

# MARITIME SERVICES (AMENDMENT) ACT 1989 No. 94

NEW SOUTH WALES

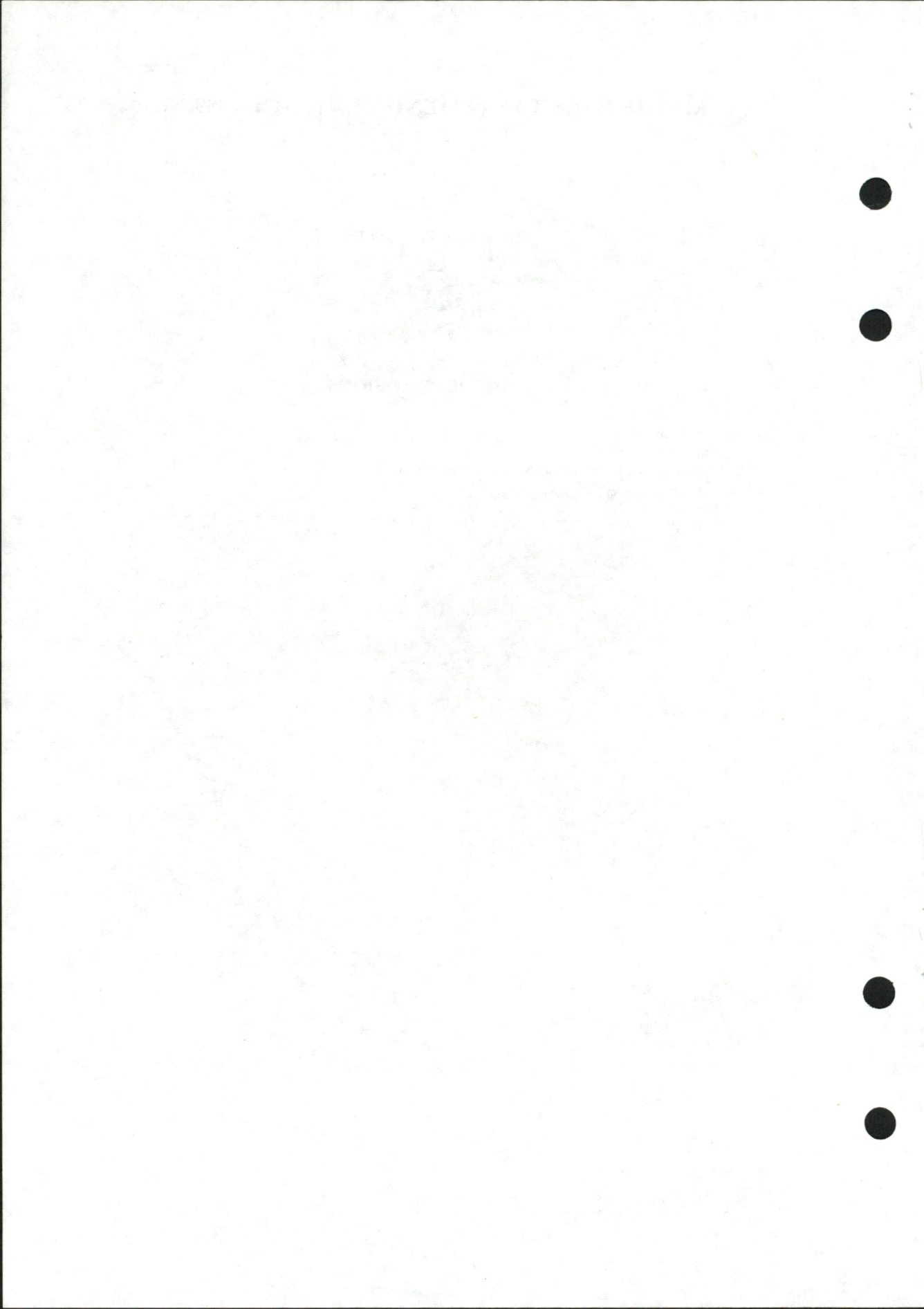


## TABLE OF PROVISIONS

1. Short title
2. Commencement
3. Amendment of Maritime Services Act 1935 No. 47

### SCHEDULE 1—AMENDMENTS

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**MARITIME SERVICES (AMENDMENT) ACT 1989 No. 94**

NEW SOUTH WALES



**Act No. 94, 1989**

An Act to amend the Maritime Services Act 1935 as a consequence of and in connection with the enactment of the Marine Administration Act 1989.  
[Assented to 13 June 1989]

*Maritime Services (Amendment) 1989*

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**The Legislature of New South Wales enacts:**

**Short title**

1. This Act may be cited as the Maritime Services (Amendment) Act 1989.

**Commencement**

2. This Act commences on a day or days to be appointed by proclamation.

**Amendment of Maritime Services Act 1935 No. 47**

3. The Maritime Services Act 1935 is amended as set out in Schedule 1.

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**SCHEDULE 1—AMENDMENTS**

(Sec. 3)

(1) Section 1 (3)—

Omit the subsection.

(2) Section 2 (**Definitions**)—

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

Omit “constituted under this Act”, insert instead “established under Part 2 of the Marine Administration Act 1989”.

(b) Section 2 (1), definitions of “Chairperson”, “Deputy General Manager”, “Elected member”, “General Manager”, “Member”, “Part-time member”, “Regulations”—

Omit the definitions.

(c) Section 2 (1), definition of “Fund”—

Omit “section 22”, insert instead “the Marine Administration Act 1989”.

(3) Section 2A (**Construction**)—

After “charged”, insert “(except the Marine Administration Act 1989),”.

(4) Section 2B (**Land purporting to be vested in the Board**)—

Omit the section.

(5) Part 2 (**Constitution of the Maritime Services Board**), Part 2A (**General Manager and Deputy General Manager**)—

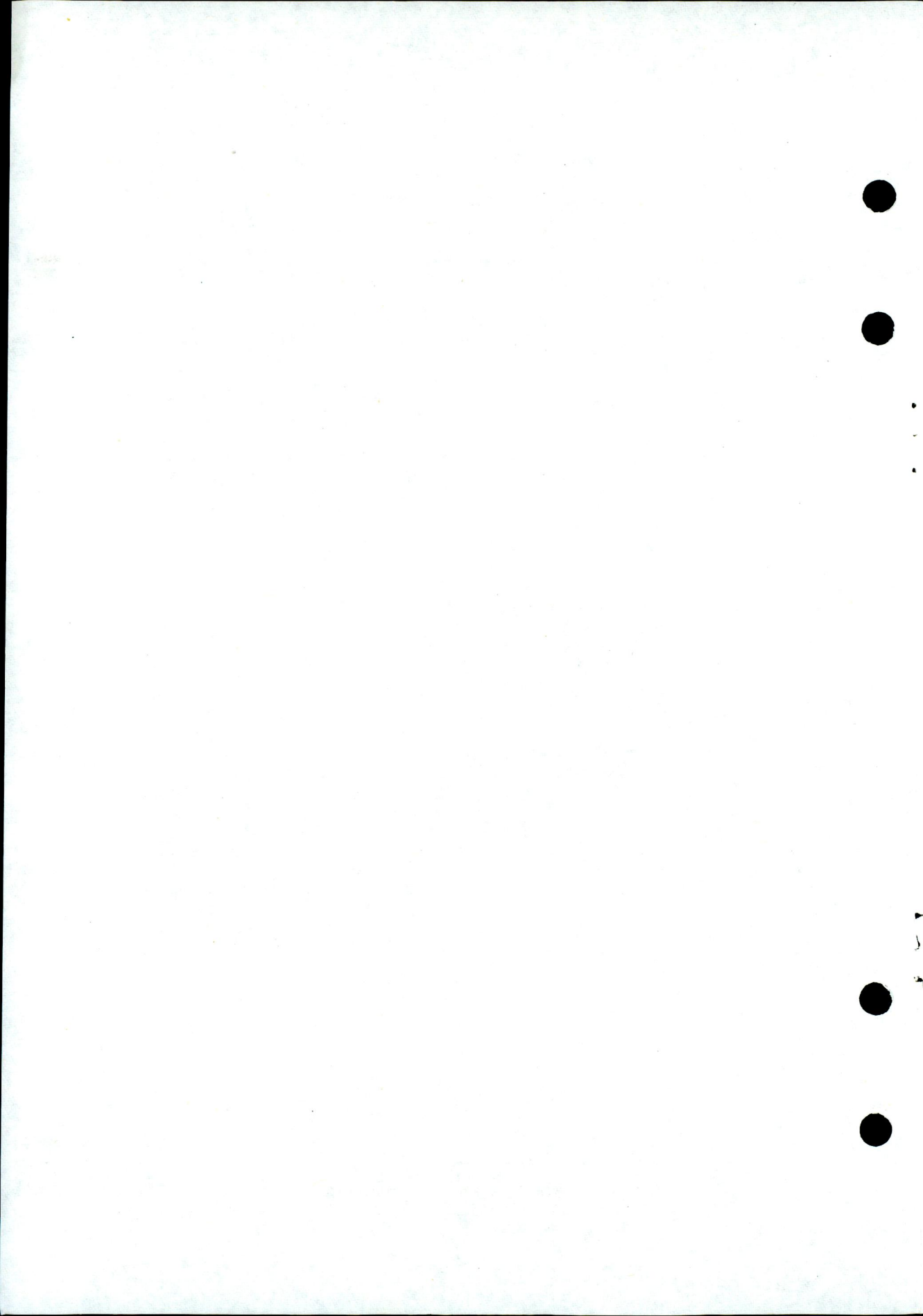
Omit the Parts.

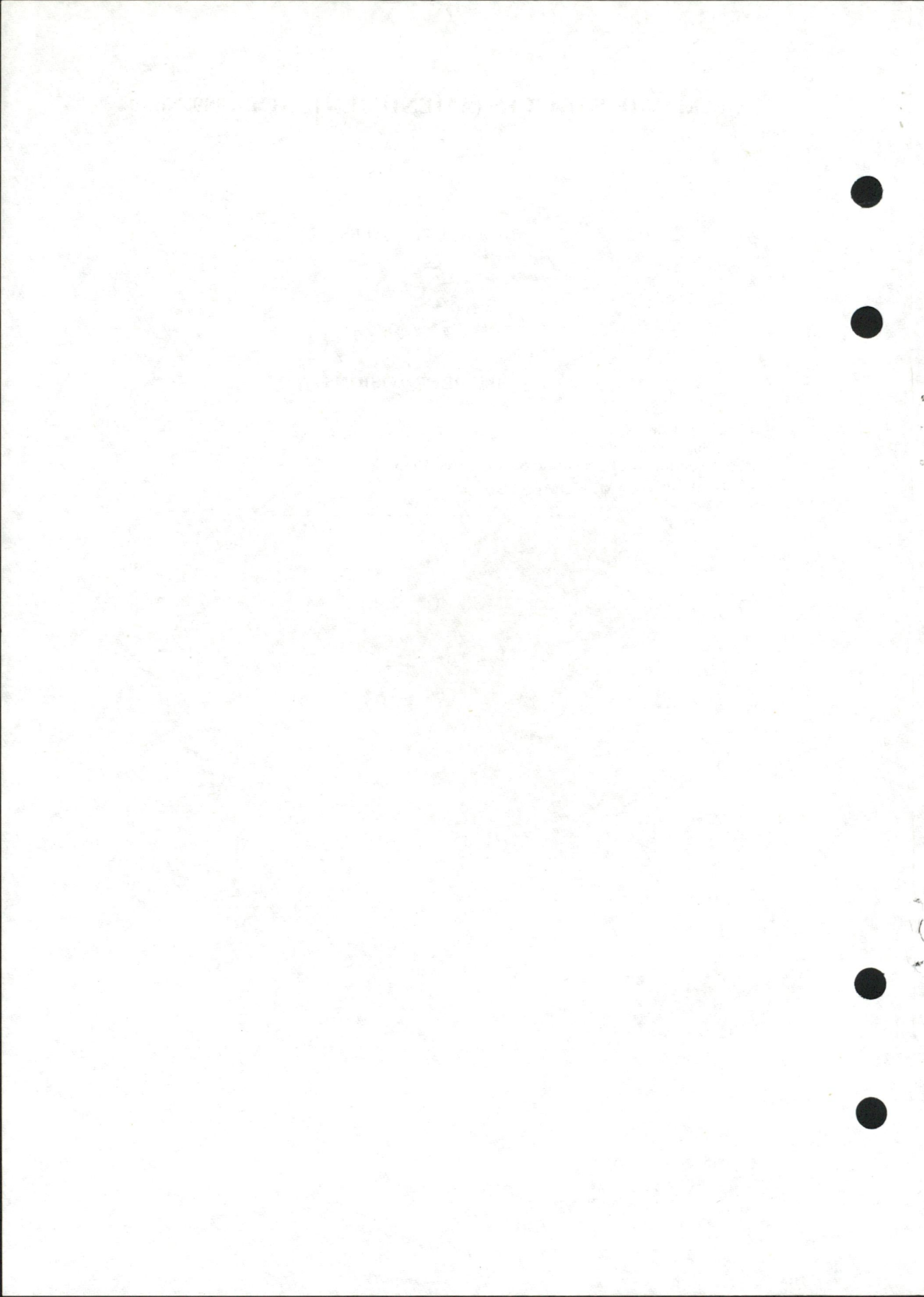
*Maritime Services (Amendment) 1989*SCHEDULE 1—AMENDMENTS—*continued*

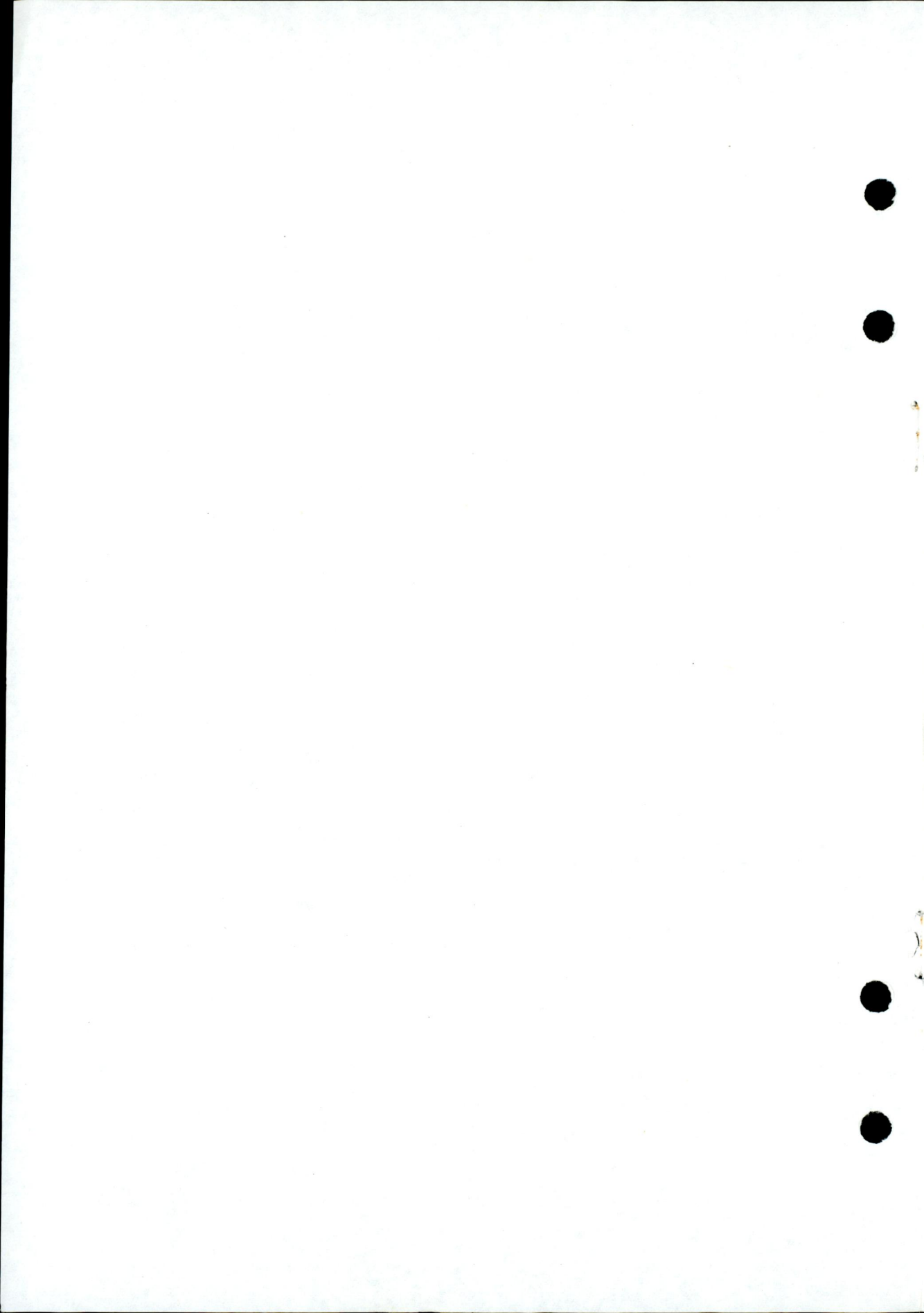
- (6) Sections 13MA (**Acquisition of shares by the Board**), 13P (**Method of contracting**)—  
Omit the sections.
- (7) Sections 14–21 (**Provisions relating to staff of Board**)—  
Omit the sections.
- (8) Part 3, Division 5 (**Finance**), Division 6 (**Accounts and Audit**)—  
Omit the Divisions.
- (9) Sections 29 (**Judicial notice of the seal of the Board**), 30 (**Service of notice and legal proceedings**), 31 (**Documents how authenticated**), 31A (**Application of certain Acts**), 33 (**Officers may represent Board**), 35 (**Evidence of documents issued by the Board**), 36 (**Delegation by the Board**), 39 (**Waiver or refund of tolls, rates etc.**)—  
Omit the sections.
- (10) Section 34 (**Proof of certain matters not required**)—  
Omit section 34 (1) (a).
- (11) Schedules 6, 7, 8—  
Omit the Schedules.

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[*Minister's second reading speech made in—  
Legislative Assembly on 4 May 1989  
Legislative Council on 24 May 1989*]









## MARITIME SERVICES (AMENDMENT) BILL 1989

NEW SOUTH WALES



### EXPLANATORY NOTE

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

This Bill is cognate with the Marine Administration Bill 1989.

The object of this Bill is to amend the Maritime Services Act 1935 as a consequence of the reconstitution of the Maritime Services Board ("MSB") under the proposed Marine Administration Act 1989. The existing provisions in the Maritime Services Act 1935 dealing with the constitution of the MSB and the appointment and functions of its chief executives and its staff, as well as the financial provisions relating to the MSB, will be repealed and replaced with provisions in the proposed Marine Administration Act 1989.

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**Clause 1** specifies the short title of the proposed Act.

**Clause 2** provides for the commencement of the proposed Act on a proclaimed day or days.

**Clause 3** is a formal provision which gives effect to the Schedule of amendments.

### SCHEDULE 1—AMENDMENTS

**Schedule 1 (5)** repeals Parts 2 and 2A of the Principal Act which contain provisions relating to the constitution of the MSB and the appointment and functions of the General Manager and Deputy General Manager of the MSB.

**Schedule 1 (7)** repeals various provisions of the Principal Act relating to the staff of the MSB.

**Schedule 1 (8)** repeals various provisions of the Principal Act which at present deal with the financial arrangements of the MSB (for example, payments into and out of the MSB Fund).

*Maritime Services (Amendment) 1989*

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**Schedule 1 (1)-(4), (6) and (9)-(11)** effect other consequential repeals and changes.

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# MARITIME SERVICES (AMENDMENT) BILL 1989

NEW SOUTH WALES



## TABLE OF PROVISIONS

1. Short title
2. Commencement
3. Amendment of Maritime Services Act 1935 No. 47

SCHEDULE 1—AMENDMENTS

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# MARITIME SERVICES (AMENDMENT) BILL 1989

NEW SOUTH WALES



No. , 1989

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## **A BILL FOR**

An Act to amend the Maritime Services Act 1935 as a consequence of and in connection with the enactment of the Marine Administration Act 1989.

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*Maritime Services (Amendment) 1989***The Legislature of New South Wales enacts:****Short title**

1. This Act may be cited as the Maritime Services (Amendment) Act 1989.

**5 Commencement**

2. This Act commences on a day or days to be appointed by proclamation.

**Amendment of Maritime Services Act 1935 No. 47**

3. The Maritime Services Act 1935 is amended as set out in Schedule  
10 1.

**SCHEDULE 1—AMENDMENTS**

(Sec. 3)

(1) Section 1 (3)—

Omit the subsection.

15 (2) Section 2 (**Definitions**)—

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

Omit “constituted under this Act”, insert instead “established under Part 2 of the Marine Administration Act 1989”.

20 (b) Section 2 (1), definitions of “Chairperson”, “Deputy General Manager”, “Elected member”, “General Manager”, “Member”, “Part-time member”, “Regulations”—

Omit the definitions.

(c) Section 2 (1), definition of “Fund”—

25 Omit “section 22”, insert instead “the Marine Administration Act 1989”.

(3) Section 2A (**Construction**)—

After “charged”, insert “(except the Marine Administration Act 1989),”.

(4) Section 2B (**Land purporting to be vested in the Board**)—

30 Omit the section.

(5) Part 2 (**Constitution of the Maritime Services Board**), Part 2A (**General Manager and Deputy General Manager**)—

Omit the Parts.

*Maritime Services (Amendment) 1989*

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SCHEDULE 1—AMENDMENTS—*continued*

- (6) Sections 13<sup>MA</sup> (**Acquisition of shares by the Board**), 13<sup>P</sup> (**Method of contracting**)—  
Omit the sections.
- 5 (7) Sections 14–21 (**Provisions relating to staff of Board**)—  
Omit the sections.
- (8) Part 3, Division 5 (**Finance**), Division 6 (**Accounts and Audit**)—  
Omit the Divisions.
- 10 (9) Sections 29 (**Judicial notice of the seal of the Board**), 30 (**Service of notice and legal proceedings**), 31 (**Documents how authenticated**), 31<sup>A</sup> (**Application of certain Acts**), 33 (**Officers may represent Board**), 35 (**Evidence of documents issued by the Board**), 36 (**Delegation by the Board**), 39 (**Waiver or refund of tolls, rates etc.**)—  
Omit the sections.
- 15 (10) Section 34 (**Proof of certain matters not required**)—  
Omit section 34 (1) (a).
- (11) Schedules 6, 7, 8—  
Omit the Schedules.
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