act 1972 No. 14—**

(1) Section 23—

Omit the section.

(2) Part IX—

- 15 Omit the Part.

**Tobacco Leaf Stabilization Act 1967 No. 34—**

Section 28 (4)—

Omit the subsection.

**Totalizator Act 1916 No. 75—**

- 20 Section 20 (3)—

Omit the subsection.

**Totalizator (Off-course Betting) Act 1964 No. 1—**

Section 21 (4)—

Omit the subsection.

- 25 **Tow-truck Act 1967 No. 46—**

Section 21 (5)—

Omit the subsection.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Trade Union Act 1881 (45 Vic. No. 12)—**

Section 32 (3)—

Omit the subsection.

**Traffic Safety (Lights and Hoardings) Act 1951 No. 7—**

5 Section 7 (5)—

Omit the subsection.

**Transferred Officers Extended Leave Act 1961 No. 13—**

Section 6 (4)—

Omit the subsection.

10 **Transport Act 1930 No. 18—**

Section 262 (2), (8)—

Omit the subsections.

**Transport Authorities Act 1980 No. 103—**

Section 47 (2)—

15 Omit the subsection.

**Transport Employees Retirement Benefits Act 1967 No. 96—**

Section 53 (2), (3)—

Omit the subsections.

**Travel Agents Act 1986 No. 5—**

20 Schedule 2, clause 2—

Omit the clause.

**Treasury Corporation Act 1983 No. 75—**

Section 4 (4)—

25 Omit "Section 38 (I) (b) and (II) of the Interpretation Act, 1897," insert instead "Section 50 (1) (b) and (2) of the Interpretation Act 1987".

**Trustee Act 1925 No. 14—**

(1) Section 4—

Omit the section.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

(2) Section 104A (2)—

Omit the subsection.

**Trustee Companies Act 1964 No. 6—**

(1) Section 2 (5)—

5 Omit the subsection.

(2) Section 37 (3)—

Omit the subsection.

**Uniting Church in Australia Act 1977 No. 47—**

Section 13 (1)—

10 Omit “Without affecting the generality of section 38 of the Interpretation Act, 1897, but subject”, insert instead “Subject”.

**University and University Colleges Act 1900 No. 22—**

Sections 15 (5), 46 (4)—

Omit the subsections.

15 **University of New England Act 1953 No. 34—**

Section 25 (4)—

Omit the subsection.

**University of New South Wales Act 1968 No. 37—**

Sections 22 (5), 32 (2)—

20 Omit the subsections.

**University of Newcastle Act 1964 No. 72—**

Section 24 (3)—

Omit the subsection.

**University of Wollongong Act 1972 No. 72—**

25 Section 28 (2) (c)—

Omit the paragraph, insert instead:

(c) shall be deemed not to be a statutory rule for the purposes of section 39, 40 or 41 of the Interpretation Act 1987.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

- Valuation of Land Act 1916 No. 2—**  
 Section 81 (2)—  
 Omit the subsection.
- Venereal Diseases Act 1918 No. 46—**  
 5 Section 33 (3)—  
 Omit the subsection.
- Voluntary Workers (Soldiers' Holdings) Act 1917 No. 25—**  
 Section 10 (2)—  
 Omit the subsection.
- 10 **War Service Land Settlement Act 1941 No. 43—**  
 Section 9 (3)—  
 Omit the subsection.
- Warehousemen's Liens Act 1935 No. 19—**  
 Section 11 (2), (3)—  
 15 Omit the subsections.
- Water Act 1912 No. 44—**  
 Sections 27 (2), 74 (2), 75 (2), 129 (2), 149 (3), 164 (4)—  
 Omit the subsections.
- Weights and Measures Act 1915 No. 10—**  
 20 Section 58—  
 Omit the section.
- Wellington Show Ground Act 1929 No. 54—**  
 Section 9 (3), (4)—  
 Omit section 9 (3), insert instead:  
 25 (3) Any such by-law shall be submitted to the Governor for approval.  
 (4) The trustees shall cause a copy of any such by-law applicable to any of  
 the lands held by the trustees to be posted in some conspicuous place on that  
 land.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*SCHEDULE 32—*continued*MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued***Wentworth Irrigation Act 1890 (54 Vic. No. 7)—**

## (1) Section 32—

Omit the section, insert instead:

**Saving of by-laws**

5       32. Any by-law made under this section, and in force immediately before the substitution of this section by the Statute Law (Miscellaneous Provisions) Act (No. 1) 1987, shall be deemed to be a regulation.

## (2) (a) Section 33 (1)—

10       Omit “for or with respect to the form of lease to be used under this Act.”, insert instead:

for or with respect to—

(a) the form of lease to be used under this Act;

(b) the administration and maintenance of the works constructed pursuant to this Act;

15       (c) the manner of fixing the charges for water supplied and the times and manner of their payment, and the conditions on which the water shall be supplied;

(d) the times and manner of payment of the rate fixed by the Ministerial Corporation;

20       (e) the charging of interest on a daily basis on overdue rates and charges (whether or not the subject of a judgment by a court) and the times and manner of its payment; and

25       (f) authorising the Ministerial Corporation, if payment of rates or charges relating to any land, or of any interest on the rates or charges, is overdue, to withhold the supply of water to the land without affecting the liability to pay the rates, charges or interest.

## (b) Section 33 (2)—

Omit the subsection, insert instead:

30       (2) A regulation may create an offence punishable by a penalty not exceeding \$1,000.

**Western Lands Act 1901 No. 70—**

## Section 36 (2)—

Omit the subsection.



*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Wild Dog Destruction Act 1921 No. 17—**

Section 31 (2)—

Omit the subsection.

**Wills, Probate and Administration Act 1898 No. 13—**

5 Section 153 (2)—

Omit the subsection.

**Wine Grape Processing Industry Act 1979 No. 87—**

Schedule 3, clause 2 (3)—

10 Omit “Subject to section 30 (b) of the Interpretation Act, 1897, an”, insert instead “An”.

**Women’s College Act 1902 No. 71—**

(1) Section 4 (4)—

Omit the subsection.

(2) Section 16 (2)—

15 Omit the subsection, insert instead:

(2) A by-law shall be sealed with the seal of the Council and shall be submitted to the Governor for approval.

**Wool, Hide and Skin Dealers Act 1935 No. 40—**

Section 14 (2)—

20 Omit the subsection.

**Workers’ Compensation (Brucellosis) Act 1979 No. 116—**

(1) Section 39 (1)—

Omit the subsection.

(2) Section 39 (2)—

25 Omit “Without limiting the generality of section 8 of the Interpretation Act 1897, any”, insert instead “Any”.

**Workers’ Compensation (Dust Diseases) Act 1942 No. 14—**

Section 10 (4)—

Omit the subsection.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Workmen's Compensation (Lead Poisoning—Broken Hill) Act 1922 No. 31—**

Section 15 (3)—

Omit the subsection.

**Youth and Community Services Act 1973 No. 90—**

5 Section 25 (8)—

Omit the subsection.

**Zoological Parks Board Act 1973 No. 34—**

Section 16 (2)—

10 Omit "section 38 (I) of the Interpretation Act, 1897", insert instead "section 50 of the Interpretation Act 1987".

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SCHEDULE 33

(Sec. 4)

REPEALS

- Housing Indemnities (Co-operation) Amendment Act 1981 No. 7
- 15 Closer Settlement (Land Aggregation Tax) Amendment Act 1981 No. 40
- Public Hospitals (Amendment) Act 1982 No. 103
- Crimes (Domestic Violence) Amendment Act 1982 No. 116
- Statutory and Other Offices Remuneration (Housing Commission) Amendment Act 1982 No. 120
- 20 Miscellaneous Acts (Anti-Discrimination) Amendment Act 1982 No. 143
- Defamation (Farm Produce) Amendment Act 1983 No. 31
- Noise Control (Licences and Approvals) Amendment Act 1983 No. 92
- Clean Air (Licences and Approvals) Amendment Act 1983 No. 94
- Public Service (Public Authorities Superannuation Board) Amendment Act 1983 No. 107
- 25 Co-operation (Amendment) Act 1983 No. 120
- Justices (Community Justice Centres) Amendment Act 1983 No. 128

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*SCHEDULE 33—*continued*REPEALS—*continued*

- Crimes (Further Amendment) Act 1983 No. 131  
 Prisons (Amendment) Act 1983 No. 132  
 Public Service (Dairy Corporation) Amendment Act 1983 No. 157  
 Industrial Arbitration (Contracts of Carriage) Amendment Act 1983 No. 168  
 5 Crimes (Endangered Fauna) Amendment Act 1983 No. 184  
 Defamation (Probation and Parole) Amendment Act 1983 No. 196  
 Periodic Detention of Prisoners (Probation and Parole) Amendment Act 1983 No. 197  
 Defamation (Racing Appeals Tribunal) Amendment Act 1983 No. 200  
 Crimes (Amendment) Act 1984 No. 7  
 10 Crimes (Registration of Instruments) Amendment Act 1984 No. 22  
 Government Insurance (Amendment) Act 1984 No. 37  
 Courts of Petty Sessions (Civil Claims) (Solicitors' Remuneration) **Amendment Act 1984**  
 No. 56  
 Commissioner of Public Complaints Act 1984 No. 76  
 15 Defamation (Commissioner of Public Complaints) Amendment Act **1984 No. 78**  
 Police Board (Promotions) Amendment Act 1984 No. 80  
 Health Administration (Medical Services Committee) Amendment Act **1984 No. 109**  
 Defamation (Law Reform Commission) Amendment Act 1984 No. 118  
 Royal Botanic Gardens and Domain Trust (Amendment) Act 1985 No. 3  
 20 Crimes (Amendment) Act 1985 No. 9  
 Liquor (Amendment) Act 1985 No. 12  
 Trade Union (Amendment) Act 1985 No. 19  
 Crimes (Powers of Arrest) Amendment Act 1985 No. 27  
 Apprenticeship (Amendment) Act 1985 No. 30  
 25 Racing Appeals Tribunal (Amendment) Act 1985 No. 35  
 Public Finance and Audit (State Public Service Superannuation Board) **Amendment Act**  
 1985 No. 48  
 Builders Licensing (Amendment) Act 1985 No. 56  
 Crimes (Death Penalty Abolition) Amendment Act 1985 No. 58

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*SCHEDULE 33—*continued*REPEALS—*continued*

- Human Tissue (Amendment) Act 1985 No. 61  
 Associations Incorporation (Amendment) Act 1985 No. 75  
 Public Hospitals (Amendment) Act 1985 No. 83  
 Wills, Probate and Administration (Trustee Companies) Amendment Act 1985 No. 90  
 5 Compensation Court (Amendment) Act 1985 No. 92  
 Public Finance and Audit (Amendment) Act 1985 No. 97  
 Justices (Motor Dealers) Amendment Act 1985 No. 106  
 Justices (Sydney Market Authority) Amendment Act 1985 No. 136  
 Public Finance and Audit (Sydney Market Authority) Amendment Act 1985 No. 137  
 10 Public Finance and Audit (Further Amendment) Act 1985 No. 159  
 Fisheries and Oyster Farms (Noxious Fish) Amendment Act 1985 No. 160  
 Housing (Amendment) Act 1985 No. 164  
 Public Finance and Audit (Housing) Amendment Act 1985 No. 167  
 Crimes (Summary Procedure) Amendment Act 1985 No. 208  
 15 Business Franchise Licences (Petroleum Products) (Administration) Amendment Act  
 1985 No. 220

## SCHEDULE 34

(Sec. 5)

## SAVINGS, TRANSITIONAL AND OTHER PROVISIONS

20 **Savings relating to repealed enactments**

1. The repeal by this Act of any enactment does not affect—  
 (a) the proof of any past act or thing;  
 (b) the continuity, or status as a legal entity, of any body;  
 25 (c) any duty, obligation, liability, benefit, privilege or right saved by the operation  
 of the enactment; or  
 (d) any amendment or validation made by the enactment.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*SCHEDULE 34—*continued*SAVINGS, TRANSITIONAL AND OTHER PROVISIONS—*continued***Interpretation Act 1897**

2. The savings contained in this Schedule do not limit any saving in the Interpretation Act 1897.

**Effect of amendment of amending provisions**

- 5 3. An amendment made by Schedule 31 to an amending provision (as defined by the Reprints Act 1972) contained in an Act shall, if the amending provision has commenced before the date of assent to this Act, be deemed to have taken effect as from the commencement of the amending provision.

**Effect of amendment or repeal on acts done or decisions made**

- 10 4. Except where it is expressly provided to the contrary, where this Act—

(a) amends a provision of an Act; or

(b) repeals and re-enacts (with or without modifications) a provision of an Act,

any act done or decision made under the provision amended or repealed has effect after the amendment or repeal as if it had been done or made under the provision as so  
15 amended or re-enacted.

**Amendment of Crimes Act 1900**

5. (1) The amendment made by this Act to section 444 of the Crimes Act 1900 applies to sentences passed before the commencement of that amendment as well as to sentences passed after that commencement.

- 20 (2) The amendments made by this Act to section 447B of the Crimes Act 1900 do not affect any list of offences filed in court under that section before the commencement of those amendments.

(3) Offences may be taken into account under section 447B of the Crimes Act 1900, as amended by this Act, whether they were committed before or after the commencement  
25 of the amendments made to that section by this Act.

(4) Offences may be taken into account under section 447B of the Crimes Act 1900, as amended by this Act, in relation to a person found guilty of an offence punishable by penal servitude for life—

- 30 (a) whether that offence was committed before or after the commencement of the amendments made to that section by this Act; and

(b) whether the person was found guilty of that offence before or after that commencement (so long as sentence has not already been passed).

**Amendment of Firearms and Dangerous Weapons Act 1973**

- 35 6. The amendments made by this Act to the Firearms and Dangerous Weapons Act 1973 do not affect any legal proceedings in relation to section 7 (5) (c1) or 10 (4) (c1) of that Act which have been commenced before the date of assent to this Act.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*SCHEDULE 34—*continued*SAVINGS, TRANSITIONAL AND OTHER PROVISIONS—*continued***Amendment of Local Courts (Civil Claims) Act 1970**

7. The amendment made to section 27 of the Local Courts (Civil Claims) Act 1970 by this Act does not apply in relation to proceedings which have been commenced before the commencement of the amendment.

**5 Amendment of Pay-roll Tax Act 1971**

8. A regulation made under section 12 of the Pay-roll Tax Act 1971 and in force immediately before the commencement of this Act shall, on that commencement, be deemed to have been made under section 12 of that Act, as amended by this Act.

**Regulations**

10 9. (1) The Governor may make regulations containing other provisions of a savings or transitional nature consequent on the enactment of this Act.

(2) A provision made under subclause (1) may take effect as from the date of assent to this Act or a later date.

15 (3) To the extent to which a provision referred to in subclause (1) takes effect 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 in the Gazette; or

20 (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 in the Gazette.

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

25

**NOTE:**

Alphabetical list of Acts repealed by Schedule 33

Apprenticeship (Amendment) Act 1985 No. 30

Associations Incorporation (Amendment) Act 1985 No. 75

Builders Licensing (Amendment) Act 1985 No. 56

30 Business Franchise Licences (Petroleum Products) (Administration) Amendment Act 1985 No. 220

Clean Air (Licences and Approvals) Amendment Act 1983 No. 94

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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- Closer Settlement (Land Aggregation Tax) Amendment Act 1981 No. 40
- Commissioner of Public Complaints Act 1984 No. 76
- Compensation Court (Amendment) Act 1985 No. 92
- Co-operation (Amendment) Act 1983 No. 120
- 5 Courts of Petty Sessions (Civil Claims) (Solicitors' Remuneration) Amendment Act 1984 No. 56
- Crimes (Amendment) Act 1984 No. 7
- Crimes (Amendment) Act 1985 No. 9
- Crimes (Death Penalty Abolition) Amendment Act 1985 No. 58
- 10 Crimes (Domestic Violence) Amendment Act 1982 No. 116
- Crimes (Endangered Fauna) Amendment Act 1983 No. 184
- Crimes (Further Amendment) Act 1983 No. 131
- Crimes (Powers of Arrest) Amendment Act 1985 No. 27
- Crimes (Registration of Instruments) Amendment Act 1984 No. 22
- 15 Crimes (Summary Procedure) Amendment Act 1985 No. 208
- Defamation (Commissioner of Public Complaints) Amendment Act 1984 No. 78
- 4 Defamation (Farm Produce) Amendment Act 1983 No. 31
- Defamation (Law Reform Commission) Amendment Act 1984 No. 118
- Defamation (Probation and Parole) Amendment Act 1983 No. 196
- 20 Defamation (Racing Appeals Tribunal) Amendment Act 1983 No. 200
- Fisheries and Oyster Farms (Noxious Fish) Amendment Act 1985 No. 160
- Government Insurance (Amendment) Act 1984 No. 37
- Health Administration (Medical Services Committee) Amendment Act 1984 No. 109
- Housing (Amendment) Act 1985 No. 164
- 25 Housing Indemnities (Co-operation) Amendment Act 1981 No. 7
- Human Tissue (Amendment) Act 1985 No. 61
- Industrial Arbitration (Contracts of Carriage) Amendment Act 1983 No. 168
- Justices (Community Justice Centres) Amendment Act 1983 No. 128
- Justices (Motor Dealers) Amendment Act 1985 No. 106
- 30 Justices (Sydney Market Authority) Amendment Act 1985 No. 136
- Liquor (Amendment) Act 1985 No. 12
- Miscellaneous Acts (Anti-Discrimination) Amendment Act 1982 No. 143

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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- Noise Control (Licences and Approvals) Amendment Act 1983 No. 92  
Periodic Detention of Prisoners (Probation and Parole) Amendment Act 1983 No. 197  
Police Board (Promotions) Amendment Act 1984 No. 80  
Prisons (Amendment) Act 1983 No. 132
- 5 Public Finance and Audit (Amendment) Act 1985 No. 97  
Public Finance and Audit (Further Amendment) Act 1985 No. 159  
Public Finance and Audit (Housing) Amendment Act 1985 No. 167  
Public Finance and Audit (State Public Service Superannuation Board) Amendment Act 1985 No. 48
- 10 Public Finance and Audit (Sydney Market Authority) Amendment Act 1985 No. 137  
Public Hospitals (Amendment) Act 1982 No. 103  
Public Hospitals (Amendment) Act 1985 No. 83  
Public Service (Dairy Corporation) Amendment Act 1983 No. 157  
Public Service (Public Authorities Superannuation Board) Amendment Act 1983 No. 107
- 15 Racing Appeals Tribunal (Amendment) Act 1985 No. 35  
Royal Botanic Gardens and Domain Trust (Amendment) Act 1985 No. 3  
Statutory and Other Offices Remuneration (Housing Commission) Amendment Act 1982 No. 120  
Trade Union (Amendment) Act 1985 No. 19
- 20 Wills, Probate and Administration (Trustee Companies) Amendment Act 1985 No. 90



**STATUTE LAW (MISCELLANEOUS PROVISIONS) ACT  
(No. 1) 1987 No. 48**

NEW SOUTH WALES



**TABLE OF PROVISIONS**

1. Short title
2. Commencement
3. Amendments
4. Repeals
5. Savings, transitional and other provisions

SCHEDULE 1—AMENDMENT TO THE AGRICULTURAL HOLDINGS ACT 1941  
SCHEDULE 2—AMENDMENTS TO THE COMPENSATION COURT ACT 1984  
SCHEDULE 3—AMENDMENT TO THE CONVEYANCING ACT 1919  
SCHEDULE 4—AMENDMENTS TO THE CRIMES ACT 1900  
SCHEDULE 5—AMENDMENTS TO THE DANGEROUS GOODS ACT 1975  
SCHEDULE 6—AMENDMENTS TO THE DORMANT FUNDS ACT 1942  
SCHEDULE 7—AMENDMENTS TO THE DRUG MISUSE AND TRAFFICKING  
ACT 1985  
SCHEDULE 8—AMENDMENTS TO THE EGG INDUSTRY ACT 1983  
SCHEDULE 9—AMENDMENTS TO THE FIREARMS AND DANGEROUS  
WEAPONS ACT 1973  
SCHEDULE 10—AMENDMENTS TO THE INDUSTRIAL ARBITRATION ACT 1940  
SCHEDULE 11—AMENDMENT TO THE INTOXICATED PERSONS ACT 1979  
SCHEDULE 12—AMENDMENTS TO THE JUSTICES ACT 1902  
SCHEDULE 13—AMENDMENT TO THE LAW FOUNDATION ACT 1979  
SCHEDULE 14—AMENDMENTS TO THE LOCAL COURTS (CIVIL CLAIMS) ACT  
1970  
SCHEDULE 15—AMENDMENTS TO THE LOCAL GOVERNMENT ACT 1919  
SCHEDULE 16—AMENDMENT TO THE LOTTO ACT 1979  
SCHEDULE 17—AMENDMENT TO THE MOTOR VEHICLES (THIRD PARTY  
INSURANCE) ACT 1942  
SCHEDULE 18—AMENDMENTS TO THE PAY-ROLL TAX ACT 1971  
SCHEDULE 19—AMENDMENTS TO THE PESTICIDES AND ALLIED  
CHEMICALS ACT 1978  
SCHEDULE 20—AMENDMENT TO THE POLICE BOARD ACT 1983

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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- SCHEDULE 21—AMENDMENT TO THE POLICE REGULATION ACT 1899  
SCHEDULE 22—AMENDMENTS TO THE PUBLIC AUTHORITIES  
SUPERANNUATION ACT 1985  
SCHEDULE 23—AMENDMENT TO THE REGISTRATION OF INTERESTS IN  
GOODS ACT 1986  
SCHEDULE 24—AMENDMENTS TO THE STATE DEVELOPMENT AND  
INDUSTRIES ASSISTANCE ACT 1966  
SCHEDULE 25—AMENDMENTS TO THE STATE DEVELOPMENT AND  
INDUSTRIES ASSISTANCE (AMENDMENT) ACT 1986  
SCHEDULE 26—AMENDMENTS TO THE STATE TRANSPORT (CO-  
ORDINATION) ACT 1931  
SCHEDULE 27—AMENDMENT TO THE TRANSPORT ACT 1930  
SCHEDULE 28—AMENDMENT TO THE TRANSPORT AUTHORITIES ACT 1980  
SCHEDULE 29—AMENDMENTS RELATING TO ADMINISTRATION OF THE  
RESIDENTIAL TENANCIES ACT 1987  
SCHEDULE 30—AMENDMENTS RELATING TO DETERMINATION OF LEAVE  
ENTITLEMENTS  
SCHEDULE 31—AMENDMENTS TO OTHER ACTS BY WAY OF STATUTE LAW  
REVISION  
SCHEDULE 32—MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE  
ENACTMENT OF THE INTERPRETATION ACT 1987  
SCHEDULE 33—REPEALS  
SCHEDULE 34—SAVINGS, TRANSITIONAL AND OTHER PROVISIONS
-

**STATUTE LAW (MISCELLANEOUS PROVISIONS) ACT (No. 1) 1987**  
**No. 48**

NEW SOUTH WALES



**Act No. 48, 1987**

An Act to repeal certain Acts and to amend certain other Acts in various respects and for the purpose of effecting statute law revision; and to make certain savings. [Assented to 28 May 1987]

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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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:

**Short title**

1. This Act may be cited as the "Statute Law (Miscellaneous Provisions) Act (No. 1) 1987".

**Commencement**

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

(2) Section 3, in its application to a provision of a Schedule, shall commence, or be deemed to have commenced, on the day on which the provision commences.

(3) Schedule 3 shall be deemed to have commenced on 1 March 1985.

(4) Schedule 8 (1) and (2) shall commence on 19 June 1987.

(5) Schedules 14 and 15 (2) shall commence on such day or days as may be appointed by the Governor and notified by proclamation published in the Gazette.

(6) Schedule 18 (2) and (4) shall be deemed to have commenced on 17 December 1986.

(7) Schedule 22 (2) shall be deemed to have commenced on 1 July 1985.

(8) A provision of Schedule 26 that amends a provision amended by the State Transport (Co-ordination) Amendment Act 1986 shall commence—

(a) on the date of assent to this Act; or

(b) on the commencement of the provision of that Act that effects the amendment,

whichever is the later.

(9) Schedule 29 shall commence—

(a) on the date of assent to this Act; or

(b) on the date of assent to the Residential Tenancies Act 1987,

whichever is the later.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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(10) The provision of Schedule 30 relating to the Crown Prosecutors Act 1986 shall commence—

- (a) on the date of assent to this Act; or
- (b) on the commencement of section 12 of that Act,

whichever is the later.

(11) The provisions of Schedule 31 relating to the—

- (a) Corporate Affairs Commission Act 1981 shall commence on the commencement of the Corporate Affairs Commission (Amendment) Act 1987;
- (b) Permanent Building Societies Act 1967 shall commence—
  - (i) on the date of assent to this Act; or
  - (ii) on the commencement of Schedule 1 (9) to the Permanent Building Societies (Amendment) Act 1987,

whichever is the later; and

- (c) Police Regulation (Appeals) Act 1923 shall be deemed to have commenced on 1 January 1987.

(12) Except as provided by subsection (13), the provisions of Schedule 32 shall commence on the commencement of the Interpretation Act 1987.

(13) The provisions of Schedule 32 relating to the—

- (a) Bursary Endowment Act 1912 shall commence—
  - (i) on the commencement of the Interpretation Act 1987; or
  - (ii) on the commencement of the Miscellaneous Acts (Education and Public Instruction) Repeal and Amendment Act 1987,

whichever is the later; and

(b) Trade Union Act 1881 shall commence—

- (i) on the commencement of the Interpretation Act 1987; or
- (ii) on the commencement of the Trade Union (Amendment) Act 1986,

whichever is the later.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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**Amendments**

3. Each Act specified in Schedules 1–32 is amended in the manner set forth in those Schedules.

**Repeals**

4. Each Act specified in Schedule 33 is repealed.

**Savings, transitional and other provisions**

5. Schedule 34 has effect.

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SCHEDULE 1

(Sec. 3)

AMENDMENT TO THE AGRICULTURAL HOLDINGS ACT 1941

Section 17 (**Procedure for determining disputes**)—

Section 17 (4)—

Omit the subsection.

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SCHEDULE 2

(Sec. 3)

AMENDMENTS TO THE COMPENSATION COURT ACT 1984

Section 43 (**Rules**)—

(1) Section 43 (2) (g)—

Omit “and”.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 2—*continued*

AMENDMENTS TO THE COMPENSATION COURT ACT 1984—  
*continued*

(2) Section 43 (2) (h), (i)—

At the end of section 43 (2) (h), insert:

; and

- (i) the regulation of the payment or transfer of money into or out of Court.
- 

SCHEDULE 3

(Sec. 3)

AMENDMENT TO THE CONVEYANCING ACT 1919

Section 184D (**Registration of instruments**)—

Section 184D (2)—

Omit “Division” where firstly occurring, insert instead “Act or any other Act”.

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SCHEDULE 4

(Sec. 3)

AMENDMENTS TO THE CRIMES ACT 1900

(1) Section 4 (**Interpretation**)—

Section 4 (1), definition of “*Telegraph*”—

Omit the definition.

(2) Section 73 (**Carnal knowledge by teacher &c.**)—

Omit “of the age of 16 years”, insert instead “of or above the age of 16 years, and under the age of 17 years,”.

SCHEDULE 4—*continued*AMENDMENTS TO THE CRIMES ACT 1900—*continued*(3) Section 74 (**Attempts**)—

Omit “of the age of 16 years”, insert instead “of or above the age of 16 years, and under the age of 17 years,”.

(4) Section 125 (**Larceny by bailee**)—

After “larceny”, insert “and liable to be indicted for that offence”.

(5) Section 352 (**Person in act of committing or having committed offence**)—

Section 352 (5)—

After section 352 (4), insert:

(5) In this section, “telegraph” includes telephone, radio, telex, facsimile transmission, computer used to relay information and any other communication device.

(6) Section 352AA (**Arrest of prisoners unlawfully at large**)—

## (a) Section 352AA (1)—

Omit “without warrant”, insert instead “with or without warrant”.

## (b) Section 352AA (1)—

Omit paragraphs (a) and (b) and the matter “before—”, insert instead “before an authorised Justice”.

## (c) Section 352AA (3)–(6)—

After section 352AA (2), insert:

(3) A constable may apply to an authorised Justice for a warrant for the apprehension of a prisoner whom the constable, with reasonable cause, suspects of being a prisoner unlawfully at large.

(4) The authorised Justice to whom an application is made under subsection (3) may, if satisfied that there are reasonable grounds for doing so, issue a warrant for the apprehension of the prisoner concerned.

(5) Section 64 of the Justices Act 1902 applies, with any necessary adaptations, to such a warrant in the same way as it applies to a warrant referred to in that section.



SCHEDULE 4—*continued*AMENDMENTS TO THE CRIMES ACT 1900—*continued*

- (6) In this section, “authorised Justice” means—
- (a) a Magistrate; or
  - (b) a Justice employed in the Local Courts Administration, Attorney General’s Department.
- (7) Section 405B (**Warning to be given by Judge in relation to lack of complaint in certain sexual offence proceedings**)—
- Section 405B (1)—
- From paragraph (a) of the definition of “prescribed sexual offence”, omit “or 66D”, insert instead “,66D, 78H, 78I, 78K or 78L”.
- (8) Section 405C (**Judge not required to warn jury against convicting person of certain sexual offences**)—
- Section 405C (4)—
- After section 405C (3), insert:
- (4) Nothing in subsection (2) affects the operation (if any) of any rule of law or practice which requires—
    - (a) a Judge on the trial of a person for an offence alleged to have been committed under section 78H, 78I, 78K or 78L before the commencement of the amendments made to this Act by the Statute Law (Miscellaneous Provisions) Act (No. 1) 1987 to give the jury a warning as referred to in subsection (2); or
    - (b) a Judge on the trial of a person for a sexual offence alleged to have been committed after that commencement, being a sexual offence other than a prescribed sexual offence, to give the jury a warning as referred to in subsection (2).
- (9) Section 440B (**Imposition of fine on sentence being deferred or suspended**)—
- Section 440B (1)—
- Omit “\$4,000”, insert instead “\$10,000”.

SCHEDULE 4—*continued*AMENDMENTS TO THE CRIMES ACT 1900—*continued*(10) Section 444 (**Cumulative or concurrent sentences**)—

Section 444 (6)—

After section 444 (5), insert:

(6) This section applies in relation to unexpired sentences passed outside New South Wales and being served or to be served within New South Wales in the same way as it applies in relation to unexpired sentences passed within New South Wales.

(11) Section 447B (**Outstanding charges may be taken into account in passing sentence**)—

(a) Section 447B (1)—

Omit “not punishable with penal servitude for life” where firstly occurring.

(b) Section 447B (1) (a)—

Omit the paragraph, insert instead:

(a) there has been filed in court a document in or to the effect of the form contained in the Ninth Schedule, signed by a member of the police force and by the person so found guilty, showing on its back a list of other offences with which the person has been charged;

(c) Section 447B (7), (8)—

After section 447B (6), insert:

(7) Indictable offences may be taken into account under this section whether or not the person concerned has been committed for trial in respect of the offences, but indictable offences punishable with penal servitude for life may not be taken into account.

(8) Summary offences may be taken into account under this section.

SCHEDULE 4—*continued*AMENDMENTS TO THE CRIMES ACT 1900—*continued*(12) Ninth Schedule (*Form of list of other indictable offences charged*)—From the heading, omit “*indictable*”.

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SCHEDULE 5

(Sec. 3)

## AMENDMENTS TO THE DANGEROUS GOODS ACT 1975

Section 41 (**Regulations**)—

(1) Section 41 (1) (l)—

Omit “and” where lastly occurring.

(2) Section 41 (1) (m), (n)—

At the end of section 41 (1) (m), insert:

; and

(n) the insurance to be effected by a person concerned in the conveyance of dangerous goods for the purpose of indemnifying the person in respect of liability that may be incurred on account of injury or damage—

(i) arising out of a fire or an explosion on or in, or in the vicinity of; or

(ii) the escape or spillage of dangerous goods in, on or from,

a container in which dangerous goods are carried.

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## SCHEDULE 6

(Sec. 3)

## AMENDMENTS TO THE DORMANT FUNDS ACT 1942

(1) Section 8 (**Power to require attendance of trustees and persons**)—

Section 8 (2)—

Omit “, as amended by subsequent Acts” wherever occurring.

(2) Section 13 (**Proposals—dormant fund exceeding \$2,000**)—

Section 13 (2A)–(2B)—

After section 13 (2), insert:

(2A) A person who has made a request that a proposal be referred to the Charity Referees may, at any time before the Charity Referees have completed their consideration of the proposal, deliver or send to the Commissioner a request in writing to have the reference withdrawn.

(2B) If a reference is withdrawn, the proposal shall be dealt with as if no request has been received within the time limited in the notice.

(3) Section 15 (**Effect of order**)—

Section 15 (5)—

Omit “—1940” wherever occurring.

(4) Section 16 (**Procedure of Charity Referees**)—

## (a) Section 16 (2)—

Omit the subsection, insert instead:

(2) The Charity Referees may, for the purpose of—

- (a) hearing an appeal under section 2 (3), require any trustee or other person referred to in section 7; or
- (b) considering a proposal referred to them under section 13, require any person interested in the administration, utilisation or application of the dormant fund concerned or in the proposal,

SCHEDULE 6—*continued*AMENDMENTS TO THE DORMANT FUND ACT 1942—*continued*

to attend before the Charity Referees, at such times and places as may be reasonably appointed, for the purpose of being examined in relation to any matter arising out of the appeal or reference and to produce on such examination all books and documents in his or her custody or control relating to the dormant fund.

## (b) Section 16 (3)—

Omit “, as amended by subsequent Acts” wherever occurring.

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SCHEDULE 7

(Sec. 3)

AMENDMENTS TO THE DRUG MISUSE AND TRAFFICKING ACT  
1985Section 11 (**Possession of equipment for administration of prohibited drugs**)—

## Section 11 (2) (e)—

Omit the paragraph, insert instead:

- (e) a person for use in the administration of a prohibited drug lawfully prescribed or supplied.

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SCHEDULE 8

(Sec. 3)

## AMENDMENTS TO THE EGG INDUSTRY ACT 1983

(1) Section 4 (**Interpretation**)—

Section 4 (1), definition of “Commonwealth Levy Act”—

Omit the definition.

SCHEDULE 8—*continued*AMENDMENTS TO THE EGG INDUSTRY ACT 1983—*continued*(2) Section 30 (**Application of Part and exemptions**)—

Section 30 (1)—

Omit the subsection, insert instead:

(1) This Part applies to and in respect of any person who owns or keeps more than 20 hens for commercial purposes.

(3) Section 52 (**Powers of inspectors**)—

Section 52 (1) (c)—

Omit “takes”, insert instead “take”.

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SCHEDULE 9

(Sec. 3)

AMENDMENTS TO THE FIREARMS AND DANGEROUS WEAPONS  
ACT 1973Section 6 (**Interpretation**)—

Section 6 (1), definition of “prescribed narcotics offence”—

(1) From paragraph (a), omit “or” where lastly occurring.

(2) After paragraph (a), insert:

(a1) an offence committed before the commencement of the Drug Misuse and Trafficking Act 1985 under the Poisons Act 1966, or the regulations thereunder, being an offence committed in respect of a restricted substance prescribed for the purposes of section 16 of the Poisons Act 1966 or in respect of—

(i) a drug of addiction;

(ii) a prohibited drug; or

(iii) a prohibited plant,

SCHEDULE 9—*continued*AMENDMENTS TO THE FIREARMS AND DANGEROUS WEAPONS  
ACT 1973—*continued*

within the meaning of the Poisons Act 1966, other than any such offence declared by regulations made under this Act to be an offence to which this paragraph does not apply; or

- (3) In paragraph (b), after “paragraph (a)”, insert “or (a1)”.

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SCHEDULE 10

(Sec. 3)

## AMENDMENTS TO THE INDUSTRIAL ARBITRATION ACT 1940

- (1) Section 25 (**Compulsory conferences**)—

Section 25 (1)—

Omit “to attend”, insert instead “, for any one or more of the purposes referred to in section 79A (2), to”.

- (2) Section 38A (**Interpretation**)—

Definition of “prescribed employer”—

Omit “Australian Oil Refining Pty. Limited”, insert instead “Caltex Refining Co. Pty. Limited”.

- (3) Section 79A (**Signature and issue of, and obedience to, a summons**)—

Section 79A (2) (c)—

After “documents”, insert “or things”.

- (4) Schedule 3, Part II—

(a) Omit “Australian Oil Refining Pty Ltd.”.

(b) Insert in appropriate alphabetical order “Caltex Refining Co. Pty. Limited.”.

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## SCHEDULE 11

(Sec. 3)

## AMENDMENT TO THE INTOXICATED PERSONS ACT 1979

Section 5 (**Detention of intoxicated persons**)—

## Section 5 (1A)—

Omit the subsection, insert instead:

(1A) An intoxicated person may not be taken to a police station under subsection (1)—

## (a) unless—

(i) no other proclaimed place which has facilities adequate for the detention of the person is close by or the person has been refused entry into a proclaimed place within the last 4 hours; and

(ii) it is impracticable to take the person home, because of distance or the unavailability of resources or for any similar reason; or

(b) unless the behaviour of the intoxicated person has become so violent, or there is a real possibility that it will become so violent, as to warrant not taking the person home or to another proclaimed place.

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SCHEDULE 12

(Sec. 3)

## AMENDMENTS TO THE JUSTICES ACT 1902

(1) Section 25 (**Issue of warrant where indictment filed**)—

## Section 25 (1)—

Omit “and upon payment of a fee of ten cents.”.



SCHEDULE 12—*continued*AMENDMENTS TO THE JUSTICES ACT 1902—*continued*(2) Section 40 (**Copies of depositions**)—

Section 40 (2), (2A)—

Omit section 40 (2), insert instead:

(2) If a person has been charged upon an information under section 21 (whether or not the person has been committed for trial), any person is, on showing sufficient cause to the appropriate officer or the clerk of the Justice or Justices who heard the matter of the information, entitled to demand and have copies of the depositions.

(2A) Subject to this section, the copies shall be supplied by the appropriate officer or clerk on payment of a fee calculated at the rate prescribed by the regulations.

(3) Section 73 (**Person interested in conviction or order may obtain copies thereof and of the information, depositions, &c.**)—

Section 73 (2)—

Omit the subsection, insert instead:

(2) Subject to this section, the copies shall be supplied by the clerk on payment of a fee calculated at the rate prescribed by the regulations.

(4) Section 76 (**Procedure where either party does not appear at adjourned hearing**)—

Section 76 (2)—

At the end of section 76, insert:

(2) Where a defendant charged with two or more offences (whether of a like or a different nature), the hearings or further hearings of which have been adjourned to the same time and place, does not appear at the time and place, the Justice or Justices may proceed to hear and determine all or any of the charges together and adjudicate on the charges in the absence of the defendant.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 12—*continued*

AMENDMENTS TO THE JUSTICES ACT 1902—*continued*

(5) Section 100T (**Appeal**)—

(a) Section 100T (5)—

Omit “section”, insert instead “Division”.

(b) Renumber section 100T (5) as section 100TA (**Service of notices**), and insert the renumbered provision after section 100T.

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SCHEDULE 13

(Sec. 3)

AMENDMENT TO THE LAW FOUNDATION ACT 1979

Schedule 1, clause 2 (**Composition of the Board**)—

Clause 2 (2) (a)—

Omit “1 may be a barrister or solicitor”, insert instead “3 may be barristers or solicitors”.

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SCHEDULE 14

(Sec. 3)

AMENDMENTS TO THE LOCAL COURTS (CIVIL CLAIMS) ACT  
1970

(1) Section 27 (**Default judgment**)—

Section 27 (1)—

Omit “14”, insert instead “28”.

SCHEDULE 14—*continued*AMENDMENTS TO THE LOCAL COURTS (CIVIL CLAIMS) ACT  
1970—*continued*(2) Section 30 (**Judgment may be set aside**)—

Section 30 (3)—

After section 30 (2), insert:

(3) If a court refuses an application to set aside any judgment or order, it may, at the same time or subsequently, order that the applicant pay such amount as the court thinks fit for the costs of any other party incurred because of the application.

(3) Section 40 (**Payment by instalments**)—

After section 40 (6), insert:

(6A) If a court deals with an application under subsection (6), it may, at the same time or subsequently, make such orders as it thinks fit as to the costs incurred by any party if it is of the opinion that a party has acted unreasonably in respect of the application.

(4) Section 59 (**Bailiff to take under writ of execution**)—

Section 59 (7)—

Omit "\$100", insert instead "\$1,000".

(5) Section 84 (**Rules**)—

## (a) Section 84 (1A) (j)—

Omit "or".

## (b) Section 84 (1A) (k), (l)—

At the end of section 84 (1A) (k), insert:

; or

(l) an order under section 30 (3).

## SCHEDULE 15

(Sec. 3)

## AMENDMENTS TO THE LOCAL GOVERNMENT ACT 1919

(1) Section 49 (**Ordinances**)—

Section 49 (d)—

Omit the paragraph, insert instead:

- (d) the inspection by the public of the original or a copy of the minute book or of an extract from it;

(2) Section 311 (**Approval of the council**)—

Section 311 (2), (3)—

At the end of section 311, insert:

(2) The council shall, in the prescribed form and manner (if any), keep a register of approvals of the erection of buildings given after the commencement of this subsection.

(3) The register shall be available for public inspection, without charge, at the office of the council during ordinary office hours.

(3) Section 628 (**Ratable persons, owners and occupiers**)—

(a) Section 628 (2) (d), (e)—

At the end of section 628 (d), insert:

; or

- (e) if the person to be served maintains a box at a document exchange established in New South Wales, by depositing the notice in that box or leaving it at another such exchange for transmission to the firstmentioned exchange for deposit in that box.

SCHEDULE 15—*continued*AMENDMENTS TO THE LOCAL GOVERNMENT ACT 1919—  
*continued*

## (b) Section 628 (2A)—

After section 628 (2), insert:

(2A) If a notice is deposited in a box referred to in subsection (2) (e), or left at a document exchange so referred to for transmission to another exchange for depositing in such a box, service of the notice shall, until the contrary is proved, be taken to be effected 2 days after the day on which the notice is so deposited or left.

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SCHEDULE 16

(Sec. 3)

## AMENDMENT TO THE LOTTO ACT 1979

## Section 12A—

After section 12, insert:

**Prohibition on promotion of syndicates for fee, gain or reward**

12A. (1) A person shall not for fee, gain or reward promote or take part in the formation of a syndicate to enter in, or subscribe to, a game of lotto.

(2) A person shall not advertise by any means that he or she will receive money for purchase of a share in an entry in, or subscription to, a game of lotto.

(3) A person shall not print or publish any advertisement referred to in subsection (2).

Penalty: \$200.  

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## SCHEDULE 17

(Sec. 3)

AMENDMENT TO THE MOTOR VEHICLES (THIRD PARTY  
INSURANCE) ACT 1942Section 33A (**Maximum amount of premium**)—

Section 33A (4)—

Omit the subsection.

## SCHEDULE 18

(Sec. 3)

## AMENDMENTS TO THE PAY-ROLL TAX ACT 1971

(1) Section 3 (**Interpretation**)—

## (a) Section 3 (1), definition of “wages”—

After “means”, insert “, subject to subsections (2) and (5),”.

## (b) Section 3 (5)—

After section 3 (4), insert:

(5) A travelling or accommodation allowance paid or payable to an employee shall be regarded as an allowance for the purpose of the definition of “wages” in subsection (1) only to the extent that it exceeds the prescribed amount, or an amount calculated at the prescribed rate, that is applicable to the particular case.

(2) Section 11A (**Interpretation for purposes of ss. 11A–11C**)—

Section 11A (2)—

Omit the formula set out in the subsection, insert instead:

$$\frac{TW}{TW + IW} \left[ \left\{ \frac{100000A}{184} + \frac{150000B}{181} \right\} - \left\{ (TW + IW) - \left\{ \frac{100000A}{184} + \frac{150000B}{181} \right\} \right\} \right]$$

SCHEDULE 18—*continued*AMENDMENTS TO THE PAY-ROLL TAX ACT 1971—*continued*(3) Section 12 (**Registration**)—

## (a) Section 12 (1)–(2)—

Omit section 12 (1) and (2), insert instead:

(1) An employer who is not already registered shall apply for registration as an employer under this Act if—

(a) during a month the employer pays or is liable to pay, anywhere, wages of more than \$5,769 per week which are wholly or partly taxable wages; or

(b) the employer is a member of a group the members of which together during a month pay or are liable to pay, anywhere, wages of more than \$5,769 per week which are wholly or partly taxable wages.

(1A) The application for registration shall be made to the Chief Commissioner in the prescribed form and manner within 7 days after the end of the month concerned.

(1B) The Chief Commissioner shall register the applicant as an employer under this Act.

(2) The Chief Commissioner may cancel the registration of a person as an employer if satisfied that the person has ceased to pay or to have a liability to pay wages as described in subsection (1).

## (b) Section 12 (2A)—

Omit “(otherwise than as a member of a group)”.

## (c) Section 12 (2A)—

Omit “during any month he pays or is liable to pay wages at a rate not in excess of \$5,769 per week”, insert instead “the person is not required to apply for registration”.

SCHEDULE 18—*continued*AMENDMENTS TO THE PAY-ROLL TAX ACT 1971—*continued*

- (4) Section 16J (“Prescribed amount” for the purposes of ss. 16K and 16L)—

Section 16J (2)—

Omit the formula set out in the subsection, insert instead:

$$\frac{TW}{TW + IW} \left[ \left\{ \frac{100000A}{184} + \frac{150000B}{181} \right\} - \left\{ (TW + IW) - \left\{ \frac{100000A}{184} + \frac{150000B}{181} \right\} \right\} \right]$$

## SCHEDULE 19

(Sec. 3)

AMENDMENTS TO THE PESTICIDES AND ALLIED CHEMICALS  
ACT 1978

- (1) Section 5 (**Interpretation**)—

- (a) Section 5 (1), definition of “approved aircraft”—

Omit the definition.

- (b) Section 5 (1), definition of “pesticide”—

Omit paragraph (e), insert instead:

- (e) a substance or organism that is represented solely in a manner which would make it a stock medicine under the Stock Foods and Medicines Act 1940;

- (2) Section 22A (**Applications generally**)—

- (a) Section 22A (1)—

Omit “22D”, insert instead “22C”.

- (b) Section 22A (1) (a)—

At the end of the paragraph, insert “or”.

- (c) Section 22A (1) (b)—

Omit “or”.



SCHEDULE 19—*continued*AMENDMENTS TO THE PESTICIDES AND ALLIED CHEMICALS  
ACT 1978—*continued*

- (d) Section 22A (1) (c)—  
Omit the paragraph.
- (3) Section 22D (**Application for approval of aircraft**)—  
Omit the section.
- (4) Section 22E (**Further information**)—
- (a) Section 22E (1) (a)—  
At the end of the paragraph, insert “or”.
- (b) Section 22E (1) (b)—  
Omit “or”.
- (c) Section 22E (1) (c)—  
Omit the paragraph.
- (5) Section 22F (**Licences and approvals**)—  
Section 22F (3), (4)—  
Omit the subsections.
- (6) Section 22I (**Restriction on approval of certain aircraft**)—  
Omit the section.
- (7) Section 22J (**Notification of certain particulars**)—  
Section 22J (2), (3)—  
Omit the subsections.
- (8) Section 22K (**Duties of Registrar**)—  
Omit the section.

SCHEDULE 19—*continued*AMENDMENTS TO THE PESTICIDES AND ALLIED CHEMICALS  
ACT 1978—*continued*(9) Section 22M (**Applicants to supply certain further information**)—

Section 22M (1)—

Omit the subsection, insert instead:

## (1) When—

- (a) information comes to the knowledge of a person who is an applicant for, or holder of, an aircraft (pesticide applicator) licence or pilot (pesticide rating) licence, not being information that has come to the person's knowledge after—

(i) the application has been refused or withdrawn; or

(ii) the licence has been suspended or cancelled or has otherwise ceased to be in force; and

- (b) the information contradicts or modifies any information supplied by the person in connection with an application made by the person to the Registrar for the licence,

the person shall forthwith supply the Registrar with particulars of the firstmentioned information.

(10) Section 22O (**Cancellation of approvals**)—

Omit the section.

(11) Section 49B (**Records of aircraft application of pesticides**)—

Section 49B (1), (2)—

Omit “or fertilizer” wherever occurring.

(12) Section 49D (**Certain statements prohibited**)—

Section 49D (3)—

Omit the subsection.

(13) Section 49E (**Piloting of aircraft used in the application of pesticides**)—

- (a) Section 49E (1) (a)—

At the end of the paragraph, insert “and”.

SCHEDULE 19—*continued*AMENDMENTS TO THE PESTICIDES AND ALLIED CHEMICALS  
ACT 1978—*continued*

(b) Section 49E (1) (b)—

Omit “and” where lastly occurring.

(c) Section 49E (1) (c)—

Omit the paragraph.

(d) Section 49E (2) (a)—

At the end of the paragraph, insert “and”.

(e) Section 49E (2) (b) (ii)—

Omit “and”.

(f) Section 49E (2) (c)—

Omit the paragraph.

(14) Section 60 (**Evidence**)—

Section 60 (a) (ia)—

Omit the subparagraph.

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SCHEDULE 20

(Sec. 3)

AMENDMENT TO THE POLICE BOARD ACT 1983

Section 13A—

After section 13, insert:

**Member applying for appointment as Commissioner not to act on Board**

13A. (1) An applicant for appointment to the office of Commissioner who is a member of the Board shall not—

- (a) be present during any deliberation of the Board, or take part in any decision of the Board, with respect to the appointment; or
- (b) exercise any functions conferred or imposed on it with respect to the appointment.

(2) Notwithstanding that a member of the Board contravenes this section, that contravention does not invalidate any decision of the Board or the exercise by the Board of any functions conferred or imposed on it.

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SCHEDULE 21

(Sec. 3)

AMENDMENT TO THE POLICE REGULATION ACT 1899

Section 5AAA (**Procedure for appointment of Commissioner, Deputy Commissioner or Assistant Commissioner**)—

Section 5AAA (2) (b)—

Omit “, after considering a recommendation by the Police Board,”.

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## SCHEDULE 22

(Sec. 3)

AMENDMENTS TO THE PUBLIC AUTHORITIES  
SUPERANNUATION ACT 1985(1) Section 15 (**Variations of contribution rate**)—

## (a) Section 15 (7)—

Omit “the commencement of the superannuation year in which the election is received in the office of the Board”, insert instead “a date determined by the Board having regard to the circumstances of the contributor”.

## (b) Section 15 (8)—

Omit “from the beginning of the superannuation year so referred to”, insert instead “on or after the date from which the contributor’s rate of contribution is reduced”.

(2) Schedule 3 (**Employers**)—

Insert in Part 1 in appropriate alphabetical order “The Orange Agricultural College.”.

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SCHEDULE 23

(Sec. 3)

AMENDMENT TO THE REGISTRATION OF INTERESTS IN GOODS  
ACT 1986Section 17 (**Offences**)—

## Section 17 (2)—

Omit “7 days”, insert instead “14 days”.

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## SCHEDULE 24

(Sec. 3)

AMENDMENTS TO THE STATE DEVELOPMENT AND  
INDUSTRIES ASSISTANCE ACT 1966

## (1) Long title—

Omit “to constitute a Development Corporation and to confer on it certain powers and functions;”.

(2) Part II (**New South Wales Development Corporation**)—

Omit the Part.

## (3) Section 8G (5) (a)—

Omit “business or undertaking”, insert instead “business undertaking”.

## (4) Part III, heading—

Omit “COUNTRY”.

(5) Section 11 (**Functions of Ministerial Corporation under this Part**)—

(a) Omit “Part,”, insert instead “Part”.

(b) Omit “country”.

(6) Section 20 (as substituted by Act No. 83, 1986) (**Ministerial Corporation’s powers to make grants and pay subsidies**)—

Omit “a country” wherever occurring, insert instead “an”.

## (7) Sections 29, 30 (1) (c), (d)—

Omit “a country” wherever occurring, insert instead “an”.

## (8) Section 30 (1) (a), (b), 34A (1) (a), (b)—

Omit “country” wherever occurring.

## (9) Section 34A (1) (c)—

Omit “, other than country industries,”.

SCHEDULE 24—*continued*AMENDMENTS TO THE STATE DEVELOPMENT AND  
INDUSTRIES ASSISTANCE ACT 1966—*continued*

## (10) Section 34F—

Omit the section, insert instead:

**Ministerial Corporation's powers to erect, alter or extend buildings  
for industries and business undertakings**

34F. The Ministerial Corporation may, on land acquired by the Corporation under this Part, cause buildings to be erected, altered or extended for use and operation for the purposes of industries and business undertakings.

(11) Section 34IA (as inserted by Act No. 83, 1986) (**Industries Assistance Fund**)—

Section 34IA (1) (e)—

After "Act", insert "(except so much as was acquired out of funds drawn from the account relating to the Special Industries Agency maintained under the State Bank Act 1981)".

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SCHEDULE 25

(Sec. 3)

AMENDMENTS TO THE STATE DEVELOPMENT AND  
INDUSTRIES ASSISTANCE (AMENDMENT) ACT 1986

## (1) Schedule 1 (1)—

Omit the item.

## (2) Schedule 1 (2) (a)—

Omit the paragraph.

## (3) Schedules 2, 6—

Omit the Schedules.

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## SCHEDULE 26

(Sec. 3)

AMENDMENTS TO THE STATE TRANSPORT (CO-ORDINATION)  
ACT 1931(1) Section 3 (**Interpretation**)—

- (a) Section 3 (1), definitions of “Goods”, “Receiving depot”, “Store”—

Omit the definitions.

- (b) Section 3 (1), definitions of “Motor omnibus”, “Owner”, “Private hire car”, “Taxi-cab”—

Omit “public motor” wherever occurring, insert instead “public passenger”.

- (c) Section 3 (1), definition of “Operate”—

Omit “or goods”.

- (d) Section 3 (1), definitions of “Public motor vehicle”, “Public passenger vehicle”—

Omit the definitions, insert instead:

“Public passenger vehicle” means a motor vehicle—

- (a) used or let or intended to be used or let for the conveyance of passengers for hire or for any consideration or in the course of any trade or business; or

- (b) plying or travelling or standing in a public street for or in hire or in the course of any trade or business.

- (2) Sections 3A (1), 3B (2), 14, 14B, 15 (1), 16, 17 (2) (a), (c), (d) (as amended by Act No. 138, 1986), 18 (1), (11), 19, 20, 21 (as amended by Act No. 138, 1986), 28, 29, 39A (as inserted by Act No. 138, 1986), 44, 48 (8), Schedules 2 and 4—

Omit “public motor” wherever occurring, insert instead “public passenger”.



SCHEDULE 26—*continued*AMENDMENTS TO THE STATE TRANSPORT (CO-ORDINATION)  
ACT 1931—*continued*(3) Section 10 (**Advice and reports by Commissioner**)—

Omit “and of goods”.

(4) Section 12 (as amended by Act No. 138, 1986) (**Public passenger vehicle not to be operated in certain cases unless vehicle licensed**)—

## (a) Section 12—

Omit “public motor” wherever occurring, insert instead “public passenger”.

## (b) Section 12 (2), (3)—

Omit the subsections.

## (5) Section 13—

Omit the section, insert instead:

**Passengers not to be conveyed by unlicensed vehicle**

13. (1) Any person who conveys or agrees or offers to convey any passenger by a public passenger vehicle is guilty of an offence against this Act unless a licence has been issued in respect of the vehicle.

(2) In any proceedings for an offence under this section it shall be a sufficient defence if the person charged proves that he or she—

(a) had reasonable grounds for believing; and

(b) did in fact believe,

that the passenger vehicle was at the time of the alleged offence licensed under this Act.

(6) Section 14 (**Licences**)—

Section 14 (2) (c)—

Omit “or maximum weight of goods”.

SCHEDULE 26—*continued*AMENDMENTS TO THE STATE TRANSPORT (CO-ORDINATION)  
ACT 1931—*continued*

- (7) Section 17 (**Certain conditions of licence**)—
- (a) Section 17 (2) (a)—  
Omit “, freights,” wherever occurring.
  - (b) Section 17 (2) (b)—  
Omit the paragraph, insert instead:
    - (b) the circumstances in which and days and times on which passengers may be conveyed, including the limiting of the number of passengers that may be conveyed on the vehicle;
- (8) Section 18 (**Certain obligations in respect of public passenger vehicles**)—
- (a) Section 18 (1) (a), (c)—  
Omit “and goods” wherever occurring.
  - (b) Section 18 (1) (c)—  
Omit “, freight”.
  - (c) Section 18 (1) (d)—  
At the end of the paragraph, insert “and”.
  - (d) Section 18 (1) (f)—  
Omit the paragraph.
  - (e) Section 18 (1)—  
Omit “obligations mentioned in paragraphs (e) and (f)”, insert instead “obligation mentioned in paragraph (e)”.
  - (f) Section 18 (2)—  
Omit “public motor” where firstly occurring, insert instead “public passenger”.
  - (g) Section 18 (2)—  
Omit “or of goods carried or to be carried by a public motor vehicle”.

SCHEDULE 26—*continued*AMENDMENTS TO THE STATE TRANSPORT (CO-ORDINATION)  
ACT 1931—*continued*

- (h) Section 18 (3)—  
Omit the subsection, insert instead:  
(3) The regulations may provide that the weight of a public passenger vehicle, as assessed for the purposes of any other Act, may be adopted for the purposes of this Act.
- (i) Section 18 (4)–(10), (12)—  
Omit the subsections.
- (9) Section 20 (**Agents etc. to be licensed**)—  
(a) Section 20 (1) (b)—  
Omit “or goods”.  
(b) Section 20 (1) (b)—  
Omit “or” where lastly occurring.  
(c) Section 20 (1) (c)—  
Omit the paragraph.
- (10) Section 21 (as amended by Act No. 138, 1986) (**Cancellation of licence**)—  
Section 21 (1) (b)—  
Omit “or of or attaching to an exemption granted by the Commissioner under section 18 (8) or (9)”.
- (11) Section 22 (**Permits to use vehicle for carriage of passengers**)—  
(a) Section 22 (1)—  
Omit “or goods”.  
(b) Section 22 (4)—  
Omit the subsection.
- (12) Section 27 (**Goods motor vehicle not to be used for passengers**)—  
Omit the section.

SCHEDULE 26—*continued*AMENDMENTS TO THE STATE TRANSPORT (CO-ORDINATION)  
ACT 1931—*continued*

- (13) Section 29 (**Advertisements**)—
- (a) Section 29 (1) (b)—  
Omit “or”.
  - (b) Section 29 (1) (c), (d)—  
Omit the paragraphs.
  - (c) Section 29 (1) (i), (iv)—  
Omit “or goods” wherever occurring.
- (14) Section 30 (**Records to be kept**)—
- (a) Section 30 (1), (2)—  
Omit the subsections.
  - (b) Section 30 (3)—  
Omit “(not being the proprietor of a receiving depot)”.
  - (c) Section 30 (3)—  
Omit “and of goods”.
- (15) Section 35 (**Proof as to passengers being carried for hire**)—
- (a) Omit “or goods” where lastly occurring.
  - (b) Omit “or goods carried for hire”.
- (16) Section 37 (**Payments in respect of vehicle not licensed**)—  
Omit the section.
- (17) Section 38A (**Order, upon conviction, for payment of amount due**)—  
Omit the section.
- (18) Section 39 (**Recovery of amounts due**)—  
Omit “Any amount due to or recoverable under section 18 (4) or (5), any amount due under section 37, any other”, insert instead “Any”.

SCHEDULE 26—*continued*AMENDMENTS TO THE STATE TRANSPORT (CO-ORDINATION)  
ACT 1931—*continued*

- (19) Section 44 (as amended by Act No. 138, 1986) (**Prima facie evidence**)—

Section 44 (h)—

Omit the paragraph.

- (20) Section 45 (**Production of certificate**)—

Omit the section.

- (21) Section 48 (**Regulations**)—

- (a) Section 48 (8) (b)—

Omit “, freights,” wherever occurring.

- (b) Section 48 (8) (b)—

Omit “or goods”.

- (c) Section 48 (8) (e)—

Omit the paragraph.

- (22) Schedule 5 (**Savings, transitional and other provisions**)—

Clauses 2, 3—

At the end of the Schedule, insert:

**References to public motor vehicles**

2. A reference, however expressed, in any Act or in an instrument or document, of any kind, to a public motor vehicle within the meaning of this Act as in force immediately before the commencement of Schedule 26 to the Statute Law (Miscellaneous Provisions) Act (No. 1) 1987 shall be read as a reference to a public passenger vehicle.

SCHEDULE 26—*continued*

AMENDMENTS TO THE STATE TRANSPORT (CO-ORDINATION)  
ACT 1931—*continued*

**Regulations saved**

3. A regulation made under section 18 or 22 and in force immediately before the commencement of Schedule 26 to the Statute Law (Miscellaneous Provisions) Act (No. 1) 1987 shall be deemed to have been made under that section as amended by that Act.

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SCHEDULE 27

(Sec. 3)

AMENDMENT TO THE TRANSPORT ACT 1930

Section 3 (**Application of Act**)—

Section 3 (4)—

Omit the subsection.

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## SCHEDULE 28

(Sec. 3)

## AMENDMENT TO THE TRANSPORT AUTHORITIES ACT 1980

Schedule 1 (**Constitution and procedure of the corporations**)—

## Clause 13—

After clause 12, insert:

**Extension of office of Chairman of State Rail Authority**

13. In the case of the person holding office as Chairman of the State Rail Authority as from 6 August 1985—

- (a) the references in clauses 3 and 7 to the age of 70 years shall be read as references to the age of 72 years;
  - (b) he shall be deemed to have been appointed for a further term of 18 months commencing on his 70th birthday; and
  - (c) he shall be deemed not to have vacated office because his term of office which commenced on 6 August 1985 expired or because he attained the age of 70 years.
- 

## SCHEDULE 29

(Sec. 3)

AMENDMENTS RELATING TO ADMINISTRATION OF THE RESIDENTIAL  
TENANCIES ACT 1987**Auctioneers and Agents Act 1941 No. 28—**Section 63E (**Application of moneys for the purposes of the Residential Tenancies Acts**)—

Section 63E (1)—

After "Residential Tenancies Tribunal Act 1986" wherever occurring, insert "or the Residential Tenancies Act 1987".

**Landlord and Tenant (Rental Bonds) Act 1977 No. 44—**Section 20 (**Rental Bond Interest Account**)—

Section 20 (2A)—

After "Residential Tenancies Tribunal Act 1986" wherever occurring, insert "or the Residential Tenancies Act 1987".

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 29—*continued*

AMENDMENTS RELATING TO ADMINISTRATION OF THE RESIDENTIAL  
TENANCIES ACT 1987—*continued*

**Residential Tenancies Act 1987—**

Section 129 (**Costs of administration**)—

Section 129 (2)—

Omit the subsection.

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SCHEDULE 30

(Sec. 3)

AMENDMENTS RELATING TO DETERMINATION OF LEAVE ENTITLEMENTS

**Crown Advocate Act 1979 No. 59—**

Section 7 (**Remuneration and leave**)—

Section 7 (2)—

At the end of section 7, insert:

(2) The leave which may be granted to the Crown Advocate shall be as the Minister may from time to time determine in respect of the Crown Advocate.

**Crown Prosecutors Act 1986 No. 208—**

Section 12 (**Remuneration and leave**)—

Section 12 (2)—

At the end of section 12, insert:

(2) The leave which may be granted to a Crown Prosecutor shall be as the Attorney General may from time to time determine in respect of the Crown Prosecutors.

**Director of Public Prosecutions Act 1986 No. 207—**

Schedule 1 (**Provisions relating to senior officers**)—

Clause 3 (2)—

At the end of clause 3, insert:

(2) The leave which may be granted to a Senior Officer shall be as the Attorney General may from time to time determine in respect of the Senior Officers.



*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 30—*continued*

AMENDMENTS RELATING TO DETERMINATION OF LEAVE  
ENTITLEMENTS—*continued*

**Law Reform Commission Act 1967 No. 39—**

Section 8 (**Remuneration, allowances, leave and rights**)—

Section 8 (2A)—

After section 8 (2), insert:

(2A) The leave which may be granted to a full-time commissioner, not being the holder of a judicial office, shall be as the Minister may from time to time determine in respect of such commissioners.

**Public Defenders Act 1969 No. 60—**

Section 3 (**Public Defenders**)—

Section 3 (4A)—

After section 3 (4), insert:

(4A) The leave which may be granted to a Public Defender shall be as the Minister may from time to time determine in respect of the Public Defenders.

**Solicitor General Act 1969 No. 80—**

Section 2 (**Appointment of Solicitor General**)—

Section 2 (3A)—

After section 2 (3), insert:

(3A) The leave which may be granted to the Solicitor General shall be as the Minister may from time to time determine in respect of the Solicitor General.

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SCHEDULE 31

(Sec. 3)

AMENDMENTS TO OTHER ACTS BY WAY OF STATUTE LAW REVISION

**Commercial Agents and Private Inquiry Agents Act 1963 No. 4—**

Section 10 (10)—

Omit "stipendiary magistrate", insert instead "Magistrate".

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 31—*continued*

AMENDMENTS TO OTHER ACTS BY WAY OF STATUTE LAW REVISION—  
*continued*

**Community Services Orders Act 1979 No. 192—**

Section 4 (3) (a)—

Omit “437 (1)”, insert instead “437 (3)”.

**Corporate Affairs Commission Act 1981 No. 64—**

Schedule 2 (**Savings and transitional provisions**)—

Clause 11 (3)—

After clause 11 (2), insert:

(3) A reference in any Act, by-law, regulation, order or statutory or other instrument to a Commissioner or member, or the Chairman, of the old Commission shall be construed as a reference to the Commissioner for Corporate Affairs.

**Heritage Act 1977 No. 136—**

Section 101—

Omit “and in Schedule 2”.

**Housing Act 1912 No. 7—**

Section 48 (**False statements**)—

Section 48 (a)—

Omit “under this Act”.

**Legal Aid Commission Act 1979 No. 78—**

(1) Section 15 (**Provisions relating to Director**)—

After “Director” where secondly occurring, insert “except as permitted by this Act or except with the consent of the Minister”.

(2) Schedule 4 (**General provisions relating to the statutory officers of the Commission**)—

Clause 5 (1) (c)—

After “office” where secondly occurring, insert “, except with the consent of the Minister”.

**Local Government (General Revision) Amendment Act 1986 No. 159—**

Schedule 3, item 13—

Omit “364 (2) (a)”, insert instead “364A (2) (a)”.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 31—*continued*

AMENDMENTS TO OTHER ACTS BY WAY OF STATUTE LAW REVISION—  
*continued*

**Miscellaneous Acts (Public Prosecutions) Amendment Act 1986 No. 212—**

Schedule 1, matter relating to the Justices Act 1902—

From item (3) (d), omit “the”.

**Miscellaneous Acts (Water Administration) Amendment Act 1986 No. 205—**

Schedule 2—

From the matter relating to the Electricity Commission Act 1950, omit “No. 2”, insert instead “No. 22”.

**National Parks and Wildlife Act 1974 No. 80—**

(1) Section 176 (1)—

Omit “, the regulations or the by-laws”, insert instead “or the regulations”.

(2) Section 179 (1A)—

Omit “or member”.

**Permanent Building Societies Act 1967 No. 18—**

Section 117A (Takeover Review Committee)—

Section 117A (3) (b)—

Omit the paragraph, insert instead:

(b) the Commissioner for Corporate Affairs or an officer of the Corporate Affairs Commission nominated by the Commissioner;

**Plant Diseases (Amendment) Act 1987 No. 17—**

Schedule 1 (2) (b)—

Omit “which causes an abnormal or unhealthy condition in plants and includes anything”.

**Police Regulation (Appeals) Act 1923 No. 33—**

Section 5A (Appeal against decision to recommend appointment of inspector)—

Section 5A (4) (c)—

Omit “section 19 (3)”, insert instead “section 19 (1) and (5), respectively”.

**Police Regulation (Superannuation) Act 1906 No. 28—**

Section 2A (6)—

Omit “(3)”, insert instead “(4)”.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 31—*continued*

AMENDMENTS TO OTHER ACTS BY WAY OF STATUTE LAW REVISION—  
*continued*

**Prisons Act 1952 No. 9—**

Section 11A (as inserted by Act No. 109, 1986)—

Section 11A (2)—

Omit “adaptions”, insert instead “adaptations”.

**Registered Clubs Act 1976 No. 31—**

(1) Section 4 (4) (b)—

Before “such amount”, insert “to”.

(2) Section 17 (2) (e)—

Omit the paragraph, insert instead:

(e) dismiss the complaint.

(3) Section 79 (8) (b)—

Before “it”, insert “if”.

(4) (a) Section 129 (2)—

After “specified premises”, insert “, a poker machine”.

(b) Section 129 (2) (a)—

Omit “a poker machine”.

**Statute Law (Miscellaneous Provisions Act) (No. 2) 1986 No. 218—**

Schedule 38, Part 2—

Omit the Part.

**Supreme Court (Commercial Arbitration) Amendment Act 1984 No. 166—**

Schedule 1 (1) (a)—

After “or”, insert “where lastly occurring”.

**Theatres and Public Halls (Liquor) Amendment Act 1984 No. 59—**

Schedule 1 (2) (b)—

Omit “purpose”, insert instead “purposes”.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*SCHEDULE 31—*continued*AMENDMENTS TO OTHER ACTS BY WAY OF STATUTE LAW REVISION—  
*continued***Timber Marketing Act 1977 No. 72—**

- (1) Section 4 (1), definition of “corporation”—

Omit “Companies Act, 1961”, insert instead “Companies (New South Wales) Code”.

- (2) Sections 10 (1) (c), 11 (1) (c), 31 (b) (vi)—

Omit “per centum” wherever occurring, insert instead “per cent”.

- (3) Section 32 (1)—

Omit “Companies Act, 1961,”, insert instead “Companies (New South Wales) Code”.

## SCHEDULE 32

(Sec. 3)

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987**Adoption of Children Act 1965 No. 23—**

- Section 73 (2)—

Omit the subsection.

**Agricultural Holdings Act 1941 No. 55—**

- Section 38 (3)—

Omit the subsection.

**Air Transport Act 1964 No. 36—**

- (1) Section 13 (3)—

Omit the subsection.

- (2) Schedule 1, clause 2—

Omit “, subject to section 30 of the Interpretation Act, 1897,”.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued***Animals Act 1977 No. 25—**

Schedule 1, clause 4—

Omit the clause.

**Annual Holidays Act 1944 No. 31—**

Section 15 (3)—

Omit the subsection.

**Anti-Discrimination Act 1977 No. 48—**

(1) Section 31 (6)—

Omit “Section 21 (a) of the Interpretation Act, 1897,” insert instead “Section 8 (a) of the Interpretation Act 1987”.

(2) Section 127 (3) (a)—

Omit “it is”, insert instead “written notice of its making is, pursuant to section 40 of the Interpretation Act 1987,”.

**Anzac Memorial (Building) Act 1923 No. 27—**

Section 9 (2A)—

Omit the subsection.

**Apiaries Act 1985 No. 16—**

Section 50 (5)—

Omit the subsection.

**Apprenticeship Act 1981 No. 80—**

(1) Section 5 (3)—

Omit “section 27 (I) of the Interpretation Act 1897”, insert instead “section 76 of the Interpretation Act 1987”.

(2) Schedule 4, clause 1 (3)—

Omit the subclause.

**Architects Act 1921 No. 8—**

Section 25 (3)—

Omit the subsection.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Archives Act 1960 No. 46—**

(1) Section 21 (3), (4)—

Omit the subsections, insert instead:

(3) A by-law shall be sealed with the common seal of the Authority and shall be submitted to the Governor for approval.

(2) Section 25 (2)—

Omit the subsection.

**Auctioneers and Agents Act 1941 No. 28—**

Section 92 (4)—

Omit the subsection.

**Australian Jockey Club Act 1873—**

Section 13—

Omit the section, insert instead:

**Approval of by-laws**

13. A by-law made under this Act shall be submitted to the Governor for approval.

**Balranald Irrigation Act 1902 No. 78—**

(1) Section 34—

Omit the section, insert instead:

**Saving of by-laws**

34. Any by-law—

(a) made or deemed to be made under this section and in force immediately before the substitution of this section by the Statute Law (Miscellaneous Provisions) Act (No. 1) 1987; or

(b) set out in the Second Schedule immediately before the repeal of that Schedule by the Statute Law (Miscellaneous Provisions) Act (No. 1) 1987,

shall be deemed to be a regulation.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

---

SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

(2) (a) Section 35 (1)—

Omit “for or with respect to the form of lease to be used under this Act.”,  
insert instead:

for or with respect to—

- (a) the form of lease to be issued under this Act;
- (b) the administration and maintenance of the works constructed pursuant to this Act;
- (c) the conditions on which water shall be supplied;
- (d) the mode of assessing property and levying rates; and
- (e) the ensuring of bona fide settlement, improvement and cultivation of land within the irrigation area, and all matters relating thereto.

(b) Section 35 (2)—

Omit the subsection, insert instead:

(2) A regulation may create an offence punishable by a penalty not exceeding \$200.

(3) Second Schedule—

Omit the Schedule.

**Banana Industry Act 1969 No. 38—**

Section 27 (4)—

Omit the subsection.

**Baptist Churches of New South Wales Property Trust Act 1984 No. 4—**

Sections 12 (2), 21 (1)—

Omit “section 38 of the Interpretation Act, 1897” wherever occurring, insert instead “section 50 of the Interpretation Act 1987”.

**Bills of Sale Act 1898 No. 10—**

Section 15 (3)—

Omit the subsection.

**Book Purchasers’ Protection Act 1899 No. 25—**

Section 9 (2)—

Omit the subsection.



*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Bookmakers (Taxation) Act 1917 No. 15—**

Section 38 (4)—

Omit the subsection.

**Broken Hill Water and Sewerage Act 1938 No. 20—**

Section 122—

Omit the section.

**Builders Licensing Act 1971 No. 16—**

(1) Section 3 (2)—

Omit the subsection.

(2) Section 49 (1A)—

Omit “section 38 of the Interpretation Act 1897”, insert instead “section 50 of the Interpretation Act 1987”.

**Building and Construction Industry Long Service Payments Act 1986 No. 19—**

Schedule 3, clause 15—

Omit the clause.

**Bursary Endowment Act 1912 No. 14—**

Section 11—

Omit the section, insert instead:

**Regulations**

11. (1) The Governor may make regulations, not inconsistent with this Act, for or with respect to any matter that by this Act is required or permitted to be prescribed or that is necessary or convenient to be prescribed for carrying out or giving effect to this Act and, in particular, for or with respect to—

- (a) the powers and duties of the board;
- (b) the manner in which representatives on the board shall be nominated or selected for the purposes of section 4 (1) (a) (i) and (iii); and
- (c) the conditions on which bursaries may be granted and shall be held.

(2) Any by-law made under this section, and in force immediately before the substitution of this section by the Statute Law (Miscellaneous Provisions) Act (No. 1) 1987, shall be deemed to be a regulation.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Bush Fires Act 1949 No. 31—**

Section 57 (4)—

Omit the subsection.

**Business Franchise Licences (Petroleum Products) Act 1982 No. 92—**

Section 12 (4)—

Omit “Subject to section 30 (b) of the Interpretation Act 1897, the”, insert instead “The”.

**Business Franchise Licences (Tobacco) Act 1975 No. 63—**

Section 6 (4)—

Omit “Subject to section 30 (b) of the Interpretation Act, 1897, the”, insert instead “The”.

**Business Names Act 1962 No. 11—**

Section 32 (4)—

Omit the subsection.

**Cattle Compensation Act 1951 No. 26—**

Section 19 (2)—

Omit the subsection.

**Cattle Slaughtering and Diseased Animals and Meat Act 1902 No. 36—**

Sections 29 (3), 56 (2) and 57 (3)—

Omit the subsections.

**Charitable Collections Act 1934 No. 59—**

Section 18 (4)—

Omit the subsection.

**Child Welfare Act 1939 No. 17—**

Section 161 (3)—

Omit the subsection.

**Chiropodists Registration Act 1962 No. 17—**

Section 35 (2), (3)—

Omit the subsections.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Cinematograph Films Act 1935 No. 41—**

Section 14 (2), (3)—

Omit the subsections.

**Civil Aviation (Carriers' Liability) Act 1967 No. 64—**

(1) Section 7 (4)—

Omit the subsection.

(2) Section 7 (5)—

Omit "or regulation" wherever occurring.

(3) Section 7 (5)—

Omit "made under this Act".

**Clean Air Act 1961 No. 69—**

Section 34 (5)—

Omit the subsection.

**Closer Settlement Act 1904 No. 37—**

Section 53 (3)—

Omit the subsection.

**Coal and Oil Shale Mine Workers (Superannuation) Act 1941 No. 45—**

Sections 15 (1A), 32 (4)—

Omit the subsections.

**Coal Industry Act 1946 No. 44—**

Section 61 (2)—

Omit the subsection.

**Coal Mines Regulation Act 1982 No. 67—**

(1) Section 23 (2)–(6)—

Omit the subsections, insert instead:

(2) Part 6 of the Interpretation Act 1987 applies to a rule made under this section in the same way as it applies to a statutory rule within the meaning of that Act.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

(2) Section 155 (3)–(8)—

Omit the subsections.

(3) Section 174 (9) (c)—

Omit the paragraph.

(4) Schedule 2, clause 3 (2) (d)—

Omit “or under section 30 of the Interpretation Act 1897”.

(5) Schedule 2, clause 3 (5)—

Omit “In addition to his powers under section 30 of the Interpretation Act 1897, the”, insert instead “The”.

**Coal Mining Industry Long Service Leave Act 1950 No. 23—**

Section 13 (4)—

Omit the subsection.

**Cobar Water Supply Act 1963 No. 44—**

Section 47—

Omit the section.

**Colleges of Advanced Education Act 1975 No. 11—**

(1) Section 7 (6)—

Omit the subsection.

(2) Section 23 (3) (b)—

Omit “for the purposes of section 41 (V) of the Interpretation Act, 1897”.

(3) Schedule 1, clause 13—

Omit the clause.

**Commercial Agents and Private Inquiry Agents Act 1963 No. 4—**

Section 44 (3)—

Omit the subsection.

**Commercial Tribunal Act 1984 No. 98—**

Section 38 (3), (4), (5)—

Omit the subsections.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

---

SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Commons Regulation Act 1898 No. 15—**

Section 29 (2)—

Omit the subsection.

**Community Justice Centres Act 1983 No. 127—**

Schedule 4, clause 17—

Omit the clause.

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

(1) Section 6 (3)—

Omit "Subject to section 30 (b) of the Interpretation Act, 1897, a", insert instead "A".

(2) Sections 184 (3), 214 (2), 310 (2)—

Omit the subsections.

(3) Schedule 8, clause 25 (3), Schedule 9, clause 27 (3)—

Omit the subclauses.

**Companies Act 1961 No. 71—**

Section 385 (6)—

Omit the subsection.

**Companies (Death Duties) Act 1901 No. 30—**

Section 12—

Omit the following matter:

All such regulations shall—

- (a) be published in the Gazette;
- (b) take effect from the date of publication or from a later date to be specified in the regulations; and
- (c) be laid before both Houses of Parliament within fourteen sitting days after publication if Parliament is in session, and if not, then within fourteen sitting days after the commencement of the next session.

If either House of Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after the regulations have been laid before such House disallowing any regulation or part thereof, such regulation or part shall thereupon cease to have effect.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Compensation Court Act 1984 No. 89—**

Sections 44, 45, 46—

Omit the sections.

**Constitution Act 1902 No. 32—**

Section 14A (6)—

Omit “, 1897”, insert instead “1987”.

**Constitution Further Amendment (Referendum) Act 1930 No. 2—**

Section 35 (4)—

Omit the subsection.

**Construction Safety Act 1912 No. 38—**

Section 22 (3), (5)—

Omit the subsections.

**Consumer Protection Act 1969 No. 28—**

(1) Section 39E (2)—

Omit the subsection, insert instead:

(2) Sections 39, 40 and 41 of the Interpretation Act 1987 apply to an order made under subsection (1) or (1A) in the same way as they apply to a statutory rule within the meaning of that Act.

(2) Section 59 (2)—

Omit the subsection.

**Conveyancing Act 1919 No. 6—**

Section 202 (7)—

Omit the subsection.

**Co-operation Act 1923 (Act No. 1, 1924)—**

Section 124 (2)—

Omit the subsection.

**Coroners Act 1980 No. 27—**

Schedule 3, clause 4—

Omit the clause.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Credit Union Act 1969 No. 8—**

Section 103 (4)—

Omit the subsection.

**Crimes Act 1900 No. 40—**

(1) Section 4 (3)—

Omit “section 11A of the Interpretation Act, 1897”, insert instead “section 35 of the Interpretation Act 1987”.

(2) Section 560A (2)—

Omit the subsection.

**Crown Lands Consolidation Act 1913 No. 7—**

Sections 37 (4), 37FF (7), (8), 37II (8), 37BBB (2)—

Omit the subsections.

**Dairy Industry Act 1979 No. 208—**

(1) Section 103 (3)—

Omit the subsection.

(2) Schedule 5, clause 1 (2)—

Omit the subclause.

**Dangerous Goods Act 1975 No. 68—**

Section 41 (3) (e)—

Omit the paragraph.

**Decimal Currency Act 1965 No. 33—**

Sections 7 (3), 8 (2)—

Omit the subsections.

**Dentists Act 1934 No. 10—**

Section 13 (3)—

Omit the subsection.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Disposal of Uncollected Goods Act 1966 No. 57—**

Section 22 (3), (4)—

Omit the subsections.

**District Court Act 1973 No. 9—**

(1) Sections 162, 163, 164, 171A, 171B, 171C, 183—

Omit the sections.

(2) (a) Section 188 (3)—

Omit “subsection (5)”, insert instead “section 41 of the Interpretation Act 1987”.

(b) Section 188 (4)–(6)—

Omit the subsections, insert instead:

(4) Sections 39, 40 and 41 of the Interpretation Act 1987 apply to a proclamation under subsection (3) in the same way as they apply to a statutory rule within the meaning of that Act.

**Dividing Fences Act 1951 No. 8—**

Section 23 (2)—

Omit the subsection.

**Dog Act 1966 No. 2—**

Section 27 (5)—

Omit the subsection.

**Door-to-Door Sales Act 1967 No. 36—**

Section 9 (3), (4)—

Omit the subsections.

**Dormant Funds Act 1942 No. 25—**

Section 19 (3)—

Omit the subsection.

**Drainage Act 1939 No. 29—**

Section 78 (2), (3)—

Omit the subsections.



*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Dried Fruits Act 1939 No. 7—**

(1) (a) Section 39 (3) (b)—

Omit “kind;”, insert instead “kind; or”.

(b) Section 39 (3) (c)—

Omit “body; or”, insert instead “body.”.

(c) Section 39 (3) (d)—

Omit the paragraph.

(2) Section 39 (4)—

Omit the subsection.

**Education Act 1961 No. 47—**

Sections 20 (3), 21 (2)—

Omit the subsections.

**Education Commission Act 1980 No. 23—**

(1) Section 41 (10)—

Omit “Section 40 of the Interpretation Act, 1897, ”, insert instead “Section 49 of the Interpretation Act 1987”.

(2) Section 100 (2)—

Omit the subsection, insert instead:

(2) The Director-General of Education shall cause a copy of each regulation made under subsection (1) to be published in the Education Gazette as soon as practicable after it has been published in the Government Gazette under section 39 of the Interpretation Act 1987.

(3) Section 101 (2)—

Omit the subsection, insert instead:

(2) The Director-General of Technical and Further Education shall cause a copy of each regulation made under subsection (1) to be published in the Technical and Further Education Gazette as soon as practicable after it has been published in the Government Gazette under section 39 of the Interpretation Act 1987.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Election Funding Act 1981 No. 78—**

Section 13 (3)—

Omit “Section 30 (b) of the Interpretation Act, 1897,” insert instead “Section 47 (1) (b) of the Interpretation Act 1987”.

**Electricity Commission Act 1950 No. 22—**

Section 90 (1)—

Omit the subsection.

**Electricity Development Act 1945 (Act No. 13, 1946)—**

(1) Section 37 (2B) (aa)—

Omit the paragraph.

(2) Section 37 (6)—

Omit the subsection.

**Electricity (Special Provisions) Act 1935 No. 42—**

Section 85 (4)—

Omit the subsection.

**Energy Authority Act 1976 No. 69—**

(1) Section 6 (4)—

Omit “Notwithstanding anything in section 38 of the Interpretation Act 1897, the”, insert instead “The”.

(2) Section 32 (5)—

Omit the subsection.

(3) Section 37 (4)—

Omit the subsection, insert instead:

(4) Section 30 of the Interpretation Act 1987 applies to an order or direction made or given under this Part in the same way as it applies to a statutory rule within the meaning of that Act.

**Environmental Planning and Assessment Act 1979 No. 203—**

(1) Section 155—

Omit “section 37 of the Interpretation Act, 1897”, insert instead “section 26 of the Interpretation Act 1987”.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*SCHEDULE 32—*continued*MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

- (2) Schedule 3, clause 3—

Omit “and section 30 of the Interpretation Act, 1897”.

**Environmentally Hazardous Chemicals Act 1985 No. 14—**

- (1) Section 50 (2)—

Omit “section 27 (i) of the Interpretation Act, 1897”, insert instead “section 76 of the Interpretation Act 1987”.

- (2) (a) Section 58 (3) (b)—

Omit “or” where lastly occurring.

- (b) Section 58 (3) (c)—

Omit the paragraph.

**Factories, Shops and Industries Act 1962 No. 43—**

- (1) Section 5 (5)—

Omit the subsection, insert instead:

(5) Sections 39, 40 and 41 of the Interpretation Act 1987 apply to a proclamation made under this section in the same way as they apply to a statutory rule within the meaning of that Act.

- (2) (a) Section 144 (2) (d)—

Omit the paragraph.

- (b) Section 144 (3)—

Omit the subsection.

**Farm Water Supplies Act 1946 No. 22—**

- Section 18 (3)—

Omit the subsection.

**Farrer Memorial Research Scholarship Fund Act 1930 No. 38—**

- Section 10 (3)—

Omit the subsection.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

---

SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Fellowship of Congregational Churches (New South Wales) Incorporation Act 1977 No. 39—**

Section 4 (3)—

Omit “Without affecting the generality of section 38 of the Interpretation Act, 1897, but subject”, insert instead “Subject”.

**Fertilizers Act 1985 No. 5—**

(1) Section 42 (2) (b)—

Omit “kind;”, insert instead “kind; or”.

(2) Section 42 (2) (c)—

Omit “person; or”, insert instead “person.”.

(3) Section 42 (2) (d)—

Omit the paragraph.

**Finance (Greyhound-racing Taxation) Management Act 1931 No. 57—**

Section 19 (3)—

Omit the subsection.

**Fines and Forfeited Recognizances Act 1954 No. 25—**

Section 19 (2)—

Omit the subsection.

**Fire Brigades Act 1909 No. 9—**

Sections 42 (2), 54 (3)—

Omit the subsections.

**Fish River Water Supply Administration Act 1945 No. 16—**

Section 19 (2)—

Omit the subsection.

**Fisheries and Oyster Farms Act 1935 No. 58—**

(1) Section 2—

Omit the section.

(2) Sections 4E (6), 121 (4)—

Omit the subsections.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Fluoridation of Public Water Supplies Act 1957 No. 58—**

Section 11 (3)—

Omit the subsection.

**Forestry Act 1916 No. 55—**

Section 42—

Omit the section.

**Friendly Societies Act 1912 No. 46—**

Section 118 (2)—

Omit the subsection.

**Gaming and Betting Act 1912 No. 25—**

Section 59 (2)—

Omit the subsection.

**General Traffic Act 1900 No. 8—**

Section 17—

Omit the section.

**Geographical Names Act 1966 No. 13—**

Section 19 (2)—

Omit the subsection.

**Glen Davis Act 1939 No. 38—**

Section 33 (3)—

Omit the subsection.

**Government and Related Employees Appeal Tribunal Act 1980 No. 39—**

Schedule 6, clause 2 (3)—

Omit the subclause.

**Government Guarantees Act 1934 No. 57—**

Section 6 (2)—

Omit the subsection.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Government Insurance Act 1927 No. 18—**

Section 12 (2)—

Omit the subsection.

**Government Railways Act 1912 No. 30—**

(1) Section 65 (1)–(3)—

Omit the subsections, insert instead:

(1) A by-law made under this Act shall be submitted to the Governor for approval.

(2) Section 129—

Omit the following matter:

Such regulations shall be published in the Gazette, and shall take effect from the date of such publication or from a later date to be specified in such regulations.

Such regulations shall be laid before both Houses of Parliament within fourteen sitting days after publication if Parliament is in session, and if not, then within fourteen sitting days after the commencement of the next session. But if either House of Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after such regulations have been laid before such House disallowing any regulation or part thereof such regulation or part shall thereupon cease to take effect.

**Grain Handling Act 1954 No. 36—**

Sections 7 (6), 57 (3)—

Omit the subsections.

**Harness Racing Authority Act 1977 No. 57—**

Section 28 (5)—

Omit the subsection.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Hay Irrigation Act 1902 No. 57—**

(1) Section 28—

Omit the section, insert instead:

**Saving of by-laws**

28. Any by-law made or deemed to be made under this section, and in force immediately before the substitution of this section by the Statute Law (Miscellaneous Provisions) Act (No. 1) 1987, shall be deemed to be a regulation.

(2) (a) Section 29 (1)—

Omit “to this Act.”, insert instead:

to this Act and, in particular, for or with respect to—

- (a) the administration and maintenance of the works constructed pursuant to this Act;
- (b) the conditions on which water shall be supplied;
- (c) the mode of levying rates for the supply of any such water and the times and manner of their payment;
- (d) the charging of interest on a daily basis on overdue rates (whether or not the subject of a judgment by a court) and the times and manner of its payment; and
- (e) authorising the Ministerial Corporation, if payment of rates relating to any land, or of any interest on the rates, is overdue, to withhold the supply of water to the land without affecting the liability to pay the rates and interest.

(b) Section 29 (2)—

Omit the subsection, insert instead:

(2) A regulation may create an offence punishable by a penalty not exceeding \$1,000.

**Higher Education Act 1975 No. 47—**

(1) Section 6 (3)—

Omit the subsection.

(2) Schedule 2, clause 10—

Omit the clause.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Horticultural Stock and Nurseries Act 1969 No. 3—**

Section 23 (4)—

Omit the subsection.

**Housing Act 1912 No. 7—**

Section 23 (3)—

Omit the subsection.

**Housing Indemnities Act 1962 No. 4—**

Section 11 (2)—

Omit the subsection.

**Hunter District Water, Sewerage and Drainage Act 1938 No. 11—**

Sections 131, 133—

Omit the sections.

**Hunter Valley Conservation Trust Act 1950 No. 34—**

Section 61 (4), (5)—

Omit the subsections.

**Hunter Valley Flood Mitigation Act 1956 No. 10—**

Section 58 (2), (3)—

Omit the subsections.

**Indecent Articles and Classified Publications Act 1975 No. 32—**

Section 28 (5)—

Omit the subsection.

**Industrial Arbitration Act 1940 No. 2—**

(1) Section 91—

Omit “, excepting rules or regulations required or directed by this Act or the Interpretation Act, 1897, to be published in the Gazette”.

(2) Section 130 (2)—

Omit the subsection.



*Statute Law (Miscellaneous Provisions) (No. 1) 1987*SCHEDULE 32—*continued*MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued***Inebriates Act 1912 No. 24—**

## Section 28—

Omit the following matter:

All such regulations shall—

- (a) be published in the Gazette;
- (b) take effect from the date of publication or from a later date to be specified in the regulations; and
- (c) be laid before both Houses of Parliament within fourteen sitting days after publication if Parliament is in session, and if not, then within fourteen days after the commencement of the next session.

If either House of Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after the regulations have been laid before such House disallowing any regulation or part thereof, such regulation or part shall thereupon cease to have effect.

**Infants' Custody and Settlements Act 1899 No. 39—**

## Section 4 (4)–(6)—

Omit the subsections.

**Insurance (Application of Laws) Act 1986 No. 13—**

## Section 3 (3)—

Omit “section 14A of the Interpretation Act 1897”, insert instead “section 31 of the Interpretation Act 1987”.

**Irrigation Act 1912 No. 73—**

## Section 28 (2)—

Omit the subsection.

**Judicial Officers Act 1986 No. 100—**

## Section 53 (5)—

Omit “1897”, insert instead “1987”.

**Justices Act 1902 No. 27—**

## Section 154 (2B)—

Omit the subsection.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Land and Environment Court Act 1979 No. 204—**

Sections 75, 76, 77—

Omit the sections.

**Land Sales Act 1964 No. 12—**

Section 29 (2)—

Omit the subsection.

**Land Tax Management Act 1956 No. 26—**

Sections 38 (2), 82 (2)—

Omit the subsections.

**Landlord and Tenant Act 1899 No. 18—**

Section 2AA (3)—

Omit the subsection, insert instead:

(3) The Governor may make regulations for the purposes of subsection (1) (g).

**Landlord and Tenant (Amendment) Act 1948 No. 25—**

Sections 96 (3), 97 (5)—

Omit the subsections.

**Law Foundation Act 1979 No. 32—**

Section 6—

Omit “Without limiting the operation of section 38 (I) of the Interpretation Act 1897, the”, insert instead “The”.

**Law Reform (Miscellaneous Provisions) Act 1946 No. 33—**

Section 4 (2)—

Omit the subsection.

**Lay-by Sales Act 1943 No. 36—**

Section 22 (4)—

Omit the subsection.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Legal Practitioners Act 1898 No. 22—**

(1) Section 6 (2)–(4)—

Omit the subsections, insert instead:

(2) Part 6 of the Interpretation Act 1987 applies to a rule made under this section in the same way as it applies to a statutory rule within the meaning of that Act.

(2) Section 12A (4)–(8)—

Omit the subsections, insert instead:

(4) Part 6 of the Interpretation Act 1987 applies to a rule made under this section in the same way as it applies to a statutory rule within the meaning of that Act.

(3) Section 81A (2)–(6)—

Omit the subsections, insert instead:

(2) Part 6 of the Interpretation Act 1987 applies to a rule made under this section in the same way as it applies to a statutory rule within the meaning of that Act.

(4) Sections 86 (4), 87 (3)—

Omit the subsections.

**Library Act 1939 No. 40—**

Sections 3 (3), 15 (5)—

Omit the subsections.

**Limitation Act 1969 No. 31—**

Section 77 (2), (3)—

Omit the subsections.

**Liquefied Petroleum Gas Act 1961 No. 3—**

Section 7 (3), (4)—

Omit the subsections.

**Listening Devices Act 1984 No. 69—**

(1) Section 31 (2)—

Omit “section 41 of the Interpretation Act, 1897” where firstly occurring, insert instead “section 39 of the Interpretation Act 1987”.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

(2) Section 31 (2)—

Omit “section 41 of the Interpretation Act, 1897,” where secondly occurring, insert instead “section 41 of the Interpretation Act 1987”.

(3) Section 31 (3)—

Omit “section 41 of the Interpretation Act, 1897,” insert instead “section 39 of the Interpretation Act 1987”.

**Local Courts (Civil Claims) Act 1970 No. 11—**

Section 3—

Omit the section.

**Local Government Act 1919 No. 41—**

(1) Section 8 (1), (3)—

Omit the subsections.

(2) Section 277 (2) (e)—

Omit the paragraph.

(3) Section 319 (2)—

Omit the subsection.

(4) Section 407A—

Omit the section.

**Local Government and Other Authorities (Superannuation) Act 1927 No. 35—**

Section 20 (3)—

Omit the subsection.

**Long Service Leave Act 1955 No. 38—**

Section 15 (3)—

Omit the subsection.

**Long Service Leave (Metalliferous Mining Industry) Act 1963 No. 48—**

Section 15 (3)—

Omit the subsection.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

---

SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Lord Howe Island Act 1953 No. 39—**

Section 38 (6)—

Omit the subsection.

**Lotteries and Art Unions Act 1901 No. 34—**

Section 23 (3)—

Omit the subsection.

**Macquarie University Act 1964 No. 29—**

Section 23 (4)—

Omit the subsection.

**Maintenance Act 1964 No. 74—**

Section 120 (3)—

Omit the subsection.

**Maritime Services Act 1935 No. 47—**

(1) Section 3B (4)—

Omit the subsection.

(2) Section 5 (2) (d)—

Omit “, nor shall this section or any other section in this Part limit any saving in the Interpretation Act, 1897”.

(3) Section 38 (5)—

Omit the subsection.

(4) Schedule 6, clause 3 (9)—

Omit the subclause.

**Meat Industry Act 1978 No. 54—**

Section 6—

Omit “section 14A of the Interpretation Act, 1897,” insert instead “section 31 of the Interpretation Act 1987”.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Medical Practitioners Act 1938 No. 37—**

(1) Section 3 (4)—

Omit “section 27 (1) of the Interpretation Act, 1897”, insert instead “section 76 of the Interpretation Act 1987”.

(2) Section 53 (5)—

Omit the subsection.

**Mental Defectives (Convicted Persons) Act 1939 No. 19—**

Section 11 (2)—

Omit the subsection.

**Mental Health Act 1958 No. 45—**

Section 112 (2)—

Omit the subsection.

**Metropolitan Water, Sewerage, and Drainage Act 1924 No. 50—**

(1) Section 6 (7)—

Omit “or in the Interpretation Act, 1897”.

(2) Sections 128, 130—

Omit the sections.

**Mine Subsidence Compensation Act 1961 No. 22—**

Section 18 (2)—

Omit the subsection.

**Mines Inspection Act 1901 No. 75—**

Sections 48 (3), 56 (2), (2B), 58 (1B)—

Omit the subsections.

**Mines Rescue Act 1925 No. 3—**

Section 26 (2)—

Omit the subsection.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Mining Act 1973 No. 42—**

Section 197 (3)–(5)—

Omit the subsections.

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

Section 51 (3)–(5)—

Omit the subsections.

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

Schedule 2, clause 5—

Omit the clause.

**Monopolies Act 1923 No. 54—**

Section 20 (3), (4)—

Omit the subsections.

**Motor Traffic Act 1909 No. 5—**

Section 13—

Omit the section.

**Motor Vehicle Driving Instructors Act 1961 No. 60—**

Section 14 (5)—

Omit the subsection.

**Motor Vehicle Repairs Act 1980 No. 71—**

Section 82 (1) (a)—

Omit “section 38 (II) of the Interpretation Act, 1897”, insert instead “section 51 (2) of the Interpretation Act 1987”.

**Motor Vehicles Taxation Management Act 1949 No. 34—**

Section 20 (4)—

Omit the subsection.

**Motor Vehicles (Third Party Insurance) Act 1942 No. 15—**

Section 46—

Omit the section.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Museum of Applied Arts and Sciences Act 1945 No. 31—**

Section 18 (2)—

Omit the subsection.

**National Parks and Wildlife Act 1974 No. 80—**

(1) Sections 33 (7), 35 (5), 47B (5), 47D (4)—

Omit the subsections.

(2) (a) Section 155 (2A) (a)—

Omit “and” where lastly occurring.

(b) Section 155 (2A) (b)—

Omit the paragraph.

(3) Schedule 3, clause 19—

Omit the clause.

(4) Schedule 9A, clause 14 (6)—

Omit “Section 38 (I) (paragraph (b) excepted) and section 38 (III) of the Interpretation Act, 1897,”; insert instead “Section 50 (1) (paragraph (b) excepted) and (3) of the Interpretation Act 1987”.

**Navigation Act 1901 No. 60—**

(1) Section 127 (3)—

Omit “, when published in the Gazette, and while in force,”.

(2) Section 167—

Omit the section.

**New South Wales Government Engineering and Shipbuilding Undertaking Act 1943 No. 19—**

Section 14 (3), (4)—

Omit the subsections.

**New South Wales Institute of Psychiatry Act 1964 No. 44—**

Section 24 (4)—

Omit the subsection.



*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**New South Wales—Queensland Border Rivers Act 1947 No. 10—**

Section 22 (2), (3)—

Omit the subsections.

**New South Wales State Cancer Council Act 1955 No. 25—**

Section 19 (4)—

Omit the subsection.

**New South Wales State Conservatorium of Music Act 1965 No. 5—**

Section 16 (7)—

Omit the subsection.

**Notification of Births Act 1915 No. 4—**

Section 4—

Omit the following matter:

Such regulations shall—

- (a) be published in the Gazette;
- (b) take effect from the date of publication or from a later date to be specified in the regulations; and
- (c) be laid before both Houses of Parliament within fourteen sitting days after publication if Parliament is in session, and if not, then within fourteen sitting days after the commencement of the next session.

If either House of Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after the regulations have been laid before such House disallowing any regulation or part thereof such regulation or part shall thereupon cease to have effect.

**Noxious Insects Act 1934 No. 22—**

Section 12 (2)—

Omit the subsection.

**Noxious Trades Act 1902 No. 82—**

Section 16 (3)—

Omit the subsection.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

---

SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Nurses Registration Act 1953 No. 10—**

Section 35 (2)—

Omit the subsection.

**Optical Dispensers Act 1963 No. 35—**

Section 35 (2)—

Omit the subsection.

**Optometrists Act 1930 No. 20—**

Section 31—

Omit the section.

**Parliamentary Contributory Superannuation Act 1971 No. 53—**

Section 14 (4)—

Omit “section 38 (subsection (2) excepted) of the Interpretation Act, 1897,”  
insert instead “section 50 (subsection (2) excepted) of the Interpretation Act  
1987”.

**Parliamentary Electorates and Elections Act 1912 No. 41—**

Sections 55 (3), 176 (1A)—

Omit the subsections.

**Pastures Protection Act 1934 No. 35—**

Section 171 (3)—

Omit the subsection.

**Pawnbrokers Act 1902 No. 66—**

Section 46 (5)—

Omit the subsection.

**Permanent Building Societies Act 1967 No. 18—**

Section 119 (4)—

Omit the subsection.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Pesticides and Allied Chemicals Act 1978 No. 57—**

(1) Section 5 (6)—

Omit “section 27 (I) of the Interpretation Act 1897”, insert instead “section 76 of the Interpretation Act 1987”.

(2) Section 73 (2) (c)—

Omit the paragraph.

**Petroleum Act 1955 No. 28—**

Section 86 (3), (4)—

Omit the subsections.

**Petroleum Products Subsidy Act 1965 No. 1—**

Section 19 (3)—

Omit the subsection.

**Pharmacy Act 1964 No. 48—**

Section 38 (3), (4)—

Omit the subsections.

**Physiotherapists Registration Act 1945 No. 9—**

Section 33 (2)—

Omit the subsection.

**Pipelines Act 1967 No. 90—**

Section 69 (4)—

Omit the subsection.

**Plant Diseases Act 1924 No. 38—**

(1) (a) Section 5A (1)—

Omit “published in the Gazette”.

(b) Section 5A (2)—

Omit “published”, insert instead “made”.

(c) Section 5A (2) (b)—

Omit “order;”, insert instead “order; and”.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

(d) Section 5A (2) (c)—

Omit “coverings; and”, insert instead “coverings.”.

(e) Section 5A (2) (d)—

Omit the paragraph.

(f) Section 5A (3)—

After section 5A (2), insert:

(3) Sections 39, 40 and 41 of the Interpretation Act 1987 apply to an order made under subsection (1) in the same way as they apply to a statutory rule within the meaning of that Act.

(2) Section 28 (3)—

Omit the subsection.

**Plumbers, Gasfitters and Drainers Act 1979 No. 44—**

(1) Section 57 (2)—

Omit “section 38 of the Interpretation Act, 1897,” insert instead “section 50 of the Interpretation Act 1987”.

(2) Section 66 (1) (a)—

Omit “section 38 (II) of the Interpretation Act, 1897,” insert instead “section 50 (2) of the Interpretation Act 1987”.

**Poisons Act 1966 No. 31—**

Section 46—

Omit the section, insert instead:

**Publication, commencement and disallowance of publications and orders**

46. Sections 39, 40 and 41 of the Interpretation Act 1987 apply to—

(a) a proclamation made under section 8; and

(b) an order made under section 37,

in the same way as they apply to a statutory rule within the meaning of that Act.

**Police Regulation Act 1899 No. 20—**

(1) Section 6E (5)—

Omit the subsection.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

(2) Section 12 (2)—

Omit the subsection.

(3) Section 18 (c) (ii)—

Omit “section 30 of the Interpretation Act, 1897”, insert instead “section 47 of the Interpretation Act 1987”.

**Police Regulation (Superannuation) Act 1906 No. 28—**

Section 24 (4)—

Omit the subsection.

**Potato Growers Licensing Act 1940 No. 13—**

Section 9 (3)—

Omit the subsection.

**Poultry Processing Act 1969 No. 45—**

(1) Section 16 (3) (b)—

Omit “kind;”, insert instead “kind; or”.

(2) Section 16 (3) (c)—

Omit “regulation; or”, insert instead “regulation,”.

(3) Section 16 (3) (d)—

Omit the paragraph.

(4) Section 16 (4)—

Omit the subsection.

**Prevention of Oil Pollution of Navigable Waters Act 1960 No. 48—**

Section 14 (3)—

Omit the subsection.

**Prices Regulation Act 1948 No. 26—**

Section 60 (2)—

Omit the subsection.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Prickly-pear Act 1924 No. 31—**

Section 34 (3)—

Omit the subsection.

**Prisons Act 1952 No. 9—**

Section 50 (3)—

Omit the subsection.

**Privacy Committee Act 1975 No. 37—**

Section 5 (6)—

Omit “section 39 of the Interpretation Act, 1897”, insert instead “section 52 of the Interpretation Act 1987”.

**Private Hospitals Act 1908 No. 14—**

Section 18 (5)—

Omit the subsection.

**Public Accountants Registration Act 1945 No. 18—**

Section 35 (4)—

Omit the subsection.

**Public Health Act 1902 No. 30—**

Section 103—

Omit the section.

**Public Health (Amendment) Act 1937 No. 1—**

Section 12—

Omit the section, insert instead:

**Commencement, tabling and disallowance of proclamations**

12. Sections 39, 40 and 41 of the Interpretation Act 1987 apply to a proclamation made under this Act in the same way as they apply to a statutory rule within the meaning of that Act.

**Public Hospitals Act 1929 No. 8—**

Section 42 (2)—

Omit the subsection.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Public Instruction Act 1880 (43 Vic. No. 23)—**

Section 37 (2)—

Omit the subsection.

**Public Roads Act 1902 No. 95—**

Section 36 (3)—

Omit the subsection.

**Public Service Act 1979 No. 89—**

Section 48 (11)—

Omit "Section 40 of the Interpretation Act 1897", insert instead "Section 49 of the Interpretation Act 1987".

**Public Trustee Act 1913 No. 19—**

Section 59 (2)—

Omit the subsection.

**Public Works Act 1912 No. 45—**

Section 5—

Omit the following matter:

Such regulations shall—

- (a) be published in the Gazette;
- (b) take effect from the date of publication or from a later date to be specified in the regulations; and
- (c) be laid before both Houses of Parliament within fourteen sitting days after publication if Parliament is in session, and if not, then within fourteen sitting days after the commencement of the next session.

If either House of Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after the regulations have been laid before such House, disallowing any regulation or part thereof, such regulation or part shall thereupon cease to have effect.

**Pure Food Act 1908 No. 31—**

(1) Section 54 (5)—

Omit the subsection.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

(2) Section 55—

Omit the section.

**Radioactive Substances Act 1957 No. 5—**

Section 18 (3)—

Omit the subsection.

**Real Property Act 1900 No. 25—**

Section 144 (3)—

Omit the subsection.

**Recreation Vehicles Act 1983 No. 136—**

(1) Section 6 (4)—

Omit the subsection.

(2) (a) Section 44 (3) (d)—

Omit “conditions;”, insert instead “conditions; or”.

(b) Section 44 (3) (e)—

Omit “area; or”, insert instead “area,”.

(c) Section 44 (3) (f)—

Omit the paragraph.

**Registration of Births, Deaths and Marriages Act 1973 No. 87—**

(1) Section 5 (5)—

Omit the subsection.

(2) Schedule 3, clause 6 (3)—

Omit “section 41 (1) (b) of the Interpretation Act, 1897”, insert instead “section 39 (1) (b) of the Interpretation Act 1987”.

**Registration of Stock Brands Act 1921 No. 14—**

Section 13 (3)—

Omit the subsection.



*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Reprints Act 1972 No. 48—**

Section 11 (2)—

Omit the subsection.

**Returned Soldiers Settlement Act 1916 No. 21—**

Section 6 (2)—

Omit the subsection.

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

Section 25 (4)—

Omit the subsection.

**Road Obstructions (Special Provisions) Act 1979 No. 9—**

Section 10 (3)—

Omit “section 41 of the Interpretation Act, 1897”, insert instead “section 39 of the Interpretation Act 1987”.

**Rural Assistance Act 1932 No. 33—**

Sections 7D (11), 41 (3)—

Omit the subsections.

**Rural Workers Accommodation Act 1969 No. 34—**

Section 18 (3), (4)—

Omit the subsections.

**School Forest Areas Act 1936 No. 20—**

Section 23 (5), (6)—

Omit the subsections.

**Second-hand Dealers and Collectors Act 1906 No. 30—**

Section 24—

Omit the following matter:

All such regulations shall—

(a) be published in the Gazette;

(b) take effect from the date of such publication or from a later date to be specified in the regulations;

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

- (c) be laid before both Houses of Parliament within fourteen sitting days if Parliament is in session, and if not, then within fourteen sitting days after the commencement of the next session.

If either House of Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after such regulations have been laid before such House disallowing any regulation or part thereof, such regulation or part thereof shall thereupon cease to have effect.

**Seeds Act 1982 No. 14—**

- (1) Section 31 (2) (c)—

Omit “person;”, insert instead “person; or”.

- (2) Section 31 (2) (d)—

Omit the paragraph.

**Snowy Mountains Hydro-electric Agreements Act 1958 No. 20—**

Section 15 (2)—

Omit the subsection.

**Soil Conservation Act 1938 No. 10—**

Section 36—

Omit the section.

**South-west Tablelands Water Supply Administration Act 1941 No. 36—**

Section 20 (2), (3)—

Omit the subsections.

**Sporting Injuries Insurance Act 1978 No. 141—**

Section 30 (3)—

Omit “section 41 (1) (b) of the Interpretation Act, 1897”, insert instead “section 39 (1) (b) of the Interpretation Act 1987”.

**Stamp Duties Act 1920 No. 47—**

- (1) Section 9 (2)—

Omit the subsection.

- (2) Section 9 (3)—

Omit “the Interpretation Act 1897 or”.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Standard Time Act 1971 No. 38—**

Section 6—

Omit the section, insert instead:

**Saving**

6. For the purposes of section 30 of the Interpretation Act 1987, an order made under this Act shall be deemed to effect an amendment of this Act.

**State Bank Act 1981 No. 89—**

Section 5 (3)—

Omit the subsection, insert instead:

(3) Section 50 (2) of the Interpretation Act 1987 does not apply to the Bank.

**State Brickworks Act 1946 No. 16—**

Section 11 (3), (4)—

Omit the subsections.

**State Coal Mines Act 1912 No. 70—**

Section 22 (2)—

Omit the subsection.

**State Development and Industries Assistance Act 1966 No. 10—**

Section 35 (2)—

Omit the subsection.

**State Lotteries Act 1930 No. 51—**

Section 9 (4)—

Omit the subsection.

**State Tileworks Act 1947 No. 29—**

Section 11 (3), (4)—

Omit the subsections.

**State Transport (Co-ordination) Act 1931 No. 32—**

Section 48 (2)—

Omit the subsection.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*SCHEDULE 32—*continued*MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued***Statutory and Other Offices Remuneration Act 1975 (Act No. 4, 1976)—**

Sections 19, 19A—

Omit section 19, insert instead:

**Report to be tabled**

19. (1) The report of a determination shall—

- (a) be published in the Gazette as soon as practicable after the report is received by the Minister; and
- (b) be laid before each House of Parliament within 14 sitting days of that House after the day on which it is so published.

(2) Failure to lay a report before each House of Parliament in accordance with this section does not affect the validity of a determination, but the report must nevertheless be laid before each House.

**Disallowance of determinations**

19A. (1) Either House of Parliament may pass a resolution disallowing a determination—

- (a) at any time before the relevant report is laid before the House; or
- (b) at any time after the relevant report is laid before the House, but only if notice of the resolution was given within 15 sitting days of the House after the relevant report was so laid.

(2) On the passing of a resolution disallowing a determination—

- (a) in the case of a determination under section 13 or 15A—the determination shall have effect as if it were a determination that remuneration payable to office holders shall be of the same classes or kinds, and at the same rates, as those payable immediately before the determination came or comes into force, as the case requires; or
- (b) in the case of a determination under section 14 or 15—the determination shall thereupon cease to have effect.

(3) Nothing in subsection (2) affects any remuneration paid or payable in respect of any period before the date of the resolution referred to in that subsection.

**Stock (Artificial Insemination) Act 1948 No. 11—**

Section 11 (2)—

Omit the subsection.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Stock Diseases Act 1923 No. 34—**

Sections 2 (6), 5 (8B), 23 (2)—

Omit the subsections.

**Stock Foods and Medicines Act 1940 No. 19—**

Sections 12 (9), 35 (3B), (4)—

Omit the subsections.

**Strata Titles Act 1973 No. 68—**

(1) Section 56—

Omit the section, insert instead:

**Certain provisions of Interpretation Act 1987 not to apply to bodies corporate**

56. Section 50 (1) (d), (2) and (3) of the Interpretation Act 1987 do not apply to a body corporate.

(2) Section 160 (2)—

Omit the subsection.

(3) Schedule 4, clause 34 (3)—

Omit the subclause, insert instead:

(3) Section 39 (1) (b) of the Interpretation Act 1987 does not apply to a regulation made under this clause.

**Strata Titles (Leasehold) Act 1986 No. 219—**

Section 85—

Omit the section, insert instead:

**Certain provisions of Interpretation Act 1987 not to apply to bodies corporate**

85. Section 50 (1) (d), (2) and (3) of the Interpretation Act 1987 do not apply to a body corporate.

**Suitors' Fund Act 1951 No. 3—**

Section 7 (3)—

Omit the subsection.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Superannuation Act 1916 No. 28—**

(1) Section 70 (5)—

Omit the subsection.

(2) Section 86 (3)—

Omit the subsection.

**Supreme Court Act 1970 No. 52—**

(1) Sections 20, 125, 127 and 128—

Omit the sections.

(2) (a) Section 24 (7)—

Omit “subsection (9)”, insert instead “section 41 of the Interpretation Act 1987”.

(b) Section 24 (8)–(10)—

Omit the subsections, insert instead:

(8) Sections 39, 40 and 41 of the Interpretation Act 1987 apply to a proclamation under subsection (7) in the same way as they apply to a statutory rule within the meaning of that Act.

**Survey Co-ordination Act 1949 No. 27—**

Section 22 (3), (4)—

Omit the subsections.

**Surveyors Act 1929 No. 3—**

Section 23 (4)—

Omit the subsection.

**Swine Compensation Act 1928 No. 36—**

Section 18 (2)—

Omit the subsection.

**Sydney Cove Redevelopment Authority Act 1968 No. 56—**

Section 46 (4), (5)—

Omit the subsections.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Sydney Harbour Bridge (Administration) Act 1932 No. 2—**

Section 13 (4)—

Omit the subsection.

**Sydney Harbour Trust Act 1900 (Act No. 1, 1901)—**

Section 81—

Omit the section, insert instead:

**Regulations to be approved by Governor**

81. A regulation made under this Act shall be submitted to the Governor for approval.

**Sydney Market Authority Act 1968 No. 11—**

Section 35 (3)—

Omit the subsection.

**Sydney Opera House Trust Act 1961 No. 9—**

Section 28 (4)—

Omit the subsection.

**Sydney Turf Club Act 1943 No. 22—**

Section 32 (3)—

Omit the subsection.

**Technical Education Trust Funds Act 1967 No. 95—**

Section 14 (5), (6)—

Omit the subsections, insert instead:

(5) A by-law made under this Act shall be submitted to the Governor for approval.

**Textile Products Labelling Act 1954 No. 26—**

Section 10 (3)—

Omit the subsection.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**The National Trust of Australia (New South Wales) Act 1960 No. 10—**

Section 16 (4), (5)—

Omit the subsections, insert instead:

(4) A by-law made by the Council shall be sealed with the common seal of the National Trust and shall be submitted to the Governor for approval.

**Theatres and Public Halls Act 1908 No. 13—**

(1) Section 31 (4)—

Omit the subsection.

(2) Section 32—

Omit the section.

**Therapeutic Goods and Cosmetics Act 1972 No. 14—**

(1) Section 23—

Omit the section.

(2) Part IX—

Omit the Part.

**Tobacco Leaf Stabilization Act 1967 No. 34—**

Section 28 (4)—

Omit the subsection.

**Totalizator Act 1916 No. 75—**

Section 20 (3)—

Omit the subsection.

**Totalizator (Off-course Betting) Act 1964 No. 1—**

Section 21 (4)—

Omit the subsection.

**Tow-truck Act 1967 No. 46—**

Section 21 (5)—

Omit the subsection.



*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Trade Union Act 1881 (45 Vic. No. 12)—**

Section 32 (3)—

Omit the subsection.

**Traffic Safety (Lights and Hoardings) Act 1951 No. 7—**

Section 7 (5)—

Omit the subsection.

**Transferred Officers Extended Leave Act 1961 No. 13—**

Section 6 (4)—

Omit the subsection.

**Transport Act 1930 No. 18—**

Section 262 (2), (8)—

Omit the subsections.

**Transport Authorities Act 1980 No. 103—**

Section 47 (2)—

Omit the subsection.

**Transport Employees Retirement Benefits Act 1967 No. 96—**

Section 53 (2), (3)—

Omit the subsections.

**Travel Agents Act 1986 No. 5—**

Schedule 2, clause 2—

Omit the clause.

**Treasury Corporation Act 1983 No. 75—**

Section 4 (4)—

Omit "Section 38 (I) (b) and (II) of the Interpretation Act, 1897," insert instead "Section 50 (1) (b) and (2) of the Interpretation Act 1987".

**Trustee Act 1925 No. 14—**

(1) Section 4—

Omit the section.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

(2) Section 104A (2)—

Omit the subsection.

**Trustee Companies Act 1964 No. 6—**

(1) Section 2 (5)—

Omit the subsection.

(2) Section 37 (3)—

Omit the subsection.

**Uniting Church in Australia Act 1977 No. 47—**

Section 13 (1)—

Omit "Without affecting the generality of section 38 of the Interpretation Act, 1897, but subject", insert instead "Subject".

**University and University Colleges Act 1900 No. 22—**

Sections 15 (5), 46 (4)—

Omit the subsections.

**University of New England Act 1953 No. 34—**

Section 25 (4)—

Omit the subsection.

**University of New South Wales Act 1968 No. 37—**

Sections 22 (5), 32 (2)—

Omit the subsections.

**University of Newcastle Act 1964 No. 72—**

Section 24 (3)—

Omit the subsection.

**University of Wollongong Act 1972 No. 72—**

Section 28 (2) (c)—

Omit the paragraph, insert instead:

(c) shall be deemed not to be a statutory rule for the purposes of section 39, 40 or 41 of the Interpretation Act 1987.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Valuation of Land Act 1916 No. 2—**

Section 81 (2)—

Omit the subsection.

**Venereal Diseases Act 1918 No. 46—**

Section 33 (3)—

Omit the subsection.

**Voluntary Workers (Soldiers' Holdings) Act 1917 No. 25—**

Section 10 (2)—

Omit the subsection.

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

Section 9 (3)—

Omit the subsection.

**Warehousemen's Liens Act 1935 No. 19—**

Section 11 (2), (3)—

Omit the subsections.

**Water Act 1912 No. 44—**

Sections 27 (2), 74 (2), 75 (2), 129 (2), 149 (3), 164 (4)—

Omit the subsections.

**Weights and Measures Act 1915 No. 10—**

Section 58—

Omit the section.

**Wellington Show Ground Act 1929 No. 54—**

Section 9 (3), (4)—

Omit section 9 (3), insert instead:

(3) Any such by-law shall be submitted to the Governor for approval.

(4) The trustees shall cause a copy of any such by-law applicable to any of the lands held by the trustees to be posted in some conspicuous place on that land.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*SCHEDULE 32—*continued*MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued***Wentworth Irrigation Act 1890 (54 Vic. No. 7)—**

## (1) Section 32—

Omit the section, insert instead:

**Saving of by-laws**

32. Any by-law made under this section, and in force immediately before the substitution of this section by the Statute Law (Miscellaneous Provisions) Act (No. 1) 1987, shall be deemed to be a regulation.

## (2) (a) Section 33 (1)—

Omit “for or with respect to the form of lease to be used under this Act.”, insert instead:

for or with respect to—

- (a) the form of lease to be used under this Act;
- (b) the administration and maintenance of the works constructed pursuant to this Act;
- (c) the manner of fixing the charges for water supplied and the times and manner of their payment, and the conditions on which the water shall be supplied;
- (d) the times and manner of payment of the rate fixed by the Ministerial Corporation;
- (e) the charging of interest on a daily basis on overdue rates and charges (whether or not the subject of a judgment by a court) and the times and manner of its payment; and
- (f) authorising the Ministerial Corporation, if payment of rates or charges relating to any land, or of any interest on the rates or charges, is overdue, to withhold the supply of water to the land without affecting the liability to pay the rates, charges or interest.

## (b) Section 33 (2)—

Omit the subsection, insert instead:

(2) A regulation may create an offence punishable by a penalty not exceeding \$1,000.

**Western Lands Act 1901 No. 70—**

## Section 36 (2)—

Omit the subsection.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Wild Dog Destruction Act 1921 No. 17—**

Section 31 (2)—

Omit the subsection.

**Wills, Probate and Administration Act 1898 No. 13—**

Section 153 (2)—

Omit the subsection.

**Wine Grape Processing Industry Act 1979 No. 87—**

Schedule 3, clause 2 (3)—

Omit "Subject to section 30 (b) of the Interpretation Act, 1897, an", insert instead "An".

**Women's College Act 1902 No. 71—**

(1) Section 4 (4)—

Omit the subsection.

(2) Section 16 (2)—

Omit the subsection, insert instead:

(2) A by-law shall be sealed with the seal of the Council and shall be submitted to the Governor for approval.

**Wool, Hide and Skin Dealers Act 1935 No. 40—**

Section 14 (2)—

Omit the subsection.

**Workers' Compensation (Brucellosis) Act 1979 No. 116—**

(1) Section 39 (1)—

Omit the subsection.

(2) Section 39 (2)—

Omit "Without limiting the generality of section 8 of the Interpretation Act 1897, any", insert instead "Any".

**Workers' Compensation (Dust Diseases) Act 1942 No. 14—**

Section 10 (4)—

Omit the subsection.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 32—*continued*

MISCELLANEOUS AMENDMENTS CONSEQUENT UPON THE ENACTMENT  
OF THE INTERPRETATION ACT 1987—*continued*

**Workmen's Compensation (Lead Poisoning—Broken Hill) Act 1922 No. 31—**

Section 15 (3)—

Omit the subsection.

**Youth and Community Services Act 1973 No. 90—**

Section 25 (8)—

Omit the subsection.

**Zoological Parks Board Act 1973 No. 34—**

Section 16 (2)—

Omit "section 38 (I) of the Interpretation Act, 1897", insert instead "section 50 of the Interpretation Act 1987".

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SCHEDULE 33

(Sec. 4)

REPEALS

- Housing Indemnities (Co-operation) Amendment Act 1981 No. 7
- Closer Settlement (Land Aggregation Tax) Amendment Act 1981 No. 40
- Public Hospitals (Amendment) Act 1982 No. 103
- Crimes (Domestic Violence) Amendment Act 1982 No. 116
- Statutory and Other Offices Remuneration (Housing Commission) Amendment Act 1982 No. 120
- Miscellaneous Acts (Anti-Discrimination) Amendment Act 1982 No. 143
- Defamation (Farm Produce) Amendment Act 1983 No. 31
- Noise Control (Licences and Approvals) Amendment Act 1983 No. 92
- Clean Air (Licences and Approvals) Amendment Act 1983 No. 94
- Public Service (Public Authorities Superannuation Board) Amendment Act 1983 No. 107
- Co-operation (Amendment) Act 1983 No. 120
- Justices (Community Justice Centres) Amendment Act 1983 No. 128

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 33—*continued*REPEALS—*continued*

- Crimes (Further Amendment) Act 1983 No. 131  
Prisons (Amendment) Act 1983 No. 132  
Public Service (Dairy Corporation) Amendment Act 1983 No. 157  
Industrial Arbitration (Contracts of Carriage) Amendment Act 1983 No. 168  
Crimes (Endangered Fauna) Amendment Act 1983 No. 184  
Defamation (Probation and Parole) Amendment Act 1983 No. 196  
Periodic Detention of Prisoners (Probation and Parole) Amendment Act 1983 No. 197  
Defamation (Racing Appeals Tribunal) Amendment Act 1983 No. 200  
Crimes (Amendment) Act 1984 No. 7  
Crimes (Registration of Instruments) Amendment Act 1984 No. 22  
Government Insurance (Amendment) Act 1984 No. 37  
Courts of Petty Sessions (Civil Claims) (Solicitors' Remuneration) Amendment Act 1984 No. 56  
Commissioner of Public Complaints Act 1984 No. 76  
Defamation (Commissioner of Public Complaints) Amendment Act 1984 No. 78  
Police Board (Promotions) Amendment Act 1984 No. 80  
Health Administration (Medical Services Committee) Amendment Act 1984 No. 109  
Defamation (Law Reform Commission) Amendment Act 1984 No. 118  
Royal Botanic Gardens and Domain Trust (Amendment) Act 1985 No. 3  
Crimes (Amendment) Act 1985 No. 9  
Liquor (Amendment) Act 1985 No. 12  
Trade Union (Amendment) Act 1985 No. 19  
Crimes (Powers of Arrest) Amendment Act 1985 No. 27  
Apprenticeship (Amendment) Act 1985 No. 30  
Racing Appeals Tribunal (Amendment) Act 1985 No. 35  
Public Finance and Audit (State Public Service Superannuation Board) Amendment Act 1985 No. 48  
Builders Licensing (Amendment) Act 1985 No. 56  
Crimes (Death Penalty Abolition) Amendment Act 1985 No. 58

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 33—*continued*REPEALS—*continued*

Human Tissue (Amendment) Act 1985 No. 61  
Associations Incorporation (Amendment) Act 1985 No. 75  
Public Hospitals (Amendment) Act 1985 No. 83  
Wills, Probate and Administration (Trustee Companies) Amendment Act 1985 No. 90  
Compensation Court (Amendment) Act 1985 No. 92  
Public Finance and Audit (Amendment) Act 1985 No. 97  
Justices (Motor Dealers) Amendment Act 1985 No. 106  
Justices (Sydney Market Authority) Amendment Act 1985 No. 136  
Public Finance and Audit (Sydney Market Authority) Amendment Act 1985 No. 137  
Public Finance and Audit (Further Amendment) Act 1985 No. 159  
Fisheries and Oyster Farms (Noxious Fish) Amendment Act 1985 No. 160  
Housing (Amendment) Act 1985 No. 164  
Public Finance and Audit (Housing) Amendment Act 1985 No. 167  
Crimes (Summary Procedure) Amendment Act 1985 No. 208  
Business Franchise Licences (Petroleum Products) (Administration) Amendment Act  
1985 No. 220

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## SCHEDULE 34

(Sec. 5)

## SAVINGS, TRANSITIONAL AND OTHER PROVISIONS

**Savings relating to repealed enactments**

1. The repeal by this Act of any enactment does not affect—
  - (a) the proof of any past act or thing;
  - (b) the continuity, or status as a legal entity, of any body;
  - (c) any duty, obligation, liability, benefit, privilege or right saved by the operation of the enactment; or
  - (d) any amendment or validation made by the enactment.



*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 34—*continued*

SAVINGS, TRANSITIONAL AND OTHER PROVISIONS—*continued*

**Interpretation Act 1897**

2. The savings contained in this Schedule do not limit any saving in the Interpretation Act 1897.

**Effect of amendment of amending provisions**

3. An amendment made by Schedule 31 to an amending provision (as defined by the Reprints Act 1972) contained in an Act shall, if the amending provision has commenced before the date of assent to this Act, be deemed to have taken effect as from the commencement of the amending provision.

**Effect of amendment or repeal on acts done or decisions made**

4. Except where it is expressly provided to the contrary, where this Act—

- (a) amends a provision of an Act; or
- (b) repeals and re-enacts (with or without modifications) a provision of an Act,

any act done or decision made under the provision amended or repealed has effect after the amendment or repeal as if it had been done or made under the provision as so amended or re-enacted.

**Amendment of Crimes Act 1900**

5. (1) The amendment made by this Act to section 444 of the Crimes Act 1900 applies to sentences passed before the commencement of that amendment as well as to sentences passed after that commencement.

(2) The amendments made by this Act to section 447B of the Crimes Act 1900 do not affect any list of offences filed in court under that section before the commencement of those amendments.

(3) Offences may be taken into account under section 447B of the Crimes Act 1900, as amended by this Act, whether they were committed before or after the commencement of the amendments made to that section by this Act.

(4) Offences may be taken into account under section 447B of the Crimes Act 1900, as amended by this Act, in relation to a person found guilty of an offence punishable by penal servitude for life—

- (a) whether that offence was committed before or after the commencement of the amendments made to that section by this Act; and
- (b) whether the person was found guilty of that offence before or after that commencement (so long as sentence has not already been passed).

**Amendment of Firearms and Dangerous Weapons Act 1973**

6. The amendments made by this Act to the Firearms and Dangerous Weapons Act 1973 do not affect any legal proceedings in relation to section 7 (5) (c1) or 10 (4) (c1) of that Act which have been commenced before the date of assent to this Act.

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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SCHEDULE 34—*continued*SAVINGS, TRANSITIONAL AND OTHER PROVISIONS—*continued***Amendment of Local Courts (Civil Claims) Act 1970**

7. The amendment made to section 27 of the Local Courts (Civil Claims) Act 1970 by this Act does not apply in relation to proceedings which have been commenced before the commencement of the amendment.

**Amendment of Pay-roll Tax Act 1971**

8. A regulation made under section 12 of the Pay-roll Tax Act 1971 and in force immediately before the commencement of this Act shall, on that commencement, be deemed to have been made under section 12 of that Act, as amended by this Act.

**Regulations**

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

(2) A provision made under subclause (1) may take effect as from the date of assent to this Act or a later date.

(3) To the extent to which a provision referred to in subclause (1) takes effect 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 in the Gazette; 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 in the Gazette.

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

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**NOTE:**

Alphabetical list of Acts repealed by Schedule 33

Apprenticeship (Amendment) Act 1985 No. 30

Associations Incorporation (Amendment) Act 1985 No. 75

Builders Licensing (Amendment) Act 1985 No. 56

Business Franchise Licences (Petroleum Products) (Administration) Amendment Act 1985 No. 220

Clean Air (Licences and Approvals) Amendment Act 1983 No. 94

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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- Closer Settlement (Land Aggregation Tax) Amendment Act 1981 No. 40  
Commissioner of Public Complaints Act 1984 No. 76  
Compensation Court (Amendment) Act 1985 No. 92  
Co-operation (Amendment) Act 1983 No. 120  
Courts of Petty Sessions (Civil Claims) (Solicitors' Remuneration) Amendment Act 1984 No. 56  
Crimes (Amendment) Act 1984 No. 7  
Crimes (Amendment) Act 1985 No. 9  
Crimes (Death Penalty Abolition) Amendment Act 1985 No. 58  
Crimes (Domestic Violence) Amendment Act 1982 No. 116  
Crimes (Endangered Fauna) Amendment Act 1983 No. 184  
Crimes (Further Amendment) Act 1983 No. 131  
Crimes (Powers of Arrest) Amendment Act 1985 No. 27  
Crimes (Registration of Instruments) Amendment Act 1984 No. 22  
Crimes (Summary Procedure) Amendment Act 1985 No. 208  
Defamation (Commissioner of Public Complaints) Amendment Act 1984 No. 78  
Defamation (Farm Produce) Amendment Act 1983 No. 31  
Defamation (Law Reform Commission) Amendment Act 1984 No. 118  
Defamation (Probation and Parole) Amendment Act 1983 No. 196  
Defamation (Racing Appeals Tribunal) Amendment Act 1983 No. 200  
Fisheries and Oyster Farms (Noxious Fish) Amendment Act 1985 No. 160  
Government Insurance (Amendment) Act 1984 No. 37  
Health Administration (Medical Services Committee) Amendment Act 1984 No. 109  
Housing (Amendment) Act 1985 No. 164  
Housing Indemnities (Co-operation) Amendment Act 1981 No. 7  
Human Tissue (Amendment) Act 1985 No. 61  
Industrial Arbitration (Contracts of Carriage) Amendment Act 1983 No. 168  
Justices (Community Justice Centres) Amendment Act 1983 No. 128  
Justices (Motor Dealers) Amendment Act 1985 No. 106  
Justices (Sydney Market Authority) Amendment Act 1985 No. 136  
Liquor (Amendment) Act 1985 No. 12  
Miscellaneous Acts (Anti-Discrimination) Amendment Act 1982 No. 143

*Statute Law (Miscellaneous Provisions) (No. 1) 1987*

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- Noise Control (Licences and Approvals) Amendment Act 1983 No. 92
- Periodic Detention of Prisoners (Probation and Parole) Amendment Act 1983 No. 197
- Police Board (Promotions) Amendment Act 1984 No. 80
- Prisons (Amendment) Act 1983 No. 132
- Public Finance and Audit (Amendment) Act 1985 No. 97
- Public Finance and Audit (Further Amendment) Act 1985 No. 159
- Public Finance and Audit (Housing) Amendment Act 1985 No. 167
- Public Finance and Audit (State Public Service Superannuation Board) Amendment Act 1985 No. 48
- Public Finance and Audit (Sydney Market Authority) Amendment Act 1985 No. 137
- Public Hospitals (Amendment) Act 1982 No. 103
- Public Hospitals (Amendment) Act 1985 No. 83
- Public Service (Dairy Corporation) Amendment Act 1983 No. 157
- Public Service (Public Authorities Superannuation Board) Amendment Act 1983 No. 107
- Racing Appeals Tribunal (Amendment) Act 1985 No. 35
- Royal Botanic Gardens and Domain Trust (Amendment) Act 1985 No. 3
- Statutory and Other Offices Remuneration (Housing Commission) Amendment Act 1982 No. 120
- Trade Union (Amendment) Act 1985 No. 19
- Wills, Probate and Administration (Trustee Companies) Amendment Act 1985 No. 90