

FIRST PRINT

**STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL  
(No. 2) 1993**

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 minor amendments to various Acts (Schedule 1); and
- (b) to amend certain other Acts for the purpose of effecting statute law revision (Schedule 2); and
- (c) to repeal certain Acts containing only amendments to other Acts that have been incorporated in a reprint under the Reprints Act 1972 (Schedule 3); and
- (d) to repeal an Act which is no longer of practical utility (Schedule 3); and
- (e) to make other provisions of a consequential or ancillary nature (Schedule 4).

**Clauses 1-5** are machinery provisions specifying the short title of the proposed Act, providing for its commencement and giving effect to the Schedules to the Act containing amendments, repeals and savings, transitional and other provisions.

**Clause 6** makes it clear that the explanatory notes contained in the Schedules do not form part of the proposed Act.

**SCHEDULE 1—MINOR AMENDMENTS**

**Schedule 1** makes amendments to the following Acts:

- Coptic Orthodox Church (NSW) Property Trust Act 1990 No. 67
- Disability Services Act 1993 No. 3
- Education Reform Act 1990 No. 8
- Election Funding Act 1981 No. 78
- Geographical Names Act 1966 No. 13
- Guardianship Act 1987 No. 257
- Justices Act 1902 No. 27
- Liquor (Amendment) Act 1993 No. 28

*Statute Law (Miscellaneous Provisions) (No. 2) 1993*

---

Optical Dispensers Act 1963 No. 35  
 Parliamentary Electorates and Elections Act 1912 No. 41  
 Physiotherapists Registration Act 1945 No. 9  
 Public Hospitals Act 1929 No. 8  
 Registered Clubs (Amendment) Act 1993 No. 29  
 Sydney Market Authority Act 1968 No. 11  
 Teacher Housing Authority Act 1975 No. 27  
 Technical and Further Education Commission Act 1990 No. 118  
 Technical Education Trust Funds Act 1967 No. 95  
 Telecommunications (Interception) (New South Wales) Act 1987 No. 290  
 Tourism Commission Act 1984 No. 46  
 Zoological Parks Board Act 1973 No. 34

The amendments to each Act are explained in detail in the explanatory note relating to the Act concerned set out in Schedule 1.

Where necessary, provisions of a saving nature relating to the amendment concerned have also been set out in Schedule 1.

**SCHEDULE 2—AMENDMENTS BY WAY OF STATUTE LAW REVISION**

**Schedule 2** amends certain other Acts for the purpose of effecting statute law revision. A number of other amendments are made relating to formal drafting matters and minor corrections.

The amendments to each Act are explained in detail in the explanatory note relating to the Act concerned set out in Schedule 2.

**SCHEDULE 3—REPEALS**

**Schedule 3** repeals a number of Acts. Since the Statute Law (Miscellaneous Provisions) Act 1985, the number of Acts in force has been gradually reduced by repealing amending Acts once the amendments contained in the Acts have been incorporated in a reprint. The Schedule continues this process.

The Schedule also repeals the Billiards and Bagatelle (Repeal) Act 1992. The amendments made by that Act to the Gaming and Betting Act 1912 have been incorporated in a reprint. Because of section 28 of the Interpretation Act 1987, the repeal does not operate to revive the Billiards and Bagatelle Act 1902.

The effect of the repeal of amending Acts is explained in detail in the explanatory note set out in Schedule 3.

**SCHEDULE 4—GENERAL SAVINGS, TRANSITIONAL AND OTHER PROVISIONS**

**Schedule 4** contains savings, transitional and other provisions of general effect.

The purpose of each provision is explained in detail in the explanatory note relating to the provision concerned set out in Schedule 4.

---



FIRST PRINT

**STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL**  
**(No. 2) 1993**

NEW SOUTH WALES



**TABLE OF PROVISIONS**

1. Short title
2. Commencement
3. Amendments
4. Repeals
5. General savings, transitional and other provisions
6. Explanatory notes

**SCHEDULE 1—MINOR AMENDMENTS**

Coptic Orthodox Church (NSW) Property Trust Act 1990 No. 67  
Disability Services Act 1993 No. 3  
Education Reform Act 1990 No. 8  
Election Funding Act 1981 No. 78  
Geographical Names Act 1966 No. 13  
Guardianship Act 1987 No. 257  
Justices Act 1902 No. 27  
Liquor (Amendment) Act 1993 No. 28  
Optical Dispensers Act 1963 No. 35  
Parliamentary Electorates and Elections Act 1912 No. 41  
Physiotherapists Registration Act 1945 No. 9  
Public Hospitals Act 1929 No. 8  
Registered Clubs (Amendment) Act 1993 No. 29  
Sydney Market Authority Act 1968 No. 11  
Teacher Housing Authority Act 1975 No. 27  
Technical and Further Education Commission Act 1990 No. 118  
Technical Education Trust Funds Act 1967 No. 95  
Telecommunications (Interception) (New South Wales) Act 1987 No. 290  
Tourism Commission Act 1984 No. 46  
Zoological Parks Board Act 1973 No. 34

*Statute Law (Miscellaneous Provisions) (No. 2) 1993*

---

SCHEDULE 2—AMENDMENTS BY WAY OF STATUTE LAW REVISION

SCHEDULE 3—REPEALS

SCHEDULE 4—GENERAL SAVINGS, TRANSITIONAL AND OTHER  
PROVISIONS

---

**STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL**  
**(No. 2) 1993**

NEW SOUTH WALES



No.     , 1993

---

---

**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.

---

---



*Statute Law (Miscellaneous Provisions) (No. 2) 1993*

---

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

**Short title**

1. This Act may be cited as the Statute Law (Miscellaneous Provisions) Act (No. 2) 1993.

5 **Commencement**

2. A provision of Schedule 1 or 2 to this Act commences as provided in the Schedule. The other provisions of this Act commence on the date of assent.

**Amendments**

10 3. Each Act specified in Schedules 1 and 2 is amended as set out in those Schedules.

**Repeals**

4. Each Act specified in Schedule 3 is repealed.

**General savings, transitional and other provisions**

5. Schedule 4 has effect.

15 **Explanatory notes**

6. The matter appearing under the heading "Explanatory note" in any of the Schedules does not form part of this Act.

---

**SCHEDULE 1—MINOR AMENDMENTS**

(Sec. 3)

20 **COPTIC ORTHODOX CHURCH (NSW) PROPERTY TRUST ACT  
1990 No. 67**

**AMENDMENT**

Section 3 (**Definitions**):

From section 3 (1), omit the definition of "Board", insert instead:

25 "Board" means the New South Wales State Board of the Church;

**COMMENCEMENT**

The amendment to the Coptic Orthodox Church (NSW) Property Trust Act 1990 is taken to have commenced on 10 May 1993.

30 **EXPLANATORY NOTE**

At present, the Act defines "Board" as "the Board of Deacons of the Church". The proposed amendment changes that definition in consequence of an amendment to the constitution of the Church.

The proposed amendment is taken to have commenced on the date of the amendment to the constitution.

35

---

**DISABILITY SERVICES ACT 1993 No. 3****AMENDMENTS**(1) Section 4 (**Definitions**):

From the end of the definition of “eligible organisation”, omit the words “for the purposes of this definition;” and insert them in paragraph (f) after the words “so prescribed,”. 5

## (2) Section 12A:

After section 12, insert:

**Funding of psychiatric disability services by Minister for Health**

12A. (1) Despite any other provision of this Act, the Minister administering this Act and the Minister for Health may enter into an agreement under which the Minister administering this Act provides financial assistance to the Minister for Health for the purposes of enabling the Minister for Health to fund the provision, by eligible organisations, of services to persons in the target group whose disabilities are attributable to a psychiatric impairment. 10 15

(2) Any such agreement must set out:

- (a) the amount of financial assistance to be provided to the Minister for Health; and
- (b) the purposes for which the Minister for Health may apply the financial assistance. 20

(3) This section applies instead of section 12 to the provision of financial assistance by the Minister administering this Act to the Minister for Health.

(4) The services funded under this section are taken to be designated services for the purposes of this Act. 25

(5) The provisions of:

- (a) sections 6 and 7; and

(b) this Division (other than this section),

apply in relation to the Minister for Health's funding of services under this section as if references in those provisions to the Minister were references to the Minister for Health. 30

(6) The Minister for Health is taken to have duly determined that transition plans be prepared under section 7 in relation to the services funded under this section. 35

(7) This section does not limit the application of the other provisions of this Act in relation to funding, or services funded, under this section.

**COMMENCEMENT**

The amendments to the Disability Services Act 1993 commence on the date of assent to this Act. 40

*Statute Law (Miscellaneous Provisions) (No. 2) 1993—Sch. 1*

---

**EXPLANATORY NOTE**

**Statute law revision** (item (1))

Item (1) of the proposed amendments corrects the ranging of a paragraph.

**Psychiatric disability services** (item (2))

- 5 The proposed amendment will enable full effect to be given to the Commonwealth/State Disability Agreement of 30 July 1991 between the Commonwealth and the State.

Psychiatric disability services under the Act are to be funded by the Minister for Health instead of the Minister for Community Services (who administers the Act).

- 10 Proposed section 12A (to be inserted by item (2) of the proposed amendments) permits the Minister for Community Services and the Minister for Health to enter into an agreement under which the Minister for Community Services will provide, from total funds provided by Parliament for disability services, financial assistance to the Minister for Health to enable the latter to fund the provision of the psychiatric disability services concerned.

15 The Act requires such services to be provided and funded in conformity with the objects and principles of the Act. The proposed amendment confirms that transition plans for the provision of the services are to be prepared under the Act within 2 years of the commencement of those services.

---

20 **EDUCATION REFORM ACT 1990 No. 8**

**AMENDMENTS**

- (1) Section 95 (**Higher School Certificate**):

From section 95 (1) (b) (iii), omit "TAFE college", insert instead "TAFE establishment".

- 25 (2) Section 102 (**Functions of the Board**):

From section 102 (2) (h), omit "TAFE colleges", insert instead "TAFE establishments".

**COMMENCEMENT**

- 30 The amendments to the Education Reform Act 1990 commence on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendments are consequential on amendments to the Technical and Further Education Commission Act 1990 proposed to be made elsewhere in this Schedule.

---



**ELECTION FUNDING ACT 1981 No. 78****AMENDMENT**

Section 52 (**Public access to registers**):

Omit section 52 (2).

**COMMENCEMENT**

5

The amendment to the Election Funding Act 1981 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

At present, section 52 (2) requires copies of, or a summary of or extracts from, each register kept under Part 4 of the Act (i.e. the Register of Candidates, the Register of Party Agents and the Register of Official Agents) to be published in the Government Gazette within the period of 2 weeks before polling day for each election. That requirement is considered to be unnecessary because section 52 (1) requires copies of each register to be retained by the Election Funding Authority and made available for public inspection during ordinary office hours. Accordingly, the proposed amendment repeals the publication requirement. A similar amendment to the Parliamentary Electorates and Elections Act 1912 is proposed to be made elsewhere in this Schedule.

10

15

**GEOGRAPHICAL NAMES ACT 1966 No. 13****AMENDMENTS**

20

(1) The whole Act:

(a) Omit "chairman" wherever occurring (except where occurring in section 3 (2) (b)), insert instead "chairperson".

(b) After "he" wherever occurring, insert "or she".

(c) After "him" wherever occurring (except where occurring in section 3 (2) (b), (c) and (d)), insert "or her".

25

(d) After "his" wherever occurring (except where occurring in section 3 (3A)), insert "or her".

(2) Section 2 (**Definitions**):

(a) From paragraph (a) of the definition of "Lands Department map", omit "Eastern or Central Division", insert instead "Eastern and Central Division".

30

(b) From the definition of "Lands Department map", omit "Crown Lands Consolidation Act 1913, as amended by subsequent Acts" wherever occurring, insert instead "Crown Lands Act 1989".

35

(3) Section 3 (**Geographical Names Board**):

(a) From section 3 (2) (a), omit "or, from time to time with the approval of the Surveyor-General, the person holding the office of Deputy Surveyor-General".

- (b) Omit section 3 (2) (b), insert instead:
- (b) one is to be the person for the time being holding the office of Director of Planning, or an officer of the Department of Planning nominated by the Director;
- 5 (c) From section 3 (2) (c), omit “him”, insert instead “the State Librarian”;
- (d) Omit section 3 (2) (d), insert instead:
- (d) one is to be the person for the time being holding the office of Deputy Surveyor-General; and
- 10 (e) From section 3 (3A), omit “subsection (2) (b) or his or her nominee”, insert instead “subsection (2) (d)”.
- (f) From section 3 (4) (d), omit “the Minister”, insert instead “the New South Wales Aboriginal Land Council”.
- (g) Omit section 3 (10) (b) (iii), insert instead:
- 15 (iii) becomes a mentally incapacitated person;
- (h) In section 3 (10) (b) (iv), after “himself” insert “or herself”.
- (4) **Section 15 (Names in geographical manuscripts, tourist publications, maps etc.):**
- Omit section 15 (3), insert instead:
- 20 (3) Proceedings for an offence against this section are to be dealt with summarily before a Local Court constituted by a Magistrate sitting alone.

**COMMENCEMENT**

- 25 Items (1), (2), (3) (b), (c), (g) and (h) and (5) of the amendments to the Geographical Names Act 1966 commence on the date of assent to this Act.
- Items (3) (a) and (d)–(f) of the amendments to the Geographical Names Act 1966 commence on a day or days to be appointed by proclamation.

**EXPLANATORY NOTE****Gender-neutral language** (items (1) and (3) (c) and (h))

- 30 Items (1) and (3) (c) and (h) of the proposed amendments remove the gender-specific language in the Act.

**Updating of references** (items (2), (3) (b) and (g) and (5))

Items (2), (3) (b) and (g) and (5) of the proposed amendments update certain references in the Act.



**Deputy Surveyor-General to be member and deputy chairperson of Geographical Names Board** (item (3) (a), (d) and (e))

At present, the Deputy Surveyor-General may replace the Surveyor-General (with the Surveyor-General's approval) as a member of the Geographical Names Board. Item (3) (d) of the proposed amendments repeals the requirement that the Director of the Office of Economic Development be a member of the Board (since that Office no longer deals with regional development) and provides instead for the Deputy Surveyor-General to be an ex-officio member of the Board. Item (3) (a) of the proposed amendments is consequential on that amendment. Item (3) (e) provides for the Deputy Surveyor-General to be the deputy chairperson of the Board (in place of the Director of Planning or an officer of the Department of Planning nominated by the Director).

5

10

**Board to include nominee of New South Wales Aboriginal Land Council** (item (3) (f))

Item (3) (f) of the proposed amendments provides that the fourth appointed member of the Board is to be nominated by the New South Wales Aboriginal Land Council instead of by the Minister (whose current nominee is the Deputy Surveyor-General). One of the Board's functions is to compile and maintain a vocabulary of aboriginal words used or suitable for use in geographical names and to record their meaning and tribal origin.

15

20

**GUARDIANSHIP ACT 1987 No. 257****AMENDMENT****Section 35 (Offences):**

After section 35 (1), insert:

(1A) Subsection (1) (c) does not apply in the case of special treatment that is special treatment of the kind referred to in paragraph (a) of the definition of "special treatment" in section 33 (1) or special treatment prescribed by the regulations for the purposes of this subsection.

25

**COMMENCEMENT**

30

The amendment to the Guardianship Act 1987 commences on the commencement of Schedule 1 (5) to the Guardianship (Amendment) Act 1993 or on the date of assent to this Act, whichever is the later.

**EXPLANATORY NOTE**

The Guardianship Act 1987 at present allows the Supreme Court, when exercising its jurisdiction with respect to guardianship, to make orders for the carrying out of certain medical or dental treatment on patients who are 16 or more years old and who are incapable of giving consent to the carrying out of that treatment. However, the Court does not have the power to make such orders in relation to "special medical treatment" (that is, sterilisation and other medical treatment prescribed by the regulations).

35

40



*Statute Law (Miscellaneous Provisions) (No. 2) 1993—Sch. 1*

---

- 5 The Guardianship (Amendment) Act 1993 (which has not yet commenced) replaces the provisions relating to the giving of consent for the carrying out of medical or dental treatment, making substantial changes to those provisions. An unintended consequence of those changes is the removal of the restriction on the power of the Supreme Court to make orders concerning sterilisation and other prescribed treatment. The proposed amendment reinstates that restriction.
- 

**JUSTICES ACT 1902 No. 27**

**AMENDMENTS**

- (1) Section 100I (**Interpretation**):
- 10 In section 100I (1), in paragraph (a) of the definition of “penalty notice”, insert in alphabetical order:
- Centennial Park and Moore Park Trust Act 1983, section 24;
- (2) Section 145B (**Short description of certain offences**):
- (a) Omit section 145B (1).
- 15 (b) In section 145B (2), after “a summary offence”, insert “or an indictable offence that may be dealt with summarily”.

**COMMENCEMENT**

The amendments to the Justices Act 1902 commence on a day or days to be appointed by proclamation.

20 **EXPLANATORY NOTE**

**Penalty notices (item (1))**

- Item (1) of the proposed amendments enables penalty notices issued under section 24 of the Centennial Park and Moore Park Trust Act 1983 to be brought within the Self-Enforcing Infringement Notice Scheme. (A penalty notice is a notice to the effect that it appears that the person on whom it is served is guilty of an offence. If that person does not wish to have the matter determined by a Court, he or she may pay the amount of the penalty prescribed for the offence if dealt with by way of penalty notice.) The effect of the proposed amendment is that, if the amount payable under a penalty notice issued under section 24 of the Centennial Park and Moore Park Trust Act 1983 is not paid within the time allowed by the notice, a “courtesy letter” may issue. Such a letter gives a further 21 days for payment and specifies that the person on whom the notice and letter was served may be dealt with under Division 2 of Part 4B of the Justices Act 1902 if payment is not made (and if the person does not exercise his or her right to have the matter of his or her guilt determined by a Court).
- 25 Under that Division, an authorised Justice of the Peace may order the person concerned to pay an amount equal to the amount payable under the notice (together with costs) and the order is taken to be an order of a Local Court.
- 30
- 35

**Short descriptions of certain offences (item (2))**

At present, section 145B of the Act allows the use of prescribed short descriptions of offences in informations, complaints, summonses, warrants, notices, orders and other documents relating to summary offences. "Summary offence" is defined for the purposes of section 145B as "an offence or act for which a person is liable upon summary conviction before a Justice or Justices to be punished by fine or imprisonment, or otherwise". This definition excludes indictable offences that may be dealt with summarily.

5

Item (2) of the proposed amendments allows short descriptions of offences to be prescribed for indictable offences that may be dealt with summarily as well as for summary offences.

10

**LIQUOR (AMENDMENT) ACT 1993 No. 28****AMENDMENTS****(1) Section 4 (Amendment of Search Warrants Act 1985 No. 37):**

From section 4, omit "section 151 or 166", insert instead "section 151 or 169".

15

**(2) Schedule 1 (Amendments to Liquor Act 1982 relating to approved amusement devices):**

Omit Schedule 1 (8).

**(3) Schedule 3 (Miscellaneous amendments to Liquor Act 1982):**

20

(a) In Schedule 3 (5) (b), (6) (b) and (7) (b), after "for a trial period" wherever occurring, insert "of up to 6 months".

(b) From Schedule 3, omit so much of item (10) as would include the words "or who, in the opinion of the Director, has some association or connection with the applicant that is relevant to the application," in proposed section 42D (1).

25

(c) Omit Schedule 3 (34).

**COMMENCEMENT**

The amendments to the Liquor (Amendment) Act 1993 commence on the date of assent to this Act.

30

**EXPLANATORY NOTE****Statute law revision (item (1))**

Item (1) of the proposed amendments corrects a cross-reference.

**Qualifications of licensees (items (2) and (3) (c))**

The Liquor (Amendment) Bill 1993, as introduced into Parliament, contained an item adding subsections (4) and (5) to section 47 (Grant of application is discretionary in certain cases) of the Act. Those subsections would have empowered the Liquor Administration Board to determine the experience, skills, competence, training and other qualifications required by holders of each kind of licence that may be issued

35



*Statute Law (Miscellaneous Provisions) (No. 2) 1993—Sch. 1*

---

under the Act (and would have empowered the Licensing Court to refuse an application for a licence unless the applicant possessed the relevant qualifications). Amendments made to the Bill at the committee stage removed the proposed subsections. Accordingly:

- 5     • item (2) of the proposed amendments removes a provision elsewhere in the Act referring to the requirement that licensees possess the qualifications concerned
- item (3) (c) revokes the proposed repeal of section 150 (which provides for the making of regulations relating to courses of instruction for licensees)

**Amendments for consistency (item (3) (a) and (b))**

- 10    The Liquor (Amendment) Bill 1993, as introduced into Parliament, proposed to amend the sections relating to hoteliers' licences, off-licences (retail), on-licences (restaurant) and on-licences (vessel) to allow the Licensing Court to grant an application for an extension of trading hours in relation to those licences for a trial period.
- 15    Amendments made to the Bill at the committee stage limited that trial period to a period of up to 6 months in relation to hoteliers' licences. For consistency, item (3) (a) of the proposed amendments imposes the same limitation on the proposed trial period in relation to the other licences concerned.
- 20    The amendments in committee also amended subsection (3) of the new section 66A to remove the proposed power of the Director of Liquor and Gaming to require certain persons with some association or connection with a licensee who is under investigation to provide information and to do certain other things. For consistency, item (3) (b) removes a similar power in relation to associates of *applicants* for licences.

---

25                   **OPTICAL DISPENSERS ACT 1963 No. 35**

**AMENDMENT**

Section 21 (**Register**):

Omit section 21 (4).

**COMMENCEMENT**

- 30    The amendment to the Optical Dispensers Act 1963 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

- 35    The proposed amendment repeals the requirement that the Optical Dispensers Licensing Board annually provide the Minister with a list of the names in the Register of Optical Dispensers for New South Wales and that the Government Printer print and publish the list if the Minister so directs. Under section 21 (3), the register is to be available for inspection by the public.

The proposed amendment is similar to an amendment to the Physiotherapists Registration Act 1945 to be made elsewhere in this Schedule.

---



## PARLIAMENTARY ELECTORATES AND ELECTIONS ACT 1912 No. 41

### AMENDMENTS

- (1) Section 50 (**Roll for purposes of election**): 5  
     From section 50 (1), omit “after the issue of the writ and before the day of nomination”, insert instead “as soon as practicable after the issue of the writ”.
- (2) Section 66J (**Public access to registers**):  
     Omit section 66J (2).

### COMMENCEMENT 10

The amendments to the Parliamentary Electorates and Elections Act 1912 commence on the date of assent to this Act.

### EXPLANATORY NOTE

- Transmission of electoral roll to State returning officer** (item (1)) 15  
 Section 50 currently requires the Australian Electoral Officer for New South Wales, after the issue of the writ *and before the day of nomination* for an election in any district, to certify, sign and transmit to the State returning officer for the district a printed copy of the roll for each subdivision in the district as in force at 6 p.m. on the day of the issue of the writ.
- The proposed amendment repeals the requirement that the copy of the roll be transmitted “before the day of nomination” for the election, replacing it with a requirement that the copy be transmitted “as soon as practicable” after the issue of the writ for the election. 20
- Public access to registers** (item (2)) 25  
 At present, section 66J (2) requires a list of the names and registered officers of the parties entered in the Register of Parties kept under Part 4A of the Act to be published in the Government Gazette as soon as practicable after the issue of the writ for any election. That requirement is considered to be unnecessary because section 66J (1) requires the Register to be available for public inspection during ordinary office hours. Accordingly, the proposed amendment repeals the publication requirement. A similar amendment to the Election Funding Act 1981 is proposed to be made elsewhere in this Schedule. 30

---

## PHYSIOTHERAPISTS REGISTRATION ACT 1945 No. 9

### AMENDMENT

- Section 20 (**Register**): 35  
     Omit section 20 (5).

### COMMENCEMENT

The amendment to the Physiotherapists Registration Act 1945 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

5 The proposed amendment repeals the requirement that the secretary to the Physiotherapists Registration Board annually transmit to the Minister a list of the names in the Register of Physiotherapists for New South Wales and that the Government Printer print and publish the list if the Minister so directs. Under section 20 (4), the register is to be available for inspection by the public.

The proposed amendment is similar to an amendment to the Optical Dispensers Act 1963 proposed to be made elsewhere in this Schedule.

**PUBLIC HOSPITALS ACT 1929 No. 8****10 AMENDMENTS****(1) Section 30 (Liability of patients):**

After section 30 (8), insert:

15 (9) A scale of fees may be fixed, amended or revoked by the adoption by reference, wholly or in part and with or without modification, of any scale of fees (as in force at a particular time or as in force from time to time) fixed or determined by a Commonwealth authority or body.

**(2) Second Schedule (Incorporated Hospitals):**

From the Second Column, omit "Bonaldi District."

**20 COMMENCEMENT**

The amendments to the Public Hospitals Act 1929 commence on the date of assent to this Act.

**EXPLANATORY NOTE****Adoption by reference (item (1))**

25 Section 42 of the Interpretation Act 1987 provides that if an Act authorises or requires provision to be made for or with respect to any matter by a statutory rule, the statutory rule may make provision for or with respect to the matter by applying, adopting or incorporating (with or without modification) the provisions of, among other things, any publication. Under section 69 of that Act such a publication may be  
30 applied, adopted or incorporated as in force on a particular day, on the day the publication took effect, or, if the Act authorising or requiring provision to be made specifically provides, as in force from time to time.

Item (1) of the proposed amendments confers a similar power on the Minister when exercising his or her function under section 30 of the Public Hospitals Act 1929 of  
35 fixing (or amending or revoking) a scale of fees for relief received from a hospital. One effect of the proposed amendment will be to remove the present necessity to republish determinations under the National Health Act 1953 of the Commonwealth in cases where the State adopts those determinations.



**Technical amendment (item (2))**

Item (2) of the proposed amendments omits from the Second Schedule to the Act matter that should have been omitted when the Schedule was amended by an Order published in the Government Gazette on 25 June 1993. That Order amalgamated various incorporated hospitals as particular Health Services and omitted the names of the individual hospitals that, together, formed the incorporated hospitals. The name of Bonalbo District Hospital was not omitted from the Schedule.

5

**REGISTERED CLUBS (AMENDMENT) ACT 1993 No. 29****AMENDMENTS**

- (1) Schedule 3 (**Amendments relating to gaming-related licences**): 10
  - (a) From Schedule 3, omit so much of item (11) as would include the words “or a person who, in the opinion of the Director, has some association or connection with the licensee that is relevant to the investigation” in proposed section 107A (3).
  - (b) From Schedule 3 (12) (e), omit “licensee”, insert instead “a licensee”. 15
  - (c) Omit Schedule 3 (13).
- (2) Schedule 5 (**Other amendments**):
  - (a) Omit Schedule 5 (15) (b) and (d).
  - (b) From Schedule 5, omit so much of item (15) (e) as would insert proposed section 33 (4B), (4C) and (4D), insert instead: 20
    - (4B) Even if an objection under subsection (4) or (4A) has not been taken or made out, the Licensing Court may refuse the application if it finds, after subsection (4C) has been complied with, that the applicant is not a fit and proper person to be the secretary of a registered club. 25
    - (4C) A finding under subsection (4B) may not be made unless:
      - (a) the applicant has been made aware of the reasons for the possibility of such a finding; and
      - (b) the applicant has been given an opportunity to make submissions, and adduce evidence, related to those reasons; and
      - (c) those reasons are, or are included in, the reasons for the finding. 30
  - (c) From Schedule 5, omit from item (21) (c) the words “person referred to in subsection (1) (a) or (b)”, insert instead “person, referred to in subsection (1) (a) and (b),”. 35

**COMMENCEMENT**

The amendments to the Registered Clubs (Amendment) Act 1993 commence on the date of assent to this Act.

40

**EXPLANATORY NOTE****Associates of licensees** (item (1) (a))

5 The Registered Clubs (Amendment) Bill 1993, as introduced into Parliament, contained an item inserting a new Division 2A (Investigation of applications) of Part 11 into the Act. Proposed section 95B (1) in that Division would have empowered the Director of Liquor and Gaming to require an applicant for a gaming-related licence, and certain persons having some association or connection with an applicant, to provide information and to do certain other things.

10 Amendments made to the Bill at the committee stage removed that proposed power in so far as it would relate to associates of applicants. For consistency, item (1) (a) of the proposed amendments makes a similar amendment to a proposed provision empowering the Director to investigate licensees and their associates.

**Qualifications of gaming-related licensees and club secretaries** (items (1) (c) and (2) (a) and (b))

15 The Registered Clubs (Amendment) Bill 1993 also proposed to amend sections 33 (Approval of secretary of registered club) and 90 (Granting of gaming-related licences) of the Act to require club secretaries and applicants for gaming-related licences to possess the experience, skills, competence, training and other qualifications determined by the Liquor Administration Board.

20 Amendments made to the Bill at the committee stage removed that requirement in relation to applicants for gaming-related licences. Items (1) (c) and (2) (a) and (b) of the proposed amendments relate to those amendments.

- 25 • For consistency, item (2) (a) and (b) removes the proposed power of the Board to make such determinations in relation to club secretaries, and makes consequential amendments.
- Item (1) (c) revokes the proposed repeal of section 113 (which provides for the making of regulations relating to the competence of licensees).

**Incorporating directions** (items (1) (b) and 2 (c))

Items (1) (b) and (2) (c) of the proposed amendments correct incorporating directions.

---

30 **SYDNEY MARKET AUTHORITY ACT 1968 No. 11**

**AMENDMENT****Section 4 (Constitution of Authority):**

From section 4 (5) (d), omit “, being an officer employed within the Treasury,”.

35 **COMMENCEMENT**

The amendment to the Sydney Market Authority Act 1968 commences on the date of assent to this Act.

**SAVING**

40 The part-time member of the Sydney Market Authority appointed as the Treasurer’s nominee under section 4 (5) (d) of the Sydney Market Authority Act 1968 and holding office on the commencement of the amendment made to that section by this Act is taken to be the person nominated under that section as so amended.



**EXPLANATORY NOTE**

The proposed amendment repeals the requirement that the Treasurer's nominee to the Sydney Market Authority (who is the Deputy Chairperson of the Authority) be an officer employed in the Treasury.

**TEACHER HOUSING AUTHORITY ACT 1975 No. 27**

5

**AMENDMENT****Section 4 (Definitions):**

From the definition of "school" in section 4, omit "TAFE college", insert instead "TAFE establishment".

**COMMENCEMENT**

10

The amendment to the Teacher Housing Authority Act 1975 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendment is consequential on amendments to the Technical and Further Education Commission Act 1990 proposed to be made elsewhere in this Schedule.

15

**TECHNICAL AND FURTHER EDUCATION COMMISSION ACT  
1990 No. 118****AMENDMENTS**

(1) The whole Act (except for section 3 and Schedule 3): 20

(a) Omit "TAFE college" wherever occurring, insert instead "TAFE establishment".

(b) Omit "TAFE colleges" wherever occurring, insert instead "TAFE establishments".

(2) Section 3 (**Definitions**): 25

(a) From section 3 (1), omit the definition of "TAFE college".

(b) In section 3 (1), insert in alphabetical order:

"**TAFE establishment**" means an institution providing technical and further education, being an institution established and maintained by the TAFE Commission;

30

**COMMENCEMENT**

The amendments to the Technical and Further Education Commission Act 1990 commence on the date of assent to this Act.

*Statute Law (Miscellaneous Provisions) (No. 2) 1993—Sch. 1*

---

**EXPLANATORY NOTE**

The proposed amendments insert a definition of “TAFE establishment” into the Act and substitute that term for “TAFE college” throughout the Act (except for a Schedule amending other Acts).

- 5 The proposed amendments are consequential on the restructuring of the Technical and Further Education Commission and the fact that the education it provides is no longer provided principally in colleges.

---

**TECHNICAL EDUCATION TRUST FUNDS ACT 1967 No. 95**

**AMENDMENT**

- 10 Section 2 (**Definitions**):

From paragraph (a) of the definition of “educational establishment” in section 2, omit “a college”, insert instead “an establishment”.

**COMMENCEMENT**

- 15 The amendment to the Technical Education Trust Funds Act 1967 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendment is consequential on amendments to the Technical and Further Education Commission Act 1990 proposed to be made elsewhere in this Schedule.

---

20 **TELECOMMUNICATIONS (INTERCEPTION) (NEW SOUTH WALES) ACT 1987 No. 290**

**AMENDMENT**

Section 6 (**Documents to be given by an eligible authority to the Minister**):

- 25 From section 6 (c), omit “within 2 months”, insert instead “within 3 months”.

**COMMENCEMENT**

The amendment to the Telecommunications (Interception) (New South Wales) Act 1987 commences on the date of assent to this Act.

- 30 **EXPLANATORY NOTE**

The proposed amendment is consequential on an amendment to the corresponding Commonwealth legislation. It extends from 2 months to 3 months after each 30 June the period within which an “eligible authority” for the purposes of the Telecommunications (Interception) (New South Wales) Act 1987 must submit an annual report to the Minister.

**TOURISM COMMISSION ACT 1984 No. 46****AMENDMENTS**

- (1) The whole Act:
  - (a) Omit “the Commission” wherever occurring, insert instead “Tourism NSW”. 5
  - (b) Omit “The Commission” wherever occurring, insert instead “Tourism NSW”.
  - (c) Omit “THE COMMISSION” wherever occurring, insert instead “TOURISM NSW”.
- (2) Long title: 10
 

Omit “the Tourism Commission of New South Wales”, insert instead “Tourism NSW”.
- (3) Section 1 (**Short title**):
 

Omit “Commission”, insert instead “NSW”.
- (4) Section 3 (**Definitions**): 15
  - (a) From section 3 (1), omit the definition of “Commission”.
  - (b) In section 3 (1), insert in alphabetical order:  
     **“Tourism NSW”** means the corporation with the corporate name of “Tourism NSW” constituted by this Act.
- (5) Part 2, heading: 20
 

Omit the heading, insert instead “TOURISM NSW”.
- (6) Section 4 (**Constitution of Tourism NSW**):
 

From section 4 (1), omit “the ‘NSW Tourism Commission’ ”, insert instead “ ‘Tourism NSW’ ”.
- (7) Section 28 (**References to Tourism NSW**): 25
  - (a) From section 28, omit “or to the ‘Tourism Commission of New South Wales’ ”, insert instead “, to the ‘Tourism Commission of New South Wales’ or to the ‘NSW Tourism Commission’ ”.
  - (b) From section 28, omit “the NSW Tourism Commission”, insert instead “Tourism NSW”. 30

**COMMENCEMENT**

The amendments to the Tourism Commission Act 1984 commence on a day to be appointed by proclamation.

**EXPLANATORY NOTE**

The proposed amendments change the name of the NSW Tourism Commission to “Tourism NSW” and make consequential amendments. 35



**ZOOLOGICAL PARKS BOARD ACT 1973 No. 34****AMENDMENT**

## Section 17A:

After section 17, insert:

5       **Board may be trustee**

17A. (1) The Board may be and act as a trustee under the terms of a gift, devise or bequest. The Board may do so even if some but not all of the purposes of the trust are not related to the functions of the Board, and even if the Board is or could be a beneficiary under the trust.

(2) The Board is taken always to have had these powers.

(3) This section does not authorise the Board to contravene any express provisions of this Act.

15       (4) Despite subsection (3), the Board may invest trust money in any way authorised by the trust or by any other law.

(5) This section does not limit any powers the Board has apart from this section.

**COMMENCEMENT**

20       The amendment to the Zoological Parks Board Act 1973 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

25       The proposed amendment makes it clear that the Zoological Parks Board may administer trust property as a trustee even if some but not all of the purposes of the trust are not related to the functions of the Board, and even if the Board is (or could be) a beneficiary under the trust.

---

**SCHEDULE 2—AMENDMENTS BY WAY OF STATUTE LAW  
REVISION**

(Sec. 3)

**CHILDREN (CARE AND PROTECTION) ACT 1987 No. 54**30   **AMENDMENT**Section 54B (**Entry without warrant in certain circumstances**):

In section 54B (1) (a), after “holder”, insert “of”.

**COMMENCEMENT**

35       The amendment to the Children (Care and Protection) Act 1987 commences on the date of assent to this Act.



*Statute Law (Miscellaneous Provisions) (No. 2) 1993—Sch. 2*

---

**EXPLANATORY NOTE**

The proposed amendment inserts a missing word.

---

**COMMUNITY SERVICES (COMPLAINTS, APPEALS AND  
MONITORING) ACT 1993 No. 2**

**AMENDMENT**

5

**Schedule 2 (Amendment of Acts):**

From Schedule 2, omit the matter relating to the Public Sector Management Act 1988.

**COMMENCEMENT**

The amendment to the Community Services (Complaints, Appeals and Monitoring) Act 1993 commences on the date of assent to this Act.

10

**EXPLANATORY NOTE**

The Community Services (Complaints, Appeals and Monitoring) Act 1993 establishes the Community Services Commission. The proposed amendment repeals an uncommenced amendment to the Public Sector Management Act 1988 inserting the position of Commissioner for Community Services in Schedule 3B (Senior Executive Positions) to that Act. The position of Commissioner is to be a Chief Executive position rather than a Senior Executive position. Accordingly, a proclamation has been made under section 42D of the Public Sector Management Act 1988 to insert a description of that position in Schedule 3A (Chief Executive Positions) to that Act.

15

20

**CO-OPERATIVES ACT 1992 No. 18**

**AMENDMENT**

**Section 299 (Share offers to which Division applies):**

From section 299 (2), omit “subtaintial”, insert instead “substantial”.

25

**COMMENCEMENT**

The amendment to the Co-operatives Act 1992 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendment corrects the spelling of a word.

---

30

**CROWN LANDS ACT 1989 No. 6****AMENDMENT****Schedule 8 (Savings, Transitional and Other Provisions):**

In clause 9 (2), after “as”, insert “if”.

**5 COMMENCEMENT**

The amendment to the Crown Lands Act 1989 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendment inserts a missing word.

**10 ELECTRICITY ACT 1945 (1946 No. 13)****AMENDMENTS****(1) Section 4 (Definitions):**

- 15 (a) In paragraph (d) of the definition of “Electrical installation” in section 4 (1), after “mine”, insert “within the meaning of the Coal Mines Regulation Act 1982 or within the meaning of the Mines Inspection Act 1901”.

- (b) From section 4 (1), omit the definition of “Mine”.

**(2) Section 26Q (Customer to give 48 hours’ notice of discontinuance of supply):**

- 20 From section 26Q (1), omit “that” where firstly occurring, insert instead “than”.

**(3) Schedules 3 and 4:**

Omit the Schedules.

**COMMENCEMENT**

- 25 The amendments to the Electricity Act 1945 commence on the date of assent to this Act.

**EXPLANATORY NOTE****Meaning of “mine” (item (1))**

- 30 Although the only use of “mine” in the Act is in the definition of “electrical installation”, the Act provides a definition of the word (to the effect that it has the same meaning as in the Local Government Act 1919). The provisions of the Local Government Act 1919 that have been repealed include the definition of “mine”.

- 35 Accordingly, item (1) (b) of the proposed amendments repeals the outdated definition in the Electricity Act 1945, and item (1) (a) inserts a meaning in terms of mining legislation in the place where the word is used in the Act.

*Statute Law (Miscellaneous Provisions) (No. 2) 1993—Sch. 2*

---

**Typographical error** (item (2))

Item (2) of the proposed amendments corrects a typographical error.

**Repeal of Schedules** (item (3))

Item (3) of the proposed amendments repeals Schedules relating to Electricity Area Boards as those Boards have been abolished.

5

---

**ENVIRONMENTAL PLANNING AND ASSESSMENT ACT  
1979 No. 203**

**AMENDMENTS**

(1) Section 99 (**Lapsing of consent**):

From section 99 (4E) (a) (as inserted by Schedule 2 to the Local Government (Consequential Provisions) Act 1993), omit “elapsed”, insert instead “lapsed”.

10

(2) Section 127 (**Proceedings for offences**):

From section 127 (3), omit “20 penalty units”, insert instead “100 penalty units”.

15

**COMMENCEMENT**

Item (1) of the amendments to the Environmental Planning and Assessment Act 1979 is taken to have commenced on 1 July 1993.

Item (2) of the amendments to the Environmental Planning and Assessment Act 1979 is taken to have commenced on 28 June 1993.

20

**EXPLANATORY NOTE**

**Lapsing of development consent** (item (1))

Item (1) of the proposed amendments corrects an incorrect word. The amendment is taken to have commenced at the same time as the provision of the Local Government (Consequential Provisions) Act 1993 that inserted the provision containing the incorrect word.

25

**Increase in penalty** (item (2))

Item (2) of the proposed amendments has the same effect as an earlier amendment that could not take effect.

The Environmental Planning and Assessment (Miscellaneous Amendments) Act 1992, which commenced on 28 June 1993, sought to increase the penalty specified in section 127 (3) of the Environmental Planning and Assessment Act 1979 from \$2,000 to \$10,000. However, the Statute Law (Penalties) Act 1992 (which commenced on 8 December 1992) had changed the wording in section 127 (3) from “\$2,000” to “20 penalty units”. Accordingly, the relevant direction given by the Environmental Planning and Assessment (Miscellaneous Amendments) Act 1992—to omit from section 127 (3) “\$2,000” and to insert instead “\$10,000”—could not be obeyed, as the matter “\$2,000” no longer appeared in that section.

30

35

The amendment is taken to have commenced at the same time as the ineffective amendment.

40



**FAIR TRADING ACT 1987 No. 68****AMENDMENTS**(1) Section 67 (**Order to disclose information or publish advertisement**):

5 From section 67, omit “Part 3, 4, 5, 5A, 5B or 8 (section 43 excepted)”, insert instead “Part 3, 4, 5 (section 43 excepted), 5A, 5B or 8”.

(2) Section 68 (**Actions for damages**):

10 From section 68, omit “Part 3, 4, 5 or 5B or 5A (section 43 excepted)”, insert instead “Part 3, 4, 5 (section 43 excepted), 5A or 5B”.

**COMMENCEMENT**

The amendments to the Fair Trading Act 1987 commence on the date of assent to this Act.

**EXPLANATORY NOTE**15 **Reference to section 43** (items (1) and (2))

Both proposed amendments place a reference to section 43 adjacent to a reference to the Part (Part 5) in which that section is located.

**Numerical sequence** (item (2))

20 Item (2) of the proposed amendments corrects the numerical order in a reference to other Parts of the Act.

**FINANCIAL TRANSACTIONS REPORTS ACT 1992 No. 99****AMENDMENT**Section 11 (**Proceedings for offences**):

25 From section 11 (2) (b), omit “appropriate”, insert instead “appropriate”.

**COMMENCEMENT**

The amendment to the Financial Transactions Reports Act 1992 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

30 The proposed amendment corrects a typographical error.

**FOOD ACT 1989 No. 231****AMENDMENTS****Section 73 (Liability of employers):**

- (a) From section 73 (2) (b), omit “the” where firstly occurring, insert instead “that”. 5
- (b) From section 73 (2) (b), omit “excercise”, insert instead “exercise”.

**COMMENCEMENT**

The amendments to the Food Act 1989 commence on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendments correct typographical errors.

**IMPERIAL ACTS APPLICATION ACT 1969 No. 30****AMENDMENT****Section 20 (Penalty):**

- From section 20, omit “or to a fine of not exceeding 10 penalty units”, insert instead “or to a fine not exceeding 10 penalty units”. 15

**COMMENCEMENT**

The amendment to the Imperial Acts Application Act 1969 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendment omits an unnecessary word.

**LIQUOR ACT 1982 No. 147****AMENDMENTS****(1) Section 45 (Grounds of objection):**

- From section 45 (3) (b) (iii), omit “section 117 (5)”, insert instead “section 116B (2)”. 25

**(2) Section 155A (Secrecy):**

- In section 155A (2) (a), omit “that is”, insert instead “that it is”.

(3) Section 162 (**Qualifications for keeping approved amusement device**):

Omit section 162 (2) (a).

(4) Schedule 1 (**Savings and transitional provisions**):

Omit clause 4 (1).

## 5 COMMENCEMENT

Item (1) of the amendments to the Liquor Act 1982 commences on the commencement of Schedule 3 (27) to the Liquor (Amendment) Act 1993 or on the date of assent to this Act, whichever is the later.

10 Items (2), (3) and (4) of the amendments to the Liquor Act 1982 commence on the date of assent to this Act.

## EXPLANATORY NOTE

**Statute law revision** (items (1) and (2))

15 Item (1) of the proposed amendments amends a cross-reference in consequence of an amendment to be made by the Liquor (Amendment) Act 1993. (The relevant provision of the Liquor (Amendment) Act 1993 has not yet commenced.)

Item (2) of the proposed amendments inserts a missing word.

**Consequential amendments** (items (3) and (4))

20 The Liquor (Amendment) Bill 1993, as introduced into Parliament, contained an item adding subsections (4) and (5) to section 47 (Grant of application is discretionary in certain cases) of the Act. Those subsections would have empowered the Liquor Administration Board to determine the experience, skills, competence, training and other qualifications required by holders of each kind of licence that may be issued under the Act (and would have empowered the Licensing Court to refuse an application for a licence unless the applicant possessed the relevant qualifications).

25 Amendments made to the Bill at the committee stage removed the proposed subsections. Accordingly, item (3) of the proposed amendments removes a provision elsewhere in the Act referring to the requirement that particular licensees possess the qualifications concerned.

30 Item (4) of the proposed amendments is consequential on item (2) of the amendments to the Liquor (Amendment) Act 1993 proposed to be made in Schedule 1 to this Act. That item will repeal an uncommenced provision that was to insert section 68 (1A) into the Liquor Act 1982. Accordingly, item (4) repeals a transitional provision relating to section 68 (1A).

## LOTTERIES AND ART UNIONS ACT 1901 No. 34

## 35 AMENDMENT

Section 4A (**Certain organisations authorised to conduct games of chance**):

From section 4A (5A), omit “a organisation”, insert instead “an organisation”.



*Statute Law (Miscellaneous Provisions) (No. 2) 1993—Sch. 2*

---

**COMMENCEMENT**

The amendment to the Lotteries and Art Unions Act 1901 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendment corrects a grammatical error.

5

---

**MOTOR ACCIDENTS ACT 1988 No. 102**

**AMENDMENT**

Section 84 (**Constitution of Board of Directors**):

From section 84 (2A), omit “the National Roads and Motorists’ Association”, insert instead “NRMA Limited”.

10

**COMMENCEMENT**

The amendment to the Motor Accidents Act 1988 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The National Roads and Motorists’ Association Limited has changed its name to “NRMA Limited”. The proposed amendment is consequential on that change.

15

---

**MOTOR DEALERS ACT 1974 No. 52**

**AMENDMENT**

Section 34 (**Disputes committee**):

From section 34 (1) (b), omit “the National Roads and Motorists’ Association”, insert instead “NRMA Limited”.

20

**COMMENCEMENT**

The amendment to the Motor Dealers Act 1974 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The National Roads and Motorists’ Association Limited has changed its name to “NRMA Limited”. The proposed amendment is consequential on that change.

25

**MOTOR VEHICLE REPAIRS ACT 1980 No. 71****AMENDMENTS**(1) Section 8 (**Members of the Council**):

- 5 From section 8 (1) (b), omit “the National Roads and Motorists’ Association”, insert instead “NRMA Limited”.

(2) Schedule 3 (**Provisions Relating to the Constitution and Membership of the Disputes Committee**):

From clause 1 (1) (c), omit “the National Roads and Motorists’ Association”, insert instead “NRMA Limited”.

10 **COMMENCEMENT**

The amendments to the Motor Vehicle Repairs Act 1980 commence on the date of assent to this Act.

**EXPLANATORY NOTE**

- 15 The National Roads and Motorists’ Association Limited has changed its name to “NRMA Limited”. The proposed amendments are consequential on that change.

**NATIONAL PARKS AND WILDLIFE ACT 1974 No. 80****AMENDMENTS**(1) Section 98 (**Taking or killing protected fauna, other than endangered fauna**):

- 20 From section 98 (2), omit “Penalty: \$2,000”, insert instead “Maximum penalty: 20 penalty units”.

(2) Section 168 (**Disposal of property seized or delivered up**):

From section 168 (4) (b), omit “6 months”, insert instead “2 years”.

**COMMENCEMENT**

- 25 The amendments to the National Parks and Wildlife Act 1974 commence on the date of assent to this Act.

**EXPLANATORY NOTE****Penalty (item (1))**

- 30 Item (1) of the proposed amendments expresses the existing pecuniary penalty for the offence of taking or killing protected fauna (other than endangered fauna or locally unprotected fauna) in penalty units, in accordance with section 56 of the Interpretation Act 1987. (That section provides that a reference in an Act or statutory rule to a number of penalty units is to be read as a reference to an amount of money equal to the amount obtained by multiplying \$100 by that number of penalty units.)
- 35 The amendment also makes it clear that the penalty specified is not mandatory, but is the maximum penalty that may be imposed for the offence (in keeping with section 54 of the Interpretation Act 1987).

*Statute Law (Miscellaneous Provisions) (No. 2) 1993—Sch. 2***Statute law revision (item (2))**

Amendments to section 176 (1B) of the Act in 1983 increased the period in which proceedings for an offence under the Act or regulations may be taken from 6 months to 2 years after commission of the offence. A consequential amendment was later made to section 168 (2) (b). (Section 168 is concerned with the disposal of property seized or delivered up in connection with an alleged offence.) Section 168 (2) currently reads:

5

(2) Subject to this section, where:

(a) property has been seized under section 164 or delivered up under section 165; and

10

(b) an information for an offence (being an offence on or after a conviction for which an order could be made under subsection (1) in respect of the property) has not been laid within 2 years after the seizure or delivering up of the property,

the court prescribed in relation to the property may, on the application of any person, order that the property be delivered to a specified person.

15

However, the necessary consequential amendment to section 168 (4) (b) has not been made. That paragraph currently reads:

(b) in the case of an application for an order under subsection (2)—later than 3 months after the expiration of the period of 6 months referred to in that subsection.

20

Accordingly, the proposed amendment makes section 168 (4) (b) consistent with sections 168 (2) (b) and 176 (1B).

**OMBUDSMAN (AMENDMENT) ACT 1993 No. 37****AMENDMENT**

25

Schedule 2 (**Amendment of other Acts**):

From the amendments to the Defamation Act 1974, omit item (1).

**COMMENCEMENT**

The amendment to the Ombudsman (Amendment) Act 1993 commences on the date of assent to this Act.

30

**EXPLANATORY NOTE**

The proposed amendment omits an amendment that is superfluous because of the operation of the Police Service (Complaints, Discipline and Appeals) Amendment Act 1993.



**POLICE SERVICE ACT 1990 No. 47****AMENDMENTS****(1) Section 24 (Appointment of Commissioner):**

- 5 From section 24 (3) (c) (as inserted by Schedule 1 (1) to the Police Service (Management) Amendment Act 1993), omit “an official report (referred to in section 3 (3)) on the previous employment and conduct of”, insert instead “a report under section 94A on”.

**(2) Schedule 4 (Savings, transitional and other provisions):**

- 10 Renumber Part 6 (as inserted by Schedule 3 (13) (b)) to the Police Service (Complaints, Discipline and Appeals) Amendment Act 1993) as Part 7 and insert that Part, as renumbered, after clause 23.

**COMMENCEMENT**

The amendments to the Police Service Act 1990 are taken to have commenced on 12 July 1993.

**15 EXPLANATORY NOTE****Section 24 (item (1))**

- 20 Schedule 3 (1) to the Police Service (Complaints, Discipline and Appeals) Amendment Act 1993 (which commenced on 1 July 1993) repealed section 3 (3), which is referred to in section 24 (3) (c). Schedule 3 (2) to that Act made the necessary consequential amendment to section 24 (3) (c).

- Schedule 1 (1) to the Police Service (Management) Amendment Act 1993 (which commenced on 12 July 1993) repealed and substituted Part 4 of the Police Service Act 1990 (which includes section 24), but did not change the substance of section 24 (3) (c) as originally enacted.

- 25 Because the Police Service (Management) Amendment Act 1993 commenced *after* the Police Service (Complaints, Discipline and Appeals) Amendment Act 1993, it had the effect of repealing the consequential amendment. Accordingly, that consequential amendment is made again (from the date of its repeal) by item (1) of the proposed amendments.

**30 Part 6 of Schedule 4 (item (2))**

- 35 The Police Service (Complaints, Discipline and Appeals) Amendment Act 1993 inserted Part 6 (clauses 24–28) at the end of Schedule 4. The Police Service (Management) Amendment Act 1993 also inserted a Part 6 (clauses 20–23) at the end of that Schedule. Item (2) of the proposed amendments renumbers the Part inserted by the Police Service (Complaints, Discipline and Appeals) Amendment Act 1993 to Part 7 and transfers it to the end of the Schedule so that the clauses will be in correct numerical sequence.

**PRISONS ACT 1952 No. 9****AMENDMENT****Section 4 (Definitions):**

From paragraph (b) of the definition of “prison” in section 4 (1),  
omit “jail”, insert instead “gaol”.

5

**COMMENCEMENT**

The amendment to the Prisons Act 1952 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendment amends the spelling of “jail” to the spelling used  
elsewhere in the Act and in other legislation.

10

---

**PROTECTION OF THE ENVIRONMENT ADMINISTRATION ACT  
1991 No. 60****AMENDMENT****Schedule 2 (Members and Procedure of Consultation Forum,  
Education Committee and Advisory Committees):**

15

From the definition of “ex-officio member” in clause 1, omit  
“advirsory”, insert instead “advisory”.

**COMMENCEMENT**

The amendment to the Protection of the Environment Administration Act 1991  
commences on the date of assent to this Act.

20

**EXPLANATORY NOTE**

The proposed amendment corrects a typographical error.

---

**PUBLIC FINANCE AND AUDIT ACT 1983 No. 152****AMENDMENT****Section 38A (Definitions):**

25

From section 38A, omit “In this section”, insert instead “In this  
Division”.

**COMMENCEMENT**

The amendment to the Public Finance and Audit Act 1983 commences on the date of  
assent to this Act.

30

**EXPLANATORY NOTE**

The proposed amendment corrects a reference in a definition section located at the beginning of a Division of the Public Finance and Audit Act 1983. The amendment ensures that the definitions apply throughout the Division.

5 **REAL PROPERTY ACT 1900 No. 25**

**AMENDMENTS**(1) Section 3 (**Definitions**):

In section 3 (1) (a), insert in alphabetical order:

10 **“Plan of survey”**—A plan of survey within the meaning of the Survey Practice Regulation 1990 (or any regulation amending or replacing that Regulation).

(2) Section 28S (**Definitions**):

Omit the definition of “plan of survey”.

## (3) Sections 32, 114 and 144:

15 From sections 32 (3) (b), 114 (d) and 144 (1) (d), omit “within the meaning of the Survey Practice Regulations 1933” wherever occurring.

**COMMENCEMENT**

20 The amendments to the Real Property Act 1900 commence on the date of assent to this Act.

**EXPLANATORY NOTE**

25 The phrase “plan of survey” is defined in the same way in the current Survey Practice Regulation 1990 as it was in the repealed Survey Practice Regulations 1933. Accordingly, the proposed amendments omit matter in the Real Property Act 1900 defining, and referring to, the phrase in terms of the repealed Regulations and insert instead a definition in terms of the current Regulation.

**REGISTERED CLUBS ACT 1976 No. 31**

**AMENDMENTS**(1) Section 27B (**Keeping of records concerning low alcohol beer**):

30 From section 27B (1), omit “Penalty”, insert instead “Maximum penalty”.

(2) Section 32 (**Registered club to have only one secretary**):

From section 32 (3), omit “Penalty—subsection (3): \$1,000”, insert instead “Maximum penalty—subsection (3): 10 penalty units”.



(3) Section 33 ( <b>Approval of secretary of registered club</b> ):	
(a) From section 33 (3) (b), omit “or 4B”.	
(b) From section 33 (6), omit “Sections 95–95C”, insert instead “Sections 95–95B”.	
(c) From section 33 (6), omit “, and to a person having some association or connection with the applicant,”.	5
(d) From section 33 (6), omit “and a person having some association or connection with an applicant for such a licence”.	
(4) Section 50B ( <b>Display of notices</b> ):	
From section 50B (1) and (2), omit “penalty,” wherever occurring, insert instead “penalty”.	10
(5) Section 67 ( <b>Power to demand certain particulars from certain persons on premises of registered clubs</b> ):	
From section 67 (6) (a), omit “and”.	
(6) Section 79 ( <b>Application to keep or dispose of poker machine</b> ):	15
From section 79 (8) (b), omit “section 77B” insert instead “section 77B,”.	
(7) Section 108 ( <b>Summons to show cause against taking of disciplinary action</b> ):	
From section 108 (5), omit “a a holder” insert instead “a holder”.	20
(8) Schedule 2 ( <b>Transitional provisions</b> ):	
(a) From the definition of “1993 Act” in clause 19, omit “(Amendment Act)” insert instead “(Amendment) Act”.	
(b) Omit clause 27.	
<b>COMMENCEMENT</b>	25
The amendments to the Registered Clubs Act 1976 commence on the date of assent to this Act.	
<b>EXPLANATORY NOTE</b>	
<b>Amendments previously intended to be made</b> (items (1) and (2))	
Items (1) and (2) of the proposed amendments are amendments that were intended to be made by the Registered Clubs (Amendment) Act 1993. However, the amendments were not effective because of incorrect incorporating directions.	30
Items (1) and (2) make it clear that the penalties specified for offences against the sections concerned are not mandatory, but are the maximum penalties that may be imposed (in keeping with section 54 of the Interpretation Act 1987).	35
<b>Consequential amendments</b> (items (3) and (8) (b))	
Item (3) (a) is consequential on an amendment to the Registered Clubs (Amendment) Act 1993 proposed to be made in Schedule 1 to this Act.	

*Statute Law (Miscellaneous Provisions) (No. 2) 1993—Sch. 2*

---

5 The Registered Clubs (Amendment) Bill 1993, as introduced into Parliament, contained an item inserting a new Division 2A (Investigation of applications) into the Act. Proposed section 95B (1) in that Division would have empowered the Director of Liquor and Gaming to require an applicant for a gaming-related licence, and certain persons having some association or connection with an applicant, to provide information and to do certain other things.

10 Amendments made to the Bill at the committee stage removed that proposed power. Item (3) (d) is consequential on that amendment. For consistency, item (3) (c) removes a similar power in relation to associates of applicants for approval to act as the secretary of a registered club.

The amendments in committee also removed proposed section 95C. Item (3) (b) of the proposed amendments is consequential on that amendment.

15 The amendments in committee also removed proposed section 108 (2) (e1). The paragraph of that number that was inserted is unrelated to the paragraph originally proposed. Item (8) (b) of the proposed amendments omits a transitional provision that relates to the paragraph originally proposed.

**Statute law revision** (items (4)–(8) (a))

Items (4), (5) and (7) of the proposed amendments omit unnecessary matter. Item (6) corrects a grammatical error. Item (8) (a) corrects the placement of brackets.

---

**20 RURAL LANDS PROTECTION (MISCELLANEOUS AMENDMENTS)  
ACT 1993 No. 8**

**AMENDMENTS**

(1) **Schedule 3 (Amendments Relating To Stock):**

- 25 (a) From item (19), omit “197 (1) (d)”, insert instead “197 (1) (b)”.
- (b) From item (20), omit “197 (1) (b)”, insert instead “197 (1) (d)”.

(2) **Schedule 6 (Miscellaneous Amendments):**

In item (4) (b), before “the manner and form”, insert “prescribe”.

(3) **Schedule 7 (Amendments By Way Of Statute Law Revision):**

Omit item (1) (c).

**30 COMMENCEMENT**

The amendments to the Rural Lands Protection (Miscellaneous Amendments) Act 1993 commence on the date of assent to this Act.

**EXPLANATORY NOTE**

**Incorporating directions** (item (1))

- 35 Item (1) of the proposed amendments corrects incorporating directions.

*Statute Law (Miscellaneous Provisions) (No. 2) 1993—Sch. 2*

---

**Missing word (item (2))**

Item (2) of the proposed amendments inserts a missing word.

**Statute law revision (item (3))**

The amendment proposed to be made by Schedule 7 (1) (c) has been dealt with by the Statute Law (Miscellaneous Provisions) Act 1993. Accordingly, item (3) of the proposed amendments repeals that proposed amendment.

5

---

**SEARCH WARRANTS ACT 1985 No. 37**

**AMENDMENT**

**Section 10 (Definitions):**

From the definition of “search warrant” in section 10, omit “Disability Services and”.

10

**COMMENCEMENT**

The amendment to the Search Warrants Act 1985 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

15

The Disability Services Act 1993 changed the short title of the Disability Services and Guardianship Act 1987 to the Guardianship Act 1987. The proposed amendment is a consequence of that change.

---

**STAMP DUTIES ACT 1920 No. 47**

**AMENDMENT**

20

**Section 84CAB (Transfer of loan securities):**

From section 84CAB (3), omit “Commissisoner”, insert instead “Commissioner”.

**COMMENCEMENT**

The amendment to the Stamp Duties Act 1920 commences on the date of assent to this Act.

25

**EXPLANATORY NOTE**

The proposed amendment corrects a typographical error.

---



**STATUTE LAW (MISCELLANEOUS PROVISIONS) ACT 1991 No. 17****AMENDMENT****Schedule 3 (Repeals):**

- 5           From Schedule 3, omit "Port Kembla Inner Harbour Construction and Agreement Ratification Act 1955 No. 43\*\*".

**COMMENCEMENT**

- 10           The amendment to the Statute Law (Miscellaneous Provisions) Act 1991 is taken to have commenced on 3 May 1991 and the Port Kembla Inner Harbour Construction and Agreement Ratification Act 1955 is revived with effect from the instant of its repeal.

**EXPLANATORY NOTE**

- 15           The Statute Law (Miscellaneous Provisions) Act 1991 repealed the Port Kembla Inner Harbour Construction and Agreement Ratification Act 1955. Among other things, the latter Act ratified an Agreement made on 24 October 1955 between The Broken Hill Proprietary Company Limited ("B.H.P."), Australian Iron & Steel Limited ("A.I. & S.") and the Minister for Public Works (for and on behalf of the Queen). The Agreement related to the exchange of lands, to the granting to B.H.P. and A.I. & S. of an exclusive right to construct wharves on certain lands, and to various other matters.
- 20           Section 30 of the Interpretation Act 1987 provides, among other things, that the repeal of an Act does not affect "any right, privilege, obligation or liability acquired, accrued or incurred under the Act". However, to remove any doubt as to the status of the Agreement ratified by the Port Kembla Inner Harbour Construction and Agreement Ratification Act 1955, the proposed amendment reverses the repeal of that
- 25           Act with effect from the date of the repeal.

**STATUTE LAW (MISCELLANEOUS PROVISIONS) ACT 1993 No. 46****AMENDMENT****Schedule 2 (Amendments by way of statute law revision):**

- 30           From Schedule 2, omit the matter relating to the State Authorities Non-contributory Superannuation Act 1987.

**COMMENCEMENT**

The amendment to the Statute Law (Miscellaneous Provisions) Act 1993 is taken to have commenced on 15 June 1993.

**EXPLANATORY NOTE**

- 35           The proposed amendment omits a proposed amendment that no longer needs to be made.

*Statute Law (Miscellaneous Provisions) (No. 2) 1993—Sch. 2*

---

The commencement provision relating to the amendment proposed to be made by the Statute Law (Miscellaneous Provisions) Act 1993 reads (in part):

If the Bill for this Act is assented to after the Bill for the Superannuation Legislation (Miscellaneous Amendments) Act 1993 is assented to, the amendment to the State Authorities Non-contributory Superannuation Act 1987 made by this Act is not to commence.

5

As the Superannuation Legislation (Miscellaneous Amendments) Act 1993 was assented to on 8 June 1993 and the Statute Law (Miscellaneous Provisions) Act 1993 was assented to on 15 June 1993, that amendment will not commence and may, therefore, be omitted.

10

---

**STATUTE LAW (PENALTIES) ACT 1992 No. 112**

**AMENDMENT**

**Schedule 1 (Amendment of Acts):**

From the matter relating to the Poultry Meat Industry Act 1986, omit “Maximun”, insert instead “Maximum”.

15

**COMMENCEMENT**

The amendment to the Statute Law (Penalties) Act 1992 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendment corrects a typographical error.

20

---

**SUBORDINATE LEGISLATION ACT 1989 No. 146**

**AMENDMENT**

**Section 11 (Postponement of repeal in specific cases):**

From section 11 (5), omit “reponsible”, insert instead “responsible”.

**COMMENCEMENT**

25

The amendment to the Subordinate Legislation Act 1989 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendment corrects a typographical error.

---

**SUPERANNUATION ADMINISTRATION ACT 1991 No. 96****AMENDMENTS****(1) Section 6 (General functions of the Board):**

- 5 In section 6 (1) (b) (as substituted by item (1) of the amendments to the Superannuation Administration Act 1991 made by Schedule 4 to the Superannuation Legislation (Miscellaneous Amendments) Act 1993), after “funds;” insert “and”.

**(2) Section 29 (Functions of the Corporation relating to associated superannuation schemes):**

- 10 From section 29 (6) (as inserted by item (3) (c) of the amendments to the Superannuation Administration Act 1991 made by Schedule 4 to the Superannuation Legislation (Miscellaneous Amendments) Act 1993), omit “function”, insert instead “functions”.

**COMMENCEMENT**

- 15 The amendments to the Superannuation Administration Act 1991 commence on the date of assent to this Act.

**EXPLANATORY NOTE****Section 6 (item (1))**

Item (1) of the proposed amendments inserts a missing conjunction.

**20 Section 29 (item (2))**

Item (2) of the proposed amendments corrects a typographical error.

**SUPERANNUATION LEGISLATION (MISCELLANEOUS AMENDMENTS) ACT 1993 No. 42****AMENDMENT**

- 25 **Schedule 3 (Amendments relating to First State Superannuation Scheme):**

In item (6) (a) of Schedule 3, after “made”, insert “where firstly occurring”.

**COMMENCEMENT**

- 30 The amendment to the Superannuation Legislation (Miscellaneous Amendments) Act 1993 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendment corrects an incorporating direction.



**TOW TRUCK ACT 1989 No. 158****AMENDMENT****Section 56 (Constitution of the Council):**

From section 56 (2) (d), omit “the National Roads and Motorists’ Association of New South Wales”, insert instead “NRMA Limited”. 5

**COMMENCEMENT**

The amendment to the Tow Truck Act 1989 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The National Roads and Motorists’ Association Limited has changed its name to “NRMA Limited”. The proposed amendment is consequential on that change. 10

---

**TRANSPORT ADMINISTRATION ACT 1988 No. 109****AMENDMENT****Section 54 (Constitution of Council):**

From section 54 (2) (b) (i), omit “the National Roads and Motorists’ Association”, insert instead “NRMA Limited”. 15

**COMMENCEMENT**

The amendment to the Transport Administration Act 1988 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The National Roads and Motorists’ Association Limited has changed its name to “NRMA Limited”. The proposed amendment is consequential on that change. 20

---

**TREASURY CORPORATION ACT 1983 No. 75****AMENDMENT****Section 8 (Powers of public authorities):**

From section 8 (a), omit “as provided by section 5 (1) (e)”, insert instead “(subject to section 6B (1))”. 25

**COMMENCEMENT**

The amendment to the Treasury Corporation Act 1983 is taken to have commenced on 8 January 1993. 30

**EXPLANATORY NOTE**

- The proposed amendment replaces a cross-reference to a repealed provision with a reference to a provision that has the same effect as the repealed provision.
- 5 The amendment is taken to have commenced at the same time as the Treasury Corporation (Amendment) Act 1992, which repealed and replaced section 5.

**VICTIMS COMPENSATION ACT 1987 No. 237****AMENDMENT****Section 65F (Victims Compensation Fund):**

- 10 From section 65F (3) (a), omit "Authoritites", insert instead "Authorities".

**COMMENCEMENT**

The amendment to the Victims Compensation Act 1987 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

- 15 The proposed amendment corrects a typographical error.

**WATER SUPPLY AUTHORITIES ACT 1987 No. 140****AMENDMENT****Schedule 3 (Broken Hill Water Board):**

From clause 9 (2) (b), omit "from".

- 20 **COMMENCEMENT**

The amendment to the Water Supply Authorities Act 1987 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendment omits an unnecessary word.

**WORKERS COMPENSATION ACT 1987 No. 70****AMENDMENTS**

- (1) **Section 160 (Recovery of prescribed excess amount from employer):**  
From section 160 (4) (b), omit "pay", insert instead "repay".
- (2) **Section 196 (Assets of statutory funds):**  
30 From section 196 (b) (iii), omit "(Recovery of \$500 excess from employers)", insert instead "(Recovery of prescribed excess amount from employer)".

(3) **Section 208A (Obligations of insurer under policies unenforceable if insurer has insufficient funds in statutory fund):**

From section 208A (6) (b), omit “section 197 (c)”, insert instead “section 197 (1) (c)”.

**COMMENCEMENT**

5

The amendments to the Workers Compensation Act 1987 commence on the date of assent to this Act.

**EXPLANATORY NOTE**

**Consistency of expression** (item (1))

Item (1) of the proposed amendments makes an alteration for the purposes of consistency of expression.

10

**Cross-references** (items (2) and (3))

Item (2) of the proposed amendments updates a cross-reference to a section heading and item (3) corrects a cross-reference.

**SCHEDULE 3—REPEALS**

15

(Sec. 4)

Supply of Electricity (Variation of Agreements) Act 1920 No. 30**	
Parliamentary Electorates and Elections (Amendment) Act 1991 No. 14*	
Police Service (Police Board) Amendment Act 1991 No. 18*	
Federation of Parents and Citizens Associations of New South Wales Incorporation (Amendment) Act 1991 No. 19*	20
Real Property and Conveyancing (Amendment) Act 1991 No. 27*	
Residential Tenancies (Movable Dwellings) Amendment Act 1991 No. 36*	
Partnership (Limited Partnership) Amendment Act 1991 No. 48*	
Public Authorities (Financial Arrangements) Amendment Act 1991 No. 49*	25
Trade Measurement Administration (Charges) Amendment Act 1991 No. 51*	
Aboriginal Land Rights (Amendment) Act 1991 No. 59*	
Environmental Planning and Assessment (Contributions Plans) Amendment Act 1991 No. 64*	
Gaming and Betting (Amendment) Act 1991 No. 75*	30
Gaming and Betting (Race-course Licences) Amendment Act 1991 No. 76*	
Prisons (Escape Tunnels) Amendment Act 1991 No. 86*	
Prisons (Syringe Prohibition) Amendment Act 1991 No. 87*	
Rivers and Foreshores Improvement (Amendment) Act 1991 No. 90*	
Totalizator (Off-course Betting) Further Amendment Act 1991 No. 97*	35
Water Board (Amendment) Act 1991 No. 98*	
Conveyancing (Amendment) Act 1992 No. 5*	
Liens on Crops and Wool and Stock Mortgages (Amendment) Act 1992 No. 6*	



- 
- Bills of Sale (Amendment) Act 1992 No. 7\*
  - Strata Titles (Part Strata) Amendment Act 1992 No. 11\*
  - Strata Titles (Leasehold Part Strata) Amendment Act 1992 No. 12\*
  - Interpretation (Australia Acts) Amendment Act 1992 No. 21\*
  - 5 Police Service (Employer) Amendment Act 1992 No. 22\*
  - Consumer Claims Tribunals (Amendment) Act 1992 No. 26\*
  - Stamp Duties (Amendment) Act 1992 No. 33\*
  - Workers Compensation Legislation (Amendment) Act 1992 No. 36\*
  - Billiards and Bagatelle (Repeal) Act 1992 No. 37\*
  - 10 Freedom of Information (Amendment) Act 1992 No. 38\*
  - Registration of Births, Deaths and Marriages (Amendment) Act 1992 No. 45\*
  - Coal Industry (Amendment) Act 1992 No. 50\*
  - Real Property (Compensation) Amendment Act 1992 No. 52\*
  - Lotto (Amendment) Act 1992 No. 59\*
  - 15 Totalizator Legislation (Amendment) Act 1992 No. 60\*
  - Gaming and Betting (Broken Hill) Amendment Act 1992 No. 63\*
  - Mine Subsidence Compensation (Amendment) Act 1992 No. 64\*
  - Traffic (Offences) Amendment Act 1992 No. 71\*
  - Legal Profession (Amendment) Act 1992 No. 78\*
  - 20 Crimes (Application of Criminal Law) Amendment Act 1992 No. 83\*
  - Land Tax Management (Amendment) Act 1992 No. 84\*
  - Environmental Planning and Assessment (Contributions Plans) Amendment Act 1992 No. 89\*
  - Environmental Planning and Assessment (Miscellaneous Amendments) Act 1992 No. 90\*
  - 25 Real Property (Torrens Assurance Fund) Amendment Act 1992 No. 96\*
  - Criminal Procedure (Sentence Indication) Amendment Act 1992 No. 98\*
  - State Authorities Superannuation (Scheme Closure) Amendment Act 1992 No. 101\*

30 **Note:**

\* indicates repeal of amending Act the provisions of which have been included in a reprint and which contains no provision of substantive effect that needs to be retained or which amends a repealed Act

\*\* indicates repeal of Act that is no longer of practical utility

35 **COMMENCEMENT**

This Schedule commences on the date of assent to this Act.

**EXPLANATORY NOTE**

- 40 The repeals are explained in detail in the explanatory note relating to this Act. In relation to the repeal of amending Acts, it should be noted that the Acts are repealed simply to rationalise the legislation in force and that the repeals have no substantive effect on the amendments made by the Acts or any associated provisions.

*Statute Law (Miscellaneous Provisions) (No. 2) 1993—Sch. 3*

Section 30 (2) of the Interpretation Act 1987 ensures that, when an amending Act is repealed, no amendment made by the Act is affected. Section 30 (2) also ensures that the following matters are not affected:

- (a) the proof of any past act or thing;
- (b) any right, privilege, obligation or liability saved by the operation of the Act; 5
- (c) any validation made by the Act.

#### **SCHEDULE 4—GENERAL SAVINGS, TRANSITIONAL AND OTHER PROVISIONS**

(Sec. 5)

##### **Effect of amendment of amending provisions 10**

1. (1) An amendment made by Schedule 1 or 2 to an amending provision contained in an Act is, if the amending provision has commenced before the date of assent to this Act, taken to have effect as from the commencement of the amending provision.

(2) In this clause: 15

“**amending provision**” means a provision of an Act, or of any other instrument, being a provision that has commenced and that makes a direct amendment to an Act by:

- (a) the repeal or omission of matter contained in the amended Act without the insertion of any matter instead of the repealed or omitted matter; or 20
- (b) the omission of matter contained in the amended Act and the insertion of matter instead of the omitted matter; or
- (c) the insertion into the amended Act of matter, not being matter inserted instead of matter omitted from the Act, 25

whether the provision was enacted before or after the commencement of the Reprints Act 1972.

##### **EXPLANATORY NOTE**

This clause ensures that amendments correcting errors in the technical provisions (for example, headings indicating the section to be amended or directions as to where a new section is to be inserted) and rectifying minor drafting defects (for example, corrections in numbering of provisions, correction or insertion of cross-references, omission of unnecessary matter or insertion of omitted matter) will commence on the date the amendments to which they relate commenced even though they may be expressed to commence on the date of assent to this Act. 30 35

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

2. Except where it is expressly provided to the contrary, if this Act:

- (a) amends a provision of an Act; or



(b) repeals and re-enacts (with or without modification) 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 repealed.

#### EXPLANATORY NOTE

This clause ensures that the amendment or repeal of a provision will not, unless expressly otherwise provided, vitiate any act done or decision made under the provision as in force before the amendment or repeal.

#### 10 Regulations

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

(2) Any such provision may, if the regulations so provide, take effect from the date of assent to this Act or a later date.

15 (3) To the extent to which any such provision 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; 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.

#### EXPLANATORY NOTE

25 This clause enables the making of regulations of a savings or transitional nature having a short term effect and relating to incidental matters arising out of the proposed Act with regard to which no specific, or sufficient, provision has been made in the Act.

### NOTES

#### 30 Index of Acts amended by Schedules 1 and 2

Children (Care and Protection) Act 1987 No. 54—Sch. 2

Community Services (Complaints, Appeals and Monitoring) Act 1933 No. 2—Sch. 2

Co-operatives Act 1992 No. 18—Sch. 2

35 Coptic Orthodox Church (NSW) Property Trust Act 1990 No. 67—Sch. 1

Crown Lands Act 1989 No. 6—Sch. 2

Disability Services Act 1993 No. 3—Sch. 1

Education Reform Act 1990 No. 8—Sch. 1



*Statute Law (Miscellaneous Provisions) (No. 2) 1993—Notes*

Election Funding Act 1981 No. 78—Sch. 1	
Electricity Act 1945 (1946 No. 13)—Sch. 2	
Environmental Planning and Assessment Act 1979 No. 203—Sch. 2	
Fair Trading Act 1987 No. 68—Sch. 2	
Financial Transactions Reports Act 1992 No. 99—Sch. 2	5
Food Act 1989 No. 231—Sch. 2	
Geographical Names Act 1966 No. 13—Sch. 1	
Guardianship Act 1987 No. 257—Sch. 1	
Imperial Acts Application Act 1969 No. 30—Sch. 2	
Justices Act 1902 No. 27—Sch. 1	10
Liquor Act 1982 No. 147—Sch. 2	
Liquor (Amendment) Act 1993 No. 28—Sch. 1	
Lotteries and Art Unions Act 1901 No. 34—Sch. 2	
Motor Accidents Act 1988 No. 102—Sch. 2	
Motor Dealers Act 1974 No. 52—Sch. 2	15
Motor Vehicle Repairs Act 1980 No. 71—Sch. 2	
National Parks and Wildlife Act 1974 No. 80—Sch. 2	
Ombudsman (Amendment) Act 1993 No. 37—Sch. 2	
Optical Dispensers Act 1963 No. 35—Sch. 1	
Parliamentary Electorates and Elections Act 1912 No. 41—Sch. 1	20
Physiotherapists Registration Act 1945 No. 9—Sch. 1	
Police Service Act 1990 No. 47—Sch. 2	
Prisons Act 1952 No. 9—Sch. 2	
Protection of the Environment Administration Act 1991 No. 60—Sch. 2	
Public Finance and Audit Act 1983 No. 152—Sch. 2	25
Public Hospitals Act 1929 No. 8—Sch. 1	
Real Property Act 1900 No. 25—Sch. 2	
Registered Clubs Act 1976 No. 31—Sch. 2	
Registered Clubs (Amendment) Act 1993 No. 29—Sch. 1	
Rural Lands Protection (Miscellaneous Amendments) Act 1993 No. 8—Sch. 2	30
Search Warrants Act 1985 No. 37—Sch. 2	
Stamp Duties Act 1920 No. 47—Sch. 2	
Statute Law (Miscellaneous Provisions) Act 1991 No. 17—Sch. 2	
Statute Law (Miscellaneous Provisions) Act 1993 No. 46—Sch. 2	
Statute Law (Penalties) Act 1992 No. 112—Sch. 2	35
Subordinate Legislation Act 1989 No. 146—Sch. 2	
Superannuation Administration Act 1991 No. 96—Sch. 2	
Superannuation Legislation (Miscellaneous Amendments) Act 1993 No. 42— Sch. 2	
Sydney Market Authority Act 1968 No. 11—Sch. 1	40
Teacher Housing Authority Act 1975 No. 27—Sch. 1	
Technical and Further Education Commission Act 1990 No. 118—Sch. 1	
Technical Education Trust Funds Act 1967 No. 95—Sch. 1	
Telecommunications (Interception) (New South Wales) Act 1987 No. 290— Sch. 1	45

- Tourism Commission Act 1984 No. 46—Sch. 1
- Tow Truck Act 1989 No. 158—Sch. 2
- Transport Administration Act 1988 No. 109—Sch. 2
- Treasury Corporation Act 1983 No. 75—Sch. 2
- 5 Victims Compensation Act 1987 No. 237—Sch. 2
- Water Supply Authorities Act 1987 No. 140—Sch. 2
- Workers Compensation Act 1987 No. 70—Sch. 2
- Zoological Parks Board Act 1973 No. 34—Sch. 1

### **Index of Acts repealed by Schedule 3**

- 10 Aboriginal Land Rights (Amendment) Act 1991 No. 59\*
- Billiards and Bagatelle (Repeal) Act 1992 No. 37\*
- Bills of Sale (Amendment) Act 1992 No. 7\*
- Coal Industry (Amendment) Act 1992 No. 50\*
- Consumer Claims Tribunals (Amendment) Act 1992 No. 26\*
- 15 Conveyancing (Amendment) Act 1992 No. 5\*
- Crimes (Application of Criminal Law) Amendment Act 1992 No. 83\*
- Criminal Procedure (Sentence Indication) Amendment Act 1992 No. 98\*
- Environmental Planning and Assessment (Contributions Plans) Amendment Act 1991 No. 64\*
- 20 Environmental Planning and Assessment (Contributions Plans) Amendment Act 1992 No. 89\*
- Environmental Planning and Assessment (Miscellaneous Amendments) Act 1992 No. 90\*
- Federation of Parents and Citizens Associations of New South Wales
- 25 Incorporation (Amendment) Act 1991 No. 19\*
- Freedom of Information (Amendment) Act 1992 No. 38\*
- Gaming and Betting (Amendment) Act 1991 No. 75\*
- Gaming and Betting (Broken Hill) Amendment Act 1992 No. 63\*
- Gaming and Betting (Race-course Licences) Amendment Act 1991 No. 76\*
- 30 Interpretation (Australia Acts) Amendment Act 1992 No. 21\*
- Land Tax Management (Amendment) Act 1992 No. 84\*
- Legal Profession (Amendment) Act 1992 No. 78\*
- Liens on Crops and Wool and Stock Mortgages (Amendment) Act 1992 No. 6\*
- Lotto (Amendment) Act 1992 No. 59\*
- 35 Mine Subsidence Compensation (Amendment) Act 1992 No. 64\*
- Parliamentary Electorates and Elections (Amendment) Act 1991 No. 14\*
- Partnership (Limited Partnership) Amendment Act 1991 No. 48\*
- Police Service (Police Board) Amendment Act 1991 No. 18\*
- Police Service (Employer) Amendment Act 1992 No. 22\*
- 40 Prisons (Syringe Prohibition) Amendment Act 1991 No. 87\*
- Prisons (Escape Tunnels) Amendment Act 1991 No. 86\*
- Public Authorities (Financial Arrangements) Amendment Act 1991 No. 49\*
- Real Property and Conveyancing (Amendment) Act 1991 No. 27\*

*Statute Law (Miscellaneous Provisions) (No. 2) 1993—Notes*

---

Real Property (Compensation) Amendment Act 1992 No. 52*	
Real Property (Torrens Assurance Fund) Amendment Act 1992 No. 96*	
Registration of Births, Deaths and Marriages (Amendment) Act 1992 No. 45*	
Residential Tenancies (Movable Dwellings) Amendment Act 1991 No. 36*	
Rivers and Foreshores Improvement (Amendment) Act 1991 No. 90*	5
Stamp Duties (Amendment) Act 1992 No. 33*	
State Authorities Superannuation (Scheme Closure) Amendment Act 1992 No. 101*	
Strata Titles (Leasehold Part Strata) Amendment Act 1992 No. 12*	
Strata Titles (Part Strata) Amendment Act 1992 No. 11*	10
Supply of Electricity (Variation of Agreements) Act 1920 No. 30**	
Totalizator Legislation (Amendment) Act 1992 No. 60*	
Totalizator (Off-course Betting) Further Amendment Act 1991 No. 97*	
Trade Measurement Administration (Charges) Amendment Act 1991 No. 51*	
Traffic (Offences) Amendment Act 1992 No. 71*	15
Water Board (Amendment) Act 1991 No. 98*	
Workers Compensation Legislation (Amendment) Act 1992 No. 36*	

---





SECOND PRINT

**STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL  
(No. 2) 1993**

NEW SOUTH WALES



**TABLE OF PROVISIONS**

1. Short title
2. Commencement
3. Amendments
4. Repeals
5. General savings, transitional and other provisions
6. Explanatory notes

**SCHEDULE 1—MINOR AMENDMENTS**

Coptic Orthodox Church (NSW) Property Trust Act 1990 No. 67  
Disability Services Act 1993 No. 3  
Education Reform Act 1990 No. 8  
Geographical Names Act 1966 No. 13  
Guardianship Act 1987 No. 257  
Justices Act 1902 No. 27  
Liquor (Amendment) Act 1993 No. 28  
Optical Dispensers Act 1963 No. 35  
Parliamentary Electorates and Elections Act 1912 No. 41  
Physiotherapists Registration Act 1945 No. 9  
Public Hospitals Act 1929 No. 8  
Registered Clubs (Amendment) Act 1993 No. 29  
Sydney Market Authority Act 1968 No. 11  
Teacher Housing Authority Act 1975 No. 27  
Technical and Further Education Commission Act 1990 No. 118  
Technical Education Trust Funds Act 1967 No. 95  
Telecommunications (Interception) (New South Wales) Act 1987 No. 290  
Tourism Commission Act 1984 No. 46  
Zoological Parks Board Act 1973 No. 34

*Statute Law (Miscellaneous Provisions) (No. 2) 1993*

---

SCHEDULE 2—AMENDMENTS BY WAY OF STATUTE LAW REVISION

SCHEDULE 3—REPEALS

SCHEDULE 4—GENERAL SAVINGS, TRANSITIONAL AND OTHER  
PROVISIONS

---



*This PUBLIC BILL, originated in the LEGISLATIVE ASSEMBLY and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.*

*Legislative Assembly*

*Clerk of the Legislative Assembly.*

NEW SOUTH WALES



Act No. , 1993

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.

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

1. This Act may be cited as the Statute Law (Miscellaneous Provisions) Act  
5 (No. 2) 1993.

**Commencement**

2. A provision of Schedule 1 or 2 to this Act commences as provided in the  
Schedule. The other provisions of this Act commence on the date of assent.

**Amendments**

- 10 3. Each Act specified in Schedules 1 and 2 is amended as set out in those  
Schedules.

**Repeals**

4. Each Act specified in Schedule 3 is repealed.

**General savings, transitional and other provisions**

- 15 5. Schedule 4 has effect.

**Explanatory notes**

6. The matter appearing under the heading "Explanatory note" in any of the  
Schedules does not form part of this Act.

**SCHEDULE 1—MINOR AMENDMENTS**

20

(Sec. 3)

**COPTIC ORTHODOX CHURCH (NSW) PROPERTY TRUST ACT**  
**1990 No. 67**

**AMENDMENT****Section 3 (Definitions):**

- 25 From section 3 (1), omit the definition of "Board", insert instead:  
"Board" means the New South Wales State Board of the  
Church;

**COMMENCEMENT**

- 30 The amendment to the Coptic Orthodox Church (NSW) Property Trust Act 1990 is  
taken to have commenced on 10 May 1993.

**EXPLANATORY NOTE**

- At present, the Act defines "Board" as "the Board of Deacons of the Church". The  
proposed amendment changes that definition in consequence of an amendment to the  
constitution of the Church.  
35 The proposed amendment is taken to have commenced on the date of the amendment  
to the constitution.

**DISABILITY SERVICES ACT 1993 No. 3****AMENDMENTS****(1) Section 4 (Definitions):**

From the end of the definition of “eligible organisation”, omit the words “for the purposes of this definition;” and insert them in paragraph (f) after the words “so prescribed.”.

5

**(2) Section 12A:**

After section 12, insert:

**Funding of psychiatric disability services by Minister for Health**

12A. (1) Despite any other provision of this Act, the Minister administering this Act and the Minister for Health may enter into an agreement under which the Minister administering this Act provides financial assistance to the Minister for Health for the purposes of enabling the Minister for Health to fund the provision, by eligible organisations, of services to persons in the target group whose disabilities are attributable to a psychiatric impairment.

10

15

**(2) Any such agreement must set out:**

(a) the amount of financial assistance to be provided to the Minister for Health; and

(b) the purposes for which the Minister for Health may apply the financial assistance.

20

(3) This section applies instead of section 12 to the provision of financial assistance by the Minister administering this Act to the Minister for Health.

(4) The services funded under this section are taken to be designated services for the purposes of this Act.

25

**(5) The provisions of:**

(a) sections 6 and 7; and

(b) this Division (other than this section),

apply in relation to the Minister for Health's funding of services under this section as if references in those provisions to the Minister were references to the Minister for Health.

30

(6) The Minister for Health is taken to have duly determined that transition plans be prepared under section 7 in relation to the services funded under this section.

35

(7) This section does not limit the application of the other provisions of this Act in relation to funding, or services funded, under this section.

**COMMENCEMENT**

The amendments to the Disability Services Act 1993 commence on the date of assent to this Act.

40



*Statute Law (Miscellaneous Provisions) (No. 2) 1993—Sch. 1*

---

**EXPLANATORY NOTE**

**Statute law revision (item (1))**

Item (1) of the proposed amendments corrects the ranging of a paragraph.

**Psychiatric disability services (item (2))**

- 5 The proposed amendment will enable full effect to be given to the Commonwealth/State Disability Agreement of 30 July 1991 between the Commonwealth and the State.

Psychiatric disability services under the Act are to be funded by the Minister for Health instead of the Minister for Community Services (who administers the Act).

- 10 Proposed section 12A (to be inserted by item (2) of the proposed amendments) permits the Minister for Community Services and the Minister for Health to enter into an agreement under which the Minister for Community Services will provide, from total funds provided by Parliament for disability services, financial assistance to the Minister for Health to enable the latter to fund the provision of the psychiatric disability services concerned.

15 The Act requires such services to be provided and funded in conformity with the objects and principles of the Act. The proposed amendment confirms that transition plans for the provision of the services are to be prepared under the Act within 2 years of the commencement of those services.

---

20 **EDUCATION REFORM ACT 1990 No. 8**

**AMENDMENTS**

- (1) Section 95 (**Higher School Certificate**):

From section 95 (1) (b) (iii), omit "TAFE college", insert instead "TAFE establishment".

- 25 (2) Section 102 (**Functions of the Board**):

From section 102 (2) (h), omit "TAFE colleges", insert instead "TAFE establishments".

**COMMENCEMENT**

- 30 The amendments to the Education Reform Act 1990 commence on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendments are consequential on amendments to the Technical and Further Education Commission Act 1990 proposed to be made elsewhere in this Schedule.

---

**GEOGRAPHICAL NAMES ACT 1966 No. 13****AMENDMENTS****(1) The whole Act:**

- (a) Omit “chairman” wherever occurring (except where occurring in section 3 (2) (b)), insert instead “chairperson”. 5
- (b) After “he” wherever occurring, insert “or she”.
- (c) After “him” wherever occurring (except where occurring in section 3 (2) (b), (c) and (d)), insert “or her”.
- (d) After “his” wherever occurring (except where occurring in section 3 (3A)), insert “or her”. 10

**(2) Section 2 (Definitions):**

- (a) From paragraph (a) of the definition of “Lands Department map”, omit “Eastern or Central Division”, insert instead “Eastern and Central Division”.
- (b) From the definition of “Lands Department map”, omit “Crown Lands Consolidation Act 1913, as amended by subsequent Acts” wherever occurring, insert instead “Crown Lands Act 1989”. 15

**(3) Section 3 (Geographical Names Board):**

- (a) From section 3 (2) (a), omit “or, from time to time with the approval of the Surveyor-General, the person holding the office of Deputy Surveyor-General”. 20
- (b) Omit section 3 (2) (b), insert instead:
  - (b) one is to be the person for the time being holding the office of Director of Planning, or an officer of the Department of Planning nominated by the Director; 25
- (c) From section 3 (2) (c), omit “him”, insert instead “the State Librarian”;
- (d) Omit section 3 (2) (d), insert instead:
  - (d) one is to be the person for the time being holding the office of Deputy Surveyor-General; and 30
- (e) From section 3 (3A), omit “subsection (2) (b) or his or her nominee”, insert instead “subsection (2) (d)”.
- (f) From section 3 (4) (d), omit “the Minister”, insert instead “the New South Wales Aboriginal Land Council”.
- (g) Omit section 3 (10) (b) (iii), insert instead: 35
  - (iii) becomes a mentally incapacitated person;
- (h) In section 3 (10) (b) (iv), after “himself” insert “or herself”.

(4) **Section 15 (Names in geographical manuscripts, tourist publications, maps etc.):**

Omit section 15 (3), insert instead:

- 5           (3) Proceedings for an offence against this section are to be dealt with summarily before a Local Court constituted by a Magistrate sitting alone.

**COMMENCEMENT**

Items (1), (2), (3) (b), (c), (g) and (h) and (5) of the amendments to the Geographical Names Act 1966 commence on the date of assent to this Act.

- 10       Items (3) (a) and (d)–(f) of the amendments to the Geographical Names Act 1966 commence on a day or days to be appointed by proclamation.

**EXPLANATORY NOTE**

**Gender-neutral language** (items (1) and (3) (c) and (h))

- 15       Items (1) and (3) (c) and (h) of the proposed amendments remove the gender-specific language in the Act.

**Updating of references** (items (2), (3) (b) and (g) and (5))

Items (2), (3) (b) and (g) and (5) of the proposed amendments update certain references in the Act.

- 20       **Deputy Surveyor-General to be member and deputy chairperson of Geographical Names Board** (item (3) (a), (d) and (e))

At present, the Deputy Surveyor-General may replace the Surveyor-General (with the Surveyor-General's approval) as a member of the Geographical Names Board. Item (3) (d) of the proposed amendments repeals the requirement that the Director of the Office of Economic Development be a member of the Board (since that Office no longer deals with regional development) and provides instead for the Deputy Surveyor-General to be an ex-officio member of the Board. Item (3) (a) of the proposed amendments is consequential on that amendment. Item (3) (e) provides for the Deputy Surveyor-General to be the deputy chairperson of the Board (in place of the Director of Planning or an officer of the Department of Planning nominated by the Director).

**Board to include nominee of New South Wales Aboriginal Land Council** (item (3) (f))

- 35       Item (3) (f) of the proposed amendments provides that the fourth appointed member of the Board is to be nominated by the New South Wales Aboriginal Land Council instead of by the Minister (whose current nominee is the Deputy Surveyor-General). One of the Board's functions is to compile and maintain a vocabulary of aboriginal words used or suitable for use in geographical names and to record their meaning and tribal origin.



**GUARDIANSHIP ACT 1987 No. 257****AMENDMENT****Section 35 (Offences):**

After section 35 (1), insert:

(1A) Subsection (1) (c) does not apply in the case of special treatment that is special treatment of the kind referred to in paragraph (a) of the definition of “special treatment” in section 33 (1) or special treatment prescribed by the regulations for the purposes of this subsection.

5

**COMMENCEMENT**

10

The amendment to the Guardianship Act 1987 commences on the commencement of Schedule 1 (5) to the Guardianship (Amendment) Act 1993 or on the date of assent to this Act, whichever is the later.

**EXPLANATORY NOTE**

The Guardianship Act 1987 at present allows the Supreme Court, when exercising its jurisdiction with respect to guardianship, to make orders for the carrying out of certain medical or dental treatment on patients who are 16 or more years old and who are incapable of giving consent to the carrying out of that treatment. However, the Court does not have the power to make such orders in relation to “special medical treatment” (that is, sterilisation and other medical treatment prescribed by the regulations).

15

20

The Guardianship (Amendment) Act 1993 (which has not yet commenced) replaces the provisions relating to the giving of consent for the carrying out of medical or dental treatment, making substantial changes to those provisions. An unintended consequence of those changes is the removal of the restriction on the power of the Supreme Court to make orders concerning sterilisation and other prescribed treatment. The proposed amendment reinstates that restriction.

25

**JUSTICES ACT 1902 No. 27****AMENDMENTS****(1) Section 100I (Interpretation):**

30

In section 100I (1), in paragraph (a) of the definition of “penalty notice”, insert in alphabetical order:

Centennial Park and Moore Park Trust Act 1983, section 24;

**(2) Section 145B (Short description of certain offences):****(a) Omit section 145B (1).**

35

**(b) In section 145B (2), after “a summary offence”, insert “or an indictable offence that may be dealt with summarily”.**

*Statute Law (Miscellaneous Provisions) (No. 2) 1993—Sch. 1*

---

**COMMENCEMENT**

The amendments to the Justices Act 1902 commence on a day or days to be appointed by proclamation.

**EXPLANATORY NOTE**

5     **Penalty notices (item (1))**

Item (1) of the proposed amendments enables penalty notices issued under section 24 of the Centennial Park and Moore Park Trust Act 1983 to be brought within the Self-Enforcing Infringement Notice Scheme. (A penalty notice is a notice to the effect that it appears that the person on whom it is served is guilty of an offence. If that person does not wish to have the matter determined by a Court, he or she may pay the amount of the penalty prescribed for the offence if dealt with by way of penalty notice.) The effect of the proposed amendment is that, if the amount payable under a penalty notice issued under section 24 of the Centennial Park and Moore Park Trust Act 1983 is not paid within the time allowed by the notice, a "courtesy letter" may issue. Such a letter gives a further 21 days for payment and specifies that the person on whom the notice and letter was served may be dealt with under Division 2 of Part 4B of the Justices Act 1902 if payment is not made (and if the person does not exercise his or her right to have the matter of his or her guilt determined by a Court). Under that Division, an authorised Justice of the Peace may order the person concerned to pay an amount equal to the amount payable under the notice (together with costs) and the order is taken to be an order of a Local Court.

20     **Short descriptions of certain offences (item (2))**

At present, section 145B of the Act allows the use of prescribed short descriptions of offences in informations, complaints, summonses, warrants, notices, orders and other documents relating to summary offences. "Summary offence" is defined for the purposes of section 145B as "an offence or act for which a person is liable upon summary conviction before a Justice or Justices to be punished by fine or imprisonment, or otherwise". This definition excludes indictable offences that may be dealt with summarily.

30     Item (2) of the proposed amendments allows short descriptions of offences to be prescribed for indictable offences that may be dealt with summarily as well as for summary offences.

---

**LIQUOR (AMENDMENT) ACT 1993 No. 28**

**AMENDMENTS**

- 35     (1) Section 4 (**Amendment of Search Warrants Act 1985 No. 37**):  
        From section 4, omit "section 151 or 166", insert instead "section 151 or 169".
- (2) Schedule 1 (**Amendments to Liquor Act 1982 relating to approved amusement devices**):
- 40         Omit Schedule 1 (8).



*Statute Law (Miscellaneous Provisions) (No. 2) 1993—Sch. 1*

---

(3) **Schedule 3 (Miscellaneous amendments to Liquor Act 1982):**

- (a) In Schedule 3 (5) (b), (6) (b) and (7) (b), after “for a trial period” wherever occurring, insert “of up to 6 months”.
- (b) From Schedule 3, omit so much of item (10) as would include the words “or who, in the opinion of the Director, has some association or connection with the applicant that is relevant to the application,” in proposed section 42D (1). 5
- (c) Omit Schedule 3 (34).

**COMMENCEMENT**

The amendments to the Liquor (Amendment) Act 1993 commence on the date of assent to this Act. 10

**EXPLANATORY NOTE**

**Statute law revision (item (1))**

Item (1) of the proposed amendments corrects a cross-reference.

**Qualifications of licensees (items (2) and (3) (c))** 15

The Liquor (Amendment) Bill 1993, as introduced into Parliament, contained an item adding subsections (4) and (5) to section 47 (Grant of application is discretionary in certain cases) of the Act. Those subsections would have empowered the Liquor Administration Board to determine the experience, skills, competence, training and other qualifications required by holders of each kind of licence that may be issued under the Act (and would have empowered the Licensing Court to refuse an application for a licence unless the applicant possessed the relevant qualifications). Amendments made to the Bill at the committee stage removed the proposed subsections. Accordingly: 20

- item (2) of the proposed amendments removes a provision elsewhere in the Act referring to the requirement that licensees possess the qualifications concerned 25
- item (3) (c) revokes the proposed repeal of section 150 (which provides for the making of regulations relating to courses of instruction for licensees)

**Amendments for consistency (item (3) (a) and (b))**

The Liquor (Amendment) Bill 1993, as introduced into Parliament, proposed to amend the sections relating to hoteliers' licences, off-licences (retail), on-licences (restaurant) and on-licences (vessel) to allow the Licensing Court to grant an application for an extension of trading hours in relation to those licences for a trial period. 30

Amendments made to the Bill at the committee stage limited that trial period to a period of up to 6 months in relation to hoteliers' licences. For consistency, item (3) (a) of the proposed amendments imposes the same limitation on the proposed trial period in relation to the other licences concerned. 35

The amendments in committee also amended subsection (3) of the new section 66A to remove the proposed power of the Director of Liquor and Gaming to require certain persons with some association or connection with a licensee who is under investigation to provide information and to do certain other things. For consistency, item (3) (b) removes a similar power in relation to associates of *applicants* for licences. 40

---



**OPTICAL DISPENSERS ACT 1963 No. 35****AMENDMENT**

Section 21 (**Register**):

Omit section 21 (4).

**5 COMMENCEMENT**

The amendment to the Optical Dispensers Act 1963 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

10 The proposed amendment repeals the requirement that the Optical Dispensers Licensing Board annually provide the Minister with a list of the names in the Register of Optical Dispensers for New South Wales and that the Government Printer print and publish the list if the Minister so directs. Under section 21 (3), the register is to be available for inspection by the public.

15 The proposed amendment is similar to an amendment to the Physiotherapists Registration Act 1945 to be made elsewhere in this Schedule.

**PARLIAMENTARY ELECTORATES AND ELECTIONS ACT  
1912 No. 41****AMENDMENTS**

(1) Section 50 (**Roll for purposes of election**):

20 From section 50 (1), omit "after the issue of the writ and before the day of nomination", insert instead "as soon as practicable after the issue of the writ".

(2) Section 66J (**Public access to registers**):

Omit section 66J (2).

**25 COMMENCEMENT**

The amendments to the Parliamentary Electorates and Elections Act 1912 commence on the date of assent to this Act.

**EXPLANATORY NOTE**

**Transmission of electoral roll to State returning officer** (item (1))

30 Section 50 currently requires the Australian Electoral Officer for New South Wales, after the issue of the writ *and before the day of nomination* for an election in any district, to certify, sign and transmit to the State returning officer for the district a printed copy of the roll for each subdivision in the district as in force at 6 p.m. on the day of the issue of the writ.

35 The proposed amendment repeals the requirement that the copy of the roll be transmitted "before the day of nomination" for the election, replacing it with a requirement that the copy be transmitted "as soon as practicable" after the issue of the writ for the election.

*Statute Law (Miscellaneous Provisions) (No. 2) 1993—Sch. 1*

---

**Public access to registers (item (2))**

At present, section 66J (2) requires a list of the names and registered officers of the parties entered in the Register of Parties kept under Part 4A of the Act to be published in the Government Gazette as soon as practicable after the issue of the writ for any election. That requirement is considered to be unnecessary because section 66J (1) requires the Register to be available for public inspection during ordinary office hours. Accordingly, the proposed amendment repeals the publication requirement.

5

---

**PHYSIOTHERAPISTS REGISTRATION ACT 1945 No. 9**

**AMENDMENT**

10

**Section 20 (Register):**

Omit section 20 (5).

**COMMENCEMENT**

The amendment to the Physiotherapists Registration Act 1945 commences on the date of assent to this Act.

15

**EXPLANATORY NOTE**

The proposed amendment repeals the requirement that the secretary to the Physiotherapists Registration Board annually transmit to the Minister a list of the names in the Register of Physiotherapists for New South Wales and that the Government Printer print and publish the list if the Minister so directs. Under section 20 (4), the register is to be available for inspection by the public.

20

The proposed amendment is similar to an amendment to the Optical Dispensers Act 1963 proposed to be made elsewhere in this Schedule.

---

**PUBLIC HOSPITALS ACT 1929 No. 8**

**AMENDMENTS**

25

**(1) Section 30 (Liability of patients):**

After section 30 (8), insert:

(9) A scale of fees may be fixed, amended or revoked by the adoption by reference, wholly or in part and with or without modification, of any scale of fees (as in force at a particular time or as in force from time to time) fixed or determined by a Commonwealth authority or body.

30

**(2) Second Schedule (Incorporated Hospitals):**

From the Second Column, omit "Bonalbo District."



*Statute Law (Miscellaneous Provisions) (No. 2) 1993—Sch. 1*

---

**COMMENCEMENT**

The amendments to the Public Hospitals Act 1929 commence on the date of assent to this Act.

**EXPLANATORY NOTE**5     **Adoption by reference (item (1))**

Section 42 of the Interpretation Act 1987 provides that if an Act authorises or requires provision to be made for or with respect to any matter by a statutory rule, the statutory rule may make provision for or with respect to the matter by applying, adopting or incorporating (with or without modification) the provisions of, among  
10     other things, any publication. Under section 69 of that Act such a publication may be applied, adopted or incorporated as in force on a particular day, on the day the publication took effect, or, if the Act authorising or requiring provision to be made specifically provides, as in force from time to time.

Item (1) of the proposed amendments confers a similar power on the Minister when exercising his or her function under section 30 of the Public Hospitals Act 1929 of fixing (or amending or revoking) a scale of fees for relief received from a hospital. One effect of the proposed amendment will be to remove the present necessity to republish determinations under the National Health Act 1953 of the Commonwealth  
15     in cases where the State adopts those determinations.

20     **Technical amendment (item (2))**

Item (2) of the proposed amendments omits from the Second Schedule to the Act matter that should have been omitted when the Schedule was amended by an Order published in the Government Gazette on 25 June 1993. That Order amalgamated various incorporated hospitals as particular Health Services and omitted the names of  
25     the individual hospitals that, together, formed the incorporated hospitals. The name of Bonalbo District Hospital was not omitted from the Schedule.

---

**REGISTERED CLUBS (AMENDMENT) ACT 1993 No. 29**

**AMENDMENTS**(1) Schedule 3 (**Amendments relating to gaming-related licences**):

30     (a) From Schedule 3, omit so much of item (11) as would include the words “or a person who, in the opinion of the Director, has some association or connection with the licensee that is relevant to the investigation” in proposed section 107A (3).

35     (b) From Schedule 3 (12) (e), omit “licensee”, insert instead “a licensee”.

(c) Omit Schedule 3 (13).

(2) Schedule 5 (**Other amendments**):

(a) Omit Schedule 5 (15) (b) and (d).

40     (b) From Schedule 5, omit so much of item (15) (e) as would insert proposed section 33 (4B), (4C) and (4D), insert instead:



*Statute Law (Miscellaneous Provisions) (No. 2) 1993—Sch. 1*

---

(4B) Even if an objection under subsection (4) or (4A) has not been taken or made out, the Licensing Court may refuse the application if it finds, after subsection (4C) has been complied with, that the applicant is not a fit and proper person to be the secretary of a registered club.

5

(4C) A finding under subsection (4B) may not be made unless:

(a) the applicant has been made aware of the reasons for the possibility of such a finding; and

(b) the applicant has been given an opportunity to make submissions, and adduce evidence, related to those reasons; and

10

(c) those reasons are, or are included in, the reasons for the finding.

(c) From Schedule 5, omit from item (21) (c) the words “person referred to in subsection (1) (a) or (b)”, insert instead “person, referred to in subsection (1) (a) and (b),”.

15

**COMMENCEMENT**

The amendments to the Registered Clubs (Amendment) Act 1993 commence on the date of assent to this Act.

**EXPLANATORY NOTE**

20

**Associates of licensees (item (1) (a))**

The Registered Clubs (Amendment) Bill 1993, as introduced into Parliament, contained an item inserting a new Division 2A (Investigation of applications) of Part 11 into the Act. Proposed section 95B (1) in that Division would have empowered the Director of Liquor and Gaming to require an applicant for a gaming-related licence, and certain persons having some association or connection with an applicant, to provide information and to do certain other things.

25

Amendments made to the Bill at the committee stage removed that proposed power in so far as it would relate to associates of applicants. For consistency, item (1) (a) of the proposed amendments makes a similar amendment to a proposed provision empowering the Director to investigate licensees and their associates.

30

**Qualifications of gaming-related licensees and club secretaries (items (1) (c) and (2) (a) and (b))**

The Registered Clubs (Amendment) Bill 1993 also proposed to amend sections 33 (Approval of secretary of registered club) and 90 (Granting of gaming-related licences) of the Act to require club secretaries and applicants for gaming-related licences to possess the experience, skills, competence, training and other qualifications determined by the Liquor Administration Board.

35

Amendments made to the Bill at the committee stage removed that requirement in relation to applicants for gaming-related licences. Items (1) (c) and (2) (a) and (b) of the proposed amendments relate to those amendments.

40

- For consistency, item (2) (a) and (b) removes the proposed power of the Board to make such determinations in relation to club secretaries, and makes consequential amendments.

*Statute Law (Miscellaneous Provisions) (No. 2) 1993—Sch. 1*

---

- Item (1) (c) revokes the proposed repeal of section 113 (which provides for the making of regulations relating to the competence of licensees).

**Incorporating directions** (items (1) (b) and 2 (c))

Items (1) (b) and (2) (c) of the proposed amendments correct incorporating directions.

---

5                    **SYDNEY MARKET AUTHORITY ACT 1968 No. 11**

**AMENDMENT**

Section 4 (**Constitution of Authority**):

From section 4 (5) (d), omit “, being an officer employed within the Treasury,”.

10 **COMMENCEMENT**

The amendment to the Sydney Market Authority Act 1968 commences on the date of assent to this Act.

**SAVING**

- 15 The part-time member of the Sydney Market Authority appointed as the Treasurer’s nominee under section 4 (5) (d) of the Sydney Market Authority Act 1968 and holding office on the commencement of the amendment made to that section by this Act is taken to be the person nominated under that section as so amended.

**EXPLANATORY NOTE**

- 20 The proposed amendment repeals the requirement that the Treasurer’s nominee to the Sydney Market Authority (who is the Deputy Chairperson of the Authority) be an officer employed in the Treasury.
- 

**TEACHER HOUSING AUTHORITY ACT 1975 No. 27**

**AMENDMENT**

Section 4 (**Definitions**):

- 25 From the definition of “school” in section 4, omit “TAFE college”, insert instead “TAFE establishment”.

**COMMENCEMENT**

The amendment to the Teacher Housing Authority Act 1975 commences on the date of assent to this Act.

30 **EXPLANATORY NOTE**

The proposed amendment is consequential on amendments to the Technical and Further Education Commission Act 1990 proposed to be made elsewhere in this Schedule.

---

---

**TECHNICAL AND FURTHER EDUCATION COMMISSION ACT  
1990 No. 118**

**AMENDMENTS**

- (1) The whole Act (except for section 3 and Schedule 3):
- (a) Omit "TAFE college" wherever occurring, insert instead "TAFE establishment". 5
  - (b) Omit "TAFE colleges" wherever occurring, insert instead "TAFE establishments".
- (2) Section 3 (**Definitions**):
- (a) From section 3 (1), omit the definition of "TAFE college". 10
  - (b) In section 3 (1), insert in alphabetical order:  
" **TAFE establishment**" means an institution providing technical and further education, being an institution established and maintained by the TAFE Commission;

**COMMENCEMENT** 15

The amendments to the Technical and Further Education Commission Act 1990 commence on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendments insert a definition of "TAFE establishment" into the Act and substitute that term for "TAFE college" throughout the Act (except for a Schedule amending other Acts). 20

The proposed amendments are consequential on the restructuring of the Technical and Further Education Commission and the fact that the education it provides is no longer provided principally in colleges.

---

**TECHNICAL EDUCATION TRUST FUNDS ACT 1967 No. 95** 25

**AMENDMENT**Section 2 (**Definitions**):

From paragraph (a) of the definition of "educational establishment" in section 2, omit "a college", insert instead "an establishment".

**COMMENCEMENT** 30

The amendment to the Technical Education Trust Funds Act 1967 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendment is consequential on amendments to the Technical and Further Education Commission Act 1990 proposed to be made elsewhere in this Schedule. 35

---



**TELECOMMUNICATIONS (INTERCEPTION) (NEW SOUTH WALES) ACT 1987 No. 290**

**AMENDMENT**

5       Section 6 (**Documents to be given by an eligible authority to the Minister**):

          From section 6 (c), omit “within 2 months”, insert instead “within 3 months”.

**COMMENCEMENT**

10       The amendment to the Telecommunications (Interception) (New South Wales) Act 1987 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

15       The proposed amendment is consequential on an amendment to the corresponding Commonwealth legislation. It extends from 2 months to 3 months after each 30 June the period within which an “eligible authority” for the purposes of the Telecommunications (Interception) (New South Wales) Act 1987 must submit an annual report to the Minister.

---

**TOURISM COMMISSION ACT 1984 No. 46**

**AMENDMENTS**

- (1) The whole Act:
- 20       (a) Omit “the Commission” wherever occurring, insert instead “Tourism NSW”.
- (b) Omit “The Commission” wherever occurring, insert instead “Tourism NSW”.
- 25       (c) Omit “THE COMMISSION” wherever occurring, insert instead “TOURISM NSW”.
- (2) Long title:
- Omit “the Tourism Commission of New South Wales”, insert instead “Tourism NSW”.
- (3) Section 1 (**Short title**):
- 30       Omit “Commission”, insert instead “NSW”.
- (4) Section 3 (**Definitions**):
- (a) From section 3 (1), omit the definition of “Commission”.
- (b) In section 3 (1), insert in alphabetical order:
- 35        “**Tourism NSW**” means the corporation with the corporate name of “Tourism NSW” constituted by this Act.

*Statute Law (Miscellaneous Provisions) (No. 2) 1993—Sch. 1*

---

(5) Part 2, heading:

Omit the heading, insert instead "TOURISM NSW".

(6) Section 4 (**Constitution of Tourism NSW**):

From section 4 (1), omit "the 'NSW Tourism Commission' ", insert instead " 'Tourism NSW' ". 5

(7) Section 28 (**References to Tourism NSW**):

(a) From section 28, omit "or to the 'Tourism Commission of New South Wales' ", insert instead ", to the 'Tourism Commission of New South Wales' or to the 'NSW Tourism Commission' ". 10

(b) From section 28, omit "the NSW Tourism Commission", insert instead "Tourism NSW".

**COMMENCEMENT**

The amendments to the Tourism Commission Act 1984 commence on a day to be appointed by proclamation. 15

**EXPLANATORY NOTE**

The proposed amendments change the name of the NSW Tourism Commission to "Tourism NSW" and make consequential amendments.

---

**ZOOLOGICAL PARKS BOARD ACT 1973 No. 34**

**AMENDMENT**

Section 17A: 20

After section 17, insert:

**Board may be trustee**

17A. (1) The Board may be and act as a trustee under the terms of a gift, devise or bequest. The Board may do so even if some but not all of the purposes of the trust are not related to the functions of the Board, and even if the Board is or could be a beneficiary under the trust. 25

(2) The Board is taken always to have had these powers.

(3) This section does not authorise the Board to contravene any express provisions of this Act. 30

(4) Despite subsection (3), the Board may invest trust money in any way authorised by the trust or by any other law.

(5) This section does not limit any powers the Board has apart from this section.

*Statute Law (Miscellaneous Provisions) (No. 2) 1993—Sch. 1*

---

**COMMENCEMENT**

The amendment to the Zoological Parks Board Act 1973 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

- 5 The proposed amendment makes it clear that the Zoological Parks Board may administer trust property as a trustee even if some but not all of the purposes of the trust are not related to the functions of the Board, and even if the Board is (or could be) a beneficiary under the trust.
- 

10 **SCHEDULE 2—AMENDMENTS BY WAY OF STATUTE LAW  
REVISION**

(Sec. 3)

**CHILDREN (CARE AND PROTECTION) ACT 1987 No. 54**

**AMENDMENT**

- 15 Section 54B (**Entry without warrant in certain circumstances**):  
In section 54B (1) (a), after “holder”, insert “of”.

**COMMENCEMENT**

The amendment to the Children (Care and Protection) Act 1987 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

- 20 The proposed amendment inserts a missing word.
- 

**COMMUNITY SERVICES (COMPLAINTS, APPEALS AND  
MONITORING) ACT 1993 No. 2**

**AMENDMENT**

- 25 Schedule 2 (**Amendment of Acts**):  
From Schedule 2, omit the matter relating to the Public Sector Management Act 1988.

**COMMENCEMENT**

The amendment to the Community Services (Complaints, Appeals and Monitoring) Act 1993 commences on the date of assent to this Act.



*Statute Law (Miscellaneous Provisions) (No. 2) 1993—Sch. 2*

---

**EXPLANATORY NOTE**

The Community Services (Complaints, Appeals and Monitoring) Act 1993 establishes the Community Services Commission. The proposed amendment repeals an uncommenced amendment to the Public Sector Management Act 1988 inserting the position of Commissioner for Community Services in Schedule 3B (Senior Executive Positions) to that Act. The position of Commissioner is to be a Chief Executive position rather than a Senior Executive position. Accordingly, a proclamation has been made under section 42D of the Public Sector Management Act 1988 to insert a description of that position in Schedule 3A (Chief Executive Positions) to that Act.

5

---

**CO-OPERATIVES ACT 1992 No. 18**

10

**AMENDMENT**

**Section 299 (Share offers to which Division applies):**

From section 299 (2), omit “subtaintial”, insert instead  
“substantial”.

**COMMENCEMENT**

15

The amendment to the Co-operatives Act 1992 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendment corrects the spelling of a word.

---

**CROWN LANDS ACT 1989 No. 6**

20

**AMENDMENT**

**Schedule 8 (Savings, Transitional and Other Provisions):**

In clause 9 (2), after “as”, insert “if”.

**COMMENCEMENT**

The amendment to the Crown Lands Act 1989 commences on the date of assent to this Act.

25

**EXPLANATORY NOTE**

The proposed amendment inserts a missing word.

---

**ELECTRICITY ACT 1945 (1946 No. 13)****AMENDMENTS****(1) Section 4 (Definitions):**

- 5 (a) In paragraph (d) of the definition of "Electrical installation" in section 4 (1), after "mine", insert "within the meaning of the Coal Mines Regulation Act 1982 or within the meaning of the Mines Inspection Act 1901".

(b) From section 4 (1), omit the definition of "Mine".

10 **(2) Section 26Q (Customer to give 48 hours' notice of discontinuance of supply):**

From section 26Q (1), omit "that" where firstly occurring, insert instead "than".

**(3) Schedules 3 and 4:**

Omit the Schedules.

15 **COMMENCEMENT**

The amendments to the Electricity Act 1945 commence on the date of assent to this Act.

**EXPLANATORY NOTE****Meaning of "mine" (item (1))**

- 20 Although the only use of "mine" in the Act is in the definition of "electrical installation", the Act provides a definition of the word (to the effect that it has the same meaning as in the Local Government Act 1919). The provisions of the Local Government Act 1919 that have been repealed include the definition of "mine".
- 25 Accordingly, item (1) (b) of the proposed amendments repeals the outdated definition in the Electricity Act 1945, and item (1) (a) inserts a meaning in terms of mining legislation in the place where the word is used in the Act.

**Typographical error (item (2))**

Item (2) of the proposed amendments corrects a typographical error.

**Repeal of Schedules (item (3))**

- 30 Item (3) of the proposed amendments repeals Schedules relating to Electricity Area Boards as those Boards have been abolished.

---

**ENVIRONMENTAL PLANNING AND ASSESSMENT ACT  
1979 No. 203**

**AMENDMENTS**

35 **(1) Section 99 (Lapsing of consent):**

From section 99 (4E) (a) (as inserted by Schedule 2 to the Local Government (Consequential Provisions) Act 1993), omit "elapsed", insert instead "lapsed".

*Statute Law (Miscellaneous Provisions) (No. 2) 1993—Sch. 2*

---

(2) Section 127 (**Proceedings for offences**):

From section 127 (3), omit “20 penalty units”, insert instead “100 penalty units”.

**COMMENCEMENT**

Item (1) of the amendments to the Environmental Planning and Assessment Act 1979 is taken to have commenced on 1 July 1993. 5

Item (2) of the amendments to the Environmental Planning and Assessment Act 1979 is taken to have commenced on 28 June 1993.

**EXPLANATORY NOTE**

**Lapsing of development consent (item (1))** 10

Item (1) of the proposed amendments corrects an incorrect word. The amendment is taken to have commenced at the same time as the provision of the Local Government (Consequential Provisions) Act 1993 that inserted the provision containing the incorrect word.

**Increase in penalty (item (2))** 15

Item (2) of the proposed amendments has the same effect as an earlier amendment that could not take effect.

The Environmental Planning and Assessment (Miscellaneous Amendments) Act 1992, which commenced on 28 June 1993, sought to increase the penalty specified in section 127 (3) of the Environmental Planning and Assessment Act 1979 from \$2,000 to \$10,000. However, the Statute Law (Penalties) Act 1992 (which commenced on 8 December 1992) had changed the wording in section 127 (3) from “\$2,000” to “20 penalty units”. Accordingly, the relevant direction given by the Environmental Planning and Assessment (Miscellaneous Amendments) Act 1992—to omit from section 127 (3) “\$2,000” and to insert instead “\$10,000”—could not be obeyed, as the matter “\$2,000” no longer appeared in that section. 20

The amendment is taken to have commenced at the same time as the ineffective amendment. 25

---

**FAIR TRADING ACT 1987 No. 68**

**AMENDMENTS**

(1) Section 67 (**Order to disclose information or publish advertisement**): 30

From section 67, omit “Part 3, 4, 5, 5A, 5B or 8 (section 43 excepted)”, insert instead “Part 3, 4, 5 (section 43 excepted), 5A, 5B or 8”.

(2) Section 68 (**Actions for damages**): 35

From section 68, omit “Part 3, 4, 5 or 5B or 5A (section 43 excepted)”, insert instead “Part 3, 4, 5 (section 43 excepted), 5A or 5B”.



*Statute Law (Miscellaneous Provisions) (No. 2) 1993—Sch. 2*

---

**COMMENCEMENT**

The amendments to the Fair Trading Act 1987 commence on the date of assent to this Act.

**EXPLANATORY NOTE**

5     **Reference to section 43** (items (1) and (2))

Both proposed amendments place a reference to section 43 adjacent to a reference to the Part (Part 5) in which that section is located.

**Numerical sequence** (item (2))

10     Item (2) of the proposed amendments corrects the numerical order in a reference to other Parts of the Act.

---

**FINANCIAL TRANSACTIONS REPORTS ACT 1992 No. 99**

**AMENDMENT**

Section 11 (**Proceedings for offences**):

15     From section 11 (2) (b), omit “appropriate”, insert instead “appropriate”.

**COMMENCEMENT**

The amendment to the Financial Transactions Reports Act 1992 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

20     The proposed amendment corrects a typographical error.

---

**FOOD ACT 1989 No. 231**

**AMENDMENTS**

Section 73 (**Liability of employers**):

25     (a) From section 73 (2) (b), omit “the” where firstly occurring, insert instead “that”.

(b) From section 73 (2) (b), omit “exercise”, insert instead “exercise”.

**COMMENCEMENT**

The amendments to the Food Act 1989 commence on the date of assent to this Act.

30     **EXPLANATORY NOTE**

The proposed amendments correct typographical errors.

---

**IMPERIAL ACTS APPLICATION ACT 1969 No. 30****AMENDMENT****Section 20 (Penalty):**

From section 20, omit “or to a fine of not exceeding 10 penalty units”, insert instead “or to a fine not exceeding 10 penalty units”.

5

**COMMENCEMENT**

The amendment to the Imperial Acts Application Act 1969 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendment omits an unnecessary word.

10

**LIQUOR ACT 1982 No. 147****AMENDMENTS****(1) Section 45 (Grounds of objection):**

From section 45 (3) (b) (iii), omit “section 117 (5)”, insert instead “section 116B (2)”.

15

**(2) Section 155A (Secrecy):**

In section 155A (2) (a), omit “that is”, insert instead “that it is”.

**(3) Section 162 (Qualifications for keeping approved amusement device):**

Omit section 162 (2) (a).

**(4) Schedule 1 (Savings and transitional provisions):**

Omit clause 4 (1).

20

**COMMENCEMENT**

Item (1) of the amendments to the Liquor Act 1982 commences on the commencement of Schedule 3 (27) to the Liquor (Amendment) Act 1993 or on the date of assent to this Act, whichever is the later.

25

Items (2), (3) and (4) of the amendments to the Liquor Act 1982 commence on the date of assent to this Act.

**EXPLANATORY NOTE****Statute law revision** (items (1) and (2))

Item (1) of the proposed amendments amends a cross-reference in consequence of an amendment to be made by the Liquor (Amendment) Act 1993. (The relevant provision of the Liquor (Amendment) Act 1993 has not yet commenced.)

30

Item (2) of the proposed amendments inserts a missing word.

**Consequential amendments** (items (3) and (4))

*Statute Law (Miscellaneous Provisions) (No. 2) 1993—Sch. 2*

---

- 5 The Liquor (Amendment) Bill 1993, as introduced into Parliament, contained an item adding subsections (4) and (5) to section 47 (Grant of application is discretionary in certain cases) of the Act. Those subsections would have empowered the Liquor Administration Board to determine the experience, skills, competence, training and other qualifications required by holders of each kind of licence that may be issued under the Act (and would have empowered the Licensing Court to refuse an application for a licence unless the applicant possessed the relevant qualifications). Amendments made to the Bill at the committee stage removed the proposed subsections. Accordingly, item (3) of the proposed amendments removes a provision elsewhere in the Act referring to the requirement that particular licensees possess the qualifications concerned.
- 10 Item (4) of the proposed amendments is consequential on item (2) of the amendments to the Liquor (Amendment) Act 1993 proposed to be made in Schedule 1 to this Act. That item will repeal an uncommenced provision that was to insert section 68 (1A) into the Liquor Act 1982. Accordingly, item (4) repeals a transitional provision relating to section 68 (1A).
- 15

---

**LOTTERIES AND ART UNIONS ACT 1901 No. 34**

**AMENDMENT**

- 20 Section 4A (**Certain organisations authorised to conduct games of chance**):
- From section 4A (5A), omit “a organisation”, insert instead “an organisation”.

**COMMENCEMENT**

- 25 The amendment to the Lotteries and Art Unions Act 1901 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendment corrects a grammatical error.

---

**MOTOR ACCIDENTS ACT 1988 No. 102**

**AMENDMENT**

- 30 Section 84 (**Constitution of Board of Directors**):
- From section 84 (2A), omit “the National Roads and Motorists’ Association”, insert instead “NRMA Limited”.

**COMMENCEMENT**

- 35 The amendment to the Motor Accidents Act 1988 commences on the date of assent to this Act.



*Statute Law (Miscellaneous Provisions) (No. 2) 1993—Sch. 2*

---

**EXPLANATORY NOTE**

The National Roads and Motorists' Association Limited has changed its name to "NRMA Limited". The proposed amendment is consequential on that change.

---

**MOTOR DEALERS ACT 1974 No. 52**

**AMENDMENT**

5

Section 34 (**Disputes committee**):

From section 34 (1) (b), omit "the National Roads and Motorists' Association", insert instead "NRMA Limited".

**COMMENCEMENT**

The amendment to the Motor Dealers Act 1974 commences on the date of assent to this Act.

10

**EXPLANATORY NOTE**

The National Roads and Motorists' Association Limited has changed its name to "NRMA Limited". The proposed amendment is consequential on that change.

---

**MOTOR VEHICLE REPAIRS ACT 1980 No. 71**

15

**AMENDMENTS**

(1) Section 8 (**Members of the Council**):

From section 8 (1) (b), omit "the National Roads and Motorists' Association", insert instead "NRMA Limited".

(2) Schedule 3 (**Provisions Relating to the Constitution and Membership of the Disputes Committee**):

20

From clause 1 (1) (c), omit "the National Roads and Motorists' Association", insert instead "NRMA Limited".

**COMMENCEMENT**

The amendments to the Motor Vehicle Repairs Act 1980 commence on the date of assent to this Act.

25

**EXPLANATORY NOTE**

The National Roads and Motorists' Association Limited has changed its name to "NRMA Limited". The proposed amendments are consequential on that change.

---

**NATIONAL PARKS AND WILDLIFE ACT 1974 No. 80****AMENDMENTS**

- (1) Section 98 (**Taking or killing protected fauna, other than endangered fauna**):

5       From section 98 (2), omit "Penalty: \$2,000", insert instead  
       "Maximum penalty: 20 penalty units".

- (2) Section 168 (**Disposal of property seized or delivered up**):

      From section 168 (4) (b), omit "6 months", insert instead "2 years".

**COMMENCEMENT**

- 10       The amendments to the National Parks and Wildlife Act 1974 commence on the date  
       of assent to this Act.

**EXPLANATORY NOTE****Penalty (item (1))**

- 15       Item (1) of the proposed amendments expresses the existing pecuniary penalty for the  
       offence of taking or killing protected fauna (other than endangered fauna or locally  
       unprotected fauna) in penalty units, in accordance with section 56 of the  
       Interpretation Act 1987. (That section provides that a reference in an Act or statutory  
       rule to a number of penalty units is to be read as a reference to an amount of money  
       equal to the amount obtained by multiplying \$100 by that number of penalty units.)  
       20       The amendment also makes it clear that the penalty specified is not mandatory, but is  
       the maximum penalty that may be imposed for the offence (in keeping with section  
       54 of the Interpretation Act 1987).

**Statute law revision (item (2))**

- 25       Amendments to section 176 (1B) of the Act in 1983 increased the period in which  
       proceedings for an offence under the Act or regulations may be taken from 6 months  
       to 2 years after commission of the offence. A consequential amendment was later  
       made to section 168 (2) (b). (Section 168 is concerned with the disposal of property  
       seized or delivered up in connection with an alleged offence.) Section 168 (2)  
       currently reads:

- 30       (2) Subject to this section, where:

- (a) property has been seized under section 164 or delivered up under  
           section 165; and  
       (b) an information for an offence (being an offence on or after a  
           conviction for which an order could be made under subsection (1) in  
           respect of the property) has not been laid within 2 years after the  
       35       seizure or delivering up of the property,

      the court prescribed in relation to the property may, on the application of any  
       person, order that the property be delivered to a specified person.

*Statute Law (Miscellaneous Provisions) (No. 2) 1993—Sch. 2*

---

However, the necessary consequential amendment to section 168 (4) (b) has not been made. That paragraph currently reads:

- (b) in the case of an application for an order under subsection (2)—later than 3 months after the expiration of the period of 6 months referred to in that subsection.

5

Accordingly, the proposed amendment makes section 168 (4) (b) consistent with sections 168 (2) (b) and 176 (1B).

---

**OMBUDSMAN (AMENDMENT) ACT 1993 No. 37**

**AMENDMENT**

**Schedule 2 (Amendment of other Acts):**

10

From the amendments to the Defamation Act 1974, omit item (1).

**COMMENCEMENT**

The amendment to the Ombudsman (Amendment) Act 1993 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

15

The proposed amendment omits an amendment that is superfluous because of the operation of the Police Service (Complaints, Discipline and Appeals) Amendment Act 1993.

---

**POLICE SERVICE ACT 1990 No. 47**

**AMENDMENTS**

20

(1) Section 24 (**Appointment of Commissioner**):

From section 24 (3) (c) (as inserted by Schedule 1 (1) to the Police Service (Management) Amendment Act 1993), omit "an official report (referred to in section 3 (3)) on the previous employment and conduct of", insert instead "a report under section 94A on".

25

(2) Schedule 4 (**Savings, transitional and other provisions**):

Re-number Part 6 (as inserted by Schedule 3 (13) (b)) to the Police Service (Complaints, Discipline and Appeals) Amendment Act 1993) as Part 7 and insert that Part, as re-numbered, after clause 23.

**COMMENCEMENT**

30

The amendments to the Police Service Act 1990 are taken to have commenced on 12 July 1993.



**EXPLANATORY NOTE****Section 24** (item (1))

Schedule 3 (1) to the Police Service (Complaints, Discipline and Appeals) Amendment Act 1993 (which commenced on 1 July 1993) repealed section 3 (3), which is referred to in section 24 (3) (c). Schedule 3 (2) to that Act made the necessary consequential amendment to section 24 (3) (c).

Schedule 1 (1) to the Police Service (Management) Amendment Act 1993 (which commenced on 12 July 1993) repealed and substituted Part 4 of the Police Service Act 1990 (which includes section 24), but did not change the substance of section 24 (3) (c) as originally enacted.

Because the Police Service (Management) Amendment Act 1993 commenced *after* the Police Service (Complaints, Discipline and Appeals) Amendment Act 1993, it had the effect of repealing the consequential amendment. Accordingly, that consequential amendment is made again (from the date of its repeal) by item (1) of the proposed amendments.

**Part 6 of Schedule 4** (item (2))

The Police Service (Complaints, Discipline and Appeals) Amendment Act 1993 inserted Part 6 (clauses 24–28) at the end of Schedule 4. The Police Service (Management) Amendment Act 1993 also inserted a Part 6 (clauses 20–23) at the end of that Schedule. Item (2) of the proposed amendments renumbers the Part inserted by the Police Service (Complaints, Discipline and Appeals) Amendment Act 1993 to Part 7 and transfers it to the end of the Schedule so that the clauses will be in correct numerical sequence.

---

**PRISONS ACT 1952 No. 9****25 AMENDMENT****Section 4 (Definitions):**

From paragraph (b) of the definition of “prison” in section 4 (1), omit “jail”, insert instead “gaol”.

**COMMENCEMENT**

**30** The amendment to the Prisons Act 1952 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendment amends the spelling of “jail” to the spelling used elsewhere in the Act and in other legislation.

---

---

**PROTECTION OF THE ENVIRONMENT ADMINISTRATION ACT  
1991 No. 60**

**AMENDMENT**

**Schedule 2 (Members and Procedure of Consultation Forum,  
Education Committee and Advisory Committees):**

From the definition of “ex-officio member” in clause 1, omit  
“advirsory”, insert instead “advisory”.

**COMMENCEMENT**

The amendment to the Protection of the Environment Administration Act 1991  
commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendment corrects a typographical error.

---

**PUBLIC FINANCE AND AUDIT ACT 1983 No. 152**

**AMENDMENT**

**Section 38A (Definitions):**

From section 38A, omit “In this section”, insert instead “In this  
Division”.

**COMMENCEMENT**

The amendment to the Public Finance and Audit Act 1983 commences on the date of  
assent to this Act.

**EXPLANATORY NOTE**

The proposed amendment corrects a reference in a definition section located at the  
beginning of a Division of the Public Finance and Audit Act 1983. The amendment  
ensures that the definitions apply throughout the Division.

---

**REAL PROPERTY ACT 1900 No. 25**

**AMENDMENTS**

(1) **Section 3 (Definitions):**

In section 3 (1) (a), insert in alphabetical order:

“**Plan of survey**”—A plan of survey within the meaning of the  
Survey Practice Regulation 1990 (or any regulation amending  
or replacing that Regulation).

(2) **Section 28S (Definitions):**

Omit the definition of “plan of survey”.

## (3) Sections 32, 114 and 144:

From sections 32 (3) (b), 114 (d) and 144 (1) (d), omit “within the meaning of the Survey Practice Regulations 1933” wherever occurring.

5 **COMMENCEMENT**

The amendments to the Real Property Act 1900 commence on the date of assent to this Act.

**EXPLANATORY NOTE**

- 10 The phrase “plan of survey” is defined in the same way in the current Survey Practice Regulation 1990 as it was in the repealed Survey Practice Regulations 1933. Accordingly, the proposed amendments omit matter in the Real Property Act 1900 defining, and referring to, the phrase in terms of the repealed Regulations and insert instead a definition in terms of the current Regulation.

**REGISTERED CLUBS ACT 1976 No. 31**15 **AMENDMENTS**(1) Section 27B (**Keeping of records concerning low alcohol beer**):

From section 27B (1), omit “Penalty”, insert instead “Maximum penalty”.

(2) Section 32 (**Registered club to have only one secretary**):

- 20 From section 32 (3), omit “Penalty—subsection (3): \$1,000”, insert instead “Maximum penalty—subsection (3): 10 penalty units”.

(3) Section 33 (**Approval of secretary of registered club**):

- 25 (a) From section 33 (3) (b), omit “or 4B”.  
 (b) From section 33 (6), omit “Sections 95–95C”, insert instead “Sections 95–95B”.  
 (c) From section 33 (6), omit “, and to a person having some association or connection with the applicant.”.  
 (d) From section 33 (6), omit “and a person having some association or connection with an applicant for such a licence”.

30 (4) Section 50B (**Display of notices**):

From section 50B (1) and (2), omit “penalty,” wherever occurring, insert instead “penalty”.

(5) Section 67 (**Power to demand certain particulars from certain persons on premises of registered clubs**):

- 35 From section 67 (6) (a), omit “and”.

(6) Section 79 (**Application to keep or dispose of poker machine**):

From section 79 (8) (b), omit “section 77B” insert instead “section 77B,”.



**(7) Section 108 (Summons to show cause against taking of disciplinary action):**

From section 108 (5), omit “a a holder” insert instead “a holder”.

**(8) Schedule 2 (Transitional provisions):**

(a) From the definition of “1993 Act” in clause 19, omit “(Amendment Act)” insert instead “(Amendment) Act”. 5

(b) Omit clause 27.

**COMMENCEMENT**

The amendments to the Registered Clubs Act 1976 commence on the date of assent to this Act. 10

**EXPLANATORY NOTE****Amendments previously intended to be made (items (1) and (2))**

Items (1) and (2) of the proposed amendments are amendments that were intended to be made by the Registered Clubs (Amendment) Act 1993. However, the amendments were not effective because of incorrect incorporating directions. 15

Items (1) and (2) make it clear that the penalties specified for offences against the sections concerned are not mandatory, but are the maximum penalties that may be imposed (in keeping with section 54 of the Interpretation Act 1987).

**Consequential amendments (items (3) and (8) (b))**

Item (3) (a) is consequential on an amendment to the Registered Clubs (Amendment) Act 1993 proposed to be made in Schedule 1 to this Act. 20

The Registered Clubs (Amendment) Bill 1993, as introduced into Parliament, contained an item inserting a new Division 2A (Investigation of applications) into the Act. Proposed section 95B (1) in that Division would have empowered the Director of Liquor and Gaming to require an applicant for a gaming-related licence, and certain persons having some association or connection with an applicant, to provide information and to do certain other things. 25

Amendments made to the Bill at the committee stage removed that proposed power. Item (3) (d) is consequential on that amendment. For consistency, item (3) (c) removes a similar power in relation to associates of applicants for approval to act as the secretary of a registered club. 30

The amendments in committee also removed proposed section 95C. Item (3) (b) of the proposed amendments is consequential on that amendment.

The amendments in committee also removed proposed section 108 (2) (e1). The paragraph of that number that was inserted is unrelated to the paragraph originally proposed. Item (8) (b) of the proposed amendments omits a transitional provision that relates to the paragraph originally proposed. 35

**Statute law revision (items (4)–(8) (a))**

Items (4), (5) and (7) of the proposed amendments omit unnecessary matter. Item (6) corrects a grammatical error. Item (8) (a) corrects the placement of brackets. 40

---

**RURAL LANDS PROTECTION (MISCELLANEOUS AMENDMENTS)  
ACT 1993 No. 8**

**AMENDMENTS**

- (1) Schedule 3 (**Amendments Relating To Stock**):
- 5       (a) From item (19), omit “197 (1) (d)”, insert instead “197 (1) (b)”.
- (b) From item (20), omit “197 (1) (b)”, insert instead “197 (1) (d)”.
- (2) Schedule 6 (**Miscellaneous Amendments**):
- In item (4) (b), before “the manner and form”, insert “prescribe”.
- (3) Schedule 7 (**Amendments By Way Of Statute Law Revision**):
- 10       Omit item (1) (c).

**COMMENCEMENT**

The amendments to the Rural Lands Protection (Miscellaneous Amendments) Act 1993 commence on the date of assent to this Act.

**EXPLANATORY NOTE**

- 15       **Incorporating directions** (item (1))
- Item (1) of the proposed amendments corrects incorporating directions.
- Missing word** (item (2))
- Item (2) of the proposed amendments inserts a missing word.
- Statute law revision** (item (3))
- 20       The amendment proposed to be made by Schedule 7 (1) (c) has been dealt with by the Statute Law (Miscellaneous Provisions) Act 1993. Accordingly, item (3) of the proposed amendments repeals that proposed amendment.

---

**SEARCH WARRANTS ACT 1985 No. 37**

**AMENDMENT**

- 25       Section 10 (**Definitions**):
- From the definition of “search warrant” in section 10, omit “Disability Services and”.

**COMMENCEMENT**

- 30       The amendment to the Search Warrants Act 1985 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The Disability Services Act 1993 changed the short title of the Disability Services and Guardianship Act 1987 to the Guardianship Act 1987. The proposed amendment is a consequence of that change.

---

**STAMP DUTIES ACT 1920 No. 47****AMENDMENT****Section 84CAB (Transfer of loan securities):**

From section 84CAB (3), omit "Commissi~~ss~~ioner", insert instead  
"Commissioner".

5

**COMMENCEMENT**

The amendment to the Stamp Duties Act 1920 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendment corrects a typographical error.

10

---

**STATUTE LAW (MISCELLANEOUS PROVISIONS) ACT 1991 No. 17****AMENDMENT****Schedule 3 (Repeals):**

From Schedule 3, omit "Port Kembla Inner Harbour Construction  
and Agreement Ratification Act 1955 No. 43\*\*".

15

**COMMENCEMENT**

The amendment to the Statute Law (Miscellaneous Provisions) Act 1991 is taken to have commenced on 3 May 1991 and the Port Kembla Inner Harbour Construction and Agreement Ratification Act 1955 is revived with effect from the instant of its repeal.

20

**EXPLANATORY NOTE**

The Statute Law (Miscellaneous Provisions) Act 1991 repealed the Port Kembla Inner Harbour Construction and Agreement Ratification Act 1955. Among other things, the latter Act ratified an Agreement made on 24 October 1955 between The Broken Hill Proprietary Company Limited ("B.H.P."), Australian Iron & Steel Limited ("A.I. & S.") and the Minister for Public Works (for and on behalf of the Queen). The Agreement related to the exchange of lands, to the granting to B.H.P. and A.I. & S. of an exclusive right to construct wharves on certain lands, and to various other matters.

25

Section 30 of the Interpretation Act 1987 provides, among other things, that the repeal of an Act does not affect "any right, privilege, obligation or liability acquired, accrued or incurred under the Act". However, to remove any doubt as to the status of the Agreement ratified by the Port Kembla Inner Harbour Construction and Agreement Ratification Act 1955, the proposed amendment reverses the repeal of that Act with effect from the date of the repeal.

30

35

---



**STATUTE LAW (MISCELLANEOUS PROVISIONS) ACT 1993 No. 46****AMENDMENT****Schedule 2 (Amendments by way of statute law revision):**

- 5        From Schedule 2, omit the matter relating to the State Authorities  
Non-contributory Superannuation Act 1987.

**COMMENCEMENT**

The amendment to the Statute Law (Miscellaneous Provisions) Act 1993 is taken to have commenced on 15 June 1993.

**EXPLANATORY NOTE**

- 10       The proposed amendment omits a proposed amendment that no longer needs to be made.

The commencement provision relating to the amendment proposed to be made by the Statute Law (Miscellaneous Provisions) Act 1993 reads (in part):

- 15       If the Bill for this Act is assented to after the Bill for the Superannuation Legislation (Miscellaneous Amendments) Act 1993 is assented to, the amendment to the State Authorities Non-contributory Superannuation Act 1987 made by this Act is not to commence.

- 20       As the Superannuation Legislation (Miscellaneous Amendments) Act 1993 was assented to on 8 June 1993 and the Statute Law (Miscellaneous Provisions) Act 1993 was assented to on 15 June 1993, that amendment will not commence and may, therefore, be omitted.

**STATUTE LAW (PENALTIES) ACT 1992 No. 112****AMENDMENT****Schedule 1 (Amendment of Acts):**

- 25       From the matter relating to the Poultry Meat Industry Act 1986, omit "Maximun", insert instead "Maximum".

**COMMENCEMENT**

The amendment to the Statute Law (Penalties) Act 1992 commences on the date of assent to this Act.

- 30       **EXPLANATORY NOTE**

The proposed amendment corrects a typographical error.

**SUBORDINATE LEGISLATION ACT 1989 No. 146****AMENDMENT****Section 11 (Postponement of repeal in specific cases):**

From section 11 (5), omit “reponsible”, insert instead “responsible”.

**COMMENCEMENT**

5

The amendment to the Subordinate Legislation Act 1989 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendment corrects a typographical error.

**SUPERANNUATION ADMINISTRATION ACT 1991 No. 96**

10

**AMENDMENTS****(1) Section 6 (General functions of the Board):**

In section 6 (1) (b) (as substituted by item (1) of the amendments to the Superannuation Administration Act 1991 made by Schedule 4 to the Superannuation Legislation (Miscellaneous Amendments) Act 1993), after “funds;” insert “and”.

15

**(2) Section 29 (Functions of the Corporation relating to associated superannuation schemes):**

From section 29 (6) (as inserted by item (3) (c) of the amendments to the Superannuation Administration Act 1991 made by Schedule 4 to the Superannuation Legislation (Miscellaneous Amendments) Act 1993), omit “function”, insert instead “functions”.

20

**COMMENCEMENT**

The amendments to the Superannuation Administration Act 1991 commence on the date of assent to this Act.

25

**EXPLANATORY NOTE****Section 6 (item (1))**

Item (1) of the proposed amendments inserts a missing conjunction.

**Section 29 (item (2))**

Item (2) of the proposed amendments corrects a typographical error.

30

**SUPERANNUATION LEGISLATION (MISCELLANEOUS  
AMENDMENTS) ACT 1993 No. 42****AMENDMENT**

- 5       Schedule 3 (**Amendments relating to First State Superannuation Scheme**):

In item (6) (a) of Schedule 3, after “made”, insert “where firstly occurring”.

**COMMENCEMENT**

- 10       The amendment to the Superannuation Legislation (Miscellaneous Amendments) Act 1993 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendment corrects an incorporating direction.

---

**TOW TRUCK ACT 1989 No. 158****AMENDMENT**

- 15       Section 56 (**Constitution of the Council**):

From section 56 (2) (d), omit “the National Roads and Motorists’ Association of New South Wales”, insert instead “NRMA Limited”.

**COMMENCEMENT**

- 20       The amendment to the Tow Truck Act 1989 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The National Roads and Motorists’ Association Limited has changed its name to “NRMA Limited”. The proposed amendment is consequential on that change.

---

**TRANSPORT ADMINISTRATION ACT 1988 No. 109**

- 25       **AMENDMENT**

Section 54 (**Constitution of Council**):

From section 54 (2) (b) (i), omit “the National Roads and Motorists’ Association”, insert instead “NRMA Limited”.

**COMMENCEMENT**

- 30       The amendment to the Transport Administration Act 1988 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The National Roads and Motorists’ Association Limited has changed its name to “NRMA Limited”. The proposed amendment is consequential on that change.

---



**TREASURY CORPORATION ACT 1983 No. 75****AMENDMENT****Section 8 (Powers of public authorities):**

From section 8 (a), omit “as provided by section 5 (1) (e)”, insert instead “(subject to section 6B (1))”.

5

**COMMENCEMENT**

The amendment to the Treasury Corporation Act 1983 is taken to have commenced on 8 January 1993.

**EXPLANATORY NOTE**

The proposed amendment replaces a cross-reference to a repealed provision with a reference to a provision that has the same effect as the repealed provision.

10

The amendment is taken to have commenced at the same time as the Treasury Corporation (Amendment) Act 1992, which repealed and replaced section 5.

---

**VICTIMS COMPENSATION ACT 1987 No. 237****AMENDMENT**

15

**Section 65F (Victims Compensation Fund):**

From section 65F (3) (a), omit “Authoritites”, insert instead “Authorities”.

**COMMENCEMENT**

The amendment to the Victims Compensation Act 1987 commences on the date of assent to this Act.

20

**EXPLANATORY NOTE**

The proposed amendment corrects a typographical error.

---

**WATER SUPPLY AUTHORITIES ACT 1987 No. 140****AMENDMENT**

25

**Schedule 3 (Broken Hill Water Board):**

From clause 9 (2) (b), omit “from”.

**COMMENCEMENT**

The amendment to the Water Supply Authorities Act 1987 commences on the date of assent to this Act.

30

**EXPLANATORY NOTE**

The proposed amendment omits an unnecessary word.

**WORKERS COMPENSATION ACT 1987 No. 70****AMENDMENTS**

- (1) Section 160 (**Recovery of prescribed excess amount from employer**):  
From section 160 (4) (b), omit “pay”, insert instead “repay”.
- 5 (2) Section 196 (**Assets of statutory funds**):  
From section 196 (b) (iii), omit “(Recovery of \$500 excess from employers)”, insert instead “(Recovery of prescribed excess amount from employer)”.
- 10 (3) Section 208A (**Obligations of insurer under policies unenforceable if insurer has insufficient funds in statutory fund**):  
From section 208A (6) (b), omit “section 197 (c)”, insert instead “section 197 (1) (c)”.

**COMMENCEMENT**

- 15 The amendments to the Workers Compensation Act 1987 commence on the date of assent to this Act.

**EXPLANATORY NOTE**

- Consistency of expression** (item (1))  
Item (1) of the proposed amendments makes an alteration for the purposes of consistency of expression.
- 20 **Cross-references** (items (2) and (3))  
Item (2) of the proposed amendments updates a cross-reference to a section heading and item (3) corrects a cross-reference.

**SCHEDULE 3—REPEALS**

(Sec. 4)

- 25 Supply of Electricity (Variation of Agreements) Act 1920 No. 30\*\*  
Parliamentary Electorates and Elections (Amendment) Act 1991 No. 14\*  
Police Service (Police Board) Amendment Act 1991 No. 18\*  
Federation of Parents and Citizens Associations of New South Wales  
Incorporation (Amendment) Act 1991 No. 19\*
- 30 Real Property and Conveyancing (Amendment) Act 1991 No. 27\*  
Residential Tenancies (Movable Dwellings) Amendment Act 1991 No. 36\*  
Partnership (Limited Partnership) Amendment Act 1991 No. 48\*  
Public Authorities (Financial Arrangements) Amendment Act 1991 No. 49\*  
Trade Measurement Administration (Charges) Amendment Act 1991 No. 51\*
- 35 Aboriginal Land Rights (Amendment) Act 1991 No. 59\*  
Environmental Planning and Assessment (Contributions Plans) Amendment Act  
1991 No. 64\*  
Gaming and Betting (Amendment) Act 1991 No. 75\*



*Statute Law (Miscellaneous Provisions) (No. 2) 1993—Sch. 3*

Gaming and Betting (Race-course Licences) Amendment Act 1991 No. 76*	
Prisons (Escape Tunnels) Amendment Act 1991 No. 86*	
Prisons (Syringe Prohibition) Amendment Act 1991 No. 87*	
Rivers and Foreshores Improvement (Amendment) Act 1991 No. 90*	
Totalizator (Off-course Betting) Further Amendment Act 1991 No. 97*	5
Water Board (Amendment) Act 1991 No. 98*	
Conveyancing (Amendment) Act 1992 No. 5*	
Liens on Crops and Wool and Stock Mortgages (Amendment) Act 1992 No. 6*	
Bills of Sale (Amendment) Act 1992 No. 7*	
Strata Titles (Part Strata) Amendment Act 1992 No. 11*	10
Strata Titles (Leasehold Part Strata) Amendment Act 1992 No. 12*	
Interpretation (Australia Acts) Amendment Act 1992 No. 21*	
Police Service (Employer) Amendment Act 1992 No. 22*	
Consumer Claims Tribunals (Amendment) Act 1992 No. 26*	
Stamp Duties (Amendment) Act 1992 No. 33*	15
Workers Compensation Legislation (Amendment) Act 1992 No. 36*	
Billiards and Bagatelle (Repeal) Act 1992 No. 37*	
Freedom of Information (Amendment) Act 1992 No. 38*	
Registration of Births, Deaths and Marriages (Amendment) Act 1992 No. 45*	
Coal Industry (Amendment) Act 1992 No. 50*	20
Real Property (Compensation) Amendment Act 1992 No. 52*	
Lotto (Amendment) Act 1992 No. 59*	
Totalizator Legislation (Amendment) Act 1992 No. 60*	
Gaming and Betting (Broken Hill) Amendment Act 1992 No. 63*	
Mine Subsidence Compensation (Amendment) Act 1992 No. 64*	25
Traffic (Offences) Amendment Act 1992 No. 71*	
Legal Profession (Amendment) Act 1992 No. 78*	
Crimes (Application of Criminal Law) Amendment Act 1992 No. 83*	
Land Tax Management (Amendment) Act 1992 No. 84*	
Environmental Planning and Assessment (Contributions Plans) Amendment Act 1992 No. 89*	30
Environmental Planning and Assessment (Miscellaneous Amendments) Act 1992 No. 90*	
Real Property (Torrens Assurance Fund) Amendment Act 1992 No. 96*	
Criminal Procedure (Sentence Indication) Amendment Act 1992 No. 98*	35
State Authorities Superannuation (Scheme Closure) Amendment Act 1992 No. 101*	

**Note:**

\* indicates repeal of amending Act the provisions of which have been included in a reprint and which contains no provision of substantive effect that needs to be retained or which amends a repealed Act 40

\*\* indicates repeal of Act that is no longer of practical utility



**COMMENCEMENT**

This Schedule commences on the date of assent to this Act.

**EXPLANATORY NOTE**

5 The repeals are explained in detail in the explanatory note relating to this Act. In relation to the repeal of amending Acts, it should be noted that the Acts are repealed simply to rationalise the legislation in force and that the repeals have no substantive effect on the amendments made by the Acts or any associated provisions.

10 Section 30 (2) of the Interpretation Act 1987 ensures that, when an amending Act is repealed, no amendment made by the Act is affected. Section 30 (2) also ensures that the following matters are not affected:

- (a) the proof of any past act or thing;
  - (b) any right, privilege, obligation or liability saved by the operation of the Act;
  - (c) any validation made by the Act.
- 

15 **SCHEDULE 4—GENERAL SAVINGS, TRANSITIONAL AND OTHER PROVISIONS**

(Sec. 5)

**Effect of amendment of amending provisions**

20 1. (1) An amendment made by Schedule 1 or 2 to an amending provision contained in an Act is, if the amending provision has commenced before the date of assent to this Act, taken to have effect as from the commencement of the amending provision.

(2) In this clause:

25 “**amending provision**” means a provision of an Act, or of any other instrument, being a provision that has commenced and that makes a direct amendment to an Act by:

- (a) the repeal or omission of matter contained in the amended Act without the insertion of any matter instead of the repealed or omitted matter; or
- 30 (b) the omission of matter contained in the amended Act and the insertion of matter instead of the omitted matter; or
- (c) the insertion into the amended Act of matter, not being matter inserted instead of matter omitted from the Act,

whether the provision was enacted before or after the commencement of the Reprints Act 1972.

**EXPLANATORY NOTE**

This clause ensures that amendments correcting errors in the technical provisions (for example, headings indicating the section to be amended or directions as to where a new section is to be inserted) and rectifying minor drafting defects (for example, corrections in numbering of provisions, correction or insertion of cross-references, omission of unnecessary matter or insertion of omitted matter) will commence on the date the amendments to which they relate commenced even though they may be expressed to commence on the date of assent to this Act.

5

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

2. Except where it is expressly provided to the contrary, if this Act:

10

(a) amends a provision of an Act; or

(b) repeals and re-enacts (with or without modification) 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 repealed.

15

**EXPLANATORY NOTE**

This clause ensures that the amendment or repeal of a provision will not, unless expressly otherwise provided, vitiate any act done or decision made under the provision as in force before the amendment or repeal.

20

**Regulations**

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

(2) Any such provision may, if the regulations so provide, take effect from the date of assent to this Act or a later date.

25

(3) To the extent to which any such provision 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; or

30

(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.

**EXPLANATORY NOTE**

35

This clause enables the making of regulations of a savings or transitional nature having a short term effect and relating to incidental matters arising out of the proposed Act with regard to which no specific, or sufficient, provision has been made in the Act.



**NOTES****Index of Acts amended by Schedules 1 and 2**

- Children (Care and Protection) Act 1987 No. 54—Sch. 2
- Community Services (Complaints, Appeals and Monitoring) Act 1933 No. 2—
- 5     Sch. 2
- Co-operatives Act 1992 No. 18—Sch. 2
- Coptic Orthodox Church (NSW) Property Trust Act 1990 No. 67—Sch. 1
- Crown Lands Act 1989 No. 6—Sch. 2
- Disability Services Act 1993 No. 3—Sch. 1
- 10    Education Reform Act 1990 No. 8—Sch. 1
- Electricity Act 1945 (1946 No. 13)—Sch. 2
- Environmental Planning and Assessment Act 1979 No. 203—Sch. 2
- Fair Trading Act 1987 No. 68—Sch. 2
- Financial Transactions Reports Act 1992 No. 99—Sch. 2
- 15    Food Act 1989 No. 231—Sch. 2
- Geographical Names Act 1966 No. 13—Sch. 1
- Guardianship Act 1987 No. 257—Sch. 1
- Imperial Acts Application Act 1969 No. 30—Sch. 2
- Justices Act 1902 No. 27—Sch. 1
- 20    Liquor Act 1982 No. 147—Sch. 2
- Liquor (Amendment) Act 1993 No. 28—Sch. 1
- Lotteries and Art Unions Act 1901 No. 34—Sch. 2
- Motor Accidents Act 1988 No. 102—Sch. 2
- Motor Dealers Act 1974 No. 52—Sch. 2
- 25    Motor Vehicle Repairs Act 1980 No. 71—Sch. 2
- National Parks and Wildlife Act 1974 No. 80—Sch. 2
- Ombudsman (Amendment) Act 1993 No. 37—Sch. 2
- Optical Dispensers Act 1963 No. 35—Sch. 1
- Parliamentary Electorates and Elections Act 1912 No. 41—Sch. 1
- 30    Physiotherapists Registration Act 1945 No. 9—Sch. 1
- Police Service Act 1990 No. 47—Sch. 2
- Prisons Act 1952 No. 9—Sch. 2
- Protection of the Environment Administration Act 1991 No. 60—Sch. 2
- Public Finance and Audit Act 1983 No. 152—Sch. 2
- 35    Public Hospitals Act 1929 No. 8—Sch. 1
- Real Property Act 1900 No. 25—Sch. 2
- Registered Clubs Act 1976 No. 31—Sch. 2
- Registered Clubs (Amendment) Act 1993 No. 29—Sch. 1
- Rural Lands Protection (Miscellaneous Amendments) Act 1993 No. 8—Sch. 2
- 40    Search Warrants Act 1985 No. 37—Sch. 2
- Stamp Duties Act 1920 No. 47—Sch. 2
- Statute Law (Miscellaneous Provisions) Act 1991 No. 17—Sch. 2
- Statute Law (Miscellaneous Provisions) Act 1993 No. 46—Sch. 2
- Statute Law (Penalties) Act 1992 No. 112—Sch. 2
- 45    Subordinate Legislation Act 1989 No. 146—Sch. 2



*Statute Law (Miscellaneous Provisions) (No. 2) 1993—Notes*

Superannuation Administration Act 1991 No. 96—Sch. 2	
Superannuation Legislation (Miscellaneous Amendments) Act 1993 No. 42—Sch. 2	
Sydney Market Authority Act 1968 No. 11—Sch. 1	
Teacher Housing Authority Act 1975 No. 27—Sch. 1	5
Technical and Further Education Commission Act 1990 No. 118—Sch. 1	
Technical Education Trust Funds Act 1967 No. 95—Sch. 1	
Telecommunications (Interception) (New South Wales) Act 1987 No. 290—Sch. 1	
Tourism Commission Act 1984 No. 46—Sch. 1	10
Tow Truck Act 1989 No. 158—Sch. 2	
Transport Administration Act 1988 No. 109—Sch. 2	
Treasury Corporation Act 1983 No. 75—Sch. 2	
Victims Compensation Act 1987 No. 237—Sch. 2	
Water Supply Authorities Act 1987 No. 140—Sch. 2	15
Workers Compensation Act 1987 No. 70—Sch. 2	
Zoological Parks Board Act 1973 No. 34—Sch. 1	

**Index of Acts repealed by Schedule 3**

Aboriginal Land Rights (Amendment) Act 1991 No. 59*	
Billiards and Bagatelle (Repeal) Act 1992 No. 37*	20
Bills of Sale (Amendment) Act 1992 No. 7*	
Coal Industry (Amendment) Act 1992 No. 50*	
Consumer Claims Tribunals (Amendment) Act 1992 No. 26*	
Conveyancing (Amendment) Act 1992 No. 5*	
Crimes (Application of Criminal Law) Amendment Act 1992 No. 83*	25
Criminal Procedure (Sentence Indication) Amendment Act 1992 No. 98*	
Environmental Planning and Assessment (Contributions Plans) Amendment Act 1991 No. 64*	
Environmental Planning and Assessment (Contributions Plans) Amendment Act 1992 No. 89*	30
Environmental Planning and Assessment (Miscellaneous Amendments) Act 1992 No. 90*	
Federation of Parents and Citizens Associations of New South Wales Incorporation (Amendment) Act 1991 No. 19*	
Freedom of Information (Amendment) Act 1992 No. 38*	35
Gaming and Betting (Amendment) Act 1991 No. 75*	
Gaming and Betting (Broken Hill) Amendment Act 1992 No. 63*	
Gaming and Betting (Race-course Licences) Amendment Act 1991 No. 76*	
Interpretation (Australia Acts) Amendment Act 1992 No. 21*	
Land Tax Management (Amendment) Act 1992 No. 84*	40
Legal Profession (Amendment) Act 1992 No. 78*	
Liens on Crops and Wool and Stock Mortgages (Amendment) Act 1992 No. 6*	
Lotto (Amendment) Act 1992 No. 59*	
Mine Subsidence Compensation (Amendment) Act 1992 No. 64*	
Parliamentary Electorates and Elections (Amendment) Act 1991 No. 14*	45
Partnership (Limited Partnership) Amendment Act 1991 No. 48*	

*Statute Law (Miscellaneous Provisions) (No. 2) 1993—Notes*

---

- Police Service (Police Board) Amendment Act 1991 No. 18\*  
Police Service (Employer) Amendment Act 1992 No. 22\*  
Prisons (Syringe Prohibition) Amendment Act 1991 No. 87\*  
Prisons (Escape Tunnels) Amendment Act 1991 No. 86\*  
5 Public Authorities (Financial Arrangements) Amendment Act 1991 No. 49\*  
Real Property and Conveyancing (Amendment) Act 1991 No. 27\*  
Real Property (Compensation) Amendment Act 1992 No. 52\*  
Real Property (Torrens Assurance Fund) Amendment Act 1992 No. 96\*  
Registration of Births, Deaths and Marriages (Amendment) Act 1992 No. 45\*  
10 Residential Tenancies (Movable Dwellings) Amendment Act 1991 No. 36\*  
Rivers and Foreshores Improvement (Amendment) Act 1991 No. 90\*  
Stamp Duties (Amendment) Act 1992 No. 33\*  
State Authorities Superannuation (Scheme Closure) Amendment Act 1992  
No. 101\*  
15 Strata Titles (Leasehold Part Strata) Amendment Act 1992 No. 12\*  
Strata Titles (Part Strata) Amendment Act 1992 No. 11\*  
Supply of Electricity (Variation of Agreements) Act 1920 No. 30\*\*  
Totalizator Legislation (Amendment) Act 1992 No. 60\*  
Totalizator (Off-course Betting) Further Amendment Act 1991 No. 97\*  
20 Trade Measurement Administration (Charges) Amendment Act 1991 No. 51\*  
Traffic (Offences) Amendment Act 1992 No. 71\*  
Water Board (Amendment) Act 1991 No. 98\*  
Workers Compensation Legislation (Amendment) Act 1992 No. 36\*
-

**STATUTE LAW (MISCELLANEOUS PROVISIONS) ACT  
(No. 2) 1993 No. 108**

NEW SOUTH WALES



**TABLE OF PROVISIONS**

1. Short title
2. Commencement
3. Amendments
4. Repeals
5. General savings, transitional and other provisions
6. Explanatory notes

**SCHEDULE 1—MINOR AMENDMENTS**

Coptic Orthodox Church (NSW) Property Trust Act 1990 No. 67  
Crimes Act 1900 No. 40  
Disability Services Act 1993 No. 3  
Education Reform Act 1990 No. 8  
Geographical Names Act 1966 No. 13  
Guardianship Act 1987 No. 257  
Justices Act 1902 No. 27  
Liquor (Amendment) Act 1993 No. 28  
Optical Dispensers Act 1963 No. 35  
Parliamentary Electorates and Elections Act 1912 No. 41  
Physiotherapists Registration Act 1945 No. 9  
Public Hospitals Act 1929 No. 8  
Registered Clubs (Amendment) Act 1993 No. 29  
Sydney Market Authority Act 1968 No. 11  
Teacher Housing Authority Act 1975 No. 27  
Technical and Further Education Commission Act 1990 No. 118  
Technical Education Trust Funds Act 1967 No. 95  
Telecommunications (Interception) (New South Wales) Act 1987 No. 290  
Tourism Commission Act 1984 No. 46  
Zoological Parks Board Act 1973 No. 34



*Statute Law (Miscellaneous Provisions) Act (No. 2) 1993 No. 108*

---

SCHEDULE 2—AMENDMENTS BY WAY OF STATUTE LAW REVISION

SCHEDULE 3—REPEALS

SCHEDULE 4—GENERAL SAVINGS, TRANSITIONAL AND OTHER  
PROVISIONS

---

**STATUTE LAW (MISCELLANEOUS PROVISIONS) ACT  
(No. 2) 1993 No. 108**

**NEW SOUTH WALES**



**Act No. 108, 1993**

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 2 December 1993]

*Statute Law (Miscellaneous Provisions) Act (No. 2) 1993 No. 108*

---

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

**Short title**

1. This Act may be cited as the Statute Law (Miscellaneous Provisions) Act (No. 2) 1993.

**Commencement**

2. A provision of Schedule 1 or 2 to this Act commences as provided in the Schedule. The other provisions of this Act commence on the date of assent.

**Amendments**

3. Each Act specified in Schedules 1 and 2 is amended as set out in those Schedules.

**Repeals**

4. Each Act specified in Schedule 3 is repealed.

**General savings, transitional and other provisions**

5. Schedule 4 has effect.

**Explanatory notes**

6. The matter appearing under the heading "Explanatory note" in any of the Schedules does not form part of this Act.

---

**SCHEDULE 1—MINOR AMENDMENTS**

(Sec. 3)

**COPTIC ORTHODOX CHURCH (NSW) PROPERTY TRUST ACT  
1990 No. 67**

**AMENDMENT**

**Section 3 (Definitions):**

From section 3 (1), omit the definition of "Board", insert instead:

**"Board"** means the New South Wales State Board of the Church;

**COMMENCEMENT**

The amendment to the Coptic Orthodox Church (NSW) Property Trust Act 1990 is taken to have commenced on 10 May 1993.

**EXPLANATORY NOTE**

At present, the Act defines "Board" as "the Board of Deacons of the Church". The proposed amendment changes that definition in consequence of an amendment to the constitution of the Church.

The proposed amendment is taken to have commenced on the date of the amendment to the constitution.

---



**CRIMES ACT 1900 No. 40****AMENDMENTS****(1) Section 474G (Procedure for conducting inquiry):**

From section 474G (2) (b), omit “as a prescribed person”, insert instead “under this section”.

**(2) Eleventh Schedule (Savings and transitional provisions):**

After clause 10 (2), insert:

(3) Despite subclause (1), subsections (2), (3) and (4) of section 474G (which confer certain powers on a person conducting an inquiry under Division 4 of Part 13A) extend to a prescribed person conducting an inquiry under section 475 and to any witness summoned by or before the prescribed person.

**COMMENCEMENT**

The amendments to the Crimes Act 1900 commence on the date of assent to this Act.

**EXPLANATORY NOTE**

**Powers of a prescribed person under section 474G.** Item (1) of the proposed amendments puts beyond doubt that the instrument of appointment referred to in that section refers to the instrument of appointment by which a prescribed person is appointed to conduct an inquiry under Division 4 of Part 13A of the Act.

**Extension of powers of a prescribed person under section 475.** The savings and transitional provisions in the Eleventh Schedule to the Act provide for inquiries under (the now repealed) section 475 to be concluded under that section. Item (2) of the proposed amendments gives a prescribed person who is conducting such an inquiry the powers, authorities, protection and immunities of a commissioner under the Royal Commissions Act 1923 and applies that Act to witnesses at such an inquiry.

**DISABILITY SERVICES ACT 1993 No. 3****AMENDMENTS****(1) Section 4 (Definitions):**

From the end of the definition of “eligible organisation”, omit the words “for the purposes of this definition;” and insert them in paragraph (f) after the words “so prescribed,”.

**(2) Section 12A:**

After section 12, insert:

**Funding of psychiatric disability services by Minister for Health**

12A. (1) Despite any other provision of this Act, the Minister administering this Act and the Minister for Health may enter into an agreement under which the Minister administering this Act provides

financial assistance to the Minister for Health for the purposes of enabling the Minister for Health to fund the provision, by eligible organisations, of services to persons in the target group whose disabilities are attributable to a psychiatric impairment.

(2) Any such agreement must set out:

- (a) the amount of financial assistance to be provided to the Minister for Health; and
- (b) the purposes for which the Minister for Health may apply the financial assistance.

(3) This section applies instead of section 12 to the provision of financial assistance by the Minister administering this Act to the Minister for Health.

(4) The services funded under this section are taken to be designated services for the purposes of this Act.

(5) The provisions of:

- (a) sections 6 and 7; and
- (b) this Division (other than this section),

apply in relation to the Minister for Health's funding of services under this section as if references in those provisions to the Minister were references to the Minister for Health.

(6) The Minister for Health is taken to have duly determined that transition plans be prepared under section 7 in relation to the services funded under this section.

(7) This section does not limit the application of the other provisions of this Act in relation to funding, or services funded, under this section.

#### COMMENCEMENT

The amendments to the Disability Services Act 1993 commence on the date of assent to this Act.

#### EXPLANATORY NOTE

##### **Statute law revision (item (1))**

Item (1) of the proposed amendments corrects the ranging of a paragraph.

##### **Psychiatric disability services (item (2))**

The proposed amendment will enable full effect to be given to the Commonwealth/State Disability Agreement of 30 July 1991 between the Commonwealth and the State.

Psychiatric disability services under the Act are to be funded by the Minister for Health instead of the Minister for Community Services (who administers the Act). Proposed section 12A (to be inserted by item (2) of the proposed amendments) permits the Minister for Community Services and the Minister for Health to enter into an agreement under which the Minister for Community Services will provide, from

total funds provided by Parliament for disability services, financial assistance to the Minister for Health to enable the latter to fund the provision of the psychiatric disability services concerned.

The Act requires such services to be provided and funded in conformity with the objects and principles of the Act. The proposed amendment confirms that transition plans for the provision of the services are to be prepared under the Act within 2 years of the commencement of those services.

---

### **EDUCATION REFORM ACT 1990 No. 8**

#### **AMENDMENTS**

(1) Section 95 (**Higher School Certificate**):

From section 95 (1) (b) (iii), omit "TAFE college", insert instead "TAFE establishment".

(2) Section 102 (**Functions of the Board**):

From section 102 (2) (h), omit "TAFE colleges", insert instead "TAFE establishments".

#### **COMMENCEMENT**

The amendments to the Education Reform Act 1990 commence on the date of assent to this Act.

#### **EXPLANATORY NOTE**

The proposed amendments are consequential on amendments to the Technical and Further Education Commission Act 1990 proposed to be made elsewhere in this Schedule.

---

### **GEOGRAPHICAL NAMES ACT 1966 No. 13**

#### **AMENDMENTS**

(1) The whole Act:

- (a) Omit "chairman" wherever occurring (except where occurring in section 3 (2) (b)), insert instead "chairperson".
- (b) After "he" wherever occurring, insert "or she".
- (c) After "him" wherever occurring (except where occurring in section 3 (2) (b), (c) and (d)), insert "or her".
- (d) After "his" wherever occurring (except where occurring in section 3 (3A)), insert "or her".

(2) Section 2 (**Definitions**):

- (a) From paragraph (a) of the definition of "Lands Department map", omit "Eastern or Central Division", insert instead "Eastern and Central Division".



- (b) From the definition of “Lands Department map”, omit “Crown Lands Consolidation Act 1913, as amended by subsequent Acts” wherever occurring, insert instead “Crown Lands Act 1989”.
- (3) **Section 3 (Geographical Names Board):**
  - (a) From section 3 (2) (a), omit “or, from time to time with the approval of the Surveyor-General, the person holding the office of Deputy Surveyor-General”.
  - (b) Omit section 3 (2) (b), insert instead:
    - (b) one is to be the person for the time being holding the office of Director of Planning, or an officer of the Department of Planning nominated by the Director;
  - (c) From section 3 (2) (c), omit “him”, insert instead “the State Librarian”;
  - (d) Omit section 3 (2) (d), insert instead:
    - (d) one is to be the person for the time being holding the office of Deputy Surveyor-General; and
  - (e) From section 3 (3A), omit “subsection (2) (b) or his or her nominee”, insert instead “subsection (2) (d)”.
  - (f) From section 3 (4) (d), omit “the Minister”, insert instead “the New South Wales Aboriginal Land Council”.
  - (g) Omit section 3 (10) (b) (iii), insert instead:
    - (iii) becomes a mentally incapacitated person;
  - (h) In section 3 (10) (b) (iv), after “himself” insert “or herself”.
- (4) **Section 15 (Names in geographical manuscripts, tourist publications, maps etc.):**
  - Omit section 15 (3), insert instead:
    - (3) Proceedings for an offence against this section are to be dealt with summarily before a Local Court constituted by a Magistrate sitting alone.

#### COMMENCEMENT

Items (1), (2), (3) (b), (c), (g) and (h) and (5) of the amendments to the Geographical Names Act 1966 commence on the date of assent to this Act.

Items (3) (a) and (d)–(f) of the amendments to the Geographical Names Act 1966 commence on a day or days to be appointed by proclamation.

#### EXPLANATORY NOTE

**Gender-neutral language** (items (1) and (3) (c) and (h))

Items (1) and (3) (c) and (h) of the proposed amendments remove the gender-specific language in the Act.

**Updating of references** (items (2), (3) (b) and (g) and (5))

Items (2), (3) (b) and (g) and (5) of the proposed amendments update certain references in the Act.

**Deputy Surveyor-General to be member and deputy chairperson of Geographical Names Board** (item (3) (a), (d) and (e))

At present, the Deputy Surveyor-General may replace the Surveyor-General (with the Surveyor-General's approval) as a member of the Geographical Names Board. Item (3) (d) of the proposed amendments repeals the requirement that the Director of the Office of Economic Development be a member of the Board (since that Office no longer deals with regional development) and provides instead for the Deputy Surveyor-General to be an ex-officio member of the Board. Item (3) (a) of the proposed amendments is consequential on that amendment. Item (3) (e) provides for the Deputy Surveyor-General to be the deputy chairperson of the Board (in place of the Director of Planning or an officer of the Department of Planning nominated by the Director).

**Board to include nominee of New South Wales Aboriginal Land Council** (item (3) (f))

Item (3) (f) of the proposed amendments provides that the fourth appointed member of the Board is to be nominated by the New South Wales Aboriginal Land Council instead of by the Minister (whose current nominee is the Deputy Surveyor-General). One of the Board's functions is to compile and maintain a vocabulary of aboriginal words used or suitable for use in geographical names and to record their meaning and tribal origin.

---

**GUARDIANSHIP ACT 1987 No. 257**
**AMENDMENT****Section 35 (Offences):**

After section 35 (1), insert:

(1A) Subsection (1) (c) does not apply in the case of special treatment that is special treatment of the kind referred to in paragraph (a) of the definition of "special treatment" in section 33 (1) or special treatment prescribed by the regulations for the purposes of this subsection.

**COMMENCEMENT**

The amendment to the Guardianship Act 1987 commences on the commencement of Schedule 1 (5) to the Guardianship (Amendment) Act 1993 or on the date of assent to this Act, whichever is the later.

**EXPLANATORY NOTE**

The Guardianship Act 1987 at present allows the Supreme Court, when exercising its jurisdiction with respect to guardianship, to make orders for the carrying out of certain medical or dental treatment on patients who are 16 or more years old and who are incapable of giving consent to the carrying out of that treatment. However, the Court does not have the power to make such orders in relation to "special medical treatment" (that is, sterilisation and other medical treatment prescribed by the regulations).



The Guardianship (Amendment) Act 1993 (which has not yet commenced) replaces the provisions relating to the giving of consent for the carrying out of medical or dental treatment, making substantial changes to those provisions. An unintended consequence of those changes is the removal of the restriction on the power of the Supreme Court to make orders concerning sterilisation and other prescribed treatment. The proposed amendment reinstates that restriction.

## JUSTICES ACT 1902 No. 27

### AMENDMENTS

(1) Section 100I (**Interpretation**):

In section 100I (1), in paragraph (a) of the definition of “penalty notice”, insert in alphabetical order:

Centennial Park and Moore Park Trust Act 1983, section 24;

(2) Section 145B (**Short description of certain offences**):

(a) Omit section 145B (1).

(b) In section 145B (2), after “a summary offence”, insert “or an indictable offence that may be dealt with summarily”.

### COMMENCEMENT

The amendments to the Justices Act 1902 commence on a day or days to be appointed by proclamation.

### EXPLANATORY NOTE

#### **Penalty notices (item (1))**

Item (1) of the proposed amendments enables penalty notices issued under section 24 of the Centennial Park and Moore Park Trust Act 1983 to be brought within the Self-Enforcing Infringement Notice Scheme. (A penalty notice is a notice to the effect that it appears that the person on whom it is served is guilty of an offence. If that person does not wish to have the matter determined by a Court, he or she may pay the amount of the penalty prescribed for the offence if dealt with by way of penalty notice.) The effect of the proposed amendment is that, if the amount payable under a penalty notice issued under section 24 of the Centennial Park and Moore Park Trust Act 1983 is not paid within the time allowed by the notice, a “courtesy letter” may issue. Such a letter gives a further 21 days for payment and specifies that the person on whom the notice and letter was served may be dealt with under Division 2 of Part 4B of the Justices Act 1902 if payment is not made (and if the person does not exercise his or her right to have the matter of his or her guilt determined by a Court). Under that Division, an authorised Justice of the Peace may order the person concerned to pay an amount equal to the amount payable under the notice (together with costs) and the order is taken to be an order of a Local Court.

#### **Short descriptions of certain offences (item (2))**

At present, section 145B of the Act allows the use of prescribed short descriptions of offences in informations, complaints, summonses, warrants, notices, orders and other documents relating to summary offences. “Summary offence” is defined for the purposes of section 145B as “an offence or act for which a person is liable upon summary conviction before a Justice or Justices to be punished by fine or



imprisonment, or otherwise". This definition excludes indictable offences that may be dealt with summarily.

Item (2) of the proposed amendments allows short descriptions of offences to be prescribed for indictable offences that may be dealt with summarily as well as for summary offences.

## **LIQUOR (AMENDMENT) ACT 1993 No. 28**

### **AMENDMENTS**

**(1) Section 4 (Amendment of Search Warrants Act 1985 No. 37):**

From section 4, omit "section 151 or 166", insert instead "section 151 or 169".

**(2) Schedule 1 (Amendments to Liquor Act 1982 relating to approved amusement devices):**

Omit Schedule 1 (8).

**(3) Schedule 3 (Miscellaneous amendments to Liquor Act 1982):**

(a) In Schedule 3 (5) (b), (6) (b) and (7) (b), after "for a trial period" wherever occurring, insert "of up to 6 months".

(b) From Schedule 3, omit so much of item (10) as would include the words "or who, in the opinion of the Director, has some association or connection with the applicant that is relevant to the application," in proposed section 42D (1).

(c) Omit Schedule 3 (34).

### **COMMENCEMENT**

The amendments to the Liquor (Amendment) Act 1993 commence on the date of assent to this Act.

### **EXPLANATORY NOTE**

**Statute law revision (item (1))**

Item (1) of the proposed amendments corrects a cross-reference.

**Qualifications of licensees (items (2) and (3) (c))**

The Liquor (Amendment) Bill 1993, as introduced into Parliament, contained an item adding subsections (4) and (5) to section 47 (Grant of application is discretionary in certain cases) of the Act. Those subsections would have empowered the Liquor Administration Board to determine the experience, skills, competence, training and other qualifications required by holders of each kind of licence that may be issued under the Act (and would have empowered the Licensing Court to refuse an application for a licence unless the applicant possessed the relevant qualifications). Amendments made to the Bill at the committee stage removed the proposed subsections. Accordingly:

- item (2) of the proposed amendments removes a provision elsewhere in the Act referring to the requirement that licensees possess the qualifications concerned
- item (3) (c) revokes the proposed repeal of section 150 (which provides for the making of regulations relating to courses of instruction for licensees)

**Amendments for consistency (item (3) (a) and (b))**

The Liquor (Amendment) Bill 1993, as introduced into Parliament, proposed to amend the sections relating to hoteliers' licences, off-licences (retail), on-licences (restaurant) and on-licences (vessel) to allow the Licensing Court to grant an application for an extension of trading hours in relation to those licences for a trial period.

Amendments made to the Bill at the committee stage limited that trial period to a period of up to 6 months in relation to hoteliers' licences. For consistency, item (3) (a) of the proposed amendments imposes the same limitation on the proposed trial period in relation to the other licences concerned.

The amendments in committee also amended subsection (3) of the new section 66A to remove the proposed power of the Director of Liquor and Gaming to require certain persons with some association or connection with a licensee who is under investigation to provide information and to do certain other things. For consistency, item (3) (b) removes a similar power in relation to associates of *applicants* for licences.

---

**OPTICAL DISPENSERS ACT 1963 No. 35****AMENDMENT**

Section 21 (**Register**):

Omit section 21 (4).

**COMMENCEMENT**

The amendment to the Optical Dispensers Act 1963 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendment repeals the requirement that the Optical Dispensers Licensing Board annually provide the Minister with a list of the names in the Register of Optical Dispensers for New South Wales and that the Government Printer print and publish the list if the Minister so directs. Under section 21 (3), the register is to be available for inspection by the public.

The proposed amendment is similar to an amendment to the Physiotherapists Registration Act 1945 to be made elsewhere in this Schedule.

---

**PARLIAMENTARY ELECTORATES AND ELECTIONS ACT  
1912 No. 41****AMENDMENTS**

(1) Section 50 (**Roll for purposes of election**):

From section 50 (1), omit "after the issue of the writ and before the day of nomination", insert instead "as soon as practicable after the issue of the writ".

**(2) Section 66J (Public access to registers):**

Omit section 66J (2).

**COMMENCEMENT**

The amendments to the Parliamentary Electorates and Elections Act 1912 commence on the date of assent to this Act.

**EXPLANATORY NOTE****Transmission of electoral roll to State returning officer (item (1))**

Section 50 currently requires the Australian Electoral Officer for New South Wales, after the issue of the writ *and before the day of nomination* for an election in any district, to certify, sign and transmit to the State returning officer for the district a printed copy of the roll for each subdivision in the district as in force at 6 p.m. on the day of the issue of the writ.

The proposed amendment repeals the requirement that the copy of the roll be transmitted “before the day of nomination” for the election, replacing it with a requirement that the copy be transmitted “as soon as practicable” after the issue of the writ for the election.

**Public access to registers (item (2))**

At present, section 66J (2) requires a list of the names and registered officers of the parties entered in the Register of Parties kept under Part 4A of the Act to be published in the Government Gazette as soon as practicable after the issue of the writ for any election. That requirement is considered to be unnecessary because section 66J (1) requires the Register to be available for public inspection during ordinary office hours. Accordingly, the proposed amendment repeals the publication requirement.

---

**PHYSIOTHERAPISTS REGISTRATION ACT 1945 No. 9****AMENDMENT****Section 20 (Register):**

Omit section 20 (5).

**COMMENCEMENT**

The amendment to the Physiotherapists Registration Act 1945 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendment repeals the requirement that the secretary to the Physiotherapists Registration Board annually transmit to the Minister a list of the names in the Register of Physiotherapists for New South Wales and that the Government Printer print and publish the list if the Minister so directs. Under section 20 (4), the register is to be available for inspection by the public.

The proposed amendment is similar to an amendment to the Optical Dispensers Act 1963 proposed to be made elsewhere in this Schedule.

---



**PUBLIC HOSPITALS ACT 1929 No. 8****AMENDMENTS****(1) Section 30 (Liability of patients):**

After section 30 (8), insert:

(9) A scale of fees may be fixed, amended or revoked by the adoption by reference, wholly or in part and with or without modification, of any scale of fees (as in force at a particular time or as in force from time to time) fixed or determined by a Commonwealth authority or body.

**(2) Second Schedule (Incorporated Hospitals):**

From the Second Column, omit "Bonalbo District."

**COMMENCEMENT**

The amendments to the Public Hospitals Act 1929 commence on the date of assent to this Act.

**EXPLANATORY NOTE****Adoption by reference (item (1))**

Section 42 of the Interpretation Act 1987 provides that if an Act authorises or requires provision to be made for or with respect to any matter by a statutory rule, the statutory rule may make provision for or with respect to the matter by applying, adopting or incorporating (with or without modification) the provisions of, among other things, any publication. Under section 69 of that Act such a publication may be applied, adopted or incorporated as in force on a particular day, on the day the publication took effect, or, if the Act authorising or requiring provision to be made specifically provides, as in force from time to time.

Item (1) of the proposed amendments confers a similar power on the Minister when exercising his or her function under section 30 of the Public Hospitals Act 1929 of fixing (or amending or revoking) a scale of fees for relief received from a hospital. One effect of the proposed amendment will be to remove the present necessity to republish determinations under the National Health Act 1953 of the Commonwealth in cases where the State adopts those determinations.

**Technical amendment (item (2))**

Item (2) of the proposed amendments omits from the Second Schedule to the Act matter that should have been omitted when the Schedule was amended by an Order published in the Government Gazette on 25 June 1993. That Order amalgamated various incorporated hospitals as particular Health Services and omitted the names of the individual hospitals that, together, formed the incorporated hospitals. The name of Bonalbo District Hospital was not omitted from the Schedule.

---

**REGISTERED CLUBS (AMENDMENT) ACT 1993 No. 29****AMENDMENTS****(1) Schedule 3 (Amendments relating to gaming-related licences):**

- (a) From Schedule 3, omit so much of item (11) as would include the words “or a person who, in the opinion of the Director, has some association or connection with the licensee that is relevant to the investigation” in proposed section 107A (3).
- (b) From Schedule 3 (12) (e), omit “licensee”, insert instead “a licensee”.
- (c) Omit Schedule 3 (13).

**(2) Schedule 5 (Other amendments):**

- (a) Omit Schedule 5 (15) (b) and (d).
- (b) From Schedule 5, omit so much of item (15) (e) as would insert proposed section 33 (4B), (4C) and (4D), insert instead:
  - (4B) Even if an objection under subsection (4) or (4A) has not been taken or made out, the Licensing Court may refuse the application if it finds, after subsection (4C) has been complied with, that the applicant is not a fit and proper person to be the secretary of a registered club.
  - (4C) A finding under subsection (4B) may not be made unless:
    - (a) the applicant has been made aware of the reasons for the possibility of such a finding; and
    - (b) the applicant has been given an opportunity to make submissions, and adduce evidence, related to those reasons; and
    - (c) those reasons are, or are included in, the reasons for the finding.
- (c) From Schedule 5, omit from item (21) (c) the words “person referred to in subsection (1) (a) or (b)”, insert instead “person, referred to in subsection (1) (a) and (b),”.

**COMMENCEMENT**

The amendments to the Registered Clubs (Amendment) Act 1993 commence on the date of assent to this Act.

**EXPLANATORY NOTE****Associates of licensees (item (1) (a))**

The Registered Clubs (Amendment) Bill 1993, as introduced into Parliament, contained an item inserting a new Division 2A (Investigation of applications) of Part 11 into the Act. Proposed section 95B (1) in that Division would have empowered the Director of Liquor and Gaming to require an applicant for a gaming-related licence, and certain persons having some association or connection with an applicant, to provide information and to do certain other things.

Amendments made to the Bill at the committee stage removed that proposed power in so far as it would relate to associates of applicants. For consistency, item (1) (a) of the proposed amendments makes a similar amendment to a proposed provision empowering the Director to investigate licensees and their associates.

**Qualifications of gaming-related licensees and club secretaries** (items (1) (c) and (2) (a) and (b))

The Registered Clubs (Amendment) Bill 1993 also proposed to amend sections 33 (Approval of secretary of registered club) and 90 (Granting of gaming-related licences) of the Act to require club secretaries and applicants for gaming-related licences to possess the experience, skills, competence, training and other qualifications determined by the Liquor Administration Board.

Amendments made to the Bill at the committee stage removed that requirement in relation to applicants for gaming-related licences. Items (1) (c) and (2) (a) and (b) of the proposed amendments relate to those amendments.

- For consistency, item (2) (a) and (b) removes the proposed power of the Board to make such determinations in relation to club secretaries, and makes consequential amendments.
- Item (1) (c) revokes the proposed repeal of section 113 (which provides for the making of regulations relating to the competence of licensees).

**Incorporating directions** (items (1) (b) and 2 (c))

Items (1) (b) and (2) (c) of the proposed amendments correct incorporating directions.

---

## **SYDNEY MARKET AUTHORITY ACT 1968 No. 11**

### **AMENDMENT**

#### **Section 4 (Constitution of Authority):**

From section 4 (5) (d), omit “, being an officer employed within the Treasury,”.

### **COMMENCEMENT**

The amendment to the Sydney Market Authority Act 1968 commences on the date of assent to this Act.

### **SAVING**

The part-time member of the Sydney Market Authority appointed as the Treasurer's nominee under section 4 (5) (d) of the Sydney Market Authority Act 1968 and holding office on the commencement of the amendment made to that section by this Act is taken to be the person nominated under that section as so amended.

### **EXPLANATORY NOTE**

The proposed amendment repeals the requirement that the Treasurer's nominee to the Sydney Market Authority (who is the Deputy Chairperson of the Authority) be an officer employed in the Treasury.

---



**TEACHER HOUSING AUTHORITY ACT 1975 No. 27****AMENDMENT****Section 4 (Definitions):**

From the definition of “school” in section 4, omit “TAFE college”, insert instead “TAFE establishment”.

**COMMENCEMENT**

The amendment to the Teacher Housing Authority Act 1975 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendment is consequential on amendments to the Technical and Further Education Commission Act 1990 proposed to be made elsewhere in this Schedule.

---

**TECHNICAL AND FURTHER EDUCATION COMMISSION ACT  
1990 No. 118****AMENDMENTS****(1) The whole Act (except for section 3 and Schedule 3):**

- (a) Omit “TAFE college” wherever occurring, insert instead “TAFE establishment”.
- (b) Omit “TAFE colleges” wherever occurring, insert instead “TAFE establishments”.

**(2) Section 3 (Definitions):**

- (a) From section 3 (1), omit the definition of “TAFE college”.
- (b) In section 3 (1), insert in alphabetical order:

“**TAFE establishment**” means an institution providing technical and further education, being an institution established and maintained by the TAFE Commission;

**COMMENCEMENT**

The amendments to the Technical and Further Education Commission Act 1990 commence on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendments insert a definition of “TAFE establishment” into the Act and substitute that term for “TAFE college” throughout the Act (except for a Schedule amending other Acts).

The proposed amendments are consequential on the restructuring of the Technical and Further Education Commission and the fact that the education it provides is no longer provided principally in colleges.

---

**TECHNICAL EDUCATION TRUST FUNDS ACT 1967 No. 95****AMENDMENT****Section 2 (Definitions):**

From paragraph (a) of the definition of “educational establishment” in section 2, omit “a college”, insert instead “an establishment”.

**COMMENCEMENT**

The amendment to the Technical Education Trust Funds Act 1967 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendment is consequential on amendments to the Technical and Further Education Commission Act 1990 proposed to be made elsewhere in this Schedule.

---

**TELECOMMUNICATIONS (INTERCEPTION) (NEW SOUTH WALES) ACT 1987 No. 290****AMENDMENT****Section 6 (Documents to be given by an eligible authority to the Minister):**

From section 6 (c), omit “within 2 months”, insert instead “within 3 months”.

**COMMENCEMENT**

The amendment to the Telecommunications (Interception) (New South Wales) Act 1987 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendment is consequential on an amendment to the corresponding Commonwealth legislation. It extends from 2 months to 3 months after each 30 June the period within which an “eligible authority” for the purposes of the Telecommunications (Interception) (New South Wales) Act 1987 must submit an annual report to the Minister.

---

**TOURISM COMMISSION ACT 1984 No. 46****AMENDMENTS**

- (1) The whole Act:
  - (a) Omit “the Commission” wherever occurring, insert instead “Tourism NSW”.
  - (b) Omit “The Commission” wherever occurring, insert instead “Tourism NSW”.
  - (c) Omit “THE COMMISSION” wherever occurring, insert instead “TOURISM NSW”.
- (2) Long title:

Omit “the Tourism Commission of New South Wales”, insert instead “Tourism NSW”.
- (3) Section 1 (**Short title**):

Omit “Commission”, insert instead “NSW”.
- (4) Section 3 (**Definitions**):
  - (a) From section 3 (1), omit the definition of “Commission”.
  - (b) In section 3 (1), insert in alphabetical order:

“**Tourism NSW**” means the corporation with the corporate name of “Tourism NSW” constituted by this Act.
- (5) Part 2, heading:

Omit the heading, insert instead “TOURISM NSW”.
- (6) Section 4 (**Constitution of Tourism NSW**):

From section 4 (1), omit “the ‘NSW Tourism Commission’ ”, insert instead “ ‘Tourism NSW’ ”.
- (7) Section 28 (**References to Tourism NSW**):
  - (a) From section 28, omit “or to the ‘Tourism Commission of New South Wales’ ”, insert instead “, to the ‘Tourism Commission of New South Wales’ or to the ‘NSW Tourism Commission’ ”.
  - (b) From section 28, omit “the NSW Tourism Commission”, insert instead “Tourism NSW”.

**COMMENCEMENT**

The amendments to the Tourism Commission Act 1984 commence on a day to be appointed by proclamation.

**EXPLANATORY NOTE**

The proposed amendments change the name of the NSW Tourism Commission to “Tourism NSW” and make consequential amendments.

---



**ZOOLOGICAL PARKS BOARD ACT 1973 No. 34****AMENDMENT****Section 17A:**

After section 17, insert:

**Board may be trustee**

17A. (1) The Board may be and act as a trustee under the terms of a gift, devise or bequest. The Board may do so even if some but not all of the purposes of the trust are not related to the functions of the Board, and even if the Board is or could be a beneficiary under the trust.

(2) The Board is taken always to have had these powers.

(3) This section does not authorise the Board to contravene any express provisions of this Act.

(4) Despite subsection (3), the Board may invest trust money in any way authorised by the trust or by any other law.

(5) This section does not limit any powers the Board has apart from this section.

**COMMENCEMENT**

The amendment to the Zoological Parks Board Act 1973 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendment makes it clear that the Zoological Parks Board may administer trust property as a trustee even if some but not all of the purposes of the trust are not related to the functions of the Board, and even if the Board is (or could be) a beneficiary under the trust.

---

**SCHEDULE 2—AMENDMENTS BY WAY OF STATUTE LAW  
REVISION**

(Sec. 3)

**CHILDREN (CARE AND PROTECTION) ACT 1987 No. 54****AMENDMENT****Section 54B (Entry without warrant in certain circumstances):**

In section 54B (1) (a), after “holder”, insert “of”.

**COMMENCEMENT**

The amendment to the Children (Care and Protection) Act 1987 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendment inserts a missing word.

---

**COMMUNITY SERVICES (COMPLAINTS, APPEALS AND MONITORING) ACT 1993 No. 2****AMENDMENT****Schedule 2 (Amendment of Acts):**

From Schedule 2, omit the matter relating to the Public Sector Management Act 1988.

**COMMENCEMENT**

The amendment to the Community Services (Complaints, Appeals and Monitoring) Act 1993 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The Community Services (Complaints, Appeals and Monitoring) Act 1993 establishes the Community Services Commission. The proposed amendment repeals an uncommenced amendment to the Public Sector Management Act 1988 inserting the position of Commissioner for Community Services in Schedule 3B (Senior Executive Positions) to that Act. The position of Commissioner is to be a Chief Executive position rather than a Senior Executive position. Accordingly, a proclamation has been made under section 42D of the Public Sector Management Act 1988 to insert a description of that position in Schedule 3A (Chief Executive Positions) to that Act.

---

**CO-OPERATIVES ACT 1992 No. 18****AMENDMENT****Section 299 (Share offers to which Division applies):**

From section 299 (2), omit “subtaintial”, insert instead “substantial”.

**COMMENCEMENT**

The amendment to the Co-operatives Act 1992 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendment corrects the spelling of a word.

---

**CROWN LANDS ACT 1989 No. 6****AMENDMENT****Schedule 8 (Savings, Transitional and Other Provisions):**

In clause 9 (2), after “as”, insert “if”.

**COMMENCEMENT**

The amendment to the Crown Lands Act 1989 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendment inserts a missing word.

---

**ELECTRICITY ACT 1945 (1946 No. 13)****AMENDMENTS****(1) Section 4 (Definitions):**

(a) In paragraph (d) of the definition of “Electrical installation” in section 4 (1), after “mine”, insert “within the meaning of the Coal Mines Regulation Act 1982 or within the meaning of the Mines Inspection Act 1901”.

(b) From section 4 (1), omit the definition of “Mine”.

**(2) Section 26Q (Customer to give 48 hours’ notice of discontinuance of supply):**

From section 26Q (1), omit “that” where firstly occurring, insert instead “than”.

**(3) Schedules 3 and 4:**

Omit the Schedules.

**COMMENCEMENT**

The amendments to the Electricity Act 1945 commence on the date of assent to this Act.

**EXPLANATORY NOTE****Meaning of “mine” (item (1))**

Although the only use of “mine” in the Act is in the definition of “electrical installation”, the Act provides a definition of the word (to the effect that it has the same meaning as in the Local Government Act 1919). The provisions of the Local Government Act 1919 that have been repealed include the definition of “mine”.

Accordingly, item (1) (b) of the proposed amendments repeals the outdated definition in the Electricity Act 1945, and item (1) (a) inserts a meaning in terms of mining legislation in the place where the word is used in the Act.



**Typographical error** (item (2))

Item (2) of the proposed amendments corrects a typographical error.

**Repeal of Schedules** (item (3))

Item (3) of the proposed amendments repeals Schedules relating to Electricity Area Boards as those Boards have been abolished.

---

## **ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 No. 203**

### **AMENDMENTS**

(1) **Section 99 (Lapsing of consent):**

From section 99 (4E) (a) (as inserted by Schedule 2 to the Local Government (Consequential Provisions) Act 1993), omit “elapsed”, insert instead “lapsed”.

(2) **Section 127 (Proceedings for offences):**

From section 127 (3), omit “20 penalty units”, insert instead “100 penalty units”.

### **COMMENCEMENT**

Item (1) of the amendments to the Environmental Planning and Assessment Act 1979 is taken to have commenced on 1 July 1993.

Item (2) of the amendments to the Environmental Planning and Assessment Act 1979 is taken to have commenced on 28 June 1993.

### **EXPLANATORY NOTE**

**Lapsing of development consent** (item (1))

Item (1) of the proposed amendments corrects an incorrect word. The amendment is taken to have commenced at the same time as the provision of the Local Government (Consequential Provisions) Act 1993 that inserted the provision containing the incorrect word.

**Increase in penalty** (item (2))

Item (2) of the proposed amendments has the same effect as an earlier amendment that could not take effect.

The Environmental Planning and Assessment (Miscellaneous Amendments) Act 1992, which commenced on 28 June 1993, sought to increase the penalty specified in section 127 (3) of the Environmental Planning and Assessment Act 1979 from \$2,000 to \$10,000. However, the Statute Law (Penalties) Act 1992 (which commenced on 8 December 1992) had changed the wording in section 127 (3) from “\$2,000” to “20 penalty units”. Accordingly, the relevant direction given by the Environmental Planning and Assessment (Miscellaneous Amendments) Act 1992—to omit from section 127 (3) “\$2,000” and to insert instead “\$10,000”—could not be obeyed, as the matter “\$2,000” no longer appeared in that section.

The amendment is taken to have commenced at the same time as the ineffective amendment.

---

**FAIR TRADING ACT 1987 No. 68****AMENDMENTS****(1) Section 67 (Order to disclose information or publish advertisement):**

From section 67, omit "Part 3, 4, 5, 5A, 5B or 8 (section 43 excepted)", insert instead "Part 3, 4, 5 (section 43 excepted), 5A, 5B or 8".

**(2) Section 68 (Actions for damages):**

From section 68, omit "Part 3, 4, 5 or 5B or 5A (section 43 excepted)", insert instead "Part 3, 4, 5 (section 43 excepted), 5A or 5B".

**COMMENCEMENT**

The amendments to the Fair Trading Act 1987 commence on the date of assent to this Act.

**EXPLANATORY NOTE**

**Reference to section 43** (items (1) and (2))

Both proposed amendments place a reference to section 43 adjacent to a reference to the Part (Part 5) in which that section is located.

**Numerical sequence** (item (2))

Item (2) of the proposed amendments corrects the numerical order in a reference to other Parts of the Act.

---

**FINANCIAL TRANSACTIONS REPORTS ACT 1992 No. 99****AMENDMENT****Section 11 (Proceedings for offences):**

From section 11 (2) (b), omit "appropriate", insert instead "appropriate".

**COMMENCEMENT**

The amendment to the Financial Transactions Reports Act 1992 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendment corrects a typographical error.

---

**FOOD ACT 1989 No. 231****AMENDMENTS****Section 73 (Liability of employers):**

- (a) From section 73 (2) (b), omit “the” where firstly occurring, insert instead “that”.
- (b) From section 73 (2) (b), omit “excercise”, insert instead “exercise”.

**COMMENCEMENT**

The amendments to the Food Act 1989 commence on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendments correct typographical errors.

---

**IMPERIAL ACTS APPLICATION ACT 1969 No. 30****AMENDMENT****Section 20 (Penalty):**

From section 20, omit “or to a fine of not exceeding 10 penalty units”, insert instead “or to a fine not exceeding 10 penalty units”.

**COMMENCEMENT**

The amendment to the Imperial Acts Application Act 1969 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendment omits an unnecessary word.

---

**LIQUOR ACT 1982 No. 147****AMENDMENTS****(1) Section 45 (Grounds of objection):**

From section 45 (3) (b) (iii), omit “section 117 (5)”, insert instead “section 116B (2)”.

**(2) Section 155A (Secrecy):**

In section 155A (2) (a), omit “that is”, insert instead “that it is”.

**(3) Section 162 (Qualifications for keeping approved amusement device):**

Omit section 162 (2) (a).

**(4) Schedule 1 (Savings and transitional provisions):**

Omit clause 4 (1).



**COMMENCEMENT**

Item (1) of the amendments to the Liquor Act 1982 commences on the commencement of Schedule 3 (27) to the Liquor (Amendment) Act 1993 or on the date of assent to this Act, whichever is the later.

Items (2), (3) and (4) of the amendments to the Liquor Act 1982 commence on the date of assent to this Act.

**EXPLANATORY NOTE****Statute law revision** (items (1) and (2))

Item (1) of the proposed amendments amends a cross-reference in consequence of an amendment to be made by the Liquor (Amendment) Act 1993. (The relevant provision of the Liquor (Amendment) Act 1993 has not yet commenced.)

Item (2) of the proposed amendments inserts a missing word.

**Consequential amendments** (items (3) and (4))

The Liquor (Amendment) Bill 1993, as introduced into Parliament, contained an item adding subsections (4) and (5) to section 47 (Grant of application is discretionary in certain cases) of the Act. Those subsections would have empowered the Liquor Administration Board to determine the experience, skills, competence, training and other qualifications required by holders of each kind of licence that may be issued under the Act (and would have empowered the Licensing Court to refuse an application for a licence unless the applicant possessed the relevant qualifications).

Amendments made to the Bill at the committee stage removed the proposed subsections. Accordingly, item (3) of the proposed amendments removes a provision elsewhere in the Act referring to the requirement that particular licensees possess the qualifications concerned.

Item (4) of the proposed amendments is consequential on item (2) of the amendments to the Liquor (Amendment) Act 1993 proposed to be made in Schedule 1 to this Act. That item will repeal an uncommenced provision that was to insert section 68 (1A) into the Liquor Act 1982. Accordingly, item (4) repeals a transitional provision relating to section 68 (1A).

---

**LOTTERIES AND ART UNIONS ACT 1901 No. 34****AMENDMENT**

**Section 4A (Certain organisations authorised to conduct games of chance):**

From section 4A (5A), omit “a organisation”, insert instead “an organisation”.

**COMMENCEMENT**

The amendment to the Lotteries and Art Unions Act 1901 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendment corrects a grammatical error.

---

## **MOTOR ACCIDENTS ACT 1988 No. 102**

### **AMENDMENT**

#### **Section 84 (Constitution of Board of Directors):**

From section 84 (2A), omit “the National Roads and Motorists’ Association”, insert instead “NRMA Limited”.

### **COMMENCEMENT**

The amendment to the Motor Accidents Act 1988 commences on the date of assent to this Act.

### **EXPLANATORY NOTE**

The National Roads and Motorists’ Association Limited has changed its name to “NRMA Limited”. The proposed amendment is consequential on that change.

---

## **MOTOR DEALERS ACT 1974 No. 52**

### **AMENDMENT**

#### **Section 34 (Disputes committee):**

From section 34 (1) (b), omit “the National Roads and Motorists’ Association”, insert instead “NRMA Limited”.

### **COMMENCEMENT**

The amendment to the Motor Dealers Act 1974 commences on the date of assent to this Act.

### **EXPLANATORY NOTE**

The National Roads and Motorists’ Association Limited has changed its name to “NRMA Limited”. The proposed amendment is consequential on that change.

---

## **MOTOR VEHICLE REPAIRS ACT 1980 No. 71**

### **AMENDMENTS**

#### **(1) Section 8 (Members of the Council):**

From section 8 (1) (b), omit “the National Roads and Motorists’ Association”, insert instead “NRMA Limited”.

#### **(2) Schedule 3 (Provisions Relating to the Constitution and Membership of the Disputes Committee):**

From clause 1 (1) (c), omit “the National Roads and Motorists’ Association”, insert instead “NRMA Limited”.

**COMMENCEMENT**

The amendments to the Motor Vehicle Repairs Act 1980 commence on the date of assent to this Act.

**EXPLANATORY NOTE**

The National Roads and Motorists' Association Limited has changed its name to "NRMA Limited". The proposed amendments are consequential on that change.

---

**NATIONAL PARKS AND WILDLIFE ACT 1974 No. 80****AMENDMENTS**

- (1) Section 98 (**Taking or killing protected fauna, other than endangered fauna**):

From section 98 (2), omit "Penalty: \$2,000", insert instead "Maximum penalty: 20 penalty units".

- (2) Section 168 (**Disposal of property seized or delivered up**):

From section 168 (4) (b), omit "6 months", insert instead "2 years".

**COMMENCEMENT**

The amendments to the National Parks and Wildlife Act 1974 commence on the date of assent to this Act.

**EXPLANATORY NOTE****Penalty (item (1))**

Item (1) of the proposed amendments expresses the existing pecuniary penalty for the offence of taking or killing protected fauna (other than endangered fauna or locally unprotected fauna) in penalty units, in accordance with section 56 of the Interpretation Act 1987. (That section provides that a reference in an Act or statutory rule to a number of penalty units is to be read as a reference to an amount of money equal to the amount obtained by multiplying \$100 by that number of penalty units.) The amendment also makes it clear that the penalty specified is not mandatory, but is the maximum penalty that may be imposed for the offence (in keeping with section 54 of the Interpretation Act 1987).

**Statute law revision (item (2))**

Amendments to section 176 (1B) of the Act in 1983 increased the period in which proceedings for an offence under the Act or regulations may be taken from 6 months to 2 years after commission of the offence. A consequential amendment was later made to section 168 (2) (b). (Section 168 is concerned with the disposal of property seized or delivered up in connection with an alleged offence.) Section 168 (2) currently reads:

- (2) Subject to this section, where:

- (a) property has been seized under section 164 or delivered up under section 165; and



*Statute Law (Miscellaneous Provisions) Act (No. 2) 1993 No. 108—Sch. 2*

---

- (b) an information for an offence (being an offence on or after a conviction for which an order could be made under subsection (1) in respect of the property) has not been laid within 2 years after the seizure or delivering up of the property,

the court prescribed in relation to the property may, on the application of any person, order that the property be delivered to a specified person.

However, the necessary consequential amendment to section 168 (4) (b) has not been made. That paragraph currently reads:

- (b) in the case of an application for an order under subsection (2)—later than 3 months after the expiration of the period of 6 months referred to in that subsection.

Accordingly, the proposed amendment makes section 168 (4) (b) consistent with sections 168 (2) (b) and 176 (1B).

---

**OMBUDSMAN (AMENDMENT) ACT 1993 No. 37**

**AMENDMENT**

**Schedule 2 (Amendment of other Acts):**

From the amendments to the Defamation Act 1974, omit item (1).

**COMMENCEMENT**

The amendment to the Ombudsman (Amendment) Act 1993 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendment omits an amendment that is superfluous because of the operation of the Police Service (Complaints, Discipline and Appeals) Amendment Act 1993.

---

**POLICE SERVICE ACT 1990 No. 47**

**AMENDMENTS**

**(1) Section 24 (Appointment of Commissioner):**

From section 24 (3) (c) (as inserted by Schedule 1 (1) to the Police Service (Management) Amendment Act 1993), omit "an official report (referred to in section 3 (3)) on the previous employment and conduct of", insert instead "a report under section 94A on".

**(2) Schedule 4 (Savings, transitional and other provisions):**

ReNUMBER Part 6 (as inserted by Schedule 3 (13) (b)) to the Police Service (Complaints, Discipline and Appeals) Amendment Act 1993) as Part 7 and insert that Part, as renumbered, after clause 23.

**COMMENCEMENT**

The amendments to the Police Service Act 1990 are taken to have commenced on 12 July 1993.

**EXPLANATORY NOTE****Section 24 (item (1))**

Schedule 3 (1) to the Police Service (Complaints, Discipline and Appeals) Amendment Act 1993 (which commenced on 1 July 1993) repealed section 3 (3), which is referred to in section 24 (3) (c). Schedule 3 (2) to that Act made the necessary consequential amendment to section 24 (3) (c).

Schedule 1 (1) to the Police Service (Management) Amendment Act 1993 (which commenced on 12 July 1993) repealed and substituted Part 4 of the Police Service Act 1990 (which includes section 24), but did not change the substance of section 24 (3) (c) as originally enacted.

Because the Police Service (Management) Amendment Act 1993 commenced *after* the Police Service (Complaints, Discipline and Appeals) Amendment Act 1993, it had the effect of repealing the consequential amendment. Accordingly, that consequential amendment is made again (from the date of its repeal) by item (1) of the proposed amendments.

**Part 6 of Schedule 4 (item (2))**

The Police Service (Complaints, Discipline and Appeals) Amendment Act 1993 inserted Part 6 (clauses 24–28) at the end of Schedule 4. The Police Service (Management) Amendment Act 1993 also inserted a Part 6 (clauses 20–23) at the end of that Schedule. Item (2) of the proposed amendments renumbers the Part inserted by the Police Service (Complaints, Discipline and Appeals) Amendment Act 1993 to Part 7 and transfers it to the end of the Schedule so that the clauses will be in correct numerical sequence.

---

**PRISONS ACT 1952 No. 9****AMENDMENT****Section 4 (Definitions):**

From paragraph (b) of the definition of “prison” in section 4 (1), omit “jail”, insert instead “gaol”.

**COMMENCEMENT**

The amendment to the Prisons Act 1952 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendment amends the spelling of “jail” to the spelling used elsewhere in the Act and in other legislation.

---

**PROTECTION OF THE ENVIRONMENT ADMINISTRATION ACT  
1991 No. 60**

**AMENDMENT**

**Schedule 2 (Members and Procedure of Consultation Forum,  
Education Committee and Advisory Committees):**

From the definition of “ex-officio member” in clause 1, omit  
“advisory”, insert instead “advisory”.

**COMMENCEMENT**

The amendment to the Protection of the Environment Administration Act 1991  
commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendment corrects a typographical error.

---

**PUBLIC FINANCE AND AUDIT ACT 1983 No. 152**

**AMENDMENT**

**Section 38A (Definitions):**

From section 38A, omit “In this section”, insert instead “In this  
Division”.

**COMMENCEMENT**

The amendment to the Public Finance and Audit Act 1983 commences on the date of  
assent to this Act.

**EXPLANATORY NOTE**

The proposed amendment corrects a reference in a definition section located at the  
beginning of a Division of the Public Finance and Audit Act 1983. The amendment  
ensures that the definitions apply throughout the Division.

---

**REAL PROPERTY ACT 1900 No. 25**

**AMENDMENTS**

(1) **Section 3 (Definitions):**

In section 3 (1) (a), insert in alphabetical order:

**“Plan of survey”**—A plan of survey within the meaning of the  
Survey Practice Regulation 1990 (or any regulation amending  
or replacing that Regulation).

(2) **Section 28S (Definitions):**

Omit the definition of “plan of survey”.



## (3) Sections 32, 114 and 144:

From sections 32 (3) (b), 114 (d) and 144 (1) (d), omit “within the meaning of the Survey Practice Regulations 1933” wherever occurring.

**COMMENCEMENT**

The amendments to the Real Property Act 1900 commence on the date of assent to this Act.

**EXPLANATORY NOTE**

The phrase “plan of survey” is defined in the same way in the current Survey Practice Regulation 1990 as it was in the repealed Survey Practice Regulations 1933. Accordingly, the proposed amendments omit matter in the Real Property Act 1900 defining, and referring to, the phrase in terms of the repealed Regulations and insert instead a definition in terms of the current Regulation.

---

**REGISTERED CLUBS ACT 1976 No. 31****AMENDMENTS**(1) Section 27B (**Keeping of records concerning low alcohol beer**):

From section 27B (1), omit “Penalty”, insert instead “Maximum penalty”.

(2) Section 32 (**Registered club to have only one secretary**):

From section 32 (3), omit “Penalty—subsection (3): \$1,000”, insert instead “Maximum penalty—subsection (3): 10 penalty units”.

(3) Section 33 (**Approval of secretary of registered club**):

(a) From section 33 (3) (b), omit “or 4B”.

(b) From section 33 (6), omit “Sections 95–95C”, insert instead “Sections 95–95B”.

(c) From section 33 (6), omit “, and to a person having some association or connection with the applicant,”.

(d) From section 33 (6), omit “and a person having some association or connection with an applicant for such a licence”.

(4) Section 50B (**Display of notices**):

From section 50B (1) and (2), omit “penalty,” wherever occurring, insert instead “penalty”.

(5) Section 67 (**Power to demand certain particulars from certain persons on premises of registered clubs**):

From section 67 (6) (a), omit “and”.

(6) Section 79 (**Application to keep or dispose of poker machine**):

From section 79 (8) (b), omit “section 77B” insert instead “section 77B,”.

(7) Section 108 (**Summons to show cause against taking of disciplinary action**):

From section 108 (5), omit “a a holder” insert instead “a holder”.

(8) Schedule 2 (**Transitional provisions**):

(a) From the definition of “1993 Act” in clause 19, omit “(Amendment Act)” insert instead “(Amendment) Act”.

(b) Omit clause 27.

**COMMENCEMENT**

The amendments to the Registered Clubs Act 1976 commence on the date of assent to this Act.

**EXPLANATORY NOTE**

**Amendments previously intended to be made (items (1) and (2))**

Items (1) and (2) of the proposed amendments are amendments that were intended to be made by the Registered Clubs (Amendment) Act 1993. However, the amendments were not effective because of incorrect incorporating directions.

Items (1) and (2) make it clear that the penalties specified for offences against the sections concerned are not mandatory, but are the maximum penalties that may be imposed (in keeping with section 54 of the Interpretation Act 1987).

**Consequential amendments (items (3) and (8) (b))**

Item (3) (a) is consequential on an amendment to the Registered Clubs (Amendment) Act 1993 proposed to be made in Schedule 1 to this Act.

The Registered Clubs (Amendment) Bill 1993, as introduced into Parliament, contained an item inserting a new Division 2A (Investigation of applications) into the Act. Proposed section 95B (1) in that Division would have empowered the Director of Liquor and Gaming to require an applicant for a gaming-related licence, and certain persons having some association or connection with an applicant, to provide information and to do certain other things.

Amendments made to the Bill at the committee stage removed that proposed power. Item (3) (d) is consequential on that amendment. For consistency, item (3) (c) removes a similar power in relation to associates of applicants for approval to act as the secretary of a registered club.

The amendments in committee also removed proposed section 95C. Item (3) (b) of the proposed amendments is consequential on that amendment.

The amendments in committee also removed proposed section 108 (2) (e1). The paragraph of that number that was inserted is unrelated to the paragraph originally proposed. Item (8) (b) of the proposed amendments omits a transitional provision that relates to the paragraph originally proposed.

**Statute law revision** (items (4)–(8) (a))

Items (4), (5) and (7) of the proposed amendments omit unnecessary matter. Item (6) corrects a grammatical error. Item (8) (a) corrects the placement of brackets.

---

## **RURAL LANDS PROTECTION (MISCELLANEOUS AMENDMENTS) ACT 1993 No. 8**

### **AMENDMENTS**

(1) **Schedule 3 (Amendments Relating To Stock):**

- (a) From item (19), omit “197 (1) (d)”, insert instead “197 (1) (b)”.
- (b) From item (20), omit “197 (1) (b)”, insert instead “197 (1) (d)”.

(2) **Schedule 6 (Miscellaneous Amendments):**

In item (4) (b), before “the manner and form”, insert “prescribe”.

(3) **Schedule 7 (Amendments By Way Of Statute Law Revision):**

Omit item (1) (c).

### **COMMENCEMENT**

The amendments to the Rural Lands Protection (Miscellaneous Amendments) Act 1993 commence on the date of assent to this Act.

### **EXPLANATORY NOTE**

**Incorporating directions** (item (1))

Item (1) of the proposed amendments corrects incorporating directions.

**Missing word** (item (2))

Item (2) of the proposed amendments inserts a missing word.

**Statute law revision** (item (3))

The amendment proposed to be made by Schedule 7 (1) (c) has been dealt with by the Statute Law (Miscellaneous Provisions) Act 1993. Accordingly, item (3) of the proposed amendments repeals that proposed amendment.

---

## **SEARCH WARRANTS ACT 1985 No. 37**

### **AMENDMENT**

**Section 10 (Definitions):**

From the definition of “search warrant” in section 10, omit “Disability Services and”.



*Statute Law (Miscellaneous Provisions) Act (No. 2) 1993 No. 108—Sch. 2*

---

**COMMENCEMENT**

The amendment to the Search Warrants Act 1985 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The Disability Services Act 1993 changed the short title of the Disability Services and Guardianship Act 1987 to the Guardianship Act 1987. The proposed amendment is a consequence of that change.

---

**STAMP DUTIES ACT 1920 No. 47**

**AMENDMENT**

Section 84CAB (**Transfer of loan securities**):

From section 84CAB (3), omit "Commissisoner", insert instead "Commissioner".

**COMMENCEMENT**

The amendment to the Stamp Duties Act 1920 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendment corrects a typographical error.

---

**STATUTE LAW (MISCELLANEOUS PROVISIONS) ACT 1991 No. 17**

**AMENDMENT**

Schedule 3 (**Repeals**):

From Schedule 3, omit "Port Kembla Inner Harbour Construction and Agreement Ratification Act 1955 No. 43\*\*".

**COMMENCEMENT**

The amendment to the Statute Law (Miscellaneous Provisions) Act 1991 is taken to have commenced on 3 May 1991 and the Port Kembla Inner Harbour Construction and Agreement Ratification Act 1955 is revived with effect from the instant of its repeal.

**EXPLANATORY NOTE**

The Statute Law (Miscellaneous Provisions) Act 1991 repealed the Port Kembla Inner Harbour Construction and Agreement Ratification Act 1955. Among other things, the latter Act ratified an Agreement made on 24 October 1955 between The Broken Hill Proprietary Company Limited ("B.H.P."), Australian Iron & Steel Limited ("A.I. & S.") and the Minister for Public Works (for and on behalf of the Queen). The Agreement related to the exchange of lands, to the granting to B.H.P. and A.I. & S. of an exclusive right to construct wharves on certain lands, and to various other matters.

*Statute Law (Miscellaneous Provisions) Act (No. 2) 1993 No. 108—Sch. 2*

---

Section 30 of the Interpretation Act 1987 provides, among other things, that the repeal of an Act does not affect “any right, privilege, obligation or liability acquired, accrued or incurred under the Act”. However, to remove any doubt as to the status of the Agreement ratified by the Port Kembla Inner Harbour Construction and Agreement Ratification Act 1955, the proposed amendment reverses the repeal of that Act with effect from the date of the repeal.

---

**STATUTE LAW (MISCELLANEOUS PROVISIONS) ACT 1993 No. 46**

**AMENDMENT**

**Schedule 2 (Amendments by way of statute law revision):**

From Schedule 2, omit the matter relating to the State Authorities Non-contributory Superannuation Act 1987.

**COMMENCEMENT**

The amendment to the Statute Law (Miscellaneous Provisions) Act 1993 is taken to have commenced on 15 June 1993.

**EXPLANATORY NOTE**

The proposed amendment omits a proposed amendment that no longer needs to be made.

The commencement provision relating to the amendment proposed to be made by the Statute Law (Miscellaneous Provisions) Act 1993 reads (in part):

If the Bill for this Act is assented to after the Bill for the Superannuation Legislation (Miscellaneous Amendments) Act 1993 is assented to, the amendment to the State Authorities Non-contributory Superannuation Act 1987 made by this Act is not to commence.

As the Superannuation Legislation (Miscellaneous Amendments) Act 1993 was assented to on 8 June 1993 and the Statute Law (Miscellaneous Provisions) Act 1993 was assented to on 15 June 1993, that amendment will not commence and may, therefore, be omitted.

---

**STATUTE LAW (PENALTIES) ACT 1992 No. 112**

**AMENDMENT**

**Schedule 1 (Amendment of Acts):**

From the matter relating to the Poultry Meat Industry Act 1986, omit “Maximun”, insert instead “Maximum”.

*Statute Law (Miscellaneous Provisions) Act (No. 2) 1993 No. 108—Sch. 2*

---

**COMMENCEMENT**

The amendment to the Statute Law (Penalties) Act 1992 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendment corrects a typographical error.

---

**SUBORDINATE LEGISLATION ACT 1989 No. 146****AMENDMENT**

Section 11 (**Postponement of repeal in specific cases**):

From section 11 (5), omit “reponsible”, insert instead “responsible”.

**COMMENCEMENT**

The amendment to the Subordinate Legislation Act 1989 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendment corrects a typographical error.

---

**SUPERANNUATION ADMINISTRATION ACT 1991 No. 96****AMENDMENTS**

(1) Section 6 (**General functions of the Board**):

In section 6 (1) (b) (as substituted by item (1) of the amendments to the Superannuation Administration Act 1991 made by Schedule 4 to the Superannuation Legislation (Miscellaneous Amendments) Act 1993), after “funds;” insert “and”.

(2) Section 29 (**Functions of the Corporation relating to associated superannuation schemes**):

From section 29 (6) (as inserted by item (3) (c) of the amendments to the Superannuation Administration Act 1991 made by Schedule 4 to the Superannuation Legislation (Miscellaneous Amendments) Act 1993), omit “function”, insert instead “functions”.

**COMMENCEMENT**

The amendments to the Superannuation Administration Act 1991 commence on the date of assent to this Act.



**EXPLANATORY NOTE**

**Section 6** (item (1))

Item (1) of the proposed amendments inserts a missing conjunction.

**Section 29** (item (2))

Item (2) of the proposed amendments corrects a typographical error.

---

**SUPERANNUATION LEGISLATION (MISCELLANEOUS  
AMENDMENTS) ACT 1993 No. 42**

**AMENDMENT**

**Schedule 3 (Amendments relating to First State Superannuation Scheme):**

In item (6) (a) of Schedule 3, after “made”, insert “where firstly occurring”.

**COMMENCEMENT**

The amendment to the Superannuation Legislation (Miscellaneous Amendments) Act 1993 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendment corrects an incorporating direction.

---

**TOW TRUCK ACT 1989 No. 158**

**AMENDMENT**

**Section 56 (Constitution of the Council):**

From section 56 (2) (d), omit “the National Roads and Motorists’ Association of New South Wales”, insert instead “NRMA Limited”.

**COMMENCEMENT**

The amendment to the Tow Truck Act 1989 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The National Roads and Motorists’ Association Limited has changed its name to “NRMA Limited”. The proposed amendment is consequential on that change.

---

**TRANSPORT ADMINISTRATION ACT 1988 No. 109**

**AMENDMENT**

**Section 54 (Constitution of Council):**

From section 54 (2) (b) (i), omit “the National Roads and Motorists’ Association”, insert instead “NRMA Limited”.

**COMMENCEMENT**

The amendment to the Transport Administration Act 1988 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The National Roads and Motorists’ Association Limited has changed its name to “NRMA Limited”. The proposed amendment is consequential on that change.

---

**TREASURY CORPORATION ACT 1983 No. 75**

**AMENDMENT**

**Section 8 (Powers of public authorities):**

From section 8 (a), omit “as provided by section 5 (1) (e)”, insert instead “(subject to section 6B (1))”.

**COMMENCEMENT**

The amendment to the Treasury Corporation Act 1983 is taken to have commenced on 8 January 1993.

**EXPLANATORY NOTE**

The proposed amendment replaces a cross-reference to a repealed provision with a reference to a provision that has the same effect as the repealed provision.

The amendment is taken to have commenced at the same time as the Treasury Corporation (Amendment) Act 1992, which repealed and replaced section 5.

---

**VICTIMS COMPENSATION ACT 1987 No. 237**

**AMENDMENT**

**Section 65F (Victims Compensation Fund):**

From section 65F (3) (a), omit “Authoritites”, insert instead “Authorities”.

**COMMENCEMENT**

The amendment to the Victims Compensation Act 1987 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendment corrects a typographical error.

---

**WATER SUPPLY AUTHORITIES ACT 1987 No. 140****AMENDMENT**

Schedule 3 (**Broken Hill Water Board**):

From clause 9 (2) (b), omit “from”.

**COMMENCEMENT**

The amendment to the Water Supply Authorities Act 1987 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendment omits an unnecessary word.

---

**WORKERS COMPENSATION ACT 1987 No. 70****AMENDMENTS**

(1) Section 160 (**Recovery of prescribed excess amount from employer**):

From section 160 (4) (b), omit “pay”, insert instead “repay”.

(2) Section 196 (**Assets of statutory funds**):

From section 196 (b) (iii), omit “(Recovery of \$500 excess from employers)”, insert instead “(Recovery of prescribed excess amount from employer)”.

(3) Section 208A (**Obligations of insurer under policies unenforceable if insurer has insufficient funds in statutory fund**):

From section 208A (6) (b), omit “section 197 (c)”, insert instead “section 197 (1) (c)”.

**COMMENCEMENT**

The amendments to the Workers Compensation Act 1987 commence on the date of assent to this Act.



**EXPLANATORY NOTE****Consistency of expression** (item (1))

Item (1) of the proposed amendments makes an alteration for the purposes of consistency of expression.

**Cross-references** (items (2) and (3))

Item (2) of the proposed amendments updates a cross-reference to a section heading and item (3) corrects a cross-reference.

---

**SCHEDULE 3—REPEALS**

(Sec. 4)

Supply of Electricity (Variation of Agreements) Act 1920 No. 30\*\*  
 Parliamentary Electorates and Elections (Amendment) Act 1991 No. 14\*  
 Police Service (Police Board) Amendment Act 1991 No. 18\*  
 Federation of Parents and Citizens Associations of New South Wales  
 Incorporation (Amendment) Act 1991 No. 19\*  
 Real Property and Conveyancing (Amendment) Act 1991 No. 27\*  
 Residential Tenancies (Movable Dwellings) Amendment Act 1991 No. 36\*  
 Partnership (Limited Partnership) Amendment Act 1991 No. 48\*  
 Public Authorities (Financial Arrangements) Amendment Act 1991 No. 49\*  
 Trade Measurement Administration (Charges) Amendment Act 1991 No. 51\*  
 Aboriginal Land Rights (Amendment) Act 1991 No. 59\*  
 Environmental Planning and Assessment (Contributions Plans) Amendment Act  
 1991 No. 64\*  
 Gaming and Betting (Amendment) Act 1991 No. 75\*  
 Gaming and Betting (Race-course Licences) Amendment Act 1991 No. 76\*  
 Prisons (Escape Tunnels) Amendment Act 1991 No. 86\*  
 Prisons (Syringe Prohibition) Amendment Act 1991 No. 87\*  
 Rivers and Foreshores Improvement (Amendment) Act 1991 No. 90\*  
 Totalizator (Off-course Betting) Further Amendment Act 1991 No. 97\*  
 Water Board (Amendment) Act 1991 No. 98\*  
 Conveyancing (Amendment) Act 1992 No. 5\*  
 Liens on Crops and Wool and Stock Mortgages (Amendment) Act 1992 No. 6\*  
 Bills of Sale (Amendment) Act 1992 No. 7\*  
 Strata Titles (Part Strata) Amendment Act 1992 No. 11\*  
 Strata Titles (Leasehold Part Strata) Amendment Act 1992 No. 12\*  
 Interpretation (Australia Acts) Amendment Act 1992 No. 21\*  
 Police Service (Employer) Amendment Act 1992 No. 22\*  
 Consumer Claims Tribunals (Amendment) Act 1992 No. 26\*  
 Stamp Duties (Amendment) Act 1992 No. 33\*  
 Workers Compensation Legislation (Amendment) Act 1992 No. 36\*  
 Billiards and Bagatelle (Repeal) Act 1992 No. 37\*  
 Freedom of Information (Amendment) Act 1992 No. 38\*

Registration of Births, Deaths and Marriages (Amendment) Act 1992 No. 45\*  
 Coal Industry (Amendment) Act 1992 No. 50\*  
 Real Property (Compensation) Amendment Act 1992 No. 52\*  
 Lotto (Amendment) Act 1992 No. 59\*  
 Totalizator Legislation (Amendment) Act 1992 No. 60\*  
 Gaming and Betting (Broken Hill) Amendment Act 1992 No. 63\*  
 Mine Subsidence Compensation (Amendment) Act 1992 No. 64\*  
 Traffic (Offences) Amendment Act 1992 No. 71\*  
 Legal Profession (Amendment) Act 1992 No. 78\*  
 Crimes (Application of Criminal Law) Amendment Act 1992 No. 83\*  
 Land Tax Management (Amendment) Act 1992 No. 84\*  
 Environmental Planning and Assessment (Contributions Plans) Amendment Act  
 1992 No. 89\*  
 Environmental Planning and Assessment (Miscellaneous Amendments) Act  
 1992 No. 90\*  
 Real Property (Torrens Assurance Fund) Amendment Act 1992 No. 96\*  
 Criminal Procedure (Sentence Indication) Amendment Act 1992 No. 98\*  
 State Authorities Superannuation (Scheme Closure) Amendment Act 1992  
 No. 101\*

**Note:**

- \* indicates repeal of amending Act the provisions of which have been included in a reprint and which contains no provision of substantive effect that needs to be retained or which amends a repealed Act
- \*\* indicates repeal of Act that is no longer of practical utility

**COMMENCEMENT**

This Schedule commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The repeals are explained in detail in the explanatory note relating to this Act. In relation to the repeal of amending Acts, it should be noted that the Acts are repealed simply to rationalise the legislation in force and that the repeals have no substantive effect on the amendments made by the Acts or any associated provisions.

Section 30 (2) of the Interpretation Act 1987 ensures that, when an amending Act is repealed, no amendment made by the Act is affected. Section 30 (2) also ensures that the following matters are not affected:

- (a) the proof of any past act or thing;
- (b) any right, privilege, obligation or liability saved by the operation of the Act;
- (c) any validation made by the Act.

## **SCHEDULE 4—GENERAL SAVINGS, TRANSITIONAL AND OTHER PROVISIONS**

(Sec. 5)

### **Effect of amendment of amending provisions**

1. (1) An amendment made by Schedule 1 or 2 to an amending provision contained in an Act is, if the amending provision has commenced before the date of assent to this Act, taken to have effect as from the commencement of the amending provision.

(2) In this clause:

**“amending provision”** means a provision of an Act, or of any other instrument, being a provision that has commenced and that makes a direct amendment to an Act by:

- (a) the repeal or omission of matter contained in the amended Act without the insertion of any matter instead of the repealed or omitted matter; or
- (b) the omission of matter contained in the amended Act and the insertion of matter instead of the omitted matter; or
- (c) the insertion into the amended Act of matter, not being matter inserted instead of matter omitted from the Act,

whether the provision was enacted before or after the commencement of the Reprints Act 1972.

### **EXPLANATORY NOTE**

This clause ensures that amendments correcting errors in the technical provisions (for example, headings indicating the section to be amended or directions as to where a new section is to be inserted) and rectifying minor drafting defects (for example, corrections in numbering of provisions, correction or insertion of cross-references, omission of unnecessary matter or insertion of omitted matter) will commence on the date the amendments to which they relate commenced even though they may be expressed to commence on the date of assent to this Act.

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

2. Except where it is expressly provided to the contrary, if this Act:

- (a) amends a provision of an Act; or
- (b) repeals and re-enacts (with or without modification) 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 repealed.



**EXPLANATORY NOTE**

This clause ensures that the amendment or repeal of a provision will not, unless expressly otherwise provided, vitiate any act done or decision made under the provision as in force before the amendment or repeal.

**Regulations**

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

(2) Any such provision may, if the regulations so provide, take effect from the date of assent to this Act or a later date.

(3) To the extent to which any such provision 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; 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.

**EXPLANATORY NOTE**

This clause enables the making of regulations of a savings or transitional nature having a short term effect and relating to incidental matters arising out of the proposed Act with regard to which no specific, or sufficient, provision has been made in the Act.

---

**NOTES****Index of Acts amended by Schedules 1 and 2**

Children (Care and Protection) Act 1987 No. 54—Sch. 2  
 Community Services (Complaints, Appeals and Monitoring) Act 1933 No. 2—Sch. 2  
 Co-operatives Act 1992 No. 18—Sch. 2  
 Coptic Orthodox Church (NSW) Property Trust Act 1990 No. 67—Sch. 1  
 Crimes Act 1900 No. 40—Sch. 1  
 Crown Lands Act 1989 No. 6—Sch. 2  
 Disability Services Act 1993 No. 3—Sch. 1  
 Education Reform Act 1990 No. 8—Sch. 1  
 Electricity Act 1945 (1946 No. 13)—Sch. 2  
 Environmental Planning and Assessment Act 1979 No. 203—Sch. 2  
 Fair Trading Act 1987 No. 68—Sch. 2  
 Financial Transactions Reports Act 1992 No. 99—Sch. 2  
 Food Act 1989 No. 231—Sch. 2  
 Geographical Names Act 1966 No. 13—Sch. 1  
 Guardianship Act 1987 No. 257—Sch. 1

Imperial Acts Application Act 1969 No. 30—Sch. 2  
 Justices Act 1902 No. 27—Sch. 1  
 Liquor Act 1982 No. 147—Sch. 2  
 Liquor (Amendment) Act 1993 No. 28—Sch. 1  
 Lotteries and Art Unions Act 1901 No. 34—Sch. 2  
 Motor Accidents Act 1988 No. 102—Sch. 2  
 Motor Dealers Act 1974 No. 52—Sch. 2  
 Motor Vehicle Repairs Act 1980 No. 71—Sch. 2  
 National Parks and Wildlife Act 1974 No. 80—Sch. 2  
 Ombudsman (Amendment) Act 1993 No. 37—Sch. 2  
 Optical Dispensers Act 1963 No. 35—Sch. 1  
 Parliamentary Electorates and Elections Act 1912 No. 41—Sch. 1  
 Physiotherapists Registration Act 1945 No. 9—Sch. 1  
 Police Service Act 1990 No. 47—Sch. 2  
 Prisons Act 1952 No. 9—Sch. 2  
 Protection of the Environment Administration Act 1991 No. 60—Sch. 2  
 Public Finance and Audit Act 1983 No. 152—Sch. 2  
 Public Hospitals Act 1929 No. 8—Sch. 1  
 Real Property Act 1900 No. 25—Sch. 2  
 Registered Clubs Act 1976 No. 31—Sch. 2  
 Registered Clubs (Amendment) Act 1993 No. 29—Sch. 1  
 Rural Lands Protection (Miscellaneous Amendments) Act 1993 No. 8—Sch. 2  
 Search Warrants Act 1985 No. 37—Sch. 2  
 Stamp Duties Act 1920 No. 47—Sch. 2  
 Statute Law (Miscellaneous Provisions) Act 1991 No. 17—Sch. 2  
 Statute Law (Miscellaneous Provisions) Act 1993 No. 46—Sch. 2  
 Statute Law (Penalties) Act 1992 No. 112—Sch. 2  
 Subordinate Legislation Act 1989 No. 146—Sch. 2  
 Superannuation Administration Act 1991 No. 96—Sch. 2  
 Superannuation Legislation (Miscellaneous Amendments) Act 1993 No. 42—  
     Sch. 2  
 Sydney Market Authority Act 1968 No. 11—Sch. 1  
 Teacher Housing Authority Act 1975 No. 27—Sch. 1  
 Technical and Further Education Commission Act 1990 No. 118—Sch. 1  
 Technical Education Trust Funds Act 1967 No. 95—Sch. 1  
 Telecommunications (Interception) (New South Wales) Act 1987 No. 290—  
     Sch. 1  
 Tourism Commission Act 1984 No. 46—Sch. 1  
 Tow Truck Act 1989 No. 158—Sch. 2  
 Transport Administration Act 1988 No. 109—Sch. 2  
 Treasury Corporation Act 1983 No. 75—Sch. 2  
 Victims Compensation Act 1987 No. 237—Sch. 2  
 Water Supply Authorities Act 1987 No. 140—Sch. 2  
 Workers Compensation Act 1987 No. 70—Sch. 2  
 Zoological Parks Board Act 1973 No. 34—Sch. 1



**Index of Acts repealed by Schedule 3**

Aboriginal Land Rights (Amendment) Act 1991 No. 59\*  
 Billiards and Bagatelle (Repeal) Act 1992 No. 37\*  
 Bills of Sale (Amendment) Act 1992 No. 7\*  
 Coal Industry (Amendment) Act 1992 No. 50\*  
 Consumer Claims Tribunals (Amendment) Act 1992 No. 26\*  
 Conveyancing (Amendment) Act 1992 No. 5\*  
 Crimes (Application of Criminal Law) Amendment Act 1992 No. 83\*  
 Criminal Procedure (Sentence Indication) Amendment Act 1992 No. 98\*  
 Environmental Planning and Assessment (Contributions Plans) Amendment Act 1991 No. 64\*  
 Environmental Planning and Assessment (Contributions Plans) Amendment Act 1992 No. 89\*  
 Environmental Planning and Assessment (Miscellaneous Amendments) Act 1992 No. 90\*  
 Federation of Parents and Citizens Associations of New South Wales Incorporation (Amendment) Act 1991 No. 19\*  
 Freedom of Information (Amendment) Act 1992 No. 38\*  
 Gaming and Betting (Amendment) Act 1991 No. 75\*  
 Gaming and Betting (Broken Hill) Amendment Act 1992 No. 63\*  
 Gaming and Betting (Race-course Licences) Amendment Act 1991 No. 76\*  
 Interpretation (Australia Acts) Amendment Act 1992 No. 21\*  
 Land Tax Management (Amendment) Act 1992 No. 84\*  
 Legal Profession (Amendment) Act 1992 No. 78\*  
 Liens on Crops and Wool and Stock Mortgages (Amendment) Act 1992 No. 6\*  
 Lotto (Amendment) Act 1992 No. 59\*  
 Mine Subsidence Compensation (Amendment) Act 1992 No. 64\*  
 Parliamentary Electorates and Elections (Amendment) Act 1991 No. 14\*  
 Partnership (Limited Partnership) Amendment Act 1991 No. 48\*  
 Police Service (Police Board) Amendment Act 1991 No. 18\*  
 Police Service (Employer) Amendment Act 1992 No. 22\*  
 Prisons (Syringe Prohibition) Amendment Act 1991 No. 87\*  
 Prisons (Escape Tunnels) Amendment Act 1991 No. 86\*  
 Public Authorities (Financial Arrangements) Amendment Act 1991 No. 49\*  
 Real Property and Conveyancing (Amendment) Act 1991 No. 27\*  
 Real Property (Compensation) Amendment Act 1992 No. 52\*  
 Real Property (Torrens Assurance Fund) Amendment Act 1992 No. 96\*  
 Registration of Births, Deaths and Marriages (Amendment) Act 1992 No. 45\*  
 Residential Tenancies (Movable Dwellings) Amendment Act 1991 No. 36\*  
 Rivers and Foreshores Improvement (Amendment) Act 1991 No. 90\*  
 Stamp Duties (Amendment) Act 1992 No. 33\*  
 State Authorities Superannuation (Scheme Closure) Amendment Act 1992 No. 101\*  
 Strata Titles (Leasehold Part Strata) Amendment Act 1992 No. 12\*  
 Strata Titles (Part Strata) Amendment Act 1992 No. 11\*



*Statute Law (Miscellaneous Provisions) Act (No. 2) 1993 No. 108—Notes*

---

Supply of Electricity (Variation of Agreements) Act 1920 No. 30\*\*  
Totalizator Legislation (Amendment) Act 1992 No. 60\*  
Totalizator (Off-course Betting) Further Amendment Act 1991 No. 97\*  
Trade Measurement Administration (Charges) Amendment Act 1991 No. 51\*  
Traffic (Offences) Amendment Act 1992 No. 71\*  
Water Board (Amendment) Act 1991 No. 98\*  
Workers Compensation Legislation (Amendment) Act 1992 No. 36\*

---

[Minister's second reading speech made in—  
Legislative Assembly on 27 October 1993  
Legislative Council on 16 November 1993]

