

**STATUTE LAW (MISCELLANEOUS PROVISIONS) ACT  
(No. 2) 1994 No. 95**

**NEW SOUTH WALES**



**Act No. 95, 1994**

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 12 December 1994]

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

1. This Act may be cited as the Statute Law (Miscellaneous Provisions) Act (No. 2) 1994.

**Commencement**

2. This Act commences on the date of assent, except as provided in Schedules 1 and 2.

**Amendments**

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

**Repeals**

4. Each Act specified in Schedule 4 is repealed.

**General savings, transitional and other provisions**

5. Schedule 5 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.

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**SCHEDULE 1—MINOR AMENDMENTS**

(Sec. 3)

**ANNUAL REPORTS (DEPARTMENTS) ACT 1985 No. 156****AMENDMENTS****Section 17 (Land register):**

- (a) Omit "Secretary of the Premier's Department" wherever occurring, insert instead "Director-General of the Department of Conservation and Land Management".
- (b) From section 17 (1), omit "given by the Secretary, furnish to the Secretary", insert instead "given by the Director-General, furnish to the Director-General".
- (c) From section 17 (1) (e), omit "Secretary", insert instead "Director-General".
- (d) From section 17 (3), omit "to the Secretary", insert instead "to the Director-General".

**COMMENCEMENT**

The amendments to the Annual Reports (Departments) Act 1985 commence on the date of assent to this Act.

**EXPLANATORY NOTE**

Section 17 of the Act concerns the keeping of a register of land vested in, owned or occupied by, or subject to the control of, each Department (or Minister) and provides for the furnishing of information to allow the register to be kept. At present, the Managing Director of the Property Services Group is responsible for keeping the register. (Although the Act provides that the Secretary of the Premier's Department is to keep the register, an Administrative Changes Order gazetted on 31 May 1991 provides that references in section 17 (and in section 14 of the Annual Reports (Statutory Bodies) Act 1984) to the Secretary are to be construed as references to the Managing Director of the Property Services Group.)

The proposed amendments transfer the responsibility for keeping the register to the Director-General of the Department of Conservation and Land Management.

Similar amendments to section 14 of the Annual Reports (Statutory Bodies) Act 1984 are proposed to be made by the amendments immediately following.

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**ANNUAL REPORTS (STATUTORY BODIES) ACT 1984 No. 87****AMENDMENTS****Section 14 (Land register):**

- (a) Omit "Secretary of the Premier's Department" wherever occurring, insert instead "Director-General of the Department of Conservation and Land Management".
- (b) From section 14 (1), omit "given by the Secretary, furnish to the Secretary", insert instead "given by the Director-General, furnish to the Director-General".
- (c) From section 14 (1) (f), omit "Secretary", insert instead "Director-General".
- (d) From section 14 (4), omit "to the Secretary", insert instead "to the Director-General".
- (e) From section 14 (5), omit "report to the Secretary", insert instead "report to the Director-General".

**COMMENCEMENT**

The amendments to the Annual Reports (Statutory Bodies) Act 1984 commence on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendments are similar to amendments to the Annual Reports (Departments) Act 1985 proposed to be made by the amendments immediately preceding these amendments. The Explanatory Note to those amendments is also applicable to these amendments.

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**ASSOCIATIONS INCORPORATION ACT 1984 No. 143****AMENDMENTS**

## (1) The whole Act:

Omit “the prescribed form” wherever occurring, insert instead “an approved form”.

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

In section 3, insert in alphabetical order:

“**approved**”, in relation to a form, means approved by the Commissioner;

(3) Section 27 (**Lodgment of accounts etc.**):

## (a) After section 27 (1), insert:

(1A) The Commissioner may, at any time, insert in a form approved for the purposes of the statement referred to in subsection (1), such details relating to an incorporated association as are known to the Commissioner, and may provide the partially-completed form (or part of the form) to the association concerned.

(1B) The public officer of an incorporated association provided with such a form does not meet the requirements of subsection (1) if the public officer does not cause the form to be completed in full (with details that were inserted by the Commissioner corrected if necessary and further matter added if part only of the form was provided) and duly lodged in accordance with this section.

## (b) From section 27 (2), omit “if it thinks fit”, insert instead “if the Commissioner thinks fit”.

**COMMENCEMENT**

The amendments to the Associations Incorporation Act 1984 commence on the date of assent to this Act.

**EXPLANATORY NOTE****Prescribed forms** (items (1) and (2))

At present, an application made, a notice or statement required to be given or lodged and a certificate issued, under the Act, and a supplementary document referred to in section 65 (2) (c) of the Act, must be in the form prescribed by the regulations. The proposed amendments repeal that requirement, providing instead that the applications, notices, statements, certificates and supplementary documents are to be in a form approved by the Commissioner for Consumer Affairs.

Item (1) replaces all references to “prescribed form” with “approved form”, and item (2) inserts a definition of “approved” (in relation to a form).

**Annual statements** (item (3) (a))

Section 27 requires the public officer of an incorporated association to lodge an annual statement of accounts and other matters with the Commissioner for Consumer Affairs.

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Item (3) (a) of the proposed amendments allows the Commissioner to provide an incorporated association with a partially-completed version of the statement (or part of the statement), and requires the public officer of the association concerned to arrange the completion and lodgment of the statement.

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

Item (3) (b) of the proposed amendments makes an amendment by way of statute law revision.

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**BUSH FIRES ACT 1949 No. 31**

**AMENDMENTS**

(1) Section 11 (**Duration, revocation, suspension and variation of permits**):

From section 11 (4), omit “for 21 days after the day on which it was granted”, insert instead “for such period (not exceeding 21 days) as is specified in it”.

(2) Schedule 1A (**Savings and transitional provisions**):

From Part 3 (as inserted by the Bush Fires (Amendment) Act 1994 No. 24):

(a) Omit “**Part 3**”, insert instead “**Part 2A**”.

(b) Omit “6. (1)”, insert instead “5A. (1)”.

**COMMENCEMENT**

The amendments to the Bush Fires Act 1949 commence on the date of assent to this Act.

**EXPLANATORY NOTE**

**Permits to light certain classes of fires** (item (1))

A permit under section 10 of the Bush Fires Act 1949 is required for certain classes of fires, such as those for the purpose of clearing land during a bush fire danger period (October to March, inclusive, for the entire State). At present, section 11 (4) provides that such a permit remains in force for 21 days after the day on which it was granted (unless, during that period, it is revoked or ceases to have effect because of a direction given under section 16 of the Act).

Item (1) of the proposed amendments allows the permit to be granted for a period of less than 21 days.

**Statute law amendments** (item (2))

Item (2) of the proposed amendments corrects duplicated numbering.

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## BUSINESS NAMES ACT 1962 No. 11

### AMENDMENTS

(1) The whole Act:

- (a) Omit “Managing Director” wherever occurring (except where occurring in section 4 (1) but including wherever occurring in a heading to a section), insert instead “Commissioner”.
- (b) Omit “Managing Director’s” wherever occurring, insert instead “Commissioner’s”.
- (c) Omit “the prescribed form” wherever occurring, insert instead “an approved form”.

(2) Section 4 (**Definitions**):

- (a) In section 4 (1), insert in alphabetical order:

“**Approved**”, in relation to a form, means approved by the Commissioner.

“**Commissioner**” means the Commissioner for Consumer Affairs.

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

(3) Section 7 (**Registration of business names**):

- (a) In section 7 (1) (a), after “business name”, insert “(and, if the applicant or applicants wish, up to 2 alternative business names in order of preference)”.

- (b) After section 7 (3), insert:

(3A) If the business name set out in the statement lodged under subsection (1) is not able to be registered under this Act because of the operation of section 5B or 9, the Commissioner is to consider (in the applicant’s preferred order) any alternative business names set out in that statement and is to register the first of those alternatives that is, subject to this Act, able to be registered.

(4) Section 8 (**Resident agent**):

- (a) From section 8 (1), omit “shall”, insert instead “is to be accompanied by a further statement”.
- (b) From section 8 (1) (a), omit “include”, insert instead “that sets out”.
- (c) From section 8 (1) (b), omit “in addition be”, insert instead “that is”.

(5) Section 9 (**Restriction on registration of business names that are undesirable etc.**):

From section 9 (2), omit “the Attorney-General of each State of the Commonwealth”, insert instead “the Minister in each State and Territory of the Commonwealth who administers the Act of the State or Territory that is concerned with the registration of business names”.

(6) Section 15 (**Signing of statements**):

From section 15 (1) (b), omit “manager or the”, insert instead “the chief executive officer or”.

(7) Section 32 (**Regulations**):

Omit section 32 (2) (d).

**COMMENCEMENT**

The amendments to the Business Names Act 1962 commence on the date of assent to this Act.

**EXPLANATORY NOTE**

**References to “Managing Director”** (items (1) (a) and (b) and (2) (a) (in part) and (b))

Item (1) (a) and (b) of the proposed amendments makes explicit in the Act the effect of an Administrative Changes Order to the extent that the Order affects the Act. The Order provides (among other things) that references to the Managing Director of Business and Consumer Affairs in the Act are to be construed as references to the Commissioner for Consumer Affairs.

Item (2) (b) and part of item (2) (a) make consequential amendments by omitting the definition of “Managing Director” and inserting a definition of “Commissioner”.

**Prescribed forms** (items (1) (c), (2) (a) (in part) and (7))

At present, a statement or notification required to be lodged, and a certificate issued, under the Act must be in the form prescribed by the regulations. The proposed amendments repeal that requirement, providing instead that the statements, notifications and certificates are to be in a form approved by the Commissioner for Consumer Affairs.

Item (1) (c) replaces all references to “prescribed form” with “approved form”, and part of item (2) (a) inserts a definition of “approved” (in relation to a form).

Item (7) makes a consequential amendment by repealing the power to make regulations prescribing the forms to be used under the Act.

**Registration of business names** (item (3))

Item (3) (a) of the proposed amendments allows an applicant for the registration of a business name to nominate up to 2 alternative names (in order of preference) on the application form.

Sections 5B (Business names must use English alphabet etc.) and 9 (Restriction on registration of business names that are undesirable etc.) of the Act can operate to prevent the registration of a particular name as a business name. If the operation of one of those sections is the reason that the applicant’s first choice of name cannot be registered, item (3) (b) requires the Commissioner for Consumer Affairs to register the first of the nominated alternative names (if any) that can be registered.

**Resident agent** (item (4))

At present, an applicant for the registration of a business name must provide the name and address of a resident agent on the application form if the applicant resides outside NSW or has no fixed address within NSW. The effect of item (4) of the proposed amendments is to require the agent's name and address to be on a separate form, rather than on the application form. The proposed amendments alter the subsection as follows (matter to be omitted is in *italic* type, matter to be inserted is in **bold** type):

8. (1) Where a business name is required to be registered under this Act and the person or all the persons carrying on or proposing to carry on business in the State under that name resides or reside outside the State, or has or have no fixed address within the State, the statement referred to in subsection (1) of section 7 **shall is to be accompanied by a further statement:**

- (a) *include that sets out* the name and address of some person resident in the State .....; and
- (b) *in addition be that is* signed by the person who has consented to be the resident agent.

**Notification of direction not to register particular name** (item (5))

Section 9 (1) empowers the Minister to direct the Commissioner for Consumer Affairs not to accept a name, or a name of a kind, for registration as a business name. Section 9 (2) requires (among other things) a copy of any such direction to be forwarded to the Attorney-General of the Commonwealth and "the Attorney-General of each State of the Commonwealth".

Item (5) of the proposed amendments provides that, instead of being sent to the State Attorneys-General, the copy is to be sent to the Minister in each State and Territory who administers the Act that is concerned with the registration of business names.

**"Manager" of corporation** (item (6))

Item (6) of the proposed amendments updates a reference to a "manager" of a corporation by replacing it with a reference to the "chief executive officer" in line with current usage.

**CHILDREN (CRIMINAL PROCEEDINGS) ACT 1987 No. 55****AMENDMENTS****Section 39 (Definitions):**

Omit the definitions of "Director-General" and "officer", insert instead:

**"Director-General"** means the person for the time being holding office or acting as the Director-General of the Department of Juvenile Justice;

**"officer"** means an officer or temporary employee, within the meaning of the Public Sector Management Act 1988, employed in the Department of Juvenile Justice or in the Department of Corrective Services.



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**COMMENCEMENT**

The amendments to the Children (Criminal Proceedings) Act 1987 commence on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendments replace references to the Department of Family and Community Services with references to the Department of Juvenile Justice. These amendments are consequential on administrative changes.

The proposed amendments also update a reference to a repealed Act.

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**COMPENSATION COURT ACT 1984 No. 89**

**AMENDMENT**

Section 42 (**Rule Committee**):

After section 42 (7), insert:

(7A) The Rule Committee may, if it thinks fit, transact any of its business by the circulation of papers among all members of the Rule Committee for the time being, and a resolution in writing approved in writing by a majority of those members is taken to be a decision of the Rule Committee.

**COMMENCEMENT**

The amendment to the Compensation Court Act 1984 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendment allows the Rule Committee of the Compensation Court to transact its business by means of the circulation of papers and resolutions, rather than by calling a physical meeting of its members. The Rule Committees of various other courts are already empowered to transact business in this way.

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**DISABILITY SERVICES ACT 1993 No. 3**

**AMENDMENTS**

Section 6 (**Minister to ensure that designated services are provided and funded in conformity with the Act**):

- (a) From section 6 (2) (b) and (3) (b), omit "2 years" wherever occurring, insert instead "3 years".
- (b) From section 6 (4), omit "2-year period", insert instead "3-year period".

**COMMENCEMENT**

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

**EXPLANATORY NOTE****Postponement of application of section 6 to certain services (item (a))**

Section 6 (1) of the Act requires the Minister to ensure that “designated services” under the Act are provided and funded in conformity with the objects of the Act and the principles, and applications of principles, set out in Schedule 1 to the Act. Section 6 (2)–(4) provides for the postponement (in certain circumstances) for 2 years of the application of section 6 to services that were provided or funded by the Minister or by the Commonwealth before the commencement of the section, and for the preparation of transition plans in relation to them.

The application of section 6 to those services is currently postponed to 9 April 1995. Item (a) of the proposed amendments extends that postponement for a further year from that date.

**Minister’s obligation during postponement (item (b))**

During the period that section 6 does not apply to the services concerned, the Minister must ensure that those services are provided or funded as closely as possible in conformity with the objects, principles and application of principles concerned. That period is specified in section 6 (4). Item (b) amends that subsection as a consequence of the extension of the postponement.

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**DISTRICT COURT ACT 1973 No. 9****AMENDMENT****Section 161 (Civil procedure rules):**

From section 161 (1), omit:

(1) The Rule Committee may make rules, not inconsistent with this Act, for or with respect to any matter that by this Act is required or permitted to be prescribed for the purposes of, or in connection with, the exercise by the Court of its civil jurisdiction or that is necessary or convenient to be prescribed for carrying out or giving effect to this Part and Division 3 of Part 2 or any Act under or by virtue of which rules made under this Part apply, and in particular for or with respect to:

insert instead:

(1) The Rule Committee may make rules, not inconsistent with this Act, for or with respect to any matter:

- that by this Act, or by any other Act or law, is required or permitted to be prescribed by rules; or
- that is necessary or convenient to be prescribed by rules,

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for the purposes of, or in connection with, the exercise by the Court of its civil jurisdiction under provisions of this Act, or of any other Act or law, or for carrying any such provisions into effect, and in particular for or with respect to:

**COMMENCEMENT**

The amendment to the District Court Act 1973 commences on the date of assent to this Act.

**VALIDATION**

Any rule of court made (or purporting to be made) under section 161 of the District Court Act 1973 that could have been made under that section as amended by this Act is taken to be made under that section as so amended.

**EXPLANATORY NOTE**

Section 161 empowers the Rule Committee of the District Court to make rules concerning the Court's exercise of its civil jurisdiction.

The proposed amendment makes the following points clear:

- (a) the section applies even if the jurisdiction is conferred on the Court by an Act other than the District Court Act 1973;
- (b) the rules are not to be concerned with any matter *other than* the Court's exercise of its jurisdiction.

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**ELECTION FUNDING ACT 1981 No. 78**

**AMENDMENT**

**Section 74 (Claims for, and approvals of, payments):**

From section 74 (1), omit "90 days" wherever occurring, insert instead "120 days".

**COMMENCEMENT**

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

**EXPLANATORY NOTE**

The proposed amendment extends the time allowed for the lodgment of claims for payments under section 74 of the Act (relating to expenditure for election campaign purposes) from 90 days to 120 days after the return of the writs for the election or by-election concerned. That time is consistent with the time allowed (under sections 83–85A) for the lodgment of declarations of political contributions received and electoral expenditure incurred.

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**HEALTH CARE COMPLAINTS ACT 1993 No. 105****AMENDMENT**

## Section 70A:

After section 70, insert:

**Reporting when Parliament not in session**

70A. (1) If a House of Parliament is not sitting when the Joint Committee seeks to furnish a report to it, the Committee may present copies of the report to the Clerk of the House.

(2) The report:

- (a) on presentation and for all purposes is taken to have been laid before the House; and
- (b) may be printed by authority of the Clerk; and
- (c) if printed by authority of the Clerk, is for all purposes taken to be a document published by or under the authority of the House; and
- (d) is to be recorded in the Minutes, or Votes and Proceedings, of the House on the first sitting day of the House after receipt of the report by the Clerk.

**COMMENCEMENT**

The amendment to the Health Care Complaints Act 1993 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendment provides a mechanism by which the Committee on the Health Care Complaints Commission may report to a House of Parliament when the House is not sitting. Similar provisions are contained in the other Acts that establish Parliamentary Committees (such as the Regulation Review Act 1987), with the exception of the Ombudsman Act 1974. An equivalent provision is to be inserted in that Act by an amendment proposed to be made elsewhere in this Schedule.

**INFANTS' HOME, ASHFIELD, ACT 1924 No. 13****AMENDMENTS**

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

Omit the definition of "Members", insert instead:

**"Member"** means a person who:

- (a) has paid the annual fee, if any, charged by the body corporate for membership; and
- (b) is registered in any register of members kept under the constitution and rules of the body corporate.

(2) Section 3 (**Members to be corporate body**):

At the end of section 3 (4) (c), insert:

- ; and
- (d) invest any funds of the body corporate in any manner authorised by law for the investment of trust funds; and
- (e) borrow money on the security of the whole or any part of any property of the body corporate; and
- (f) enter into any contract; and
- (g) exercise and perform such powers, authorities, duties and functions, in addition to those specified elsewhere in this Act, as are necessary or convenient to enable it to achieve its objects.

## (3) Section 4A:

After section 4, insert:

**Liability of officers and members of body corporate and others**

4A. (1) A matter or thing done, or omitted to be done, by:

- (a) an officer or member of the governing body of the body corporate; or
- (b) a person acting under the direction of such an officer or member,

does not subject the officer, member or person so acting personally to any action, liability, claim or demand if the matter or thing was done, or omitted to be done, in good faith for the purpose of executing this Act.

(2) Despite the other provisions of this Act, the liability of any member of the body corporate is limited to the amount of the annual fee, if any, paid or payable by the member for membership.

(4) Section 5 (**Objects and powers**):

Omit section 5 (1), insert instead:

- (1) The body corporate has the following charitable objects:
  - (a) to uphold and promote:
    - (i) the dignity of children; and
    - (ii) childrens' rights to growth, care and opportunity; and
    - (iii) childrens' rights to health, happiness and self confidence;
  - (b) to assist parents, and especially sole parents, by providing child care, temporary accommodation and advice in respect of child care, home management and health;
  - (c) to provide services to protect children from circumstances that may endanger them.

**COMMENCEMENT**

The amendments to the Infants' Home, Ashfield, Act 1924 commence on the date of assent to this Act.

**EXPLANATORY NOTE****Membership** (item (1))

Item (1) of the proposed amendments replaces the definition of “Members” of the body corporate that conducts the Infants’ Home, Ashfield, so as to clarify the classes of persons who are members.

**Powers of body corporate** (item (2))

Item (2) of the proposed amendments expressly sets out in a provision specifying powers of the body corporate certain other powers that are contemplated elsewhere in the Act. For example, section 6 (2) (c) contemplates the making of rules for the application or investment of the body corporate’s funds, and section 7 specifies the way in which contracts may be made on behalf of the body corporate.

The amendment also permits the body corporate to exercise such other functions as are necessary or convenient for it to achieve its objects.

**Limitation of liability** (item (3))

Item (3) of the proposed amendments provides protection from personal liability for officers and members of the governing body of the body corporate, and persons acting under their direction, in relation to activities done (or omitted to be done) in good faith for the purpose of executing the Infants’ Home, Ashfield, Act 1924.

Item (3) also ensures that the liability of members of the body corporate is limited to the amount of the annual fee (if any) payable for membership.

**Objects of body corporate** (item (4))

At present, the objects of the body corporate are set out in section 5 (1) in very specific terms (such as “to assist foundlings”). Item (4) of the proposed amendments replaces that subsection with a series of more general objects that are in keeping with the current activities of the body corporate.

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**JUSTICES ACT 1902 No. 27****AMENDMENTS**

Section 131AF (**Appeal by Crown to Land and Environment Court against sentence**):

(a) After section 131AF (1), insert:

(1A) The Environment Protection Authority may appeal to the Land and Environment Court against any sentence imposed by a Justice or Justices in proceedings for an environmental offence that has been dealt with summarily if those proceedings have been instituted or carried on by, or on behalf of, the Environment Protection Authority.

(b) Before section 131AF (3) (a), insert:

(aa) a reference to the Director of Public Prosecutions is, in relation to an appeal under subsection (1A), to be construed as a reference to the Environment Protection Authority.

**COMMENCEMENT**

The amendments to the Justices Act 1902 commence on the date of assent to this Act.

**TRANSITIONAL**

Section 131AF (1A) of the Justices Act 1902, as inserted by this Act, does not apply in respect of a sentence imposed before the commencement of the subsection.

**EXPLANATORY NOTE**

At present, section 131AF of the Act empowers the Director of Public Prosecutions to appeal to the Land and Environment Court against any sentence imposed by a Justice or Justices in proceedings for an environmental offence that has been dealt with summarily if the Director of Public Prosecutions instituted or carried on the proceedings concerned.

Item (a) of the proposed amendments confers the same power on the Environment Protection Authority in respect of sentences imposed by a Justice or Justices in proceedings instituted or carried on by or on behalf of the Authority.

Item (b) makes a consequential amendment.

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**LOCAL COURTS ACT 1982 No. 164****AMENDMENTS**(1) Section 4 (**Definitions**):

- (a) From section 4 (1), omit the definition of “prescribed office”.
- (b) Omit section 4 (4).

(2) Section 13 (**Appointments for limited tenure**):

Omit section 13 (2)–(4).

(3) Section 20 (**Vacation of office**):

Omit section 20 (g).

(4) Section 23 (**Employment of Magistrates in other offices etc.**):

Omit section 23 (5).

(5) Section 24 (**Remuneration**):

- (a) From section 24 (1), omit “subsection (2) or (3),”, insert instead “subsection (2),”.
- (b) Omit section 24 (3).

**COMMENCEMENT**

The amendments to the Local Courts Act 1982 commence on the date of assent to this Act.

**TRANSITIONAL**

The holder of a prescribed office who was appointed to be a Magistrate under section 13 (2) of the Local Courts Act 1982 before the repeal of that subsection by this Act, and who, on that repeal, holds the office of Magistrate pursuant to that appointment is taken to have been appointed under section 12 of that Act.

*Statute Law (Miscellaneous Provisions) Act (No. 2) 1994 No. 95—Sch. 1***AMENDMENT TO LOCAL COURTS REGULATION 1994**

Clause 4 (2) of the Local Courts Regulation 1994 is amended by omitting the words “, or who is the holder of a prescribed office within the meaning of the Act.”.

**EXPLANATORY NOTE**

Section 4 (1) of the Local Courts Act 1982 defines “prescribed office” as the office of Clerk of a Local Court and any other office prescribed for the purposes of the definition. Section 13 (2) of the Act empowers the Governor to appoint the holder of a prescribed office to be a Magistrate.

However, the Act also empowers the Governor to appoint *any* qualified person to be a Magistrate (section 12 (1)) or a Magistrate for a specified term (section 13 (1)), and to grant approval to the person’s holding and exercising the functions of another office or appointment at the same time as the office of Magistrate (section 23 (2)). The specific power relating to the holder of a prescribed office is, therefore, unnecessary.

Accordingly, the proposed amendments remove the references to “prescribed office” from the Act. They also make a consequential amendment to the Local Courts Regulation 1994.

**MINING ACT 1992 No. 29****AMENDMENTS**

The whole Act (including headings to sections of the Act):

- (a) Omit “warden’s court” wherever occurring, insert instead “Warden’s Court”.
- (b) Omit “wardens’ courts” wherever occurring, insert instead “Wardens’ Courts”.

**COMMENCEMENT**

The amendments to the Mining Act 1992 commence on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendments use capital initial letters to refer to Wardens’ Courts. Similar amendments are proposed to be made to the Native Title (New South Wales) Act 1994, the Petroleum (Onshore) Act 1991 and the Very Fast Train (Route Investigation) Act 1989 elsewhere in this Schedule.

**NATIVE TITLE (NEW SOUTH WALES) ACT 1994 No. 45****AMENDMENTS**

The whole Act (including headings to sections of the Act):

- (a) Omit “warden’s court” wherever occurring, insert instead “Warden’s Court”.
- (b) Omit “wardens’ courts” wherever occurring, insert instead “Wardens’ Courts”.



**COMMENCEMENT**

The amendments to the Native Title (New South Wales) Act 1994 commence on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendments are similar to the amendments to the Mining Act 1992 immediately preceding these amendments. The Explanatory Note to those amendments is also applicable to these amendments.

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**OCCUPATIONAL HEALTH AND SAFETY ACT 1983 No. 20****AMENDMENT****Section 4 (Definitions):**

In section 4 (1), in the definition of “place of work”, after “premises”, insert “, or any other place,”.

**COMMENCEMENT**

The amendment to the Occupational Health and Safety Act 1983 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendment makes it clear that the term “place of work”, when used in the Occupational Health and Safety Act 1983, includes any place where a person works. In particular, the amendment makes it clear that places in or under water are covered by the Act, so that, for example, occupational divers come within its ambit.

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**OMBUDSMAN ACT 1974 No. 68****AMENDMENTS****(1) Section 10A (Delegation to other Ombudsman):**

In section 10A (1), before “18”, insert “13A,”.

**(2) Part 3, heading:**

After “INVESTIGATIONS”, insert “AND CONCILIATIONS”.

**(3) Section 13A:**

After section 13, insert:

**Dealing with complaint by conciliation**

13A. (1) The Ombudsman may, at any time, decide to attempt to deal with a complaint by conciliation under this section.

(2) The conciliator in any conciliation under this section is to be the Ombudsman or an officer of the Ombudsman. However, the conciliator may, with the agreement of the complainant, arrange for a mediator to assist in the conciliation.

(3) Participation in the conciliation by the parties to a complaint is voluntary, and either party may withdraw at any time. The conciliator may also terminate the attempt at conciliation at any time.

(4) Evidence of anything said or admitted during the conciliation (or attempted conciliation) and any document prepared for the purposes of any such conciliation are not admissible:

(a) in any subsequent investigation, under this Part, of the complaint concerned (unless the person who said or admitted the thing, or to whom the document relates, consents to its admission); or

(b) in any proceedings in a court or before a person or body authorised to hear and receive evidence.

(5) If an attempt to deal with a complaint by conciliation under this section is unsuccessful, the complaint is to be treated under this Part as if the attempted conciliation had not taken place. However, the conciliator is excluded from participating as an investigating officer in any investigation of the complaint.

(6) Nothing in this section prevents a complaint from being dealt with otherwise than in accordance with this section.

(4) Section 14 (**Amendment of Schedule**):

In section 14 (2) and (6) (a), after “investigation” wherever occurring, insert “or conciliation”.

(5) Section 15 (**Reasons for refusal to conciliate, investigate or continue investigation**):

In section 15 (1) (b) (i), after “complained of”, insert “or to deal with the complaint by conciliation”.

(6) Section 23 (**Expert assistance**):

In section 23, after “investigation”, insert “or conciliation”.

(7) Section 31FA:

After section 31F, insert:

**Reporting when Parliament not in session**

31FA. (1) If a House of Parliament is not sitting when the Joint Committee seeks to furnish a report to it, the Committee may present copies of the report to the Clerk of the House.

(2) The report:

(a) on presentation and for all purposes is taken to have been laid before the House; and

(b) may be printed by authority of the Clerk; and

(c) if printed by authority of the Clerk, is for all purposes taken to be a document published by or under the authority of the House; and

(d) is to be recorded in the Minutes, or Votes and Proceedings, of the House on the first sitting day of the House after receipt of the report by the Clerk.

(8) Section 35 (**Ombudsman, officer or expert as witness**):

After section 35 (2), insert:

(3) Subsection (1) applies to a person whose services are engaged under section 23 in the same way as it applies to the Ombudsman and officers of the Ombudsman.

#### COMMENCEMENT

The amendments to the Ombudsman Act 1974 commence on the date of assent to this Act.

#### EXPLANATORY NOTE

##### **Conciliation of complaints** (items (1)–(6))

Item (3) of the proposed amendments enables the Ombudsman to attempt to deal with complaints by way of conciliation. Item (1) allows the Ombudsman to delegate this power to a person exercising functions similar to those of the Ombudsman under a law of another State, the Commonwealth or a Territory of the Commonwealth. Items (2) and (4)–(6) make consequential amendments.

##### **Reporting to Parliament when Parliament not sitting** (item (7))

Item (7) of the proposed amendments provides a mechanism by which the Committee on the Office of the Ombudsman may report to a House of Parliament when the House is not sitting. Similar provisions are contained in the other Acts that establish Parliamentary Committees (such as the Regulation Review Act 1987), with the exception of the Health Care Complaints Act 1993. An equivalent provision is to be inserted in that Act by an amendment proposed to be made elsewhere in this Schedule.

##### **Giving evidence in other proceedings** (item (8))

Section 23 empowers the Ombudsman, in conducting an investigation (or a conciliation) under the Act, to engage the services of any person for the purpose of getting expert assistance. Section 35 prevents the Ombudsman, and any officer of the Ombudsman other than a member of the Police Force, from giving evidence or producing any document in any legal proceedings or proceedings before the Police Tribunal in respect of any information obtained by the Ombudsman or officer in the course of his or her office.

Item (8) of the proposed amendments extends the ambit of section 35 so as to cover persons whose services are engaged under section 23.

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## PETROLEUM (ONSHORE) ACT 1991 No. 84

#### AMENDMENTS

(1) Section 110 (**Manner of assessment**):

From section 110 (2) (d) and (3), omit “warden’s court” wherever occurring, insert instead “Warden’s Court”.

(2) Section 114 (**Wardens' Courts**):

- (a) Omit "Wardens' courts", insert instead "Wardens' Courts".
- (b) Omit "wardens' courts", insert instead "Wardens' Courts".

(3) Section 115 (**Jurisdiction of court**):

From section 115 (1), omit "warden's court", insert instead "Warden's Court".

**COMMENCEMENT**

The amendments to the Petroleum (Onshore) Act 1991 commence on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendments are similar to the amendments to the Mining Act 1992 proposed to be made elsewhere in this Schedule. The Explanatory Note to those amendments is also applicable to these amendments.

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**POISONS ACT 1966 No. 31****AMENDMENTS**(1) Section 4 (**Definitions**):

From paragraph (b) of the definition of "Wholesale dealing" in section 4 (1), omit "profession, business, trade or industry" wherever occurring, insert instead "activity".

(2) Section 6 (**Poisons Advisory Committee**):

- (a) From section 6 (3) (f), omit "the Agricultural and Veterinary Chemicals Association of Australia Ltd.", insert instead "Avcare Limited".
- (b) Omit section 6 (3) (i), insert instead:

- (i) 1 is to be a person representing the country members of The Retail Traders' Association of New South Wales; and

**COMMENCEMENT**

The amendments to the Poisons Act 1966 commence on the date of assent to this Act.

**TRANSITIONAL**

- (1) The person who, on the commencement of the amendment made to section 6 (3) (f) of the Poisons Act 1966 by this Act, is a member of the Poisons Advisory Committee pursuant to an appointment under that paragraph is taken to have been appointed under that paragraph as so amended.
- (2) The person (if any) who, on the commencement of the amendment made to section 6 (3) (i) of the Poisons Act 1966 by this Act, purported to be a member of the Poisons Advisory Committee pursuant to an appointment under that paragraph is taken to have been appointed under that paragraph as so amended.

**EXPLANATORY NOTE****Meaning of “wholesale dealing” (item (1))**

The definition of “wholesale dealing” in section 4 (1) of the Act includes (among other things) supply, in certain circumstances, to persons for use in connection with any prescribed “profession, business, trade or industry”.

Item (1) of the proposed amendments substitutes the generic term “activity” for “profession, business, trade or industry”.

**Amendments consequential on administrative changes (item (2))**

Item (2) (a) of the proposed amendments is consequential on the change of name of a registered company.

Item (2) (b) is consequential on the fact that The Retail Traders’ Association of New South Wales no longer has a Country Division.

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**POLICE SERVICE ACT 1990 No. 47****AMENDMENTS****Section 195 (Orders prohibiting publication):**

(a) From section 195, omit “the name and address”, insert instead “any information, photograph, drawing or other material that identifies, or is likely to lead to the identification”.

(b) At the end of section 195, insert:

(2) In this section, “**publication**” includes broadcasting by radio or television.

**COMMENCEMENT**

The amendments to the Police Service Act 1990 commence on the date of assent to this Act.

**TRANSITIONAL**

Section 195 of the Police Service Act 1990, as amended by this Act, extends to apply to any proceedings that are before the Police Tribunal on the commencement of the amendment (except in so far as any material that identifies, or is likely to lead to the identification of, any witness or complainant in the proceedings has already been published).

**EXPLANATORY NOTE**

At present, section 195 empowers the Police Tribunal to make orders prohibiting or restricting the publication of the name and address of any witness or complainant concerned in any proceedings before it or, if the proceedings are by way of appeal, concerned in the appeal or in any previous proceedings.

The proposed amendments make it clear that such orders may extend to prohibiting or restricting the publication in *any* way of *any* matter that is likely to lead to the identification of a witness or complainant.

The proposed amendments alter the section as follows (matter to be omitted is in *italic* type and matter to be inserted is in **bold** type):

195. (1) In any proceedings before the Police Tribunal, the Police Tribunal may by order prohibit or restrict the publication of *the name and address any information, photograph, drawing or other material that identifies, or is likely to lead to the identification:*

- (a) of any witness or complainant concerned in the proceedings; or
- (b) if the proceedings are by way of appeal—of any witness or complainant concerned in the appeal or any previous proceedings.

(2) In this section, “**publication**” includes **broadcasting by radio or television.**

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## POULTRY MEAT INDUSTRY ACT 1986 No. 101

### AMENDMENTS

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

- (a) From section 4 (3), omit “14 members”, insert instead “15 members”.
- (b) Omit section 4 (3) (a), insert instead:
  - (a) 1 is to be an independent person of the Minister’s own choosing;
- (c) Omit section 4 (3) (d), insert instead:
  - (d) 2 are to be independent persons who, in the opinion of the Minister, are skilled in negotiation or have expertise in commerce.
- (d) After section 4 (6), insert:
  - (7) In subsection (3) (a) and (d), “**independent**” means the following:
    - (a) not an officer of the Department of Agriculture;
    - (b) not a representative of processors or growers.

### COMMENCEMENT

The amendments to the Poultry Meat Industry Act 1986 commence on a day or days to be appointed by proclamation.

### TRANSITIONAL

- (1) The person who held office as a member of the Poultry Meat Industry Committee under section 4 (3) (a) of the Poultry Meat Industry Act 1986 immediately before the replacement of that paragraph by this Act ceases to hold that office on that replacement.
- (2) The person who held office as a member of the Committee under section 4 (3) (d) of that Act immediately before the replacement of that paragraph by this Act ceases to hold that office on that replacement.

- (3) The persons appointed as members of the Committee under section 4 (3) (a) or (d) of that Act as replaced by this Act are taken to be appointed for a term that expires on the same date as the term of the member last appointed under the paragraph concerned before its replacement by this Act.

**EXPLANATORY NOTE****Poultry Meat Industry Committee**

The proposed amendments:

- (a) increase the number of members of the Poultry Meat Industry Committee from 14 to 15 (item (a)); and
- (b) replace the member who was an officer of the Department of Agriculture with an independent person of the Minister's choosing (who, by operation of section 4 (4), is to be the Chairperson of the Committee) (item (b)); and
- (c) replace the member who represented consumers of poultry meat with 2 independent persons with negotiating skills or commercial expertise (item (c)); and
- (d) define the meaning of "independent" for the purposes of section 4 (3) (a) and (d) (item (d)).

**PREVENTION OF CRUELTY TO ANIMALS ACT 1979 No. 200****AMENDMENTS**

- (1) Section 25 (**Powers of officers in respect of certain places**):

From section 25 (2), omit "within the meaning of the Animal Research Act 1985 unless the officer is an inspector within the meaning of that Act.", insert instead "in relation to any animal research authorised to be carried out on that land by an animal research authority or an animal research licence (being an authority or licence that is in force), unless the officer is an inspector. In this subsection, "**designated land**", "**animal research**", "**animal research authority**", "**animal research licence**" and "**inspector**" have the same meanings as they have in the Animal Research Act 1985."

- (2) Section 26 (**Powers of officers, generally**):

From section 26 (7A), omit "within the meaning of the Animal Research Act 1985 unless the officer is an inspector within the meaning of that Act.", insert instead "in relation to any animal research authorised to be carried out on that land by an animal research authority or an animal research licence (being an authority or licence that is in force), unless the officer is an inspector. In this subsection, "**designated land**", "**animal research**", "**animal research authority**", "**animal research licence**" and "**inspector**" have the same meanings as they have in the Animal Research Act 1985."

**COMMENCEMENT**

The amendments to the Prevention of Cruelty to Animals Act 1979 commence on the date of assent to this Act.

**EXPLANATORY NOTE**

Animal research is carried out on “designated land” under the Animal Research Act 1985. It is supervised by animal care and ethics committees established under that Act. For that reason, an officer under the Prevention of Cruelty to Animals Act 1979 is not authorised to exercise his or her powers on designated land unless the officer is an inspector under the Animal Research Act 1985. The effect of this is that officers who are not inspectors cannot exercise their powers on designated land even in relation to matters that do not involve animal research.

The proposed amendments will allow all officers to exercise their powers on designated land in relation to matters *other than* matters involving authorised animal research or the supply of animals for that research.

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**PUBLIC FINANCE AND AUDIT ACT 1983 No. 152****AMENDMENT****Section 6 (Preparation of the Public Accounts):**

From section 6 (2), omit “or one hundred thousand dollars”, insert instead “, one hundred thousand or one million dollars”.

**COMMENCEMENT**

The amendment to the Public Finance and Audit Act 1983 is taken to have commenced on 30 June 1994.

**EXPLANATORY NOTE**

At present, section 6 (2) permits rounding of amounts in the Public Accounts to the nearest \$1,000 or \$100,000. However, the Public Finance and Audit Act 1983 has been amended to require the Public Accounts to be composed of accrual-based consolidated financial statements for the budget sector rather than (as in the past) in the form of statements of receipts and payments (which is on a cash accounting basis).

The proposed amendment will permit rounding of the amounts in those Accounts to the nearest \$1,000, \$100,000 or \$1,000,000. The lower figures are retained because the Accounts in the new format will provide some supplementary information covering certain matters (such as trust funds) that were previously reported on in the old format and in respect of which either of those lower figures might be appropriate.

The proposed amendment is taken to have commenced at the same time as the amendment requiring the Public Accounts to be in the new format.

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**REPRINTS ACT 1972 No. 48****AMENDMENT**

Section 13 (**Application of certain provisions of this Act to certain instruments**):

Omit section 13 (a) and (b), insert instead:

- (a) a statutory rule within the meaning of the Interpretation Act 1987; and

**COMMENCEMENT**

The amendment to the Reprints Act 1972 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

At present, section 13 of the Reprints Act 1972 applies certain other sections of that Act to the following instruments (as well as to environmental planning instruments within the meaning of the Environmental Planning and Assessment Act 1979):

- (a) ordinances made under the Local Government Act 1919 (some of those ordinances are still in force);
- (b) regulations, rules and by-laws that are either made by the Governor or are required to be approved or confirmed by the Governor.

The provisions applied include, for example, section 6 (which gives the Attorney General the discretion to authorise an Act to be reprinted with the omission of all or any of the amending provisions contained in the Act), section 9D (which provides that roman numerals may be regarded as being interchangeable with the corresponding arabic numerals) and section 9F (which provides that colons may be regarded as being interchangeable with dashes).

The proposed amendment extends the application of the provisions concerned to rules of court. (A "statutory rule" is defined, for the purposes of the Interpretation Act 1987, to mean a regulation, by-law, rule or ordinance that is either made by the Governor or is required to be approved or confirmed by the Governor, or a rule of court. Ordinances under Acts other than the Local Government Act 1919—such as the Anglican Church of Australia (Bodies Corporate) Act 1938—are not made, approved or confirmed by the Governor.)

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**SOUTH-WEST TABLELANDS WATER SUPPLY ADMINISTRATION  
ACT 1941 No. 36**

**AMENDMENT**

Section 2 (**Definitions**):

In the definition of "Council", after "Local Government Act", insert "and includes an electricity distributor exercising water supply functions because of clause 7 of Schedule 11 to the Electricity Act 1945".

**COMMENCEMENT**

The amendment to the South-west Tablelands Water Supply Administration Act 1941 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

A proclamation made under the Electricity Act 1945 dissolved a number of county councils with effect from 1 July 1993. Clause 7 of Schedule 11 (Savings, transitional and other provisions) to that Act transferred the water supply functions of those defunct county councils to electricity distributors established under the Act.

The proposed amendment ensures that electricity distributors to whom water supply functions were so transferred are treated under the South-west Tablelands Water Supply Administration Act 1941 in the same way as councils exercising those functions. It incorporates in that Act the effect of the relevant subclause of a transitional regulation currently in force under the Electricity Act 1945.

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**SPORTING INJURIES INSURANCE ACT 1978 No. 141****AMENDMENTS****Section 31 (Rules):**

(a) In section 31 (1) (f), after “Act”, insert “and the reimbursement (or non-reimbursement) by the Committee of any specific costs incurred in connection with the due making of those applications”.

(b) After section 31 (1), insert:

(1A) A rule may be made under section 31 (1) (f) for or with respect to the reimbursement by the Committee of any costs incurred in connection with an application duly made before the commencement of this subsection and not finally determined on that commencement.

**COMMENCEMENT**

The amendments to the Sporting Injuries Insurance Act 1978 commence on a day to be appointed by proclamation.

**EXPLANATORY NOTE**

At present, section 31 (1) (f) empowers the Sporting Injuries Committee to make rules for or with respect to the making of applications for benefits under the Act. Item (a) of the proposed amendments makes it clear that the rules may provide for the reimbursement (or non-reimbursement) of any costs incurred in making those applications in accordance with the rules. Item (b) allows the making of such rules in relation to applications made before the commencement of the subsection inserted by that item if the applications have not been finally determined on that commencement.

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## STRATA TITLES (LEASEHOLD) ACT 1986 No. 219

### AMENDMENT

#### Schedule 2A (**Strata Management Statements**):

Omit clause 2 (2), insert instead:

(2) The following persons must be members of the building management committee:

- (a) each body corporate for a leasehold strata scheme for part of the building;
- (b) every other person:
  - (i) in whom is vested an estate in fee simple in any part of the building or its site that does not form part of a stratum parcel; or
  - (ii) who holds a leasehold estate, directly from the person in whom the fee simple is vested, in such a part of the building or its site.

### COMMENCEMENT

The amendment to the Strata Titles (Leasehold) Act 1986 commences on a day to be appointed by proclamation.

### EXPLANATORY NOTE

Clause 2 (2) of Schedule 2A specifies certain persons who must be members of the building management committee of a building that is subject to one or more leasehold strata schemes. At present, those persons include the body corporate for each leasehold strata scheme for part of the building, and any other person in whom is vested an estate in fee simple in any part of the building or its site that is not subject to a leasehold strata scheme. They do not include any *lessees* of a part of the building or site that is not subject to a leasehold strata scheme.

The proposed amendment removes this anomaly by including on the committee the head lessees (but not sublessees) of those parts of the building or site that are not subject to a leasehold strata scheme.

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## TEACHER HOUSING AUTHORITY ACT 1975 No. 27

### AMENDMENTS

#### (1) Section 7 (**Appointment etc. of members**):

- (a) From section 7 (1) (a), omit "3", insert instead "4".
- (b) Omit section 7 (1) (b).
- (c) After section 7 (2) (a), insert:
  - (b) one is to be nominated by the Managing Director of the TAFE Commission and is to be a senior financial manager of that Commission;
- (d) Omit section 7 (5) and (6).

*Statute Law (Miscellaneous Provisions) Act (No. 2) 1994 No. 95—Sch. 1*

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(2) Section 11 (**Vacation of office**):

From section 11 (1) (k) and (l) and (2), omit “, (b)” wherever occurring.

**COMMENCEMENT**

The amendments to the Teacher Housing Authority Act 1975 commence on a day to be appointed by proclamation.

**EXPLANATORY NOTE**

**Constitution of Authority** (item (1) (b) and (c))

At present, section 7 (1) (b) provides that the person holding, or acting in, the office of Secretary of the Treasury is to be an ex-officio member of the Teacher Housing Authority. Item (1) (b) of the proposed amendments removes that member from the Authority.

However, the membership of the Authority is to remain at its current level of 6. Item (1) (c) of the proposed amendments provides for an additional appointed member, who is to be a senior financial manager of the Technical and Further Education Commission nominated by the Managing Director of that Commission.

**Consequential amendments** (items (1) (a) and (d) and (2))

Item (1) (a) is consequential on item (1) (c), and items (1) (d) and (2) are consequential on item (1) (b).

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**TRADE MEASUREMENT ACT 1989 No. 233**

**AMENDMENT**

Section 81 (**Special provisions—application of Act in the State**):

Omit section 81 (2).

**COMMENCEMENT**

The amendment to the Trade Measurement Act 1989 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendment repeals a provision requiring a weighbridge with a capacity of 9 tonnes or more to be the subject, in certain circumstances, of a building certificate under section 317AE of the Local Government Act 1919 (now section 172 of the Local Government Act 1993). It is considered that the certificate serves no useful purpose in relation to such a weighbridge.

New South Wales, Queensland, South Australia, the Northern Territory and the Australian Capital Territory have adopted uniform trade measurement. None of those States or Territories other than New South Wales has a provision equivalent to section 81 (2) in their trade measurement legislation.

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**UNIVERSITY OF TECHNOLOGY, SYDNEY, ACT 1989 No. 69****AMENDMENTS****Section 9 (Constitution of Council):**

- (a) From section 9 (4), omit “4 persons”, insert instead “6 persons”.
- (b) After section 9 (4) (c), insert:
  - (c1) persons who, in the opinion of the Minister, are likely to contribute to the cultural diversity of the University;
- (c) From section 9 (5) (c) (i), omit “a student”, insert instead “an undergraduate student”.
- (d) In section 9 (5) (c) (iii), before “students”, insert “the undergraduate”.
- (e) After section 9 (5) (c), insert:
  - (c1) one person:
    - (i) who is a postgraduate student of the University but who is not a member of the academic or non-academic staff of the University;
    - (ii) who has such qualifications as may be prescribed by the by-laws; and
    - (iii) who is elected by the postgraduate students of the University in the manner prescribed by the by-laws;
- (f) In section 9 (5) (d), after “4 persons”, insert “(at least one of whom is a graduate of the University)”.

**COMMENCEMENT**

The amendments to the University of Technology, Sydney, Act 1989 commence on a day or days to be appointed by proclamation.

**TRANSITIONAL**

- (1) If, on the commencement of paragraph (c) or (e) of the amendments made to the University of Technology, Sydney, Act 1989 by this Act, the membership of the Council of the University fails to comply with section 9 (5) of that Act as so amended, then, for the purposes of clause 3 (1) of Schedule 1 to that Act, there is taken to be a casual vacancy in the office of the member in respect of which the failure exists.
- (2) If, on the commencement of paragraph (f) of the amendments made to the University of Technology, Sydney, Act 1989 by this Act, the membership of the Council of the University fails to comply with section 9 (5) of that Act as so amended, the membership is taken so to comply until such time as the office of one or more of the members referred to in section 9 (5) (d) becomes vacant.

**EXPLANATORY NOTE**

The proposed amendments alter the composition of the Council of the University of Technology, Sydney, in the following way:

- (a) by increasing the number of appointed members from 4 to 6 (item (a));
  - (b) by providing an additional category of persons from which the appointments are to be made (item (b));
  - (c) by increasing the number of student members from 1 to 2 and by providing that, of the 2 student members, one is to be an undergraduate elected by the undergraduate students and the other a postgraduate elected by the postgraduate students (items (c)–(e));
  - (d) by providing that at least 1 of the 4 members elected from members of Convocation is to be a graduate of the University (item (f)).
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**VERY FAST TRAIN (ROUTE INVESTIGATION) ACT 1989 No. 44****AMENDMENTS**

Section 19 (**Determination of claim for compensation**):

- (a) From section 19 (1) and (2), omit “mining warden’s court” wherever occurring, insert instead “Warden’s Court”.
- (b) At the end of section 19, insert:
  - (7) In this section, “**Warden’s Court**” means a Warden’s Court established under the Mining Act 1992.

**COMMENCEMENT**

The amendments to the Very Fast Train (Route Investigation) Act 1989 commence on the date of assent to this Act.

**SAVING**

A mining warden’s court referred to in section 19 of the Very Fast Train (Route Investigation) Act 1989 before the amendment made to that section by this Act is taken to be, and always to have been, a Warden’s Court established under the Mining Act 1992.

**EXPLANATORY NOTE**

The proposed amendments are similar to the amendments to the Mining Act 1992 proposed to be made elsewhere in this Schedule. The Explanatory Note to those amendments is also applicable to these amendments.

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**WOMEN'S COLLEGE ACT 1902 No. 71****AMENDMENT****Section 5 (Constitution of Council):**

Omit section 5 (2), insert instead:

(2) In addition to the persons referred to in subsection (1) (b), the holders of the following offices are to be ex-officio councillors:

(a) the Vice-Principal of the College;

(b) the President of the union (known as the Women's College Union) of members and friends of the College.

**COMMENCEMENT**

The amendment to the Women's College Act 1902 commences on a day to be appointed by proclamation.

**EXPLANATORY NOTE**

At present, section 5 (2) provides that the holder of the office of Vice-Principal of the Women's College is to be an ex-officio member of the Council of the Women's College.

The proposed amendment adds the President of the Women's College Union as a further ex-officio member of that Council.

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

(Sec. 3)

**ADMINISTRATION OF JUSTICE ACT 1924 No. 42****AMENDMENT****Section 2 (Arrangement):**

Omit the section.

**COMMENCEMENT**

The amendment to the Administration of Justice Act 1924 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendment omits a superfluous section.

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**CONTRACTORS' DEBTS ACT 1897 No. 29****AMENDMENT****Section 16 (Proceedings after judgment):**

From section 16, omit "plaintiff" where secondly occurring, insert instead "defendant".

**COMMENCEMENT**

The amendment to the Contractors' Debts Act 1897 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

A previous machinery amendment omitted the words "The plaintiff in the event of his obtaining judgment against the defendant", but replaced those words with "If the plaintiff obtains judgment against the plaintiff [instead of 'defendant'], the plaintiff". The proposed amendment corrects this obvious error.

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**CONVEYANCERS LICENSING ACT 1992 No. 55****AMENDMENTS****(1) Section 4 (Conveyancing work):**

At the end of section 4 (3) (g), insert "or".

**(2) Section 27 (Sharing of receipts with unqualified persons):**

At the end of section 27 (2) (b), insert "and".

**(3) Section 29 (Sharing staff of legal practitioners and real estate agents etc.):**

Omit section 29 (b), insert instead:

(b) by the holder of a licence or certificate of registration under the Property, Stock and Business Agents Act 1941.

**(4) Section 155 (Functions of the Association):**

From section 155 (c), omit "licences", insert instead "licensees".

**(5) Schedule 3 (Savings, transitional and other provisions):**

From clause 1 (3), omit "its publication of the Gazette", insert instead "its publication in the Gazette".

**COMMENCEMENT**

The amendments to the Conveyancers Licensing Act 1992 commence on the date of assent to this Act.



**EXPLANATORY NOTE**

The proposed amendments:

- (a) insert missing conjunctions (items (1) and (2)); and
- (b) repeal and re-enact section 29 (b) so as to omit an unnecessary word and update a reference to another Act (item (3)); and
- (c) correct a typographical error (item (4)); and
- (d) correct an incorrect preposition (item (5)).

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**CRIMES ACT 1900 No. 40**

**AMENDMENT**

Eleventh Schedule (**Savings and transitional provisions**):

From the heading to Part 5, omit “**Statements**”, insert instead “**Evidence**”.

**COMMENCEMENT**

The amendment to the Crimes Act 1900 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendment corrects an incorrect citation of another Act.

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**DEBITS TAX ACT 1990 No. 112**

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

From paragraph (d) of the definition of “excluded debit” in section 3 (1), omit “is” where firstly occurring.

(2) Section 21 (**Amendment of assessments**):

From section 21 (4) (b), omit “if the amount of tax overpaid has been recovered from an account holder and the Chief Commissioner is satisfied”, insert instead “if the amount of tax overpaid has been recovered from an account holder—the Chief Commissioner is satisfied”.

(3) Section 50 (**Collection of tax from persons owing money to taxpayers**):

- (a) From section 50 (1) (a), omit “by whom”, insert instead “from whom”.
- (b) In section 50 (1), after “becoming”, insert “due”.

**COMMENCEMENT**

The amendments to the Debits Tax Act 1990 commence on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendments:

- (a) correct errors of syntax (items (1) and (2)); and
- (b) correct an incorrect word (item (3) (a)); and
- (c) insert a missing word (item (3) (b)).

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**FILM AND COMPUTER GAME CLASSIFICATION ACT  
1984 No. 155**

**AMENDMENTS**

- (1) Section 16 (**Retention of films and computer games by censor**):  
In section 16 (b), after “computer” where firstly occurring, insert “game”.
- (2) Section 46 (**Forfeiture of films and computer games on conviction**):  
From section 46, omit “34A” where firstly occurring, insert instead “, 34A”.

**COMMENCEMENT**

The amendments to the Film and Computer Game Classification Act 1984 commence on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendments insert a missing word and a missing comma.

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**FINANCIAL INSTITUTIONS (NEW SOUTH WALES) ACT  
1992 No. 46**

**AMENDMENT**

Section 41:

After section 40, insert:

**References to repealed Acts**

41. (1) A reference in any Act, in any instrument made under an Act or in any document to an Act, or a provision of an Act, repealed by section 39 is to be read as a reference to the Financial Institutions (NSW) Code, or to the corresponding provision of that Code.

(2) Subsection (1) does not apply to a reference in the scheme legislation of New South Wales.

**COMMENCEMENT**

The amendment to the Financial Institutions (New South Wales) Act 1992 is taken to have commenced on 30 June 1992.

**EXPLANATORY NOTE**

The proposed amendment makes it clear that references in other legislation and in private documents to the laws repealed by the Financial Institutions (New South Wales) Act 1992 (such as the Permanent Building Societies Act 1967 and the Credit Union Act 1969) are to be read as references to the law that replaced those repealed laws (the Financial Institutions (NSW) Code). The amendment is taken to have commenced on the commencement of the Financial Institutions (New South Wales) Act 1992.

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**FISHERIES AND OYSTER FARMS ACT 1935 No. 58****AMENDMENT**

Section 5A (**Fisheries Administration Ministerial Corporation**):

From section 5A (5) (a), omit “liabilities”, insert instead “liabilities”.

**COMMENCEMENT**

The amendment to the Fisheries and Oyster Farms Act 1935 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendment corrects a typographical error.

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**FISHERIES MANAGEMENT ACT 1994 No. 38****AMENDMENT**

Schedule 7 (**Savings, transitional and other provisions**):

From clause 10 (5), omit “licences”, insert instead “licences”.

**COMMENCEMENT**

The amendment to the Fisheries Management Act 1994 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendment corrects a typographical error.

---

**IRRIGATION CORPORATIONS ACT 1994 No. 41**

**AMENDMENT**

Section 81 (**Change of Principal under contract**):

From section 81 (3) (b), omit “are”, insert instead “is”.

**COMMENCEMENT**

The amendment to the Irrigation Corporations Act 1994 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendment corrects a grammatical error.

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**MOTOR ACCIDENTS ACT 1988 No. 102**

**AMENDMENT**

Section 73 (**Payment of interest**):

From section 73 (4) (a) (ii), omit “to” where thirdly occurring.

**COMMENCEMENT**

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

**EXPLANATORY NOTE**

The proposed amendment omits a duplicated word.

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**PUBLIC NOTARIES ACT 1985 No. 6**

**AMENDMENT**

Section 12 (**Effect of expression “public notary”**):

From section 12, omit “is” where firstly occurring, insert instead “it”.

**COMMENCEMENT**

The amendment to the Public Notaries Act 1985 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendment corrects a typographical error.

---

**REGISTERED CLUBS ACT 1976 No. 31****AMENDMENT**

**Section 33 (Approval of secretary of registered club):**

From section 33 (3) (b), omit “or (4B)”.

**COMMENCEMENT**

The amendment to the Registered Clubs Act 1976 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

Section 33 (4B) of the Act, as enacted by the Registered Clubs (Amendment) Act 1993, was replaced before it commenced. The contents of the new subsection are such that a cross-reference to it in section 33 (3) (b) is inappropriate. The proposed amendment omits that cross-reference.

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**STAMP DUTIES ACT 1920 No. 47****AMENDMENT**

**Section 3 (Definitions):**

From the definition of “Company title dwelling” in section 3 (1), omit “on land” where firstly occurring.

**COMMENCEMENT**

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

**EXPLANATORY NOTE**

The proposed amendment omits duplicated words.

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**STATUTE LAW (MISCELLANEOUS PROVISIONS) ACT 1994 No. 32****AMENDMENT**

**Schedule 1 (Minor amendments):**

From the matter relating to the Prisons Act 1952, omit item (3) (b).

**COMMENCEMENT**

The amendment to the Statute Law (Miscellaneous Provisions) Act 1994 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendment repeals a provision that will not be commenced. Items (3) (a) and (b) of the amendments to the Prisons Act 1952 in Schedule 1 to the Statute Law (Miscellaneous Provisions) Act 1994 were, as explained in the note to the amendments, in the alternative. As item (3) (a) has been commenced, item (3) (b) may be repealed.

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**SUBORDINATE LEGISLATION ACT 1989 No. 146****AMENDMENTS**

- (1) Section 6 (**Regulatory impact statements not necessary in certain cases**):

From section 6 (1) (b), omit “the Attorney General” wherever occurring, insert instead “the Minister administering this Act”.

- (2) Section 12 (**Machinery provisions regarding repeal**):

Omit section 12 (5).

**COMMENCEMENT**

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

**REPEAL**

The Administrative Changes (Subordinate Legislation) Order 1991, published in Gazette No. 116 of 16 August 1991 at page 6845, is repealed on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendments:

- (a) make explicit in the Act the effect of an Administrative Changes Order that provides that the “references to the Attorney General in section 6 (1) (b) of the Subordinate Legislation Act 1989 are to be construed as references to the Minister administering that Act” and permit the repeal of that Order (item (1)); and
- (b) omit a provision concerning the Mines Inspection General Rules 1901, as those Rules have been repealed (item (2)).

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

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

Omit clause 7.

**COMMENCEMENT**

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

**EXPLANATORY NOTE**

Clause 7 of Schedule 4 provides that the provisions of Part 8 of the Technical and Further Education Regulation 1975, as in force immediately before the repeal of that Regulation, continue to have effect with respect to students of a TAFE establishment until the regulations under the Act otherwise provide.

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The effect of clause 23 of the Technical and Further Education Commission (Student Discipline) Regulation 1994 is that Part 8 has no effect in relation to a breach of discipline alleged to have arisen on or after 2 September 1994.

Clause 7 is, therefore, spent. The proposed amendment repeals the clause. (The operation of Part 8 in relation to breaches of discipline alleged to have arisen before 2 September 1994 is saved by section 30 (2) (b) of the Interpretation Act 1987.)

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

#### **AMENDMENT**

##### **Section 193 (Definitions):**

From section 193 (1), omit the definition of “periodic actuarial investigation”.

#### **COMMENCEMENT**

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

#### **EXPLANATORY NOTE**

The proposed amendment omits a definition that is no longer used.

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### **ZOOLOGICAL PARKS BOARD (CONSERVATION AND ENVIRONMENTAL OBJECTIVES) AMENDMENT ACT 1992 No. 44**

#### **AMENDMENT**

##### **Schedule 1 (Amendments):**

In item (2), from proposed section 15 (3) (a) of the Zoological Parks Board Act 1973, omit “goverments”, insert instead “governments”.

#### **COMMENCEMENT**

The amendment to the Zoological Parks Board (Conservation and Environmental Objectives) Amendment Act 1992 commences on the date of assent to this Act.

#### **EXPLANATORY NOTE**

The proposed amendment corrects a typographical error.

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### **SCHEDULE 3—AMENDMENTS REPLACING GENDER-SPECIFIC LANGUAGE**

(Sec. 3)

#### **EXPLANATORY NOTE**

The amendments proposed to be made by this Schedule replace gender-specific language with gender-neutral language.

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**ADMINISTRATION OF JUSTICE ACT 1924 No. 42****AMENDMENTS**

## Section 5:

- (a) From section 5 (2) (c) and (e), omit “he” wherever occurring, insert instead “the judgment debtor”.
- (b) From section 5 (4) (c), omit “him to his”, insert instead “the judge to the judge’s”.
- (c) After “he” in section 5 (4) (c), insert “or she”.

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**ADMINISTRATION (VALIDATING) ACT 1900 No. 38****AMENDMENT**

## Section 5:

- (a) Omit “him”, insert instead “the deceased”.
- (b) Omit “his”, insert instead “the deceased’s”.

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**BAIL ACT 1978 No. 161****AMENDMENTS**

- (1) Sections 5, 7, 8, 9, 11, 15, 18, 20, 21, 26, 28, 31, 32, 34, 41, 48, 49–53 and 58:

From sections 5, 7, 8 (2)–(4), 9 (3) and (4) (a), 11, 15, 18 (3) (a) (ii), 20 (b), 21, 26, 28, 31, 32 (1) (b), 34 (1), 41 (1), 48 (6) and (8) (c), 49, 50 (3), 51 (2) and (3), 52, 53 (b) and 58 (2) and (3) (a), omit “he” wherever occurring, insert instead “the person”.

- (2) Section 6:

- (a) From section 6 (a), omit “his” where firstly occurring, insert instead “the person”.
- (b) From section 6 (a), omit “his” where secondly occurring, insert instead “the person’s”.
- (c) From section 6 (b), omit “his”, insert instead “the person”.
- (d) From section 6 (e), omit “his”, insert instead “the person’s”.
- (e) From section 6 (f), omit “his” where firstly occurring, insert instead “the person”.
- (f) From section 6 (f) (i) and (ii) and (g), omit “his” wherever occurring, insert instead “the person’s”.



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- (3) Sections 7, 8, 9, 16, 18, 26, 27, 32, 34, 48 and 50–53:

From sections 7 (1), 8 (2) (a) (iii), 9 (2) (b), 16 (c), 18 (1) (a), 26 (1), 27 (1) (a) and (b), 32 (1) (a) and (b), 34 (4), 48 (8) (c), 50 (1) and (2), 51 (1), 52 and 53 (a), omit “his” wherever occurring, insert instead “the person’s”.

- (4) Sections 8, 18, 20, 21, 25, 34, 49, 50 and 51:

From sections 8 (2) (b), 18, 20, 21, 25 (3), 34 (1), 49, 50 (1)–(3) and 51 (1) and (8), omit “him” wherever occurring, insert instead “the person”.

- (5) Section 9:

From section 9 (2) (a), omit “he or it”, insert instead “the officer or the court”.

- (6) Sections 18, 20, 27 and 61:

From sections 18 (3) (b), 20, 27 (1) (c) and 61, omit “his” wherever occurring, insert instead “the person”.

- (7) Section 19:

- (a) From section 19 (1), omit “he” where firstly occurring, insert instead “the officer”.
- (b) From section 19 (1), omit “him” wherever occurring, insert instead “the person”.
- (c) From section 19 (1) (a) and (b), omit “he” wherever occurring, insert instead “the person”.
- (d) From section 19 (1) (a), omit “his”, insert instead “the person’s”.
- (e) From section 19 (2), omit “he”, insert instead “the officer”.

- (8) Section 23:

- (a) From section 23 (a), omit “him”, insert instead “the magistrate or justice and”.
- (b) From section 23 (b), omit “him”, insert instead “the magistrate or justice”.

- (9) Section 24:

- (a) From section 24 (1) (a) and (b), omit “his” wherever occurring, insert instead “the person’s”.
- (b) From section 24 (1) (d), omit “his” insert instead “the person”.
- (c) From section 24 (2) and (3), omit “he” wherever occurring, insert instead “the magistrate or justice”.

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- (10) Section 36:
- (a) In section 36 (2), after “his” wherever occurring, insert “or her”.
  - (b) In section 36 (2) (b), after “he” wherever occurring, insert “or she”.
  - (c) From section 36 (4), omit “he”, insert instead “the person”.
- (11) Section 42:
- (a) From section 42 (1) and (4), omit “he” wherever occurring, insert instead “the person”.
  - (b) From section 42 (1), (3) and (4), omit “his” wherever occurring, insert instead “the applicant’s”.
  - (c) From section 42 (2), omit “him”, insert instead “the person”.
  - (d) From section 42 (2) and (6), omit “his” wherever occurring, insert instead “the person’s”.
- (12) Section 44:
- (a) From section 44 (1), omit “himself”, insert instead “the justice”.
  - (b) From section 44 (2), omit “himself”, insert instead “the reviewing magistrate”.
- (13) Section 53:  
Omit “Her Majesty”, insert instead “the Crown”.
- (14) Section 57:  
Omit “he” wherever occurring, insert instead “that person”.
- (15) Section 66:  
From section 66 (1) omit “him”, insert instead “the police officer”.

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**CHILDREN (EQUALITY OF STATUS) ACT 1976 No. 97**

**AMENDMENT**

**Section 20 (Reports of blood tests):**

From section 20 (5), omit “him” wherever occurring, insert instead “the person”.

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**COMMON CARRIERS ACT 1902 No. 48**

**AMENDMENTS**

- (1) Section 4:  
Omit “such common carrier or to his”, insert instead “the carrier or to the carrier’s”.
- (2) Section 7:  
From section 7 (1), omit “him”, insert instead “the carrier”.

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- (3) Section 8:  
From section 8 (2), omit “his or their”, insert instead “the carrier’s or carriers’ ”.
- (4) Section 9:  
(a) Omit “such carrier or his servants”, insert instead “the carrier or the carrier’s servants”.  
(b) From section 9 (c), omit “him”, insert instead “the party”.
- (5) Section 10:  
(a) Omit “his” where firstly occurring, insert instead “the carrier’s”.  
(b) Omit “his” where secondly occurring, insert instead “the servant’s”.
- (6) Section 11:  
Omit “he”, insert instead “the carrier”.

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**COMMONWEALTH PLACES (ADMINISTRATION OF LAWS) ACT  
1970 No. 80**

**AMENDMENTS**

- (1) Section 5:  
(a) From section 5 (a), omit “it or he”, insert instead “the Authority”.  
(b) From section 5, omit “its or his”, insert instead “the Authority’s”.
- (2) Section 8:  
From section 8 (1), omit “he”, insert instead “, the offender”.
- (3) Section 11:  
Omit “he”, insert instead “that person”.

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**COMMUNITY SERVICE ORDERS ACT 1979 No. 192**

**AMENDMENTS**

- (1) Section 9:  
After “himself” wherever occurring, insert “or herself”.
- (2) Sections 11, 18 and 25:  
From sections 11, 18 (2) and 25 (2) and (4), omit “him” wherever occurring, insert instead “the person”.

## (3) Sections 11, 12, 18–20 and 23–26:

From sections 11 (b), 12 (2) (a), 18 (1) and (2) (b), 19 (b), 20, 23 (1), 24, 25 (1) and 26 (2), omit “he” wherever occurring, insert instead “the person”.

## (4) Sections 14, 20, 22, 24 and 26:

From sections 14 (d), 20, 22 (1), 24 and 26 (2) (a) (ii), omit “his” wherever occurring, insert instead “the person’s”.

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**COSTS IN CRIMINAL CASES ACT 1967 No. 13****AMENDMENTS**

## (1) Section 2:

- (a) From section 2 (b) (i), omit “he” where firstly occurring, insert instead “the defendant”.
- (b) In section 2 (b) (i), after “he” where secondly occurring, insert “or she”.
- (c) From section 2 (b) (ii), omit “he”, insert instead “the defendant”.

## (2) Section 3:

From section 3 (2), omit “he or they” wherever occurring, insert instead “the Justice or Justices”.

## (3) Section 3A:

From section 3A (2) (b), omit “it, he or they”, insert instead “the Court, Judge, Justice or Justices”.

## (4) Section 4:

- (a) From section 4 (2) and (4), omit “him” wherever occurring, insert instead “the Under Secretary”.
  - (b) From section 4 (3) (b), omit “he”, insert instead “the applicant”.
  - (c) From section 4 (3) (b), omit “him”, insert instead “the applicant”.
  - (d) From section 4 (3) (b), omit “his”, insert instead “the applicant’s”.
  - (e) From section 4 (4), omit “he”, insert instead “the Under Secretary”.
  - (f) In section 4 (5), after “his”, insert “or her”.
-

**CRIMINAL APPEAL ACT 1912 No. 16****AMENDMENTS**

- (1) Section 2:
  - (a) From section 2 (2) (c), omit “him”, insert instead “the person”.
  - (b) From section 2 (2) (c), omit “his”, insert instead “the person’s”.
  - (c) From section 2 (2), omit “he”, insert instead “that person”.
- (2) Section 5:
  - (a) From section 5 (1), omit “his” wherever occurring, insert instead “the person’s”.
  - (b) From section 5 (2), omit “him” wherever occurring, insert instead “the person”.
- (3) Section 5AA:
  - (a) From section 5AA (2), omit “him” wherever occurring, insert instead “the person”.
  - (b) From section 5AA (6), omit “him”, insert instead “the appellant”.
- (4) Section 5B:

Omit “him”, insert instead “the Judge”.
- (5) Section 7:
  - (a) From section 7 (2), omit “him” wherever occurring, insert instead “the appellant”.
  - (b) From section 7 (4), omit “his or her”, insert instead “the appellant’s”.
- (6) Section 8:

From section 8 (2), omit “him” wherever occurring, insert instead “the appellant”.
- (7) Section 9:

From section 9 (3), omit “it or he”, insert instead “the court or judge”.
- (8) Section 11:

Omit “his” wherever occurring, insert instead “the judge’s”.
- (9) Section 14:
  - (a) From section 14 (1), omit “he” wherever occurring, insert instead “the appellant”.
  - (b) From section 14 (1), omit “his”, insert instead “the appellant’s”.

(10) Section 15:

- (a) Omit “his” wherever occurring, insert instead “the appellant’s”.
- (b) Omit “he”, insert instead “the appellant”.

(11) Section 17:

From section 17 (2), omit “his” wherever occurring, insert instead “the appellant’s”.

(12) Section 18:

- (a) From section 18 (1) and (3), omit “his” wherever occurring, insert instead “the appellant’s”.
- (b) From section 18 (3) and (4), omit “he” wherever occurring, insert instead “the appellant”.

(13) Section 19:

- (a) From section 19 (2) and (3), omit “he” wherever occurring, insert instead “the registrar”.
- (b) From section 19 (3), omit “his”, insert instead “the governor’s”.

(14) Section 24:

- (a) From section 24 (1), omit “him”, insert instead “the appellant”.
- (b) From section 24 (1), omit “his”, insert instead “the appellant’s”.

(15) Section 25:

Omit “him”, insert instead “the appellant”.

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**CROWN ADVOCATE ACT 1979 No. 59**

**AMENDMENTS**

(1) Long title:

Omit “his duties and functions”, insert instead “the duties and functions of the Crown Advocate”.

(2) Section 2:

Omit “his”, insert instead “the Crown Advocate’s”.

(3) Section 4:

- (a) Omit “his capacity”, insert instead “his or her capacity”.
- (b) Omit “his term”, insert instead “the Crown Advocate’s term”.

(4) Section 5:

After “his” wherever occurring, insert “or her”.

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(5) Section 6:

- (a) From section 6 (1), omit “vacated his office”, insert instead “vacated the office of Crown Advocate”.
- (b) From section 6 (1), omit “he” wherever occurring, insert instead “the Crown Advocate”.
- (c) In section 6 (1) (b), after “his” wherever occurring, insert “or her”.
- (d) Omit section 6 (1) (d), insert instead:
  - (d) if the Crown Advocate resigns the office by instrument in writing addressed to the Governor; or
- (e) From section 6 (1) (f), omit “his term”, insert instead “the Crown Advocate’s term”.
- (f) From section 6 (1) (f), omit “his office”, insert instead “the office”.
- (g) From section 6 (2), omit “him”, insert instead “the Governor”.

(6) Section 7:

From section 7 (1), omit “him”, insert instead “the Crown Advocate”.

(7) Section 8 (**Deputy of Crown Advocate during Crown Advocate’s illness or absence**):

- (a) From section 8 (1), omit “his”, insert “the Crown Advocate’s”.
- (b) From section 8 (2), omit “his office”, insert instead “the office of Crown Advocate”.
- (c) From section 8 (2), omit “he”, insert instead “the Crown Advocate”.

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**DAMAGES (INFANTS AND PERSONS OF UNSOUND MIND) ACT  
1929 No. 25**

**AMENDMENTS**

(1) Section 3:

In the definition of “Person of unsound mind”, after “his”, insert “or her”.

(2) Section 4:

In section 4 (c) (ii), after “his” wherever occurring, insert “or her”.

(3) Section 5:

- (a) From section 5 (1)–(3), omit “him” wherever occurring, insert instead “the Public Trustee”.

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(b) From section 5 (1), omit “he”, insert instead “the Public Trustee”.

(c) From section 5 (4), omit “him”, insert instead “that person or body”.

(4) Section 7:

From section 7 (2), omit “he” wherever occurring, insert instead “the judge”.

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**FELONS (CIVIL PROCEEDINGS) ACT 1981 No. 84****AMENDMENTS**

Sections 3 and 4:

Omit “his” wherever occurring.

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**FINES AND PENALTIES ACT 1901 No. 16****AMENDMENTS**

(1) Section 5:

From section 5 (1), omit “His Majesty his Heirs and Successors”, insert instead “the Crown”.

(2) Section 6:

Omit “he”, insert instead “that Justice”.

(3) Section 7:

Omit “his or”.

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**FOREIGN JUDGMENTS ACT 1973 No. 39****AMENDMENTS**

(1) Sections 4 and 5:

From section 4 (3) and 5 (3), omit “he” wherever occurring, insert instead “the Governor”.

(2) Section 8:

From section 8 (1) (a) (iii), omit “him” wherever occurring, insert instead “the judgment debtor”.

(3) Section 9:

From section 9 (1), omit “he”, insert instead “the applicant”.

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**INCLOSED LANDS PROTECTION ACT 1901 No. 33****AMENDMENT**

## Section 6:

After “his” wherever occurring, insert “or her”.

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**INHERITANCE ACT OF 1901 No. 19****AMENDMENTS**

- (1) Section 3:
  - (a) From the definition of “Descent”, omit “he”, insert instead “the heir”.
  - (b) From the definition of “The person last entitled to land”, omit “he”, insert instead “that person”.
- (2) Section 4:
  - (a) Omit “he” where firstly and secondly occurring, insert instead “the person last entitled to the land”.
  - (b) Omit “he” where thirdly occurring, insert instead “that person”.
  - (c) Omit “he” where fourthly occurring, insert instead “the person”.
- (3) Section 5:
 

Omit “he”, insert instead “that person”.
- (4) Section 7 (**Limitation to grantor or grantor’s heirs creates an estate by purchase**):
 

Omit “his”, insert instead “the person’s”.
- (5) Sections 8, 11 and 12:
 

Omit “his” wherever occurring, insert instead “the person’s”.
- (6) Section 10 (**Lineal ancestor preferred to collaterals claiming through that ancestor**):
  - (a) After “his” where firstly and fourthly occurring, insert “or her”.
  - (b) Omit “his” where secondly and thirdly occurring, insert instead “the purchaser’s”.
  - (c) Omit “his” where fifthly occurring, insert instead “the ancestor’s”.
  - (d) Omit “his” where sixthly occurring, insert instead “that ancestor’s”.
- (7) Section 13:
  - (a) Omit “his” where firstly occurring, insert instead “that person’s”.
  - (b) Omit “his” where secondly occurring, insert instead “that relation’s”.

## (8) Section 16:

- (a) After “his”, insert “or her”.
- (b) Omit “he”, insert instead “the relation”.

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**INSURANCE ACT 1902 No. 49****AMENDMENTS**

## (1) Section 4:

- (a) Omit “himself” wherever occurring, insert instead “the insured”.
- (b) Omit “he” wherever occurring, insert instead “the insured”.
- (c) Omit “his” where firstly, secondly and thirdly occurring, insert instead “the insured’s”.
- (d) Omit “his” where fourthly occurring, insert instead “the bankrupt’s”.
- (e) Omit “him”, insert instead “the bankrupt”.

## (2) Section 10A:

Omit “his own hand”, insert instead “the person’s own hand”.

## (3) Section 11:

From section 11 (2), omit “he” wherever occurring, insert instead “the Judge”.

(4) Section 15 (**Assignee may sue in his or her own name**):

- (a) Omit “his”, insert instead “the assignee’s”.
- (b) Omit “he”, insert instead “the defendant”.

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**JUDGMENT CREDITORS’ REMEDIES ACT 1901 No. 8****AMENDMENTS**

## (1) Section 7:

Omit “him”, insert instead “the person”.

## (2) Section 8:

- (a) Omit “him”, insert instead “the sheriff”.
- (b) Omit “he”, insert instead “the sheriff”.

## (3) Section 12:

From section 12 (1), omit “such person himself”, insert instead “the person personally”.

(4) Section 14:

- (a) Omit “he”, insert instead “the sheriff”.
- (b) Omit “him”, insert instead “the sheriff”.

(5) Section 16:

Omit “his” wherever occurring, insert instead “the person’s”.

(6) Section 25:

- (a) From section 25 (1), omit “his” where firstly occurring, insert instead “the person’s”.
- (b) From section 25 (1) and (2), omit “his discharge” wherever occurring, insert instead “be discharged”.
- (c) From section 25 (2), omit “him”, insert instead “the person”.
- (d) From section 25 (2), omit “he” wherever occurring, insert instead “the person”.
- (e) From section 25 (2), omit “his certificate”, insert instead “a certificate”.
- (f) From section 25 (2), omit “his bankruptcy”, insert instead “bankruptcy”.
- (g) From section 25 (3), omit “him”, insert instead “the bailiff, gaoler or officer”.

(7) Section 27:

- (a) From section 27 (1) (a), omit “his name in his own right”, insert instead “the judgment debtor’s name in the judgment debtor’s own right”.
- (b) From section 27 (1) (a), omit “him”, insert instead “the judgment debtor”.
- (c) From section 27 (2), omit “he”, insert instead “the judgment creditor”.
- (d) From section 27 (2), omit “his”, insert instead “the judgment creditor’s”.

(8) Section 29:

Omit “his”, insert instead “the judgment creditor’s”.

(9) Section 31:

Omit “his”, insert instead “the judgment debtor’s”.

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**JURY ACT 1977 No. 18****AMENDMENTS**

- (1) Sections 12, 14, 17, 18, 30 and 74:  
From section 12 (1), 14 (2), 17, 18 (4), 30 (1) and 74 (1), omit “his” wherever occurring, insert instead “the sheriff’s”.
- (2) Sections 13, 27, 31, 60, 61, 62 and 64:  
From section 13 (1), 27 (2), 31 (2), 60 (1), 61, 62 and 64 (3)–(5), omit “his” wherever occurring, insert instead “the person’s”.
- (3) Sections 14, 18 and 26:  
From section 14 (1), 18 (1) (a) (i) and (ii) and 26 (1), omit “he” wherever occurring, insert instead “the sheriff”.
- (4) Sections 23, 28 and 30:  
From section 23 (1), 28 (1) and 30 (3), omit “him” wherever occurring, insert instead “the sheriff”.
- (5) Section 33:
  - (a) From section 33 (1), omit “him” where firstly occurring, insert instead “the presiding judge”.
  - (b) From section 33 (1), omit “him” where secondly occurring, insert instead “the pool officer”.
- (6) Section 34:
  - (a) From section 34 (1), omit “he”, insert instead “the pool officer”.
  - (b) From section 34 (2), omit “him”, insert instead “the pool officer”.
- (7) Sections 35 and 38:  
From sections 35 (2) and 38 (2), omit “he” wherever occurring, insert instead “the person”.
- (8) Section 39:
  - (a) From section 39 (1), omit “he”, insert instead “the judge or coroner”.
  - (b) From section 39 (2), omit “him”, insert instead “the judge or coroner”.
- (9) Section 40:  
From section 40 (2), omit “his”, insert instead “the party’s”.
- (10) Section 45:
  - (a) From section 45 (1), omit “he”, insert instead “the juror”.
  - (b) From section 45 (2), omit “his”, insert instead “the plaintiff’s”.

*Statute Law (Miscellaneous Provisions) Act (No. 2) 1994 No. 95—Sch. 3*

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(11) Sections 47 and 72:

From sections 47 and 72 (1), omit “his” wherever occurring, insert instead “the juror’s”.

(12) Section 49:

(a) From section 49 (3), omit “his” where firstly occurring, insert instead “the plaintiff’s”.

(b) From section 49 (3), omit “his” where secondly occurring, insert instead “the party’s”.

(c) From section 49 (4) (a) and (b), omit “his” wherever occurring, insert instead “the party’s”.

(13) Section 50:

From section 50 (2), omit “him”, insert instead “the coroner”.

(14) Section 55:

Omit “it or he”, insert instead “the court or coroner”.

(15) Section 59:

Omit “he”, insert instead “the coroner”.

(16) Sections 60 and 64:

From section 60 (2) and 64 (5) (b), omit “he” wherever occurring, insert instead “the person”.

(17) Sections 60 and 69:

From section 60 (2) and 69 (1), omit “him” wherever occurring, insert instead “the person”.

(18) Section 61:

Omit “to his knowledge he”, insert instead “the person knows that he or she”.

(19) Section 69:

In section 69 (1), (3) (b) and (6), after “his” wherever occurring, insert “or her”.

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**LIE DETECTORS ACT 1983 No. 62**

**AMENDMENTS**

Section 5:

(a) Omit “he” wherever occurring, insert instead “the person”.

(b) From section 5 (1) (b), omit “himself or another”, insert instead “the person or another person”.

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**MINES INSPECTION ACT 1901 No. 75****AMENDMENTS**

## (1) Section 4:

- (a) From paragraph (b) of the definition of “Mine” in section 4 (1), omit “men”, insert instead “persons”.
- (b) From the definition of “Owner” in section 4 (1), omit “he”, insert instead “the contractor or tributer”.

## (2) Section 5:

- (a) From section 5 (2), omit “him”, insert instead “the owner”.
- (b) In section 5 (2), after “himself”, insert “or herself”.
- (c) From section 5 (3) and (4), omit “he” wherever occurring, insert instead “the person”.
- (d) From section 5 (5), omit “his”, insert instead “the manager’s”.

## (3) Section 7:

- (a) From section 7 (1), omit “his”, insert instead “the applicant’s”.
- (b) From section 7 (1), omit “he”, insert instead “the applicant”.

## (4) Sections 8, 26, 42 and 67:

From sections 8 (1), 26 (4), 42 (2) and 67 (2), omit “he” wherever occurring, insert instead “the person”.

## (5) Sections 9 and 16:

From sections 9 (1) and 16 (1), omit “his” wherever occurring, insert instead “the holder’s”.

## (6) Section 12:

- (a) From section 12 (1) (b), omit “his”, insert instead “the person’s”.
- (b) From section 12 (1) and (2), omit “he” wherever occurring, insert instead “the person”.
- (c) From section 12 (3) (b), omit “men”, insert instead “persons”.

## (7) Section 14:

From section 14 (1), omit “his” wherever occurring, insert instead “the applicant’s”.

## (8) Section 18A:

- (a) From the definition of “medical certificate” in section 18A (1), omit “him”, insert instead “the medical practitioner”.

- (b) From paragraphs (a) and (b) of the definition of “medical certificate” in section 18A (1), and from section 18A (4), (5), (7) and (8), omit “his” wherever occurring, insert instead “the person’s”.
  - (c) From paragraph (c) of the definition of “medical certificate” in section 18A (1), and from section 18A (3), (5) (a) and (9), omit “he” wherever occurring, insert instead “the person”.
  - (d) From section 18A (3) (a), (4) and (7), omit “him” wherever occurring, insert instead “the person”.
  - (e) From section 18A (5) (b) and (8) (c), omit “he” wherever occurring, insert instead “the Chief Inspector”.
  - (f) From section 18A (8), omit “him”, insert instead “the Chief Inspector”.
- (9) Section 19:
- (a) Omit “his” where firstly occurring, insert instead “the manager’s or engine-driver’s”.
  - (b) In section 19 (d), after “himself”, insert “or herself”.
  - (c) From section 19 (d), omit “his”, insert instead “or by his or her”.
  - (d) From section 19 (d) and (g), omit “he” wherever occurring, insert instead “the manager or engine-driver”.
  - (e) From section 19 (e), omit “he”, insert instead “the Minister”.
  - (f) From section 19 (f), omit “his” where firstly occurring.
  - (g) From section 19 (f), omit “he”, insert instead “the manager or engine-driver”.
  - (h) From section 19 (f), omit “his” where secondly occurring, insert instead “the manager’s or engine-driver’s”.
- (10) Sections 20, 21, 39 and 78:
- From sections 20 (2), 21 (2), 39 and 78, omit “he” wherever occurring, insert instead “the Minister”.
- (11) Section 22:
- (a) Omit “he” where firstly occurring, insert instead “the person”.
  - (b) Omit “his”, insert instead “the person’s”.
  - (c) Omit “him”, insert instead “the person”.
  - (d) Omit “he” where secondly occurring, insert instead “the Minister”.
- (12) Section 24:
- In section 24 (c), after “himself”, insert “or herself”.

## (13) Section 25:

From section 25 (2), omit:

and in the event of any such contravention by any person whomsoever, the owner and manager of the mine shall each be guilty of an offence against this Act, unless he proves that he had taken all reasonable means, by publishing and to the best of his power enforcing the provisions of this section, to prevent the contravention.

insert instead:

and in the event of any such contravention by any person whomsoever:

- (a) the owner of the mine shall be guilty of an offence against this Act, unless the owner proves that he or she had taken all reasonable means, by publishing and to the best of his or her power enforcing the provisions of this section, to prevent the contravention; and
- (b) the manager of the mine shall be guilty of an offence against this Act, unless the manager proves that he or she had taken all reasonable means, by publishing and to the best of his or her power enforcing the provisions of this section, to prevent the contravention.

## (14) Section 31:

- (a) From section 31 (1) and (4), omit “he” wherever occurring, insert instead “the person”.

- (b) Omit section 31 (2), insert instead:

(2) And in the event of any such contravention or non-compliance by any person whomsoever:

- (a) the owner of the mine shall be guilty of an offence against this Act, unless the owner proves that he or she had taken all reasonable means, by publishing and to the best of his or her power enforcing the provisions of this section, to prevent the contravention or non-compliance; and
  - (b) the manager of the mine shall be guilty of an offence against this Act, unless the manager proves that he or she had taken all reasonable means, by publishing and to the best of his or her power enforcing the provisions of this section, to prevent the contravention or non-compliance.
- (c) From section 31 (4), omit “his” wherever occurring, insert instead “the person’s”.

## (15) Section 32:

- (a) From section 32 (1), omit “he”, insert instead “the Governor”.
- (b) From section 32 (3), omit “his”, insert instead “the Chief Inspector’s”.



## (16) Section 36:

- (a) From section 36, omit “his” wherever occurring, insert instead “the inspector’s”.
- (b) From section 36, omit “him” wherever occurring, insert instead “the inspector”.

## (17) Section 37:

- (a) From section 37 (1), omit “his”, insert instead “the inspector’s”.
- (b) From section 37 (1), omit “he”, insert instead “the inspector”.

## (18) Section 37A:

Amend the heading of the section to read as follows:

**Order to withdraw persons from mine**

## (19) Section 40:

From section 40, omit “his”, insert instead “the inspector’s”.

## (20) Section 41:

- (a) From section 41 (1) and (4), omit “he” wherever occurring, insert instead “the owner or manager”.
- (b) From section 41 (2), omit “him”, insert instead “the inspector”.
- (c) From section 41 (2), omit “he”, insert instead “the inspector”.
- (d) From section 41 (3), omit “he” where firstly occurring, insert instead “the owner or manager concerned”.
- (e) In section 41 (3), after “he” where secondly and thirdly occurring, insert “or she”.

## (21) Section 42A:

- (a) From section 42A (3), omit “he”, insert instead “the person”.
- (b) From section 42A (4), omit “he”, insert instead “the Minister”.

## (22) Section 42B:

- (a) From section 42B (1), omit “his”, insert instead “the owner’s or manager’s”.
- (b) From section 42B (1), omit “him”, insert instead “the Chief Inspector”.

## (23) Section 43:

From section 43 (2B), omit “his”, insert instead “the owner’s or manager’s”.

## (24) Section 45:

- (a) From section 45 (2) and (6), omit “he” wherever occurring, insert instead “the person”.
- (b) From section 45 (4), omit “he”, insert instead “the occupier or other person firstmentioned”.

## (25) Section 46:

- (a) From section 46 (1), omit “he”, insert instead “the holder”.
- (b) From section 46 (1), omit “his”, insert instead “the Minister’s”.
- (c) From section 46 (4), omit “he”, insert instead “the person”.
- (d) From section 46 (4), omit “his”, insert instead “the person’s”.

## (26) Section 48B:

From section 48B (b), omit “he”, insert instead “the owner”.

## (27) Section 48C:

From section 48C (1), omit “him”, insert instead “the Minister”.

## (28) Section 50:

- (a) From section 50 (5), omit “him” wherever occurring, insert instead “the warden”.
- (b) From section 50 (5), omit “he”, insert instead “the warden”.

## (29) Section 54:

From section 54 (4), omit “his”, insert instead “the warden’s”.

## (30) Section 57:

From section 57, omit:

and in the event of any such contravention or non-compliance by any person whomsoever in the case of any mine, the owner and manager of the mine shall each be guilty of an offence against this Act, unless he proves that he had taken all reasonable means, by publishing and to the best of his power enforcing the rules as regulations for the working of the mine so as to prevent such contravention or non-compliance.

insert instead:

and in the event of any such contravention by any person whomsoever in the case of any mine:

- (a) the owner of the mine shall be guilty of an offence against this Act, unless the owner proves that he or she had taken all reasonable means, by publishing and to the best of his or her power enforcing the rules as regulations for the working of the mine so as to prevent such contravention or non-compliance; and

- (b) the manager of the mine shall be guilty of an offence against this Act, unless the manager proves that he or she had taken all reasonable means, by publishing and to the best of his or her power enforcing the rules as regulations for the working of the mine so as to prevent such contravention or non-compliance.

(31) Section 58:

- (a) From section 58 (3), omit “he” where firstly occurring, insert instead “the person”.

- (b) From section 58 (3), omit:

and also the owner and manager of such mine shall each be guilty of an offence against this Act, unless he proves that he had taken all reasonable means, by publishing and to the best of his power enforcing the rules as regulations for the working of the mine, so as to prevent such contravention or non-compliance.

insert instead:

and also:

- (a) the owner of the mine shall be guilty of an offence against this Act, unless the owner proves that he or she had taken all reasonable means, by publishing and to the best of his or her power enforcing the rules as regulations for the working of the mine, so as to prevent such contravention or non-compliance; and
- (b) the manager of the mine shall be guilty of an offence against this Act, unless the manager proves that he or she had taken all reasonable means, by publishing and to the best of his or her power enforcing the rules as regulations for the working of the mine, so as to prevent such contravention or non-compliance.

(32) Section 65:

Omit:

of this section the owner and manager of the mine shall each be guilty of an offence against this Act, unless he proves that he had taken all reasonable means, by enforcing, to the best of his power, the observance of this section to prevent such non-compliance.

insert instead:

of this section:

- (a) the owner of the mine shall be guilty of an offence against this Act, unless the owner proves that he or she had taken all reasonable means, by enforcing, to the best of his or her power, the observance of this section to prevent such non-compliance; and

(b) the manager of the mine shall be guilty of an offence against this Act, unless the manager proves that he or she had taken all reasonable means, by enforcing, to the best of his or her power, the observance of this section to prevent such non-compliance.

(33) Section 71:

From section 71 (2), omit “he”, insert instead “the owner, manager or employee”.

(34) Section 72:

Omit “he”, insert instead “the owner or manager”.

(35) Section 74:

From section 74 (a), omit “his”, insert instead “the Minister’s”.

(36) Section 80:

(a) From section 80 (1), omit “his” wherever occurring, insert instead “the Minister’s”.

(b) From section 80 (5), omit “he”, insert instead “the owner”.

(37) Section 81:

From section 81 (1) and (2), omit “him” wherever occurring, insert instead “the person”.

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## **NECROPOLIS ACT 1901 (1902 No. 20)**

### **AMENDMENTS**

(1) Section 8B:

From section 8B (2), omit “he”, insert instead “the Minister”.

(2) Section 13:

(a) Omit “his”, insert instead “the minister’s”.

(b) Omit “he”, insert instead “the minister”.

(3) Section 24:

From section 24 (2), omit “his” wherever occurring, insert instead “the grantee’s”.

(4) Sections 31 and 32:

(a) In section 31 (1) and 32, after “his” wherever occurring, insert “or her”.

(b) In section 31 (1), after “he”, insert “or she”.

- (c) From section 31 (2), omit “his” where firstly occurring, insert instead “the person”.
- (d) In section 31 (2), after “his” where secondly occurring, insert “or her”.
- (e) From section 31 (2), omit “he”, insert instead “the person”.

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### PARLIAMENTARY EVIDENCE ACT 1901 No. 43

#### AMENDMENTS

- (1) Section 6:
  - (a) Omit “his” wherever occurring, insert instead “the witness’s”.
  - (b) From section 6 (2), omit “him”, insert instead “the Treasurer”.
- (2) Section 7:
  - (a) Omit “his” where firstly occurring, insert instead “the witness’s”.
  - (b) Omit “his” where secondly occurring, insert instead “the President’s or the Speaker’s”.
- (3) Section 8:
  - (a) Omit “his”, insert instead “a”.
  - (b) Omit “him”, insert instead “the person”.
- (4) Section 9:
  - (a) From section 9 (1), omit “him”, insert instead “the person”.
  - (b) From section 9 (1), omit “he”, insert instead “the person”.
- (5) Section 10:
  - (a) From section 10 (1), omit “his”, insert instead “the Clerk’s”.
  - (b) From section 10 (1), omit “him”, insert instead “the Clerk”.
- (6) Section 11:
  - (a) From section 11 (1), omit “his”, insert instead “the witness’s”.
  - (b) From section 11 (1), omit “he”, insert instead “the witness”.
- (7) Section 12:
  - Omit “him”, insert instead “the witness”.
- (8) Section 13:
  - Omit “he”, insert instead “the witness”.
- (9) Second Schedule:
  - (a) After “His Honour”, insert “/Her Honour”.
  - (b) After “his”, insert “or her”.

## (10) Third Schedule:

- (a) Omit “his” where firstly occurring, insert instead “the Sheriff’s”.
- (b) After “him”, insert “or her”.
- (c) After “his” where secondly and thirdly occurring, insert “or her”.

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**PAROLE ORDERS (TRANSFER) ACT 1983 No. 190****AMENDMENTS**

## (1) Section 7:

- (a) From section 7 (1) (a) and (2) (a), omit “he” wherever occurring, insert instead “the Minister”.
- (b) From section 7 (1) (a), omit “him”, insert instead “the Minister”.
- (c) From section 7 (1) (b) (i) and (2) (b) (i), omit “his” wherever occurring.

## (2) Section 8:

- (a) From section 8 (1) (a), omit “him”, insert instead “the Registrar”.
- (b) From section 8 (2), omit “he”, insert instead “the Registrar”.

## (3) Section 9:

From section 9 (4), omit “he” wherever occurring, insert instead “the person”.

## (4) Section 12:

- (a) From section 12 (1), omit “him”, insert instead “the Minister”.
- (b) From section 12 (1), omit “his”, insert instead “the Minister’s”.

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**PAWNBROKERS ACT 1902 No. 66****AMENDMENTS**

## (1) Section 3:

- (a) In section 3 (2) (a), after “if” insert “the person”.
- (b) From section 3 (2) (a), omit “he” wherever occurring.
- (c) In section 3 (2) (a) (iv), after “himself”, insert “or herself”.
- (d) From section 3 (2) (b) and (c), omit “he” wherever occurring, insert instead “the person”.
- (e) From section 3 (2) (b), omit “him” where firstly occurring, insert instead “the person”.
- (f) From section 3 (2) (b), omit “to him”.

- (g) From section 3 (2) (d), omit “he” where firstly occurring, insert instead “the person”.
  - (h) From section 3 (2) (d), omit “him”, insert instead “the person.”.
  - (i) From section 3 (2) (d), omit “he so delivers the article”, insert instead “the article is so delivered”.
- (2) Section 6:  
From section 6 (3) (a), omit “him”, insert instead “the officer”.
- (3) Section 7:  
(a) From section 7 (1), omit “he” wherever occurring, insert instead “the person”.
- (b) From section 7 (2), omit “he has issued the licence”, insert instead “the licence has been issued”.
- (4) Sections 7A and 21:  
From sections 7A (2) and 21 (1), omit “his” wherever occurring, insert instead “the person’s”.
- (5) Section 8:  
(a) From section 8 (1), omit “he” wherever occurring, insert instead “the pawnbroker”.
- (b) From section 8 (3), omit “him”, insert instead “the person”.
- (6) Sections 9 and 18:  
From sections 9 (2) and 18 omit “he” wherever occurring, insert instead “the pawnbroker”.
- (7) Section 11:  
(a) From section 11 (1), omit “he” wherever occurring, insert instead “the pawnbroker”.
- (b) From section 11 (1) (a), omit “his”, insert instead “the pawnbroker’s”.
- (8) Section 12:  
(a) From section 12 (1), omit “his” where firstly occurring.
- (b) From section 12 (1) (a), omit “he”, insert instead “the pawnbroker”.
- (c) From section 12 (1) (b), omit “held in pawn by him”, insert instead “that the pawnbroker holds in pawn”.
- (d) From section 12 (1) (c) (ii), omit “his”, insert instead “the person’s”.

- (9) Section 13:
- (a) From section 13 (1) (d), omit “his”, insert instead “the party’s”.
  - (b) From section 13 (1) (d), omit “him”, insert instead “the person pawning”.
  - (c) From section 13 (2A), omit “he”, insert instead “the pawnbroker”.
- (10) Section 14:
- (a) From section 14 (1), omit “he”, insert instead “the pawnbroker”.
  - (b) From section 14 (2), omit “him”, insert instead “the person”.
  - (c) From section 14 (3), omit “him”, insert instead “the pawnbroker”.
- (11) Section 15:
- (a) From section 15 (1) (a) and (b), omit “he” wherever occurring, insert instead “the person”.
  - (b) From section 15 (1), omit “him”, insert instead “the person”.
  - (c) From section 15 (4), omit “him”, insert instead “the pawnbroker”.
- (12) Section 16:
- (a) From section 16 (3) (a) and (b) (ii), omit “him” wherever occurring, insert instead “the pawnbroker”.
  - (b) From section 16 (3) (c), omit “he”, insert instead “the pawnbroker”.
- (13) Section 16A:
- (a) Omit “his” wherever occurring, insert instead “the pawnbroker’s”.
  - (b) Omit “him” wherever occurring, insert instead “the pawnbroker”.
  - (c) Omit “he” wherever occurring, insert instead “the pawnbroker”.
- (14) Section 20:
- From section 20 (a), omit “his”, insert instead “the pawnbroker’s”.
- (15) Section 22:
- From section 22 (1), omit “has been held in pawn by him, he”, insert instead “the pawnbroker has held in pawn, the pawnbroker”.
- (16) Section 30:
- (a) From section 30 (1), omit “him”, insert instead “the person”.
  - (b) From section 30 (1), omit “his”, insert instead “the pawnbroker’s”.
- (17) Section 32:
- (a) Omit “he”, insert instead “the person”.
  - (b) Omit “him”, insert instead “the person”.
  - (c) Omit “his”, insert instead “the person’s”.



- (18) Section 33:  
After “he”, insert “or she”.
- (19) Section 34:  
From section 34 (2), omit “he”, insert instead “the person”.
- (20) Sections 37 and 38:  
From sections 37 (1) and 38 (1), omit “him” wherever occurring, insert instead “the justice”.
- (21) Section 44:  
(a) Omit “him”, insert instead “the justice, member of the police force or other peace officer”.  
(b) After “his”, insert “or her”.
- (22) Section 46:  
From section 46 (2) (c), omit “him”, insert instead “the pawnbroker”.

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## PERIODIC DETENTION OF PRISONERS ACT 1981 No. 18

### AMENDMENTS

- (1) Section 5:  
From section 5 (1) (a), omit “his”, insert instead “the”.
- (2) Section 7:  
From section 7 (2), omit “him”, insert instead “the person”.
- (3) Section 9:  
(a) In section 9 (1), after “his”, insert “or her”.  
(b) From section 9 (2) and (3), omit “him” wherever occurring, insert instead “the periodic detainee”.  
(c) In section 9 (2) and (4), after “he” wherever occurring, insert “or she”.
- (4) Sections 10 and 13:  
From sections 10 (4) and 13 (1) and (2), omit “him” wherever occurring, insert instead “the periodic detainee”.
- (5) Section 12:  
From section 12 (1) (a) and (b) and (3) (b), omit “he” wherever occurring, insert instead “the periodic detainee”.

- (6) Section 17:
- (a) From section 17 (1) and (2), omit “him” wherever occurring, insert instead “the periodic detainee”.
  - (b) From section 17 (2), omit “he”, insert instead “the periodic detainee”.
- (7) Sections 24, 28 and 33:
- (a) From sections 24 (2) and (3), 28 and 33 (2), (3), (4) (a) and (b) and (5), omit “he” wherever occurring, insert instead “the periodic detainee”.
  - (b) From sections 24 (2) and (3), 28 and 33 (1) (e), (3), (4) (a) and (b) and (5), omit “him” wherever occurring, insert instead “the periodic detainee”.
- (8) Section 27:
- (a) From section 27 (1) (c) (i) and (ii), omit “him” wherever occurring, insert instead “the person”.
  - (b) From section 27 (1) (c) (ii), omit “he”, insert instead “the person”.
- (9) Section 29:
- (a) From section 29 (1), omit “he” wherever occurring, insert instead “the periodic detainee”.
  - (b) From section 29 (1), omit “his”, insert instead “the periodic detainee’s”.
- (10) Section 30:
- Omit “he” wherever occurring, insert instead “the periodic detainee”.
- (11) Schedule 2:
- (a) From clause 3 (1) (b) and (2) (b), omit “his” wherever occurring, insert instead “the”.
  - (b) From clause 3 (1) and (2), omit “he” wherever occurring, insert instead “the person”.
  - (c) From clause 4, omit “his”, insert instead “the person’s”.

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**PIRACY PUNISHMENT ACT 1902 No. 69**

**AMENDMENTS**

**Section 7:**

- (a) Omit “him”, insert instead “the person”.
  - (b) Omit “, he”, insert instead “the person”.
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**PRISONERS (INTERSTATE TRANSFER) ACT 1982 No. 104****AMENDMENTS**

- (1) Section 5:  
From section 5 (2), omit “his”, insert instead “the justice’s”.
- (2) Section 9:  
Omit “his”.
- (3) Section 10:
  - (a) Omit “him”, insert instead “the Minister”.
  - (b) Omit “his”, insert instead “the Minister’s”.
- (4) Section 11:
  - (a) From section 11 (1), omit “himself as he”, insert instead “himself or herself as the Minister”.
  - (b) From section 11 (2), omit “him” wherever occurring, insert instead “the corresponding Minister”.
- (5) Section 12:
  - (a) From section 12 (1), omit “his”, insert instead “the Attorney General’s”.
  - (b) From section 12 (3), omit “his”.
- (6) Section 17:  
From section 17 (b), omit “he”, insert instead “the prisoner”.
- (7) Section 19:
  - (a) From section 19 (b), omit “he”, insert instead “the person”.
  - (b) From section 19 (c), omit “he”, insert instead “the Attorney-General of the participating State”.
  - (c) From section 19 (c), omit “him”, insert instead “the person”.
  - (d) From section 19, omit “his”, insert instead “the Attorney General’s”.
- (8) Section 24:
  - (a) From section 24 (1) (b), omit “him” wherever occurring, insert instead “the prisoner”.
  - (b) From section 24 (3), omit “him” wherever occurring, insert instead “the person”.
- (9) Section 26:
  - (a) From section 26 (1), omit “him”, insert instead “the corresponding Minister”.
  - (b) From section 26 (1) (b), omit “he”, insert instead “the prisoner”.

- (10) Section 28:
- (a) From section 28 (6), omit “his” wherever occurring, insert instead “the person’s”.
  - (b) From section 28 (6), omit “he” wherever occurring, insert instead “the person”.
- (11) Section 29:
- (a) From section 29 (1), omit “he”, insert instead “the prisoner”.
  - (b) From section 29 (2), omit “him” wherever occurring, insert instead “the prisoner”.
- (12) Section 30:
- Omit “he”, insert instead “the Attorney General”.
- (13) Section 31:
- (a) From section 31 (1), omit “him” wherever occurring, insert instead “the person”.
  - (b) From section 31 (1) (b), omit “he”, insert instead “the person”.
- (14) Section 32:
- (a) From section 32 (2), omit “his”, insert instead “the justice’s”.
  - (b) From section 32 (4), omit “he”, insert instead “the person”.
  - (c) From section 32 (6), omit “his”, insert instead “the person’s”.
- (15) Section 33:
- (a) From section 33 (1) and (2), omit “he” wherever occurring, insert instead “the person”.
  - (b) From section 33 (1), omit “his”, insert instead “the person’s”.
- (16) Section 34:
- Omit “his”.

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## REAL PROPERTY ACT 1900 No. 25

### AMENDMENTS

- (1) Section 12:
- (a) From section 12 (1), omit “He” wherever occurring, insert instead “The Registrar-General”.
  - (b) From section 12 (1) and (3) (a), omit “he” wherever occurring, insert instead “the Registrar-General”.
  - (c) From section 12 (1) (a), (d), (e), (g), (h), (2), (3) and (4), omit “him” wherever occurring, insert instead “the Registrar-General”.

- (d) From section 12 (1) (h) and (4), omit “his” wherever occurring, insert instead “the Registrar-General’s”.
  - (e) From section 12 (2), omit “he” wherever occurring, insert instead “the person”.
- (2) Section 12A:
- (a) From section 12A (2), omit “him” wherever occurring, insert instead “the Registrar-General”.
  - (b) From section 12A (2), omit “he” wherever occurring, insert instead “the Registrar-General”.
  - (c) From section 12A (3), omit “him” where firstly occurring, insert instead “the Registrar-General”.
  - (d) From section 12A (3), omit “him” where secondly occurring, insert instead “that person”.
- (3) Section 12B:
- (a) Omit “he” wherever occurring, insert instead “the Registrar-General”.
  - (b) From section 12B (2), omit “his” where firstly occurring, insert instead “the Registrar-General’s”.
  - (c) From section 12B (2), omit “his” where secondly occurring, insert instead “the mortgagee’s”.
- (4) Section 13A:
- (a) From section 13A (2), omit “he”, insert instead “the Registrar-General”.
  - (b) From section 13A (3) (a), omit “him”, insert instead “the Minister”.
  - (c) From section 13A (3), omit “he or it”, insert instead “the Minister (or the person authorised by the Minister) or the Corporation”.
- (5) Section 13B:
- (a) From section 13B (2), omit “he”, insert instead “the Registrar-General”.
  - (b) From section 13B (3) (a), omit “him”, insert instead “the Minister”.
  - (c) From section 13B (3), omit “he or it”, insert instead “the Minister (or the person authorised by the Minister) or the Corporation”.
- (6) Sections 13C, 28C, 28GA, 28H, 28I, 96C, 96D, 96E, 96F, 96G, 105B, 123 and 137:
- From sections 13C, 28C (1), 28GA (1), 28H (2) (b), 28I (1), 96C, 96D (a), 96E (c) and (d), 96F (a), 96G (a), 105B (1), 123 and 137, omit “him” wherever occurring, insert instead “the Registrar-General”.

- (7) Section 13D:
- (a) From section 13D (2), omit “he” wherever occurring, insert instead “the Registrar-General”.
  - (b) From section 13D (3), omit “his”, insert instead “the Registrar-General’s”.
- (8) Sections 13G, 28K, 28V, 39A, 40A, 56, 56A, 66 and 85:  
From sections 13G (1), 28K, 28V (2), 39A (2) (a), 40A, 56 (5), 56A (3), 66 (1) and 85 (2), omit “he” wherever occurring, insert instead, “the Registrar-General”.
- (9) Section 13H:
- (a) From section 13H (1), omit “he” wherever occurring, insert instead “the Registrar-General”.
  - (b) From section 13H (1), omit “him”, insert instead “the Registrar-General”.
- (10) Section 13K:
- (a) From section 13K (1), omit “his”, insert instead “the Registrar-General’s”.
  - (b) From section 13K (5), omit “he”, insert instead “the Registrar-General”.
- (11) Section 14:
- (a) From section 14 (2) (c), omit “he”, insert instead “the person”.
  - (b) From section 14 (3) (a) (ii), omit “his”, insert instead “the vendor’s”.
  - (c) From section 14 (6), omit “him”, insert instead “the Registrar-General”.
- (12) Section 15:  
In section 15, after “his” wherever occurring, insert “or her”.
- (13) Section 17:
- (a) From section 17 (1) and (3) (a), omit “he” wherever occurring, insert instead “the Registrar-General”.
  - (b) From section 17 (2) (b), omit “himself”, insert instead “the primary applicant”.
- (14) Section 23:
- (a) From section 23 (1), omit “he”, insert instead “the primary applicant”.
  - (b) From section 23 (1), (2) (b) and (c), omit “his” wherever occurring, insert instead “the”.
  - (c) From section 23 (2), omit “he”, insert instead “the Registrar-General”.

(15) Section 23A:

- (a) From section 23A (2), omit “he”, insert instead “the Registrar-General”.
- (b) From section 23A (3) (a), omit “his”, insert instead “the Registrar-General’s”.
- (c) From section 23A (3) (a), omit “him”, insert instead “the primary applicant”.
- (d) In section 23A (3) (c), after “he”, insert “or she”.

(16) Sections 28D, 28N, 127 and 134:

From sections 28D (b), 28N, 127 (1) and 134 (1), omit “his” wherever occurring, insert instead “the Registrar-General’s”.

(17) Section 28E:

- (a) From section 28E (1), omit “him” wherever occurring, insert instead “the addressee”.
- (b) From section 28E (1) (c), omit “he”, insert instead “the addressee”.
- (c) From section 28E (1) (c) and (e), omit “his” wherever occurring, insert instead “the addressee’s”.
- (d) From section 28E (3), omit “him”, insert instead “the person”.
- (e) From section 28E (3), omit “his”, insert instead “the person’s”.

(18) Section 28EA:

- (a) From section 28EA (1), omit “he” wherever occurring, insert instead “the Registrar-General”.
- (b) From section 28EA (1) (a) and (b), omit “his” wherever occurring, insert instead “the Registrar-General’s”.

(19) Section 28M:

- (a) From section 28M (4), (7) and (8), omit “he” wherever occurring, insert instead “the Registrar-General”.
- (b) From section 28M (7) (d) omit “him”, insert instead “the Registrar-General”.

(20) Section 28T:

- (a) From section 28T (1), (2) and (3), omit “he” wherever occurring, insert instead “the Registrar-General”.
- (b) From section 28T (1) (b), omit “his”, insert instead “the Registrar-General’s”.

(21) Section 28U:

From section 28U (2), omit “his”.

## (22) Section 31A:

- (a) In section 31A (2) (a), after “himself”, insert “or herself”.
- (b) From section 31A (2A) and (4) (b), omit “him” wherever occurring, insert instead “the Registrar-General”.
- (c) From section 31A (3) (a) and (5), omit “he” wherever occurring, insert instead “the Registrar-General”.
- (d) From section 31A (3) (a), omit “his”, insert instead “the Registrar-General’s”.

## (23) Section 32:

- (a) From section 32 (4), (5), (6) and (7), omit “he” wherever occurring, insert instead “the Registrar-General”.
- (b) From section 32 (5), omit “him”, insert instead “the Registrar-General”.

## (24) Section 33:

- (a) From section 33 (1) and (4), omit “he” wherever occurring, insert instead “the Registrar-General”.
- (b) From section 33 (1) and (4), omit “him” wherever occurring, insert instead “the Registrar-General”.

## (25) Section 33A:

- (a) From section 33A (1) (a) and (c), omit “he” wherever occurring, insert instead “the Registrar-General”.
- (b) From section 33A (1) (a), omit “his” where firstly occurring, insert instead “the Registrar-General’s”.
- (c) From section 33A (1) (a), omit “his” where secondly occurring, insert instead “the person’s”.
- (d) From section 33A (2) (b), omit “his” where firstly occurring, insert instead “the Registrar-General’s”.
- (e) From section 33A (2) (b), omit “his” where secondly occurring, insert instead “the person’s”.
- (f) From section 33A (3), omit “he” where firstly and secondly occurring, insert instead “the Registrar-General”.
- (g) From section 33A (3), omit “he” where thirdly occurring, insert instead “the person”.
- (h) In section 33A (4C), after “himself”, insert “or herself”.
- (i) From section 33A (4C), omit “he”, insert instead “the Registrar-General”.
- (j) From section 33A (5), omit “him”, insert instead “the Registrar-General”.



## (26) Section 36:

- (a) From section 36 (1A), (6A) and (7), omit “he” wherever occurring, insert instead “the Registrar-General”.
- (b) From section 36 (4) and (10), omit “him” wherever occurring, insert instead “the Registrar-General”.

## (27) Section 38:

- (a) From section 38 (2) and (3), omit “him” wherever occurring, insert instead “the Registrar-General”.
- (b) From section 38 (2), (3), (6), (7) and (8), omit “he” wherever occurring, insert instead “the Registrar-General”.
- (c) In section 38 (5), after “himself”, insert “or herself”.
- (d) From section 38 (6) (b), omit “his”, insert instead “the Registrar-General’s”.

## (28) Section 39:

- (a) From section 39 (1), omit “he” wherever occurring, insert instead “the Registrar-General”.
- (b) From section 39 (1A) (b), omit “him”, insert instead “the Registrar-General”.
- (c) From section 39 (2) and (3), omit “his” wherever occurring, insert instead “the Registrar-General’s”.

## (29) Sections 42 and 130:

In sections 42 (1) (d) and 130 (3) and (4), after “he” wherever occurring, insert “or she”.

## (30) Section 43B:

- (a) From section 43B (2), omit “he” wherever occurring, insert instead “the registered proprietor”.
- (b) From section 43B (2), omit “his”, insert instead “the registered proprietor”.

## (31) Section 45A:

From section 45A (2), omit “he”, insert instead “the applicant”.

## (32) Section 45D:

- (a) From section 45D (2), omit “his” wherever occurring, insert instead “the person’s”.
- (b) From section 45D (2), omit “he” wherever occurring, insert instead “the person”.
- (c) From section 45D (2), omit “him”, insert instead “the person”.

## (33) Section 45E:

- (a) From section 45E (1), (2) and (6), omit “he” wherever occurring, insert instead “the Registrar-General”.
- (b) From section 45E (4), omit “he”, insert instead “the possessory applicant”.

## (34) Section 45G:

- (a) In section 45G (1), after “his”, insert “or her”.
- (b) From section 45G (2) (b) and (c), omit “his” wherever occurring, insert instead “the”.
- (c) From section 45G (2), omit “he”, insert instead “the Registrar-General”.

## (35) Section 46C:

- (a) From section 46C (1), omit “his”, insert instead “the Registrar-General’s”.
- (b) From section 46C (4), omit “he”, insert instead “the Registrar-General”.

## (36) Section 47:

- (a) From section 47 (4) and (5), omit “he” wherever occurring, insert instead “the Registrar-General”.
- (b) From section 47 (6A), omit “him”, insert instead “the Registrar-General”.

## (37) Section 51:

Omit “he”, insert instead “the transferee”.

## (38) Section 53:

From section 53 (3), omit “his”, insert instead “the lessee’s”.

## (39) Section 55:

- (a) Omit “his” where firstly occurring, insert instead “the Registrar-General’s”.
- (b) Omit “he”, insert instead “the Registrar-General”.
- (c) Omit “him” where firstly occurring, insert instead “the lessee”.
- (d) Omit “his” where secondly occurring, insert instead “the lessee’s”.
- (e) Omit “him” where secondly occurring, insert instead “the Registrar-General”.

## (40) Section 57:

From section 57 (3) (b), omit “he” wherever occurring, insert instead “the mortgagor, charger or covenant charger”.

- (41) Section 58:
- (a) From section 58 (1), omit “he”, insert instead “the mortgagee, chargee or covenant chargee”.
  - (b) From section 58 (1), omit “his”, insert instead “the purchaser’s”.
  - (c) From section 58 (2), omit “him”, insert instead “the purchaser”.
  - (d) From section 58 (2), omit “he”, insert instead “the purchaser”.
- (42) Section 60:
- (a) From section 60 (c), omit “his”, insert instead “the”.
  - (b) From section 60, omit “he”, insert instead “the mortgagee, chargee or covenant chargee”.
  - (c) From section 60, omit “him”, insert instead “the mortgagee, chargee or covenant chargee”.
- (43) Section 61:
- (a) In section 61 (1), after “his”, insert “or her”.
  - (b) From section 61 (4), omit “his”, insert instead “the applicant’s”.
- (44) Section 63:
- (a) From section 63 (1), omit “his”.
  - (b) From section 63 (2), omit “his”, insert instead “the person’s”.
- (45) Section 64:
- After “him”, insert “or her”.
- (46) Section 75:
- Omit “he”, insert instead “the party”.
- (47) Section 80A:
- (a) From section 80A (2) (a), omit “him”, insert instead “the Registrar-General”.
  - (b) From section 80A (2) (a), omit “he”, insert instead “the Registrar-General”.
  - (c) From section 80A (2) (b), omit “his”, insert instead “the Registrar-General’s”.
- (48) Section 87:
- From section 87 (1) and (2), omit “his” wherever occurring, insert instead “the person’s”.
- (49) Section 91:
- (a) From section 91 (3) (b) and (6) (b), omit “his” wherever occurring, insert instead “the”.
  - (b) From section 91 (6) (b), omit “himself”, insert instead “the mortgagee”.

## (50) Section 93:

From section 93 (4), omit "himself".

## (51) Section 96:

Omit "he" wherever occurring, insert instead "the fiduciary".

## (52) Sections 96I and 132:

From sections 96I (1) and 132 (3), omit "he" wherever occurring, insert instead "the person".

(53) Section 99 (**Proprietor may vest estate jointly in himself or herself and others without limiting any use or without re-assignment**):

After "himself", insert "or herself".

## (54) Section 100:

(a) From section 100 (2) (b) and (3), omit "he" wherever occurring, insert instead "the Registrar-General".

(b) From section 100 (3), omit "his", insert instead "the Registrar-General's".

## (55) Section 101:

(a) From section 101 (1) (a), omit "him", insert instead "the person".

(b) From section 101 (1), omit "his", insert instead "the Registrar-General's".

## (56) Section 104:

(a) From section 104 (1), omit "his" wherever occurring, insert instead "the Registrar-General's".

(b) From section 104 (1), omit "he" wherever occurring, insert instead "the Registrar-General".

## (57) Section 105:

(a) From section 105 (3), omit "his", insert instead "the Registrar-General's".

(b) From section 105 (5), omit "he", insert instead "the Registrar-General".

## (58) Section 105A:

From section 105A (1) (f), omit "his", insert instead "the mortgagee's or chargee's".

## (59) Section 106:

From section 106 (2) (d), omit "he or they", insert instead "the person or persons".

*Statute Law (Miscellaneous Provisions) Act (No. 2) 1994 No. 95—Sch. 3*

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(60) Section 115:

- (a) From section 115 (2), omit “him”, insert instead “the Registrar-General”.
- (b) From section 115 (2), omit “his”, insert instead “the Registrar-General’s”.

(61) Section 117:

- (a) From section 117 (1) (b) (i), (ii) and (iii), omit “him” wherever occurring, insert instead “the Registrar-General”.
- (b) From section 117 (1), omit “his” wherever occurring, insert instead “each such person’s”.

(62) Section 121:

- (a) From section 121 (1), omit “his” where firstly occurring, insert instead “the”.
- (b) From section 121 (1), omit “his” where secondly and thirdly occurring, insert instead “the Registrar-General’s”.
- (c) In section 121 (1), after “he”, insert “or she”.
- (d) From section 121 (2) (c) and (3), omit “him” wherever occurring, insert instead “the defendant”.
- (e) From section 121 (3) (c), omit “his”, insert instead “the defendant’s”.
- (f) From section 121 (6), omit “him”, insert instead “the Registrar-General”.

(63) Section 122:

From section 122 (1), omit “he”, insert instead “the applicant”.

(64) Section 125:

- (a) From section 125 (1), omit “he” wherever occurring, insert instead “the defendant”.
- (b) From section 125 (3) and (4), omit “he” wherever occurring, insert instead “the plaintiff”.
- (c) From section 125 (6), omit “his co-defendant, as he”, insert instead “the co-defendant, as the Registrar-General”.
- (d) From section 125 (7), omit “he”, insert instead “the principal defendant”.

(65) Section 126:

- (a) From section 126 (4), omit “his”, insert instead “the person’s”.
- (b) From section 126 (4), omit “him” wherever occurring, insert instead “the person”.

## (66) Section 131:

From section 131 (1), omit "his", insert instead "the person's".

## (67) Section 135:

(a) Omit "he", insert instead "a person".

(b) Omit "his vendor or mortgagor", insert instead "the vendor or mortgagor concerned".

## (68) Section 136:

(a) From section 136 (1), omit "him", insert instead "the possessory applicant".

(b) From section 136 (2) (a), omit "to him".

(c) From section 136 (2), omit "he", insert instead "the Registrar-General".

(d) From section 136 (6), omit "him", insert instead "the defendant".

## (69) Section 141:

In section 141 (1), after "he", insert "or she".

## (70) Section 142:

From section 142, omit "his estate", insert instead "the estate of the person who has committed such act".

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### SHERIFF ACT 1900 No. 16

**AMENDMENTS**(1) Section 4 (**Bond by sheriff for due execution of office**):

(a) Omit "by himself and", insert instead "personally and by".

(b) After "him", insert "or her".

(c) After "his" wherever occurring, insert "or her".

## (2) Section 6:

(a) From section 6 (1), omit "he", insert instead "the surety".

(b) In section 6 (1), after "himself", insert "or herself".

(c) From section 6 (2), omit "his", insert instead "the".

## (3) Section 7:

From section 7 (1), omit "his", insert instead "the sheriff's".

(4) Section 8 (**Sheriff or deputy to attend Courts**):

Omit "by himself or his", insert instead "personally or by a".

## (5) Section 8A:

Omit “his”, insert instead “the sheriff’s”.

## (6) Section 12:

(a) Omit “him” where firstly occurring, insert instead “the sheriff”.

(b) Omit “him” where secondly occurring, insert instead “that officer”.

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**SUPREME COURT (SUMMARY JURISDICTION) ACT 1967 No. 72****AMENDMENTS**

## (1) Section 4:

From section 4 (1) (b), omit “his”, insert instead “the person’s”.

## (2) Section 5:

(a) Omit “him” wherever occurring, insert instead “the person”.

(b) Omit “he” wherever occurring, insert instead “the person”.

## (3) Section 6:

From section 6 (2) (a), omit “him”, insert instead “the Judge”.

## (4) Section 7:

(a) After “him”, insert “or her”.

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

## (5) Section 9:

(a) Omit “his” wherever occurring, insert instead “a”.

(b) Omit “he” wherever occurring, insert instead “the Judge”.

## (6) Section 10:

(a) Omit “him”, insert instead “the defendant”.

(b) Omit “his”, insert instead “the defendant’s”.

## (7) Section 11:

From section 11 (1), omit “his or their”, insert instead “a”.

## (8) Section 14:

From section 14 (1), omit “he”, insert instead “the Judge”.

## (9) Section 16:

In section 16 (4), after “he”, insert “or she”.

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**SURVEY MARKS ACT 1902 No. 56****AMENDMENT**

Section 4 (**Penalty for unauthorised defacement or destruction of survey marks, landmarks or beacons**):

From section 4 (2), omit “he”, insert instead “the owner or occupier”.

**SYDNEY HARBOUR TRUST ACT 1900 (1901 No. 1)****AMENDMENTS**

- (1) Section 42:
  - (a) Omit “his” where firstly occurring, insert instead “the person’s”.
  - (b) Omit “him”, insert instead “the Sheriff”.
  - (c) Omit “he” where firstly occurring, insert instead “the Sheriff”.
  - (d) Omit “he” where secondly occurring, insert instead “the justice”.
  - (e) Omit “his” where secondly occurring, insert instead “the justice’s”.
- (2) Section 43:
  - (a) After “his”, insert “or her”.
  - (b) After “him”, insert “, her”.
- (3) Section 56:
 

After “his”, insert “or her”.
- (4) Section 62:
 

Omit “him”, insert instead “the person”.
- (5) Section 77E:
 

In section 77E (1), after “his”, insert “or her”.
- (6) Section 77M:
 

After “him”, insert “or her”.
- (7) Section 83:
  - (a) After “his”, insert instead “or her”.
  - (b) Omit “he”, insert instead “the Attorney-General”.
- (8) Section 84:
  - (a) In section 84 (1), after “he”, insert “or she”.
  - (b) In section 84 (2), after “his”, insert “or her”.
  - (c) In section 84 (2), after “him”, insert “or her”.



- (9) Section 85:  
    (a) Omit “he”, insert instead “the person”.  
    (b) Omit “his” wherever occurring, insert instead “the”.
- (10) Section 87:  
    Omit “he”, insert instead “the person”.
- (11) Section 88:  
    (a) Omit “he”, insert instead “the person”.  
    (b) Omit “his”, insert instead “the justice’s”.
- (12) Section 90:  
    From section 90 (2), omit “he”, insert instead “the magistrate”.
- (13) Section 91:  
    Omit “his”, insert instead “the magistrate’s”.
- (14) Section 92:  
    Omit “he”, insert instead “the magistrate”.
- (15) Section 99:  
    (a) Omit “him” where firstly occurring, insert instead “the officer or agent”.  
    (b) After “his”, insert “or her”.  
    (c) Omit “him” where secondly occurring, insert instead “the person”.

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**TRUSTEES OF SCHOOLS OF ARTS ENABLING ACT 1902 No. 68**  
**AMENDMENTS**

- (1) Section 6:  
    (a) Omit “him”, insert instead “the Minister”.  
    (b) Omit “his”, insert instead “the Minister’s”.
- (2) Section 7:  
    (a) From section 7 (1) and (2), omit “his” wherever occurring.  
    (b) Omit “he” wherever occurring, insert instead “the Minister”.  
    (c) From section 7 (3), omit “his”, insert instead “the Minister’s”.
- (3) Section 8:  
    (a) Omit “his”.  
    (b) Omit “him”, insert instead “the Minister”.

## (4) Section 12:

Omit “him”, insert instead “the person”.

## (5) Section 14:

- (a) From section 14 (1), omit “he”, insert instead “the trustee”.
- (b) From section 14 (4), omit “he”, insert instead “the Minister”.
- (c) From section 14 (4), omit “his”, insert instead “the Minister’s”.

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**UNCLAIMED MONEY ACT 1982 No. 174**

**AMENDMENTS**

## (1) Section 3:

- (a) After “his” in paragraph (h) of the definition of “business”, insert “, her”.
- (b) From the definition of “owner”, omit “his executors”, insert instead “the person’s executors”.
- (c) From the definition of “owner”, omit “and his”, insert instead “and his, her”.

## (2) Sections 6, 8, 10 and 11:

From sections 6 (2), 8, 10 (5) and 11 (2), omit “him” wherever occurring, insert instead “the Treasurer.”

## (3) Section 10:

In section 10 (1), after “he”, insert “or she”.

## (4) Section 11:

- (a) Omit “he” wherever occurring, insert instead “the Treasurer.”
- (b) From section 11 (3) (b), omit “his”, insert instead “the person’s”.

## (5) Section 13:

- (a) Omit “he” wherever occurring, insert instead “the officer”.
- (b) From section 13 (1) (a), omit “his”, insert instead “the officer’s”.

## (6) Schedule 2, clause 7:

From clause 7, omit “it or he”, insert instead “the business or person”.

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**VICE-ADMIRALTY VEXATIOUS ARRESTS ACT 1901 (1902 No. 3)****AMENDMENT**

## Section 5:

After “he”, insert “or she”.

**WITNESSES EXAMINATION ACT 1900 No. 34****AMENDMENT**

## Section 6:

From section 6 (1), omit “his” wherever occurring.

**SCHEDULE 4—REPEALS**

(Sec. 4)

- Economic Stability and War-time Provisions Continuance Act 1946 No. 54\*\*  
 Murrumbidgee Electricity Undertaking Transfer Act 1955 No. 24\*\*  
 Housing Indemnities Act 1962 No. 4\*\*  
 Maintenance Act 1964 No. 74\*\*  
 Land Acquisition (The Southern Electric Authority of Queensland) Act 1967  
 No. 3\*\*  
 Daylight Saving (Referendum) Act 1975 (1976 No. 2)\*\*  
 Department of Agriculture (Repeal) Act 1976 No. 49\*\*  
 Statute Law Revision Act 1976 No. 63\*\*  
 Miscellaneous Acts (Taxation) Repeal Act 1976 No. 85\*\*  
 Maintenance (Amendment) Act 1977 No. 43\*  
 Bankruptcy (Repeal) Act 1978 No. 1\*\*  
 Inebriates (Amendment) Act 1979 No. 68\*  
 Mining (Amendment) Act 1980 No. 81\*  
 Credit-sale Agreements (Repeal) Act 1981 No. 126\*\*  
 Employment Protection (Amendment) Act 1983 No. 19\*  
 Commercial Vessels (Amendment) Act 1983 No. 114\*  
 Compensation to Relatives (De Facto Relationships) Amendment Act 1984  
 No. 149\*  
 Farm Water Storages and Bores Subsidies (Amendment and Repeal) Act 1984  
 No. 154\*  
 Prisons (Amendment) Act 1985 No. 26\*  
 Firearms and Dangerous Weapons (Amendment) Act 1985 No. 51\*

- Commercial Agents and Private Inquiry Agents (Amendment) Act 1985  
No. 53\*
- Miscellaneous Acts (Workers' Compensation) Amendment Act 1985 No. 94\*
- Miscellaneous Acts (Animal Research) Amendment Act 1985 No. 124\*
- Judicial Officers (Amendment) Act 1987 No. 22\*
- Arbitration (Civil Actions) Amendment Act 1987 No. 28\*
- Miscellaneous Acts (Public Authorities Financial Arrangements) Amendment  
Act 1987 No. 34\*
- Nurses Registration (Amendment) Act 1987 No. 130\*
- Closer Settlement (Miscellaneous Repeals and Amendments) Act 1987  
No. 180\*
- Miscellaneous Acts (Wilderness) Amendment Act 1987 No. 197\*
- Health Legislation (Reasons for Decisions) Amendment Act 1987 No. 275\*
- Ethnic Affairs Commission (Amendment) Act 1987 No. 288\*
- Miscellaneous Acts (Marine Pollution) Amendment Act 1987 No. 300\*
- Book Purchasers' Protection (Repeal) Act 1988 No. 57\*\*
- Motor Vehicle Driving Instructors (Amendment) Act 1988 No. 83\*
- Waste Disposal (Amendment) Act 1989 No. 30\*
- Waste Disposal (Further Amendment) Act 1989 No. 38\*
- Co-operation (Amendment) Act 1989 No. 55\*
- Miscellaneous Acts (Industrial and Commercial Training) Amendment Act  
1989 No. 79\*
- Bush Fires (Amendment) Act 1989 No. 115\*
- Coal Mines Regulation (Amendment) Act 1989 No. 216\*
- Prisons (Serious Offenders Review Board) Amendment Act 1989 No. 219\*
- Coroners (Miscellaneous Amendments) Act 1989 No. 237\*
- Health Professional Boards Legislation (Amendment) Act 1990 No. 12\*
- Mining (Amendment) Act 1990 No. 37\*
- Prisons (Medical Tests) Amendment Act 1990 No. 40\*
- Coal Mining Industry Long Service Leave (Amendment) Act 1990 No. 73\*
- Home Care Service (Amendment) Act 1990 No. 76\*
- Business Franchise Licences (Tobacco) Amendment 1991 No. 30\*
- Business Franchise Licences (Petroleum Products) Amendment Act 1991  
No. 40\*
- Motor Vehicles Taxation (Amendment) Act 1991 No. 41\*
- Film and Video Tape Classification (Amendment) Act 1991 No. 74\*
- Credit (Amendment) Act 1992 No. 27\*
- Children (Care and Protection) (Child Employment) Amendment Act 1992  
No. 51\*
- Supply Act 1992 No. 53\*\*
- Dairy Industry (Corporations) Amendment Act 1992 No. 58\*
- Appropriation Act 1992 No. 72\*\*

- Business Franchise Licences (Petroleum Products) Amendment Act 1992 No. 73\*
- Motor Vehicles Taxation (Amendment) Act 1992 No. 74\*
- Industrial Relations (Sick Leave) Amendment Act 1992 No. 87\*
- Traffic (Tow Truck Penalty Notices) Amendment Act 1993 No. 14\*
- Trustee (Amendment) Act 1993 No. 18\*
- Fair Trading (Lay-By) Amendment Act 1993 No. 25\*
- HomeFund Select Committee (Special Provisions) Act 1993 No. 27\*\*
- Police Service (Management) Amendment Act 1993 No. 39\*
- Protection of the Environment Administration (Amendment) Act 1993 No. 40\*
- Credit (Amendment) Act 1993 No. 71\*
- Motor Accidents (Amendment) Act 1993 No. 72\*
- Bookmakers (Taxation) (Bet Back) Amendment Act 1993 No. 76\*
- Industrial Relations (Public Vehicles and Carriers) Amendment Act 1993 No. 82\*
- Prisons (Amendment) Act 1993 No. 89\*
- Anti-Discrimination (Age Discrimination) Amendment Act 1993 No. 91\*
- Anti-Discrimination (Homosexual Vilification) Amendment Act 1993 No. 97\*
- Bush Fires (Amendment) Act 1993 No. 98\*
- Election Funding (Amendment) Act 1993 No. 104\*
- Fire Brigades (Hazardous Materials) Amendment Act 1993 No. 110\*
- Health Administration (Medicare) Amendment Act 1994 No. 2\*
- Bush Fires (Amendment) Act 1994 No. 24\*
- Environmental Planning and Assessment (Amendment) Act 1994 No. 29\*

**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

**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 5—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 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.

### 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.

**Approved forms**

3. If, by an amendment made by this Act, a reference to a prescribed form is replaced by a reference to an approved form, a form prescribed under the relevant provision of the Act amended and in force immediately before the commencement of the amendment is taken to be an approved form under the relevant provision of the Act, as amended by this Act, until a form is approved under that provision.

**EXPLANATORY NOTE**

This clause ensures that, until a form is approved for use under a provision of an Act in accordance with an amendment made by this Act, the form previously prescribed for use under the provision may continue to be used.

**Amendments removing gender-specific language**

4. The amendments made to an Act by Schedule 3 are made for the purposes of replacing gender-specific language with gender-neutral language. The amendments contained in that Schedule do not affect the construction or meaning of any Act.

**EXPLANATORY NOTE**

This clause ensures that amendments that are made solely for the purposes of removing gender-specific language from an Act do not have any unintended consequences. A similar provision is included in the Reprints Act 1972 (section 11).

**Regulations**

5. (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 any 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.

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**NOTES****Index of Acts amended by Schedules 1, 2 and 3**

- Administration of Justice Act 1924 No. 42—Sch. 2, Sch. 3
- Administration (Validating) Act 1900 No. 38—Sch. 3
- Annual Reports (Departments) Act 1985 No. 156—Sch. 1
- Annual Reports (Statutory Bodies) Act 1984 No. 87—Sch. 1
- Associations Incorporation Act 1984 No. 143—Sch. 1
- Bail Act 1978 No. 161—Sch. 3
- Bush Fires Act 1949 No. 31—Sch. 1
- Business Names Act 1962 No. 11—Sch. 1
- Children (Criminal Proceedings) Act 1987 No. 55—Sch. 1
- Children (Equality of Status) Act 1976 No. 97—Sch. 3
- Common Carriers Act 1902 No. 48—Sch. 3
- Commonwealth Places (Administration of Laws) Act 1970 No. 80—Sch. 3
- Community Service Orders Act 1979 No. 192—Sch. 3
- Compensation Court Act 1984 No. 89—Sch. 1
- Contractors' Debts Act 1897 No. 29—Sch. 2
- Conveyancers Licensing Act 1992 No. 55—Sch. 2
- Costs in Criminal Cases Act 1967 No. 13—Sch. 3
- Crimes Act 1900 No. 40—Sch. 2
- Criminal Appeal Act 1912 No. 16—Sch. 3
- Crown Advocate Act 1979 No. 59—Sch. 3
- Damages (Infants and Persons of Unsound Mind) Act 1929 No. 25—Sch. 3
- Debits Tax Act 1990 No. 112—Sch. 2
- Disability Services Act 1993 No. 3—Sch. 1
- District Court Act 1973 No. 9—Sch. 1
- Election Funding Act 1981 No. 78—Sch. 1
- Felons (Civil Proceedings) Act 1981 No. 84—Sch. 3
- Film and Computer Game Classification Act 1984 No. 155—Sch. 2
- Financial Institutions (New South Wales) Act 1992 No. 46—Sch. 2
- Fines and Penalties Act 1901 No. 16—Sch. 3
- Fisheries and Oyster Farms Act 1935 No. 58—Sch. 2
- Fisheries Management Act 1994 No. 38—Sch. 2
- Foreign Judgments Act 1973 No. 39—Sch. 3
- Health Care Complaints Act 1993 No. 105—Sch. 1
- Inclosed Lands Protection Act 1901 No. 33—Sch. 3
- Infants' Home, Ashfield, Act 1924 No. 13—Sch. 1
- Inheritance Act of 1901 No. 19—Sch. 3
- Insurance Act 1902 No. 49—Sch. 3
- Irrigation Corporations Act 1994 No. 41—Sch. 2
- Judgment Creditors' Remedies Act 1901 No. 8—Sch. 3
- Jury Act 1977 No. 18—Sch. 3



- Justices Act 1902 No. 27—Sch. 1  
 Lie Detectors Act 1983 No. 62—Sch. 3  
 Local Courts Act 1982 No. 164—Sch. 1  
 Mines Inspection Act 1901 No. 75—Sch. 3  
 Mining Act 1992 No. 29—Sch. 1  
 Motor Accidents Act 1988 No. 102—Sch. 2  
 Native Title (New South Wales) Act 1994 No. 45—Sch. 1  
 Necropolis Act 1901 (1902 No. 20)—Sch. 3  
 Occupational Health and Safety Act 1983 No. 20—Sch. 1  
 Ombudsman Act 1974 No. 68—Sch. 1  
 Parliamentary Evidence Act 1901 No. 43—Sch. 3  
 Parole Orders (Transfer) Act 1983 No. 190—Sch. 3  
 Pawnbrokers Act 1902 No. 66—Sch. 3  
 Periodic Detention of Prisoners Act 1981 No. 18—Sch. 3  
 Petroleum (Onshore) Act 1991 No. 84—Sch. 1  
 Piracy Punishment Act 1902 No. 69—Sch. 3  
 Poisons Act 1966 No. 31—Sch. 1  
 Police Service Act 1990 No. 47—Sch. 1  
 Poultry Meat Industry Act 1986 No. 101—Sch. 1  
 Prevention of Cruelty to Animals Act 1979 No. 200—Sch. 1  
 Prisoners (Interstate Transfer) Act 1982 No. 104—Sch. 3  
 Public Finance and Audit Act 1983 No. 152—Sch. 1  
 Public Notaries Act 1985 No. 6—Sch. 2  
 Real Property Act 1900 No. 25—Sch. 3  
 Registered Clubs Act 1976 No. 31—Sch. 2  
 Reprints Act 1972 No. 48—Sch. 1  
 Sheriff Act 1900 No. 16—Sch. 3  
 South-west Tablelands Water Supply Administration Act 1941 No. 36—Sch. 1  
 Sporting Injuries Insurance Act 1978 No. 141—Sch. 1  
 Stamp Duties Act 1920 No. 47—Sch. 2  
 Statute Law (Miscellaneous Provisions) Act 1994 No. 32—Sch. 2  
 Strata Titles (Leasehold) Act 1986 No. 219—Sch. 1  
 Subordinate Legislation Act 1989 No. 46—Sch. 2  
 Supreme Court (Summary Jurisdiction) Act 1967 No. 72—Sch. 3  
 Survey Marks Act 1902 No. 56—Sch. 3  
 Sydney Harbour Trust Act 1900 (1901 No. 1)—Sch. 3  
 Teacher Housing Authority Act 1975 No. 27—Sch. 1  
 Technical and Further Education Commission Act 1990 No. 118—Sch. 2  
 Trade Measurement Act 1989 No. 233—Sch. 1  
 Trustees of Schools of Arts Enabling Act 1902 No. 68—Sch. 3  
 Unclaimed Money Act 1982 No. 174—Sch. 3  
 University of Technology, Sydney, Act 1989 No. 69—Sch. 1  
 Very Fast Train (Route Investigation) Act 1989 No. 44—Sch. 1  
 Vice-Admiralty Vexatious Arrests Act 1901 (1902 No. 3)—Sch. 3

Witnesses Examination Act 1900 No. 34—Sch. 3  
 Women's College Act 1902 No. 71—Sch. 1  
 Workers Compensation Act 1987 No. 70—Sch. 2  
 Zoological Parks Board (Conservation and Environmental Objectives)  
 Amendment Act 1992 No. 44—Sch. 2

#### **Index of Acts repealed by Schedule 4**

Anti-Discrimination (Age Discrimination) Amendment Act 1993 No. 91\*  
 Anti-Discrimination (Homosexual Vilification) Amendment Act 1993 No. 97\*  
 Appropriation Act 1992 No. 72\*\*  
 Arbitration (Civil Actions) Amendment Act 1987 No. 28\*  
 Bankruptcy (Repeal) Act 1978 No. 1\*\*  
 Book Purchasers' Protection (Repeal) Act 1988 No. 57\*\*  
 Bookmakers (Taxation) (Bet Back) Amendment Act 1993 No. 76\*  
 Bush Fires (Amendment) Act 1989 No. 115\*  
 Bush Fires (Amendment) Act 1993 No. 98\*  
 Bush Fires (Amendment) Act 1994 No. 24\*\*  
 Business Franchise Licences (Petroleum Products) Amendment Act 1991 No.  
 40\*  
 Business Franchise Licences (Petroleum Products) Amendment Act 1992 No.  
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 Business Franchise Licences (Tobacco) Amendment Act 1991 No. 30\*  
 Children (Care and Protection) (Child Employment) Amendment Act 1992 No.  
 51\*  
 Closer Settlement (Miscellaneous Repeals and Amendments) Act 1987 No.  
 180\*  
 Coal Mines Regulation (Amendment) Act 1989 No. 216\*  
 Coal Mining Industry Long Service Leave (Amendment) Act 1990 No. 73\*  
 Commercial Agents and Private Inquiry Agents (Amendment) Act 1985 No.  
 53\*  
 Commercial Vessels (Amendment) Act 1983 No. 114\*  
 Compensation to Relatives (De Facto Relationships) Amendment Act 1984 No.  
 149\*  
 Co-operation (Amendment) Act 1989 No. 55\*  
 Coroners (Miscellaneous Amendments) Act 1989 No. 237\*  
 Credit (Amendment) Act 1992 No. 27\*  
 Credit (Amendment) Act 1993 No. 71\*  
 Credit-sale Agreements (Repeal) Act 1981 No. 126\*\*  
 Dairy Industry (Corporations) Amendment Act 1992 No. 58\*  
 Daylight Saving (Referendum) Act 1975 (1976 No. 2)\*\*  
 Department of Agriculture (Repeal) Act 1976 No. 49\*\*  
 Economic Stability and War-time Provisions Continuance Act 1946 No. 54\*\*

*Statute Law (Miscellaneous Provisions) Act (No. 2) 1994 No. 95—Notes*

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- Election Funding (Amendment) Act 1993 No. 104\*  
 Employment Protection (Amendment) Act 1983 No. 19\*  
 Environmental Planning and Assessment (Amendment) Act 1994 No. 29\*  
 Ethnic Affairs Commission (Amendment) Act 1987 No. 288\*  
 Fair Trading (Lay-By) Amendment Act 1993 No. 25\*  
 Farm Water Storages and Bores Subsidies (Amendment and Repeal) Act 1984  
 No. 154\*  
 Film and Video Tape Classification (Amendment) Act 1991 No. 74\*  
 Fire Brigades (Hazardous Materials) Amendment Act 1993 No. 110\*  
 Firearms and Dangerous Weapons (Amendment) Act 1985 No. 51\*  
 Health Administration (Medicare) Amendment Act 1994 No. 2\*  
 Health Legislation (Reasons for Decisions) Amendment Act 1987 No. 275\*  
 Health Professional Boards Legislation (Amendment) Act 1990 No. 12\*  
 Home Care Service (Amendment) Act 1990 No. 76\*  
 HomeFund Select Committee (Special Provisions) Act 1993 No. 27\*\*  
 Housing Indemnities Act 1962 No. 4\*\*  
 Industrial Relations (Sick Leave) Amendment Act 1992 No. 87\*  
 Industrial Relations (Public Vehicles and Carriers) Amendment Act 1993 No.  
 82\*  
 Inebriates (Amendment) Act 1979 No. 68\*  
 Judicial Officers (Amendment) Act 1987 No. 22\*  
 Land Acquisition (The Southern Electric Authority of Queensland) Act 1967  
 No. 3\*\*  
 Maintenance Act 1964 No. 74\*\*  
 Maintenance (Amendment) Act 1977 No. 43\*  
 Mining (Amendment) Act 1980 No. 81\*  
 Mining (Amendment) Act 1990 No. 37\*  
 Miscellaneous Acts (Animal Research) Amendment Act 1985 No. 124\*  
 Miscellaneous Acts (Industrial and Commercial Training) Amendment Act  
 1989 No. 79\*  
 Miscellaneous Acts (Marine Pollution) Amendment Act 1987 No. 300\*  
 Miscellaneous Acts (Public Authorities Financial Arrangements) Amendment  
 Act 1987 No. 34\*  
 Miscellaneous Acts (Taxation) Repeal Act 1976 No. 85\*\*  
 Miscellaneous Acts (Wilderness) Amendment Act 1987 No. 197\*  
 Miscellaneous Acts (Workers' Compensation) Amendment Act 1985 No. 94\*  
 Motor Accidents (Amendment) Act 1993 No. 72\*  
 Motor Vehicle Driving Instructors (Amendment) Act 1988 No. 83\*  
 Motor Vehicles Taxation (Amendment) Act 1991 No. 41\*  
 Motor Vehicles Taxation (Amendment) Act 1992 No. 74\*  
 Murrumbidgee Electricity Undertaking Transfer Act 1955 No. 24\*\*  
 Nurses Registration (Amendment) Act 1987 No. 130\*  
 Police Service (Management) Amendment Act 1993 No. 39\*  
 Prisons (Amendment) Act 1985 No. 26\*

*Statute Law (Miscellaneous Provisions) Act (No. 2) 1994 No. 95—Notes*

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Prisons (Amendment) Act 1993 No. 89\*  
Prisons (Medical Tests) Amendment Act 1990 No. 40\*  
Prisons (Serious Offenders Review Board) Amendment Act 1989 No. 219\*  
Protection of the Environment Administration (Amendment) Act 1993 No. 40\*  
Statute Law Revision Act 1976 No. 63\*\*  
Supply Act 1992 No. 53\*\*  
Traffic (Tow Truck Penalty Notices) Amendment Act 1993 No. 14\*  
Trustee (Amendment) Act 1993 No. 18\*  
Waste Disposal (Amendment) Act 1989 No. 30\*  
Waste Disposal (Further Amendment) Act 1989 No. 38\*

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[*Minister's second reading speech made in—  
Legislative Council on 13 October 1994  
Legislative Assembly on 16 November 1994*]

**STATUTE LAW (MISCELLANEOUS PROVISIONS) ACT  
(No. 2) 1994 No. 95**

NEW SOUTH WALES



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- Annual Reports (Departments) Act 1985 No. 156
- Annual Reports (Statutory Bodies) Act 1984 No. 87
- Associations Incorporation Act 1984 No. 143
- Bush Fires Act 1949 No. 31
- Business Names Act 1962 No. 11
- Children (Criminal Proceedings) Act 1987 No. 55
- Compensation Court Act 1984 No. 89
- Disability Services Act 1993 No. 3
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- Election Funding Act 1981 No. 78
- Health Care Complaints Act 1993 No. 105
- Infants' Home, Ashfield, Act 1924 No. 13
- Justices Act 1902 No. 27
- Local Courts Act 1982 No. 164
- Local Courts Regulation 1994
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- Native Title (New South Wales) Act 1994 No. 45
- Occupational Health and Safety Act 1983 No. 20

*Statute Law (Miscellaneous Provisions) Act (No. 2) 1994 No. 95*

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Ombudsman Act 1974 No. 68

Petroleum (Onshore) Act 1991 No. 84

Poisons Act 1966 No. 31

Police Service Act 1900 No. 47

Poultry Meat Industry Act 1986 No. 101

Prevention of Cruelty to Animals Act 1979 No. 200

Public Finance and Audit Act 1983 No. 152

Reprints Act 1972 No. 48

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

Sporting Injuries Insurance Act 1978 No. 141

Strata Titles (Leasehold) Act 1986 No. 219

Teacher Housing Authority Act 1975 No. 27

Trade Measurement Act 1989 No. 233

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SCHEDULE 2—AMENDMENTS BY WAY OF STATUTE LAW REVISION

SCHEDULE 3—AMENDMENTS REPLACING GENDER-SPECIFIC  
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SCHEDULE 4—REPEALS

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FIRST PRINT

**STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL  
(No. 2) 1994**

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 replace gender-specific language with gender-neutral language (Schedule 3); and
- (d) to repeal certain Acts (Schedule 4); and
- (e) to make other provisions of a consequential or ancillary nature (Schedule 5).

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**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:

- Annual Reports (Departments) Act 1985 No. 156
- Annual Reports (Statutory Bodies) Act 1984 No. 87
- Associations Incorporation Act 1984 No. 143
- Bush Fires Act 1949 No. 31

*Statute Law (Miscellaneous Provisions) (No. 2) 1994*

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Business Names Act 1962 No. 11  
 Children (Criminal Proceedings) Act 1987 No. 55  
 Compensation Court Act 1984 No. 89  
 Disability Services Act 1993 No. 3  
 District Court Act 1973 No. 9  
 Election Funding Act 1981 No. 78  
 Health Care Complaints Act 1993 No. 105  
 Infants' Home, Ashfield, Act 1924 No. 13  
 Justices Act 1902 No. 27  
 Local Courts Act 1982 No. 164  
 Mining Act 1992 No. 29  
 Native Title (New South Wales) Act 1994 No. 45  
 Occupational Health and Safety Act 1983 No. 20  
 Ombudsman Act 1974 No. 68  
 Petroleum (Onshore) Act 1991 No. 84  
 Poisons Act 1966 No. 31  
 Police Service Act 1990 No. 47  
 Poultry Meat Industry Act 1986 No. 101  
 Prevention of Cruelty to Animals Act 1979 No. 200  
 Public Finance and Audit Act 1983 No. 152  
 Reprints Act 1972 No. 48  
 South-west Tablelands Water Supply Administration Act 1941 No. 36  
 Sporting Injuries Insurance Act 1978 No. 141  
 Strata Titles (Leasehold) Act 1986 No. 219  
 Teacher Housing Authority Act 1975 No. 27  
 Trade Measurement Act 1989 No. 233  
 University of Technology, Sydney, Act 1989 No. 69  
 Very Fast Train (Route Investigation) Act 1989 No. 44  
 Women's College Act 1902 No. 71

The Schedule also amends the Local Courts Regulation 1994.

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

Where necessary, provisions of a saving, transitional or other 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.



*Statute Law (Miscellaneous Provisions) (No. 2) 1994*

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**SCHEDULE 3—AMENDMENTS REPLACING GENDER-SPECIFIC LANGUAGE**

**Schedule 3** substitutes gender-neutral language for gender-specific language in various Acts. A similar Schedule was introduced in the last Statute Law (Miscellaneous Provisions) Act, specifically aimed at removing gender-specific language from the statute book. It is intended that the statute law revision program will continue the process of removal until all gender-specific language has been replaced.

The Schedule adopts two approaches:

- (a) it amends Acts chronologically, beginning with the Real Property Act 1900; and
- (b) it amends a particular group of Acts (those relating to the administration of justice).

**SCHEDULE 4—REPEALS**

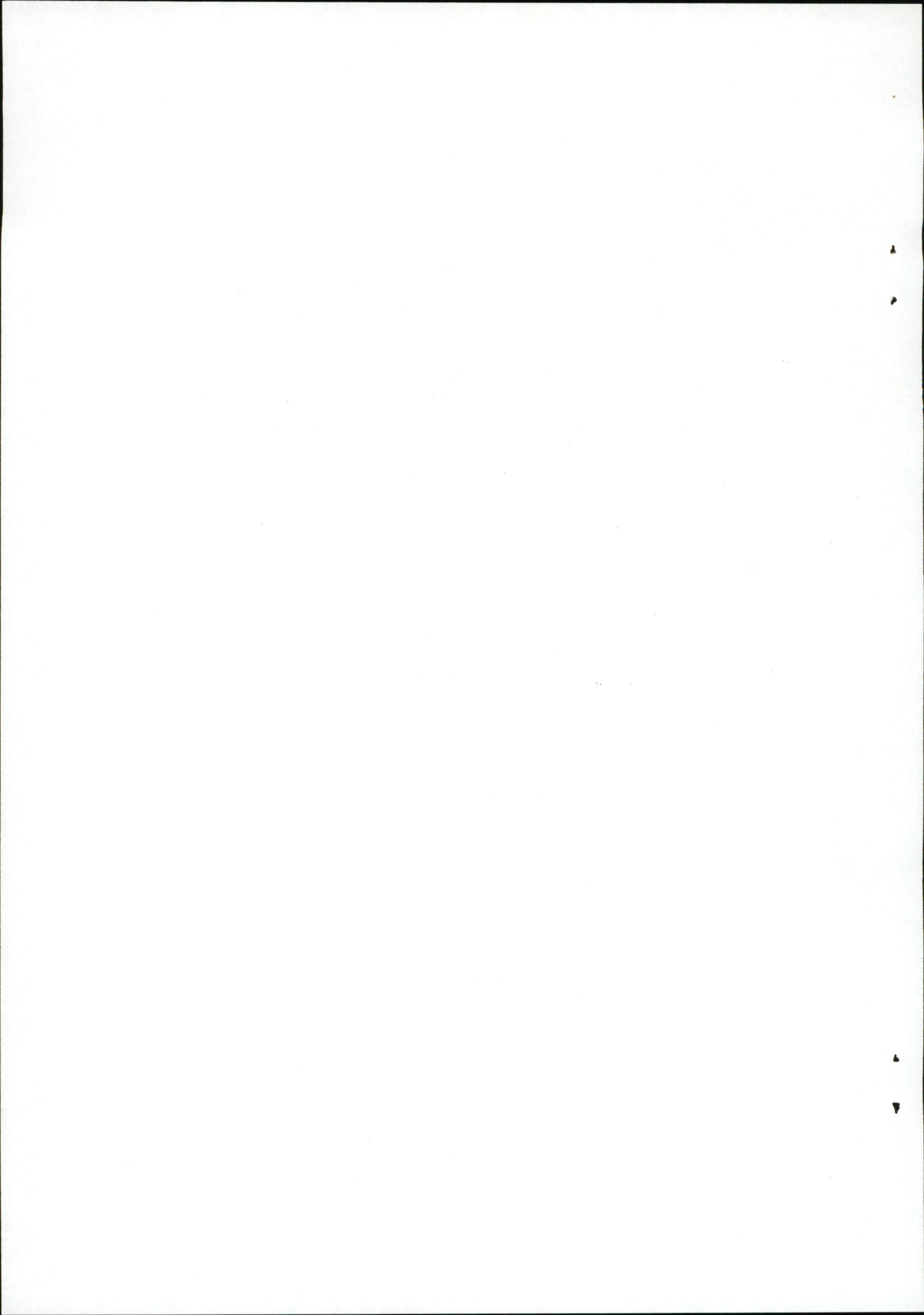
**Schedule 4** repeals a number of Acts. Since the Statute Law (Miscellaneous Provisions) Act 1985, the number of Acts in force has been gradually reduced by repealing amending Acts once the amendments contained in the Acts have been incorporated in a reprint. The Schedule continues this process. It also repeals certain Acts that amended repealed Acts, and Acts that are no longer of any practical utility.

**SCHEDULE 5—GENERAL SAVINGS, TRANSITIONAL AND OTHER PROVISIONS**

**Schedule 5** contains savings, transitional and other provisions of a more general effect than those set out in Schedule 1.

The purpose of each provision is explained in detail in the explanatory note relating to the provision concerned set out in Schedule 5.

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FIRST PRINT

**STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL  
(No. 2) 1994**

NEW SOUTH WALES



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Annual Reports (Statutory Bodies) Act 1984 No. 87  
Associations Incorporation Act 1984 No. 143  
Bush Fires Act 1949 No. 31  
Business Names Act 1962 No. 11  
Children (Criminal Proceedings) Act 1987 No. 55  
Compensation Court Act 1984 No. 89  
Disability Services Act 1993 No. 3  
District Court Act 1973 No. 9  
Election Funding Act 1981 No. 78  
Health Care Complaints Act 1993 No. 105  
Infants' Home, Ashfield, Act 1924 No. 13  
Justices Act 1902 No. 27  
Local Courts Act 1982 No. 164  
Local Courts Regulation 1994  
Mining Act 1992 No. 29  
Native Title (New South Wales) Act 1994 No. 45  
Occupational Health and Safety Act 1983 No. 20

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- Ombudsman Act 1974 No. 68
  - Petroleum (Onshore) Act 1991 No. 84
  - Poisons Act 1966 No. 31
  - Police Service Act 1900 No. 47
  - Poultry Meat Industry Act 1986 No. 101
  - Prevention of Cruelty to Animals Act 1979 No. 200
  - Public Finance and Audit Act 1983 No. 152
  - Reprints Act 1972 No. 48
  - South-west Tablelands Water Supply Administration Act 1941 No. 36
  - Sporting Injuries Insurance Act 1978 No. 141
  - Strata Titles (Leasehold) Act 1986 No. 219
  - Teacher Housing Authority Act 1975 No. 27
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  - SCHEDULE 3—AMENDMENTS REPLACING GENDER-SPECIFIC LANGUAGE
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  - SCHEDULE 5—GENERAL SAVINGS, TRANSITIONAL AND OTHER PROVISIONS
-

**STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL  
(No. 2) 1994**

NEW SOUTH WALES



No. , 1994

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**A BILL FOR**

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

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*Statute Law (Miscellaneous Provisions) (No. 2) 1994***The Legislature of New South Wales enacts:****Short title**

5       1. This Act may be cited as the Statute Law (Miscellaneous Provisions) Act (No. 2) 1994.

**Commencement**

      2. This Act commences on the date of assent, except as provided in Schedules 1 and 2.

**Amendments**

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

**Repeals**

      4. Each Act specified in Schedule 4 is repealed.

**General savings, transitional and other provisions**

15       5. Schedule 5 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)

**ANNUAL REPORTS (DEPARTMENTS) ACT 1985 No. 156****AMENDMENTS****Section 17 (Land register):**

25

(a) Omit "Secretary of the Premier's Department" wherever occurring, insert instead "Director-General of the Department of Conservation and Land Management".

(b) From section 17 (1), omit "given by the Secretary, furnish to the Secretary", insert instead "given by the Director-General, furnish to the Director-General".

30

(c) From section 17 (1) (e), omit "Secretary", insert instead "Director-General".

(d) From section 17 (3), omit "to the Secretary", insert instead "to the Director-General".

**COMMENCEMENT**

35

The amendments to the Annual Reports (Departments) Act 1985 commence on the date of assent to this Act.

**EXPLANATORY NOTE**

Section 17 of the Act concerns the keeping of a register of land vested in, owned or occupied by, or subject to the control of, each Department (or Minister) and provides for the furnishing of information to allow the register to be kept. At present, the Managing Director of the Property Services Group is responsible for keeping the register. (Although the Act provides that the Secretary of the Premier's Department is to keep the register, an Administrative Changes Order gazetted on 31 May 1991 provides that references in section 17 (and in section 14 of the Annual Reports (Statutory Bodies) Act 1984) to the Secretary are to be construed as references to the Managing Director of the Property Services Group.)

The proposed amendments transfer the responsibility for keeping the register to the Director-General of the Department of Conservation and Land Management.

Similar amendments to section 14 of the Annual Reports (Statutory Bodies) Act 1984 are proposed to be made by the amendments immediately following.

**ANNUAL REPORTS (STATUTORY BODIES) ACT 1984 No. 87****AMENDMENTS****Section 14 (Land register):**

- (a) Omit "Secretary of the Premier's Department" wherever occurring, insert instead "Director-General of the Department of Conservation and Land Management".
- (b) From section 14 (1), omit "given by the Secretary, furnish to the Secretary", insert instead "given by the Director-General, furnish to the Director-General".
- (c) From section 14 (1) (f), omit "Secretary", insert instead "Director-General".
- (d) From section 14 (4), omit "to the Secretary", insert instead "to the Director-General".
- (e) From section 14 (5), omit "report to the Secretary", insert instead "report to the Director-General".

**COMMENCEMENT**

The amendments to the Annual Reports (Statutory Bodies) Act 1984 commence on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendments are similar to amendments to the Annual Reports (Departments) Act 1985 proposed to be made by the amendments immediately preceding these amendments. The Explanatory Note to those amendments is also applicable to these amendments.

**ASSOCIATIONS INCORPORATION ACT 1984 No. 143****AMENDMENTS**

## (1) The whole Act:

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Omit “the prescribed form” wherever occurring, insert instead “an approved form”.

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

In section 3, insert in alphabetical order:

“**approved**”, in relation to a form, means approved by the Commissioner;

10

(3) Section 27 (**Lodgment of accounts etc.**):

## (a) After section 27 (1), insert:

15

(1A) The Commissioner may, at any time, insert in a form approved for the purposes of the statement referred to in subsection (1), such details relating to an incorporated association as are known to the Commissioner, and may provide the partially-completed form (or part of the form) to the association concerned.

20

(1B) The public officer of an incorporated association provided with such a form does not meet the requirements of subsection (1) if the public officer does not cause the form to be completed in full (with details that were inserted by the Commissioner corrected if necessary and further matter added if part only of the form was provided) and duly lodged in accordance with this section.

## (b) From section 27 (2), omit “if it thinks fit”, insert instead “if the Commissioner thinks fit”.

25

**COMMENCEMENT**

The amendments to the Associations Incorporation Act 1984 commence on the date of assent to this Act.

**EXPLANATORY NOTE****Prescribed forms** (items (1) and (2))

30

At present, an application made, a notice or statement required to be given or lodged and a certificate issued, under the Act, and a supplementary document referred to in section 65 (2) (c) of the Act, must be in the form prescribed by the regulations. The proposed amendments repeal that requirement, providing instead that the applications, notices, statements, certificates and supplementary documents are to be in a form approved by the Commissioner for Consumer Affairs.

35

Item (1) replaces all references to “prescribed form” with “approved form”, and item (2) inserts a definition of “approved” (in relation to a form).

**Annual statements** (item (3) (a))

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Section 27 requires the public officer of an incorporated association to lodge an annual statement of accounts and other matters with the Commissioner for Consumer Affairs.



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Item (3) (a) of the proposed amendments allows the Commissioner to provide an incorporated association with a partially-completed version of the statement (or part of the statement), and requires the public officer of the association concerned to arrange the completion and lodgment of the statement.

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

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Item (3) (b) of the proposed amendments makes an amendment by way of statute law revision.

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**BUSH FIRES ACT 1949 No. 31**

**AMENDMENTS**

- (1) Section 11 (**Duration, revocation, suspension and variation of permits**): 10

From section 11 (4), omit “for 21 days after the day on which it was granted”, insert instead “for such period (not exceeding 21 days) as is specified in it”.

- (2) Schedule 1A (**Savings and transitional provisions**): 15

From Part 3 (as inserted by the Bush Fires (Amendment) Act 1994 No. 24):

(a) Omit “**Part 3**”, insert instead “**Part 2A**”.

(b) Omit “6. (1)”, insert instead “5A. (1)”.

**COMMENCEMENT** 20

The amendments to the Bush Fires Act 1949 commence on the date of assent to this Act.

**EXPLANATORY NOTE**

**Permits to light certain classes of fires (item (1))**

A permit under section 10 of the Bush Fires Act 1949 is required for certain classes of fires, such as those for the purpose of clearing land during a bush fire danger period (October to March, inclusive, for the entire State). At present, section 11 (4) provides that such a permit remains in force for 21 days after the day on which it was granted (unless, during that period, it is revoked or ceases to have effect because of a direction given under section 16 of the Act). 25

Item (1) of the proposed amendments allows the permit to be granted for a period of less than 21 days. 30

**Statute law amendments (item (2))**

Item (2) of the proposed amendments corrects duplicated numbering.

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**BUSINESS NAMES ACT 1962 No. 11****AMENDMENTS**

## (1) The whole Act:

- 5 (a) Omit “Managing Director” wherever occurring (except where occurring in section 4 (1) but including wherever occurring in a heading to a section), insert instead “Commissioner”.
- (b) Omit “Managing Director’s” wherever occurring, insert instead “Commissioner’s”.
- 10 (c) Omit “the prescribed form” wherever occurring, insert instead “an approved form”.

(2) Section 4 (**Definitions**):

- (a) In section 4 (1), insert in alphabetical order:

“**Approved**”, in relation to a form, means approved by the Commissioner.

15 “**Commissioner**” means the Commissioner for Consumer Affairs.

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

(3) Section 7 (**Registration of business names**):

- 20 (a) In section 7 (1) (a), after “business name”, insert “(and, if the applicant or applicants wish, up to 2 alternative business names in order of preference)”.

- (b) After section 7 (3), insert:

25 (3A) If the business name set out in the statement lodged under subsection (1) is not able to be registered under this Act because of the operation of section 5B or 9, the Commissioner is to consider (in the applicant’s preferred order) any alternative business names set out in that statement and is to register the first of those alternatives that is, subject to this Act, able to be registered.

(4) Section 8 (**Resident agent**):

- 30 (a) From section 8 (1), omit “shall”, insert instead “is to be accompanied by a further statement”.
- (b) From section 8 (1) (a), omit “include”, insert instead “that sets out”.
- 35 (c) From section 8 (1) (b), omit “in addition be”, insert instead “that is”.

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(5) Section 9 (**Restriction on registration of business names that are undesirable etc.**):

From section 9 (2), omit “the Attorney-General of each State of the Commonwealth”, insert instead “the Minister in each State and Territory of the Commonwealth who administers the Act of the State or Territory that is concerned with the registration of business names”.

5

(6) Section 15 (**Signing of statements**):

From section 15 (1) (b), omit “manager or the”, insert instead “the chief executive officer or”.

10

(7) Section 32 (**Regulations**):

Omit section 32 (2) (d).

**COMMENCEMENT**

The amendments to the Business Names Act 1962 commence on the date of assent to this Act.

15

**EXPLANATORY NOTE**

**References to “Managing Director”** (items (1) (a) and (b) and (2) (a) (in part) and (b))

Item (1) (a) and (b) of the proposed amendments makes explicit in the Act the effect of an Administrative Changes Order to the extent that the Order affects the Act. The Order provides (among other things) that references to the Managing Director of Business and Consumer Affairs in the Act are to be construed as references to the Commissioner for Consumer Affairs.

20

Item (2) (b) and part of item (2) (a) make consequential amendments by omitting the definition of “Managing Director” and inserting a definition of “Commissioner”.

25

**Prescribed forms** (items (1) (c), (2) (a) (in part) and (7))

At present, a statement or notification required to be lodged, and a certificate issued, under the Act must be in the form prescribed by the regulations. The proposed amendments repeal that requirement, providing instead that the statements, notifications and certificates are to be in a form approved by the Commissioner for Consumer Affairs.

30

Item (1) (c) replaces all references to “prescribed form” with “approved form”, and part of item (2) (a) inserts a definition of “approved” (in relation to a form).

Item (7) makes a consequential amendment by repealing the power to make regulations prescribing the forms to be used under the Act.

35

**Registration of business names** (item (3))

Item (3) (a) of the proposed amendments allows an applicant for the registration of a business name to nominate up to 2 alternative names (in order of preference) on the application form.

Sections 5B (Business names must use English alphabet etc.) and 9 (Restriction on registration of business names that are undesirable etc.) of the Act can operate to prevent the registration of a particular name as a business name. If the operation of one of those sections is the reason that the applicant’s first choice of name cannot be registered, item (3) (b) requires the Commissioner for Consumer Affairs to register the first of the nominated alternative names (if any) that can be registered.

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**Resident agent (item (4))**

At present, an applicant for the registration of a business name must provide the name and address of a resident agent on the application form if the applicant resides outside NSW or has no fixed address within NSW. The effect of item (4) of the proposed amendments is to require the agent's name and address to be on a separate form, rather than on the application form. The proposed amendments alter the subsection as follows (matter to be omitted is in *italic* type, matter to be inserted is in **bold** type):

8. (1) Where a business name is required to be registered under this Act and the person or all the persons carrying on or proposing to carry on business in the State under that name resides or reside outside the State, or has or have no fixed address within the State, the statement referred to in subsection (1) of section 7 **shall is to be accompanied by a further statement:**

(a) *include that sets out* the name and address of some person resident in the State .....; and

(b) *in addition be that is* signed by the person who has consented to be the resident agent.

**Notification of direction not to register particular name (item (5))**

Section 9 (1) empowers the Minister to direct the Commissioner for Consumer Affairs not to accept a name, or a name of a kind, for registration as a business name. Section 9 (2) requires (among other things) a copy of any such direction to be forwarded to the Attorney-General of the Commonwealth and "the Attorney-General of each State of the Commonwealth".

Item (5) of the proposed amendments provides that, instead of being sent to the State Attorneys-General, the copy is to be sent to the Minister in each State and Territory who administers the Act that is concerned with the registration of business names.

**"Manager" of corporation (item (6))**

Item (6) of the proposed amendments updates a reference to a "manager" of a corporation by replacing it with a reference to the "chief executive officer" in line with current usage.

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**CHILDREN (CRIMINAL PROCEEDINGS) ACT 1987 No. 55**

**AMENDMENTS**

**Section 39 (Definitions):**

Omit the definitions of "Director-General" and "officer", insert instead:

**"Director-General"** means the person for the time being holding office or acting as the Director-General of the Department of Juvenile Justice;

**"officer"** means an officer or temporary employee, within the meaning of the Public Sector Management Act 1988, employed in the Department of Juvenile Justice or in the Department of Corrective Services.

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**COMMENCEMENT**

The amendments to the Children (Criminal Proceedings) Act 1987 commence on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendments replace references to the Department of Family and Community Services with references to the Department of Juvenile Justice. These amendments are consequential on administrative changes. 5

The proposed amendments also update a reference to a repealed Act.

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**COMPENSATION COURT ACT 1984 No. 89**

**AMENDMENT**

Section 42 (**Rule Committee**):

After section 42 (7), insert:

(7A) The Rule Committee may, if it thinks fit, transact any of its business by the circulation of papers among all members of the Rule Committee for the time being, and a resolution in writing approved in writing by a majority of those members is taken to be a decision of the Rule Committee. 15

**COMMENCEMENT**

The amendment to the Compensation Court Act 1984 commences on the date of assent to this Act. 20

**EXPLANATORY NOTE**

The proposed amendment allows the Rule Committee of the Compensation Court to transact its business by means of the circulation of papers and resolutions, rather than by calling a physical meeting of its members. The Rule Committees of various other courts are already empowered to transact business in this way. 25

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**DISABILITY SERVICES ACT 1993 No. 3**

**AMENDMENTS**

Section 6 (**Minister to ensure that designated services are provided and funded in conformity with the Act**):

(a) From section 6 (2) (b) and (3) (b), omit “2 years” wherever occurring, insert instead “3 years”. 30

(b) From section 6 (4), omit “2-year period”, insert instead “3-year period”.

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**COMMENCEMENT**

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

**EXPLANATORY NOTE**

5           **Postponement of application of section 6 to certain services (item (a))**

Section 6 (1) of the Act requires the Minister to ensure that “designated services” under the Act are provided and funded in conformity with the objects of the Act and the principles, and applications of principles, set out in Schedule 1 to the Act. Section 6 (2)–(4) provides for the postponement (in certain circumstances) for 2 years of the application of section 6 to services that were provided or funded by the Minister or by the Commonwealth before the commencement of the section, and for the preparation of transition plans in relation to them.

10           The application of section 6 to those services is currently postponed to 9 April 1995. Item (a) of the proposed amendments extends that postponement for a further year from that date.

15           **Minister’s obligation during postponement (item (b))**

During the period that section 6 does not apply to the services concerned, the Minister must ensure that those services are provided or funded as closely as possible in conformity with the objects, principles and application of principles concerned. That period is specified in section 6 (4). Item (b) amends that subsection as a consequence of the extension of the postponement.

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**DISTRICT COURT ACT 1973 No. 9**

**AMENDMENT**

Section 161 (**Civil procedure rules**):

25           From section 161 (1), omit:

(1) The Rule Committee may make rules, not inconsistent with this Act, for or with respect to any matter that by this Act is required or permitted to be prescribed for the purposes of, or in connection with, the exercise by the Court of its civil jurisdiction or that is necessary or convenient to be prescribed for carrying out or giving effect to this Part and Division 3 of Part 2 or any Act under or by virtue of which rules made under this Part apply, and in particular for or with respect to:

30           insert instead:

35           (1) The Rule Committee may make rules, not inconsistent with this Act, for or with respect to any matter:

- that by this Act, or by any other Act or law, is required or permitted to be prescribed by rules; or
- that is necessary or convenient to be prescribed by rules,

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for the purposes of, or in connection with, the exercise by the Court of its civil jurisdiction under provisions of this Act, or of any other Act or law, or for carrying any such provisions into effect, and in particular for or with respect to:

**COMMENCEMENT** 5

The amendment to the District Court Act 1973 commences on the date of assent to this Act.

**VALIDATION**

Any rule of court made (or purporting to be made) under section 161 of the District Court Act 1973 that could have been made under that section as amended by this Act is taken to be made under that section as so amended. 10

**EXPLANATORY NOTE**

Section 161 empowers the Rule Committee of the District Court to make rules concerning the Court's exercise of its civil jurisdiction.

The proposed amendment makes the following points clear: 15

- (a) the section applies even if the jurisdiction is conferred on the Court by an Act other than the District Court Act 1973;
- (b) the rules are not to be concerned with any matter *other than* the Court's exercise of its jurisdiction.

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**ELECTION FUNDING ACT 1981 No. 78** 20

**AMENDMENT**

Section 74 (**Claims for, and approvals of, payments**):

From section 74 (1), omit "90 days" wherever occurring, insert instead "120 days".

**COMMENCEMENT** 25

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

**EXPLANATORY NOTE**

The proposed amendment extends the time allowed for the lodgment of claims for payments under section 74 of the Act (relating to expenditure for election campaign purposes) from 90 days to 120 days after the return of the writs for the election or by-election concerned. That time is consistent with the time allowed (under sections 83–85A) for the lodgment of declarations of political contributions received and electoral expenditure incurred. 30

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**HEALTH CARE COMPLAINTS ACT 1993 No. 105****AMENDMENT**

## Section 70A:

After section 70, insert:

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**Reporting when Parliament not in session**

70A. (1) If a House of Parliament is not sitting when the Joint Committee seeks to furnish a report to it, the Committee may present copies of the report to the Clerk of the House.

10

(2) The report:

(a) on presentation and for all purposes is taken to have been laid before the House; and

(b) may be printed by authority of the Clerk; and

15

(c) if printed by authority of the Clerk, is for all purposes taken to be a document published by or under the authority of the House; and

(d) is to be recorded in the Minutes, or Votes and Proceedings, of the House on the first sitting day of the House after receipt of the report by the Clerk.

**COMMENCEMENT**

20

The amendment to the Health Care Complaints Act 1993 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

25

The proposed amendment provides a mechanism by which the Committee on the Health Care Complaints Commission may report to a House of Parliament when the House is not sitting. Similar provisions are contained in the other Acts that establish Parliamentary Committees (such as the Regulation Review Act 1987), with the exception of the Ombudsman Act 1974. An equivalent provision is to be inserted in that Act by an amendment proposed to be made elsewhere in this Schedule.

**INFANTS' HOME, ASHFIELD, ACT 1924 No. 13**

30

**AMENDMENTS**(1) Section 2 (**Definitions**):

Omit the definition of "Members", insert instead:

**"Member"** means a person who:

35

(a) has paid the annual fee, if any, charged by the body corporate for membership; and

(b) is registered in any register of members kept under the constitution and rules of the body corporate.



(2) Section 3 (**Members to be corporate body**):

At the end of section 3 (4) (c), insert:

; and

- (d) invest any funds of the body corporate in any manner authorised by law for the investment of trust funds; and 5
- (e) borrow money on the security of the whole or any part of any property of the body corporate; and
- (f) enter into any contract; and
- (g) exercise and perform such powers, authorities, duties and functions, in addition to those specified elsewhere in this Act, as are necessary or convenient to enable it to achieve its objects. 10

## (3) Section 4A:

After section 4, insert:

**Liability of officers and members of governing body and others** 15

4A. A matter or thing done, or omitted to be done, by:

- (a) an officer or member of the governing body of the body corporate; or
- (b) a person acting under the direction of such an officer or member, 20

does not subject the officer, member or person so acting personally to any action, liability, claim or demand if the matter or thing was done, or omitted to be done, in good faith for the purpose of executing this Act.

(4) Section 5 (**Objects and powers**): 25

Omit section 5 (1), insert instead:

- (1) The body corporate has the following charitable objects:
  - (a) to uphold and promote:
    - (i) the dignity of children; and
    - (ii) childrens' rights to growth, care and opportunity; and 30
    - (iii) childrens' rights to health, happiness and self confidence;
  - (b) to assist parents, and especially sole parents, by providing child care, temporary accommodation and advice in respect of child care, home management and health; 35
  - (c) to provide services to protect children from circumstances that may endanger them.

**COMMENCEMENT**

The amendments to the Infants' Home, Ashfield, Act 1924 commence on the date of assent to this Act. 40

**EXPLANATORY NOTE****Membership** (item (1))

5 Item (1) of the proposed amendments replaces the definition of “Members” of the body corporate that conducts the Infants’ Home, Ashfield, so as to clarify the classes of persons who are members.

**Powers of body corporate** (item (2))

10 Item (2) of the proposed amendments expressly sets out in a provision specifying powers of the body corporate certain other powers that are contemplated elsewhere in the Act. For example, section 6 (2) (c) contemplates the making of rules for the application or investment of the body corporate’s funds, and section 7 specifies the way in which contracts may be made on behalf of the body corporate.

The amendment also permits the body corporate to exercise such other functions as are necessary or convenient for it to achieve its objects.

**Limitation of liability** (item (3))

15 Item (3) of the proposed amendments provides protection from personal liability for officers and members of the governing body of the body corporate, and persons acting under their direction, in relation to activities done (or omitted to be done) in good faith for the purpose of executing the Infants’ Home, Ashfield, Act 1924.

**Objects of body corporate** (item (4))

20 At present, the objects of the body corporate are set out in section 5 (1) in very specific terms (such as “to assist foundlings”). Item (4) of the proposed amendments replaces that subsection with a series of more general objects that are in keeping with the current activities of the body corporate.

**JUSTICES ACT 1902 No. 27****AMENDMENTS**

25 Section 131AF (**Appeal by Crown to Land and Environment Court against sentence**):

(a) After section 131AF (1), insert:

30 (1A) The Environment Protection Authority may appeal to the Land and Environment Court against any sentence imposed by a Justice or Justices in proceedings for an environmental offence that has been dealt with summarily if those proceedings have been instituted or carried on by, or on behalf of, the Environment Protection Authority.

35 (b) Before section 131AF (3) (a), insert:

(aa) a reference to the Director of Public Prosecutions is, in relation to an appeal under subsection (1A), to be construed as a reference to the Environment Protection Authority.

**COMMENCEMENT**

40 The amendments to the Justices Act 1902 commence on the date of assent to this Act.

**TRANSITIONAL**

Section 131AF (1A) of the Justices Act 1902, as inserted by this Act, does not apply in respect of a sentence imposed before the commencement of the subsection.

**EXPLANATORY NOTE**

At present, section 131AF of the Act empowers the Director of Public Prosecutions to appeal to the Land and Environment Court against any sentence imposed by a Justice or Justices in proceedings for an environmental offence that has been dealt with summarily if the Director of Public Prosecutions instituted or carried on the proceedings concerned. 5

Item (a) of the proposed amendments confers the same power on the Environment Protection Authority in respect of sentences imposed by a Justice or Justices in proceedings instituted or carried on by or on behalf of the Authority. 10

Item (b) makes a consequential amendment.

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**LOCAL COURTS ACT 1982 No. 164**
**AMENDMENTS**(1) Section 4 (**Definitions**):

- (a) From section 4 (1), omit the definition of “prescribed office”.
- (b) Omit section 4 (4).

(2) Section 13 (**Appointments for limited tenure**):

Omit section 13 (2)–(4). 20

(3) Section 20 (**Vacation of office**):

Omit section 20 (g).

(4) Section 23 (**Employment of Magistrates in other offices etc.**):

Omit section 23 (5).

(5) Section 24 (**Remuneration**): 25

- (a) From section 24 (1), omit “subsection (2) or (3),”, insert instead “subsection (2),”.
- (b) Omit section 24 (3).

**COMMENCEMENT**

The amendments to the Local Courts Act 1982 commence on the date of assent to this Act. 30

**TRANSITIONAL**

The holder of a prescribed office who was appointed to be a Magistrate under section 13 (2) of the Local Courts Act 1982 before the repeal of that subsection by this Act, and who, on that repeal, holds the office of Magistrate pursuant to that appointment is taken to have been appointed under section 12 of that Act. 35

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**AMENDMENT TO LOCAL COURTS REGULATION 1994**

Clause 4 (2) of the Local Courts Regulation 1994 is amended by omitting the words “, or who is the holder of a prescribed office within the meaning of the Act.”.

**EXPLANATORY NOTE**

5 Section 4 (1) of the Local Courts Act 1982 defines “prescribed office” as the office of Clerk of a Local Court and any other office prescribed for the purposes of the definition. Section 13 (2) of the Act empowers the Governor to appoint the holder of a prescribed office to be a Magistrate.

10 However, the Act also empowers the Governor to appoint *any* qualified person to be a Magistrate (section 12 (1)) or a Magistrate for a specified term (section 13 (1)), and to grant approval to the person’s holding and exercising the functions of another office or appointment at the same time as the office of Magistrate (section 23 (2)). The specific power relating to the holder of a prescribed office is, therefore, unnecessary.

15 Accordingly, the proposed amendments remove the references to “prescribed office” from the Act. They also make a consequential amendment to the Local Courts Regulation 1994.

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**MINING ACT 1992 No. 29**

**AMENDMENTS**

The whole Act (including headings to sections of the Act):

- 20 (a) Omit “warden’s court” wherever occurring, insert instead “Warden’s Court”.
- (b) Omit “wardens’ courts” wherever occurring, insert instead “Wardens’ Courts”.

**COMMENCEMENT**

25 The amendments to the Mining Act 1992 commence on the date of assent to this Act.

**EXPLANATORY NOTE**

30 The proposed amendments use capital initial letters to refer to Wardens’ Courts. Similar amendments are proposed to be made to the Native Title (New South Wales) Act 1994, the Petroleum (Onshore) Act 1991 and the Very Fast Train (Route Investigation) Act 1989 elsewhere in this Schedule.

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**NATIVE TITLE (NEW SOUTH WALES) ACT 1994 No. 45**

**AMENDMENTS**

The whole Act (including headings to sections of the Act):

- 35 (a) Omit “warden’s court” wherever occurring, insert instead “Warden’s Court”.
- (b) Omit “wardens’ courts” wherever occurring, insert instead “Wardens’ Courts”.

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**COMMENCEMENT**

The amendments to the Native Title (New South Wales) Act 1994 commence on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendments are similar to the amendments to the Mining Act 1992 immediately preceding these amendments. The Explanatory Note to those amendments is also applicable to these amendments.

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**OCCUPATIONAL HEALTH AND SAFETY ACT 1983 No. 20**

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

In section 4 (1), in the definition of “place of work”, after “premises”, insert “, or any other place,”.

10

**COMMENCEMENT**

The amendment to the Occupational Health and Safety Act 1983 commences on the date of assent to this Act.

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**EXPLANATORY NOTE**

The proposed amendment makes it clear that the term “place of work”, when used in the Occupational Health and Safety Act 1983, includes any place where a person works. In particular, the amendment makes it clear that places in or under water are covered by the Act, so that, for example, occupational divers come within its ambit.

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**OMBUDSMAN ACT 1974 No. 68**

**AMENDMENTS****(1) Section 10A (Delegation to other Ombudsman):**

In section 10A (1), before “18”, insert “13A,”.

**(2) Part 3, heading:**

After “INVESTIGATIONS”, insert “AND CONCILIATIONS”.

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**(3) Section 13A:**

After section 13, insert:

**Dealing with complaint by conciliation**

13A. (1) The Ombudsman may, at any time, decide to attempt to deal with a complaint by conciliation under this section.

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(2) The conciliator in any conciliation under this section is to be the Ombudsman or an officer of the Ombudsman. However, the conciliator may, with the agreement of the complainant, arrange for a mediator to assist in the conciliation.

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(3) Participation in the conciliation by the parties to a complaint is voluntary, and either party may withdraw at any time. The conciliator may also terminate the attempt at conciliation at any time.

(4) Evidence of anything said or admitted during the conciliation (or attempted conciliation) and any document prepared for the purposes of any such conciliation are not admissible:

(a) in any subsequent investigation, under this Part, of the complaint concerned (unless the person who said or admitted the thing, or to whom the document relates, consents to its admission); or

(b) in any proceedings in a court or before a person or body authorised to hear and receive evidence.

(5) If an attempt to deal with a complaint by conciliation under this section is unsuccessful, the complaint is to be treated under this Part as if the attempted conciliation had not taken place. However, the conciliator is excluded from participating as an investigating officer in any investigation of the complaint.

(6) Nothing in this section prevents a complaint from being dealt with otherwise than in accordance with this section.

(4) Section 14 (**Amendment of Schedule**):

In section 14 (2) and (6) (a), after “investigation” wherever occurring, insert “or conciliation”.

(5) Section 15 (**Reasons for refusal to conciliate, investigate or continue investigation**):

In section 15 (1) (b) (i), after “complained of”, insert “or to deal with the complaint by conciliation”.

(6) Section 23 (**Expert assistance**):

In section 23, after “investigation”, insert “or conciliation”.

(7) Section 31FA:

After section 31F, insert:

**Reporting when Parliament not in session**

31FA. (1) If a House of Parliament is not sitting when the Joint Committee seeks to furnish a report to it, the Committee may present copies of the report to the Clerk of the House.

(2) The report:

(a) on presentation and for all purposes is taken to have been laid before the House; and

(b) may be printed by authority of the Clerk; and

(c) if printed by authority of the Clerk, is for all purposes taken to be a document published by or under the authority of the House; and

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(d) is to be recorded in the Minutes, or Votes and Proceedings, of the House on the first sitting day of the House after receipt of the report by the Clerk.

**(8) Section 35 (Ombudsman, officer or expert as witness):**

After section 35 (2), insert:

(3) Subsection (1) applies to a person whose services are engaged under section 23 in the same way as it applies to the Ombudsman and officers of the Ombudsman.

**COMMENCEMENT**

The amendments to the Ombudsman Act 1974 commence on the date of assent to this Act.

**EXPLANATORY NOTE****Conciliation of complaints (items (1)–(6))**

Item (3) of the proposed amendments enables the Ombudsman to attempt to deal with complaints by way of conciliation. Item (1) allows the Ombudsman to delegate this power to a person exercising functions similar to those of the Ombudsman under a law of another State, the Commonwealth or a Territory of the Commonwealth. Items (2) and (4)–(6) make consequential amendments.

**Reporting to Parliament when Parliament not sitting (item (7))**

Item (7) of the proposed amendments provides a mechanism by which the Committee on the Office of the Ombudsman may report to a House of Parliament when the House is not sitting. Similar provisions are contained in the other Acts that establish Parliamentary Committees (such as the Regulation Review Act 1987), with the exception of the Health Care Complaints Act 1993. An equivalent provision is to be inserted in that Act by an amendment proposed to be made elsewhere in this Schedule.

**Giving evidence in other proceedings (item (8))**

Section 23 empowers the Ombudsman, in conducting an investigation (or a conciliation) under the Act, to engage the services of any person for the purpose of getting expert assistance. Section 35 prevents the Ombudsman, and any officer of the Ombudsman other than a member of the Police Force, from giving evidence or producing any document in any legal proceedings or proceedings before the Police Tribunal in respect of any information obtained by the Ombudsman or officer in the course of his or her office.

Item (8) of the proposed amendments extends the ambit of section 35 so as to cover persons whose services are engaged under section 23.

**PETROLEUM (ONSHORE) ACT 1991 No. 84****AMENDMENTS****(1) Section 110 (Manner of assessment):**

From section 110 (2) (d) and (3), omit “warden’s court” wherever occurring, insert instead “Warden’s Court”.

*Statute Law (Miscellaneous Provisions) (No. 2) 1994—Sch. 1*(2) Section 114 (**Wardens' Courts**):

(a) Omit "Wardens' courts", insert instead "Wardens' Courts".

(b) Omit "wardens' courts", insert instead "Wardens' Courts".

(3) Section 115 (**Jurisdiction of court**):

5 From section 115 (1), omit "warden's court", insert instead  
"Warden's Court".

**COMMENCEMENT**

The amendments to the Petroleum (Onshore) Act 1991 commence on the date of  
assent to this Act.

10 **EXPLANATORY NOTE**

The proposed amendments are similar to the amendments to the Mining Act 1992  
proposed to be made elsewhere in this Schedule. The Explanatory Note to those  
amendments is also applicable to these amendments.

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**POISONS ACT 1966 No. 31**15 **AMENDMENTS**(1) Section 4 (**Definitions**):

From paragraph (b) of the definition of "Wholesale dealing" in  
section 4 (1), omit "profession, business, trade or industry"  
wherever occurring, insert instead "activity".

20 (2) Section 6 (**Poisons Advisory Committee**):(a) From section 6 (3) (f), omit "the Agricultural and Veterinary  
Chemicals Association of Australia Ltd.", insert instead "Avcare  
Limited".

(b) Omit section 6 (3) (i), insert instead:

25 (i) 1 is to be a person representing the country members of The  
Retail Traders' Association of New South Wales; and

**COMMENCEMENT**

The amendments to the Poisons Act 1966 commence on the date of assent to this Act.

**TRANSITIONAL**

30 (1) The person who, on the commencement of the amendment made to section 6 (3)  
(f) of the Poisons Act 1966 by this Act, is a member of the Poisons Advisory  
Committee pursuant to an appointment under that paragraph is taken to have  
been appointed under that paragraph as so amended.

35 (2) The person (if any) who, on the commencement of the amendment made to  
section 6 (3) (i) of the Poisons Act 1966 by this Act, purported to be a member  
of the Poisons Advisory Committee pursuant to an appointment under that  
paragraph is taken to have been appointed under that paragraph as so amended.



**EXPLANATORY NOTE****Meaning of “wholesale dealing” (item (1))**

The definition of “wholesale dealing” in section 4 (1) of the Act includes (among other things) supply, in certain circumstances, to persons for use in connection with any prescribed “profession, business, trade or industry”. 5

Item (1) of the proposed amendments substitutes the generic term “activity” for “profession, business, trade or industry”.

**Amendments consequential on administrative changes (item (2))**

Item (2) (a) of the proposed amendments is consequential on the change of name of a registered company. 10

Item (2) (b) is consequential on the fact that The Retail Traders’ Association of New South Wales no longer has a Country Division.

**POLICE SERVICE ACT 1990 No. 47****AMENDMENTS****Section 195 (Orders prohibiting publication):** 15

(a) From section 195, omit “the name and address”, insert instead “any information, photograph, drawing or other material that identifies, or is likely to lead to the identification”.

(b) At the end of section 195, insert:

(2) In this section, “**publication**” includes broadcasting by radio or television. 20

**COMMENCEMENT**

The amendments to the Police Service Act 1990 commence on the date of assent to this Act.

**TRANSITIONAL** 25

Section 195 of the Police Service Act 1990, as amended by this Act, extends to apply to any proceedings that are before the Police Tribunal on the commencement of the amendment (except in so far as any material that identifies, or is likely to lead to the identification of, any witness or complainant in the proceedings has already been published). 30

**EXPLANATORY NOTE**

At present, section 195 empowers the Police Tribunal to make orders prohibiting or restricting the publication of the name and address of any witness or complainant concerned in any proceedings before it or, if the proceedings are by way of appeal, concerned in the appeal or in any previous proceedings. 35

The proposed amendments make it clear that such orders may extend to prohibiting or restricting the publication in *any* way of *any* matter that is likely to lead to the identification of a witness or complainant.

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The proposed amendments alter the section as follows (matter to be omitted is in *italic* type and matter to be inserted is in **bold** type):

5 195. (1) In any proceedings before the Police Tribunal, the Police Tribunal may by order prohibit or restrict the publication of *the name and address any information, photograph, drawing or other material that identifies, or is likely to lead to the identification:*

(a) of any witness or complainant concerned in the proceedings; or

(b) if the proceedings are by way of appeal—of any witness or complainant concerned in the appeal or any previous proceedings.

10 (2) In this section, “**publication**” includes **broadcasting by radio or television.**

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**POULTRY MEAT INDUSTRY ACT 1986 No. 101**

**AMENDMENTS**

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

15 (a) From section 4 (3), omit “14 members”, insert instead “15 members”.

(b) Omit section 4 (3) (a), insert instead:

(a) 1 is to be an independent person of the Minister’s own choosing;

20 (c) Omit section 4 (3) (d), insert instead:

(d) 2 are to be independent persons who, in the opinion of the Minister, are skilled in negotiation or have expertise in commerce.

(d) After section 4 (6), insert:

25 (7) In subsection (3) (a) and (d), “**independent**” means the following:

(a) not an officer of the Department of Agriculture;

(b) not a representative of processors or growers.

**COMMENCEMENT**

30 The amendments to the Poultry Meat Industry Act 1986 commence on a day or days to be appointed by proclamation.

**TRANSITIONAL**

35 (1) The person who held office as a member of the Poultry Meat Industry Committee under section 4 (3) (a) of the Poultry Meat Industry Act 1986 immediately before the replacement of that paragraph by this Act ceases to hold that office on that replacement.

(2) The person who held office as a member of the Committee under section 4 (3) (d) of that Act immediately before the replacement of that paragraph by this Act ceases to hold that office on that replacement.

- (3) The persons appointed as members of the Committee under section 4 (3) (a) or (d) of that Act as replaced by this Act are taken to be appointed for a term that expires on the same date as the term of the member last appointed under the paragraph concerned before its replacement by this Act.

**EXPLANATORY NOTE**

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**Poultry Meat Industry Committee**

The proposed amendments:

- (a) increase the number of members of the Poultry Meat Industry Committee from 14 to 15 (item (a)); and
- (b) replace the member who was an officer of the Department of Agriculture with an independent person of the Minister's choosing (who, by operation of section 4 (4), is to be the Chairperson of the Committee) (item (b)); and
- (c) replace the member who represented consumers of poultry meat with 2 independent persons with negotiating skills or commercial expertise (item (c)); and
- (d) define the meaning of "independent" for the purposes of section 4 (3) (a) and (d) (item (d)).

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**PREVENTION OF CRUELTY TO ANIMALS ACT 1979 No. 200****AMENDMENTS**

- (1) Section 25 (**Powers of officers in respect of certain places**):

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From section 25 (2), omit "within the meaning of the Animal Research Act 1985 unless the officer is an inspector within the meaning of that Act.", insert instead "in relation to any animal research authorised to be carried out on that land by an animal research authority or an animal research licence (being an authority or licence that is in force), unless the officer is an inspector. In this subsection, "**designated land**", "**animal research**", "**animal research authority**", "**animal research licence**" and "**inspector**" have the same meanings as they have in the Animal Research Act 1985."

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- (2) Section 26 (**Powers of officers, generally**):

From section 26 (7A), omit "within the meaning of the Animal Research Act 1985 unless the officer is an inspector within the meaning of that Act.", insert instead "in relation to any animal research authorised to be carried out on that land by an animal research authority or an animal research licence (being an authority or licence that is in force), unless the officer is an inspector. In this subsection, "**designated land**", "**animal research**", "**animal research authority**", "**animal research licence**" and "**inspector**" have the same meanings as they have in the Animal Research Act 1985."

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**COMMENCEMENT**

The amendments to the Prevention of Cruelty to Animals Act 1979 commence on the date of assent to this Act.

**EXPLANATORY NOTE**

5           Animal research is carried out on “designated land” under the Animal Research Act 1985. It is supervised by animal care and ethics committees established under that Act. For that reason, an officer under the Prevention of Cruelty to Animals Act 1979 is not authorised to exercise his or her powers on designated land unless the officer is  
10           an inspector under the Animal Research Act 1985. The effect of this is that officers who are not inspectors cannot exercise their powers on designated land even in relation to matters that do not involve animal research.

The proposed amendments will allow all officers to exercise their powers on designated land in relation to matters *other than* matters involving authorised animal research or the supply of animals for that research.

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

**AMENDMENT****Section 6 (Preparation of the Public Accounts):**

From section 6 (2), omit “or one hundred thousand dollars”, insert instead “, one hundred thousand or one million dollars”.

20           **COMMENCEMENT**

The amendment to the Public Finance and Audit Act 1983 is taken to have commenced on 30 June 1994.

**EXPLANATORY NOTE**

25           At present, section 6 (2) permits rounding of amounts in the Public Accounts to the nearest \$1,000 or \$100,000. However, the Public Finance and Audit Act 1983 has been amended to require the Public Accounts to be composed of accrual-based consolidated financial statements for the budget sector rather than (as in the past) in the form of statements of receipts and payments (which is on a cash accounting basis).

30           The proposed amendment will permit rounding of the amounts in those Accounts to the nearest \$1,000, \$100,000 or \$1,000,000. The lower figures are retained because the Accounts in the new format will provide some supplementary information covering certain matters (such as trust funds) that were previously reported on in the old format and in respect of which either of those lower figures might be appropriate.

35           The proposed amendment is taken to have commenced at the same time as the amendment requiring the Public Accounts to be in the new format.

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**REPRINTS ACT 1972 No. 48****AMENDMENT**

**Section 13 (Application of certain provisions of this Act to certain instruments):**

Omit section 13 (a) and (b), insert instead: 5

(a) a statutory rule within the meaning of the Interpretation Act 1987; and

**COMMENCEMENT**

The amendment to the Reprints Act 1972 commences on the date of assent to this Act. 10

**EXPLANATORY NOTE**

At present, section 13 of the Reprints Act 1972 applies certain other sections of that Act to the following instruments (as well as to environmental planning instruments within the meaning of the Environmental Planning and Assessment Act 1979):

(a) ordinances made under the Local Government Act 1919 (some of those ordinances are still in force); 15

(b) regulations, rules and by-laws that are either made by the Governor or are required to be approved or confirmed by the Governor.

The provisions applied include, for example, section 6 (which gives the Attorney General the discretion to authorise an Act to be reprinted with the omission of all or any of the amending provisions contained in the Act), section 9D (which provides that roman numerals may be regarded as being interchangeable with the corresponding arabic numerals) and section 9F (which provides that colons may be regarded as being interchangeable with dashes). 20

The proposed amendment extends the application of the provisions concerned to rules of court. (A “statutory rule” is defined, for the purposes of the Interpretation Act 1987, to mean a regulation, by-law, rule or ordinance that is either made by the Governor or is required to be approved or confirmed by the Governor, or a rule of court. Ordinances under Acts other than the Local Government Act 1919—such as the Anglican Church of Australia (Bodies Corporate) Act 1938—are not made, approved or confirmed by the Governor.) 25 30

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**SOUTH-WEST TABLELANDS WATER SUPPLY ADMINISTRATION  
ACT 1941 No. 36**

**AMENDMENT**

**Section 2 (Definitions):** 35

In the definition of “Council”, after “Local Government Act”, insert “and includes an electricity distributor exercising water supply functions because of clause 7 of Schedule 11 to the Electricity Act 1945”.

**COMMENCEMENT**

The amendment to the South-west Tablelands Water Supply Administration Act 1941 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

5 A proclamation made under the Electricity Act 1945 dissolved a number of county councils with effect from 1 July 1993. Clause 7 of Schedule 11 (Savings, transitional and other provisions) to that Act transferred the water supply functions of those defunct county councils to electricity distributors established under the Act.

10 The proposed amendment ensures that electricity distributors to whom water supply functions were so transferred are treated under the South-west Tablelands Water Supply Administration Act 1941 in the same way as councils exercising those functions. It incorporates in that Act the effect of the relevant subclause of a transitional regulation currently in force under the Electricity Act 1945.

**SPORTING INJURIES INSURANCE ACT 1978 No. 141****AMENDMENTS****Section 31 (Rules):**

(a) In section 31 (1) (f), after “Act”, insert “and the reimbursement (or non-reimbursement) by the Committee of any specific costs incurred in connection with the due making of those applications”.

20 (b) After section 31 (1), insert:

(1A) A rule may be made under section 31 (1) (f) for or with respect to the reimbursement by the Committee of any costs incurred in connection with an application duly made before the commencement of this subsection and not finally determined on that commencement.

**COMMENCEMENT**

The amendments to the Sporting Injuries Insurance Act 1978 commence on a day to be appointed by proclamation.

**EXPLANATORY NOTE**

30 At present, section 31 (1) (f) empowers the Sporting Injuries Committee to make rules for or with respect to the making of applications for benefits under the Act. Item (a) of the proposed amendments makes it clear that the rules may provide for the reimbursement (or non-reimbursement) of any costs incurred in making those applications in accordance with the rules. Item (b) allows the making of such rules in relation to applications made before the commencement of the subsection inserted by  
35 that item if the applications have not been finally determined on that commencement.

**STRATA TITLES (LEASEHOLD) ACT 1986 No. 219****AMENDMENT****Schedule 2A (Strata Management Statements):**

Omit clause 2 (2), insert instead:

(2) The following persons must be members of the building management committee: 5

(a) each body corporate for a leasehold strata scheme for part of the building;

(b) every other person:

(i) in whom is vested an estate in fee simple in any part of the building or its site that does not form part of a stratum parcel; or 10

(ii) who holds a leasehold estate, directly from the person in whom the fee simple is vested, in such a part of the building or its site. 15

**COMMENCEMENT**

The amendment to the Strata Titles (Leasehold) Act 1986 commences on a day to be appointed by proclamation.

**EXPLANATORY NOTE**

Clause 2 (2) of Schedule 2A specifies certain persons who must be members of the building management committee of a building that is subject to one or more leasehold strata schemes. At present, those persons include the body corporate for each leasehold strata scheme for part of the building, and any other person in whom is vested an estate in fee simple in any part of the building or its site that is not subject to a leasehold strata scheme. They do not include any *lessees* of a part of the building or site that is not subject to a leasehold strata scheme. 20  
25

The proposed amendment removes this anomaly by including on the committee the head lessees (but not sublessees) of those parts of the building or site that are not subject to a leasehold strata scheme.

**TEACHER HOUSING AUTHORITY ACT 1975 No. 27 30****AMENDMENTS**

(1) Section 7 (**Appointment etc. of members**):

(a) From section 7 (1) (a), omit "3", insert instead "4".

(b) Omit section 7 (1) (b).

(c) After section 7 (2) (a), insert: 35

(b) one is to be nominated by the Managing Director of the TAFE Commission and is to be a senior financial manager of that Commission;

(d) Omit section 7 (5) and (6).

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(2) **Section 11 (Vacation of office):**

From section 11 (1) (k) and (l) and (2), omit “, (b)” wherever occurring.

**COMMENCEMENT**

5 The amendments to the Teacher Housing Authority Act 1975 commence on a day to be appointed by proclamation.

**EXPLANATORY NOTE**

**Constitution of Authority (item (1) (b) and (c))**

10 At present, section 7 (1) (b) provides that the person holding, or acting in, the office of Secretary of the Treasury is to be an ex-officio member of the Teacher Housing Authority. Item (1) (b) of the proposed amendments removes that member from the Authority.

15 However, the membership of the Authority is to remain at its current level of 6. Item (1) (c) of the proposed amendments provides for an additional appointed member, who is to be a senior financial manager of the Technical and Further Education Commission nominated by the Managing Director of that Commission.

**Consequential amendments (items (1) (a) and (d) and (2))**

Item (1) (a) is consequential on item (1) (c), and items (1) (d) and (2) are consequential on item (1) (b).

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20 **TRADE MEASUREMENT ACT 1989 No. 233**

**AMENDMENT**

Section 81 (**Special provisions—application of Act in the State**):

Omit section 81 (2).

**COMMENCEMENT**

25 The amendment to the Trade Measurement Act 1989 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

30 The proposed amendment repeals a provision requiring a weighbridge with a capacity of 9 tonnes or more to be the subject, in certain circumstances, of a building certificate under section 317AE of the Local Government Act 1919 (now section 172 of the Local Government Act 1993). It is considered that the certificate serves no useful purpose in relation to such a weighbridge.

35 New South Wales, Queensland, South Australia, the Northern Territory and the Australian Capital Territory have adopted uniform trade measurement. None of those States or Territories other than New South Wales has a provision equivalent to section 81 (2) in their trade measurement legislation.

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**UNIVERSITY OF TECHNOLOGY, SYDNEY, ACT 1989 No. 69****AMENDMENTS****Section 9 (Constitution of Council):**

- (a) From section 9 (4), omit "4 persons", insert instead "6 persons".
- (b) After section 9 (4) (c), insert: 5
- (c1) persons who, in the opinion of the Minister, are likely to contribute to the cultural diversity of the University;
- (c) From section 9 (5) (c) (i), omit "a student", insert instead "an undergraduate student".
- (d) In section 9 (5) (c) (iii), before "students", insert "the undergraduate". 10
- (e) After section 9 (5) (c), insert:
- (c1) one person:
- (i) who is a postgraduate student of the University but who is not a member of the academic or non-academic staff of the University; 15
- (ii) who has such qualifications as may be prescribed by the by-laws; and
- (iii) who is elected by the postgraduate students of the University in the manner prescribed by the by-laws; 20
- (f) In section 9 (5) (d), after "4 persons", insert "(at least one of whom is a graduate of the University)".

**COMMENCEMENT**

The amendments to the University of Technology, Sydney, Act 1989 commence on a day or days to be appointed by proclamation. 25

**TRANSITIONAL**

- (1) If, on the commencement of paragraph (c) or (e) of the amendments made to the University of Technology, Sydney, Act 1989 by this Act, the membership of the Council of the University fails to comply with section 9 (5) of that Act as so amended, then, for the purposes of clause 3 (1) of Schedule 1 to that Act, there is taken to be a casual vacancy in the office of the member in respect of which the failure exists. 30
- (2) If, on the commencement of paragraph (f) of the amendments made to the University of Technology, Sydney, Act 1989 by this Act, the membership of the Council of the University fails to comply with section 9 (5) of that Act as so amended, the membership is taken so to comply until such time as the office of one or more of the members referred to in section 9 (5) (d) becomes vacant. 35

*Statute Law (Miscellaneous Provisions) (No. 2) 1994—Sch. 1***EXPLANATORY NOTE**

The proposed amendments alter the composition of the Council of the University of Technology, Sydney, in the following way:

- 5 (a) by increasing the number of appointed members from 4 to 6 (item (a));
- (b) by providing an additional category of persons from which the appointments are to be made (item (b));
- 10 (c) by increasing the number of student members from 1 to 2 and by providing that, of the 2 student members, one is to be an undergraduate elected by the undergraduate students and the other a postgraduate elected by the postgraduate students (items (c)–(e));
- (d) by providing that at least 1 of the 4 members elected from members of Convocation is to be a graduate of the University (item (f)).

**VERY FAST TRAIN (ROUTE INVESTIGATION) ACT 1989 No. 44****AMENDMENTS**

- 15 Section 19 (**Determination of claim for compensation**):
- (a) From section 19 (1) and (2), omit “mining warden’s court” wherever occurring, insert instead “Warden’s Court”.
- (b) At the end of section 19, insert:
- 20 (7) In this section, “**Warden’s Court**” means a Warden’s Court established under the Mining Act 1992.

**COMMENCEMENT**

The amendments to the Very Fast Train (Route Investigation) Act 1989 commence on the date of assent to this Act.

**SAVING**

- 25 A mining warden’s court referred to in section 19 of the Very Fast Train (Route Investigation) Act 1989 before the amendment made to that section by this Act is taken to be, and always to have been, a Warden’s Court established under the Mining Act 1992.

**EXPLANATORY NOTE**

- 30 The proposed amendments are similar to the amendments to the Mining Act 1992 proposed to be made elsewhere in this Schedule. The Explanatory Note to those amendments is also applicable to these amendments.

**WOMEN'S COLLEGE ACT 1902 No. 71****AMENDMENT****Section 5 (Constitution of Council):**

Omit section 5 (2), insert instead:

(2) In addition to the persons referred to in subsection (1) (b), the holders of the following offices are to be ex-officio councillors: 5

(a) the Vice-Principal of the College;

(b) the President of the union (known as the Women's College Union) of members and friends of the College.

**COMMENCEMENT**

10

The amendment to the Women's College Act 1902 commences on a day to be appointed by proclamation.

**EXPLANATORY NOTE**

At present, section 5 (2) provides that the holder of the office of Vice-Principal of the Women's College is to be an ex-officio member of the Council of the Women's College. 15

The proposed amendment adds the President of the Women's College Union as a further ex-officio member of that Council.

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

20

(Sec. 3)

**ADMINISTRATION OF JUSTICE ACT 1924 No. 42****AMENDMENT****Section 2 (Arrangement):**

Omit the section.

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**COMMENCEMENT**

The amendment to the Administration of Justice Act 1924 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendment omits a superfluous section.

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**CONTRACTORS' DEBTS ACT 1897 No. 29****AMENDMENT****Section 16 (Proceedings after judgment):**

5 From section 16, omit "plaintiff" where secondly occurring, insert instead "defendant".

**COMMENCEMENT**

The amendment to the Contractors' Debts Act 1897 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

10 A previous machinery amendment omitted the words "The plaintiff in the event of his obtaining judgment against the defendant", but replaced those words with "If the plaintiff obtains judgment against the plaintiff [instead of 'defendant'], the plaintiff". The proposed amendment corrects this obvious error.

**CONVEYANCERS LICENSING ACT 1992 No. 55****AMENDMENTS****(1) Section 4 (Conveyancing work):**

At the end of section 4 (3) (g), insert "or".

**(2) Section 27 (Sharing of receipts with unqualified persons):**

At the end of section 27 (2) (b), insert "and".

**(3) Section 29 (Sharing staff of legal practitioners and real estate agents etc.):**

Omit section 29 (b), insert instead:

(b) by the holder of a licence or certificate of registration under the Property, Stock and Business Agents Act 1941.

**(4) Section 155 (Functions of the Association):**

From section 155 (c), omit "licences", insert instead "licensees".

**(5) Schedule 3 (Savings, transitional and other provisions):**

From clause 1 (3), omit "its publication of the Gazette", insert instead "its publication in the Gazette".

**COMMENCEMENT**

30 The amendments to the Conveyancers Licensing Act 1992 commence on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendments:

- (a) insert missing conjunctions (items (1) and (2)); and
- (b) repeal and re-enact section 29 (b) so as to omit an unnecessary word and update a reference to another Act (item (3)); and
- (c) correct a typographical error (item (4)); and
- (d) correct an incorrect preposition (item (5)).

5

**CRIMES ACT 1900 No. 40****AMENDMENT**

Eleventh Schedule (**Savings and transitional provisions**):

10

From the heading to Part 5, omit “**Statements**”, insert instead “**Evidence**”.

**COMMENCEMENT**

The amendment to the Crimes Act 1900 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

15

The proposed amendment corrects an incorrect citation of another Act.

**DEBITS TAX ACT 1990 No. 112****AMENDMENTS**(1) Section 3 (**Definitions**):

From paragraph (d) of the definition of “excluded debit” in section 3 (1), omit “is” where firstly occurring.

20

(2) Section 21 (**Amendment of assessments**):

From section 21 (4) (b), omit “if the amount of tax overpaid has been recovered from an account holder and the Chief Commissioner is satisfied”, insert instead “if the amount of tax overpaid has been recovered from an account holder—the Chief Commissioner is satisfied”.

25

(3) Section 50 (**Collection of tax from persons owing money to taxpayers**):

(a) From section 50 (1) (a), omit “by whom”, insert instead “from whom”.

30

(b) In section 50 (1), after “becoming”, insert “due”.

*Statute Law (Miscellaneous Provisions) (No. 2) 1994—Sch. 2***COMMENCEMENT**

The amendments to the Debits Tax Act 1990 commence on the date of assent to this Act.

**EXPLANATORY NOTE**

5 The proposed amendments:

- (a) correct errors of syntax (items (1) and (2)); and
- (b) correct an incorrect word (item (3) (a)); and
- (c) insert a missing word (item (3) (b)).

---

**FILM AND COMPUTER GAME CLASSIFICATION ACT  
1984 No. 155**

10

**AMENDMENTS**

(1) Section 16 (**Retention of films and computer games by censor**):

In section 16 (b), after “computer” where firstly occurring, insert “game”.

15

(2) Section 46 (**Forfeiture of films and computer games on conviction**):

From section 46, omit “34A” where firstly occurring, insert instead “, 34A”.

**COMMENCEMENT**

20

The amendments to the Film and Computer Game Classification Act 1984 commence on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendments insert a missing word and a missing comma.

---

**FINANCIAL INSTITUTIONS (NEW SOUTH WALES) ACT  
1992 No. 46**

25

**AMENDMENT**

Section 41:

After section 40, insert:

**References to repealed Acts**

30

41. (1) A reference in any Act, in any instrument made under an Act or in any document to an Act, or a provision of an Act, repealed by section 39 is to be read as a reference to the Financial Institutions (NSW) Code, or to the corresponding provision of that Code.

(2) Subsection (1) does not apply to a reference in the scheme legislation of New South Wales.

*Statute Law (Miscellaneous Provisions) (No. 2) 1994—Sch. 2***COMMENCEMENT**

The amendment to the Financial Institutions (New South Wales) Act 1992 is taken to have commenced on 30 June 1992.

**EXPLANATORY NOTE**

The proposed amendment makes it clear that references in other legislation and in private documents to the laws repealed by the Financial Institutions (New South Wales) Act 1992 (such as the Permanent Building Societies Act 1967 and the Credit Union Act 1969) are to be read as references to the law that replaced those repealed laws (the Financial Institutions (NSW) Code). The amendment is taken to have commenced on the commencement of the Financial Institutions (New South Wales) Act 1992. 5  
10

**FISHERIES AND OYSTER FARMS ACT 1935 No. 58****AMENDMENT**

**Section 5A (Fisheries Administration Ministerial Corporation):**  
From section 5A (5) (a), omit “liabilities”, insert instead “liabilities”. 15

**COMMENCEMENT**

The amendment to the Fisheries and Oyster Farms Act 1935 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendment corrects a typographical error. 20

**FISHERIES MANAGEMENT ACT 1994 No. 38****AMENDMENT**

**Schedule 7 (Savings, transitional and other provisions):**  
From clause 10 (5), omit “licences”, insert instead “licences”. 25

**COMMENCEMENT**

The amendment to the Fisheries Management Act 1994 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendment corrects a typographical error. 30

**IRRIGATION CORPORATIONS ACT 1994 No. 41****AMENDMENT**

Section 81 (**Change of Principal under contract**):

From section 81 (3) (b), omit “are”, insert instead “is”.

5

**COMMENCEMENT**

The amendment to the Irrigation Corporations Act 1994 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendment corrects a grammatical error.

---

10

**MOTOR ACCIDENTS ACT 1988 No. 102****AMENDMENT**

Section 73 (**Payment of interest**):

From section 73 (4) (a) (ii), omit “to” where thirdly occurring.

**COMMENCEMENT**

15

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

**EXPLANATORY NOTE**

The proposed amendment omits a duplicated word.

---

**PUBLIC NOTARIES ACT 1985 No. 6**

20

**AMENDMENT**

Section 12 (**Effect of expression “public notary”**):

From section 12, omit “is” where firstly occurring, insert instead “it”.

**COMMENCEMENT**

25

The amendment to the Public Notaries Act 1985 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendment corrects a typographical error.

---



**REGISTERED CLUBS ACT 1976 No. 31****AMENDMENT**

Section 33 (**Approval of secretary of registered club**):

From section 33 (3) (b), omit “or (4B)”.

**COMMENCEMENT**

5

The amendment to the Registered Clubs Act 1976 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

Section 33 (4B) of the Act, as enacted by the Registered Clubs (Amendment) Act 1993, was replaced before it commenced. The contents of the new subsection are such that a cross-reference to it in section 33 (3) (b) is inappropriate. The proposed amendment omits that cross-reference.

10

**STAMP DUTIES ACT 1920 No. 47****AMENDMENT**

Section 3 (**Definitions**):

From the definition of “Company title dwelling” in section 3 (1), omit “on land” where firstly occurring.

15

**COMMENCEMENT**

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

20

**EXPLANATORY NOTE**

The proposed amendment omits duplicated words.

**STATUTE LAW (MISCELLANEOUS PROVISIONS) ACT 1994 No. 32****AMENDMENT**

Schedule 1 (**Minor amendments**):

From the matter relating to the Prisons Act 1952, omit item (3) (b).

25

**COMMENCEMENT**

The amendment to the Statute Law (Miscellaneous Provisions) Act 1994 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

30

The proposed amendment repeals a provision that will not be commenced.

Items (3) (a) and (b) of the amendments to the Prisons Act 1952 in Schedule 1 to the Statute Law (Miscellaneous Provisions) Act 1994 were, as explained in the note to the amendments, in the alternative. As item (3) (a) has been commenced, item (3) (b) may be repealed.

35

**SUBORDINATE LEGISLATION ACT 1989 No. 146****AMENDMENTS**

- (1) Section 6 (**Regulatory impact statements not necessary in certain cases**):

5 From section 6 (1) (b), omit “the Attorney General” wherever occurring, insert instead “the Minister administering this Act”.

- (2) Section 12 (**Machinery provisions regarding repeal**):

Omit section 12 (5).

**COMMENCEMENT**

10 The amendments to the Subordinate Legislation Act 1989 commence on the date of assent to this Act.

**REPEAL**

15 The Administrative Changes (Subordinate Legislation) Order 1991, published in Gazette No. 116 of 16 August 1991 at page 6845, is repealed on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendments:

- 20 (a) make explicit in the Act the effect of an Administrative Changes Order that provides that the “references to the Attorney General in section 6 (1) (b) of the Subordinate Legislation Act 1989 are to be construed as references to the Minister administering that Act” and permit the repeal of that Order (item (1)); and
- (b) omit a provision concerning the Mines Inspection General Rules 1901, as those Rules have been repealed (item (2)).

---

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

**AMENDMENT**

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

Omit clause 7.

30 **COMMENCEMENT**

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

**EXPLANATORY NOTE**

35 Clause 7 of Schedule 4 provides that the provisions of Part 8 of the Technical and Further Education Regulation 1975, as in force immediately before the repeal of that Regulation, continue to have effect with respect to students of a TAFE establishment until the regulations under the Act otherwise provide.

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The effect of clause 23 of the Technical and Further Education Commission (Student Discipline) Regulation 1994 is that Part 8 has no effect in relation to a breach of discipline alleged to have arisen on or after 2 September 1994.

Clause 7 is, therefore, spent. The proposed amendment repeals the clause. (The operation of Part 8 in relation to breaches of discipline alleged to have arisen before 2 September 1994 is saved by section 30 (2) (b) of the Interpretation Act 1987.)

5

**WORKERS COMPENSATION ACT 1987 No. 70****AMENDMENT****Section 193 (Definitions):**

From section 193 (1), omit the definition of “periodic actuarial investigation”.

10

**COMMENCEMENT**

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

**EXPLANATORY NOTE**

The proposed amendment omits a definition that is no longer used.

15

**ZOOLOGICAL PARKS BOARD (CONSERVATION AND ENVIRONMENTAL OBJECTIVES) AMENDMENT ACT 1992 No. 44****AMENDMENT****Schedule 1 (Amendments):**

In item (2), from proposed section 15 (3) (a) of the Zoological Parks Board Act 1973, omit “goverments”, insert instead “governments”.

20

**COMMENCEMENT**

The amendment to the Zoological Parks Board (Conservation and Environmental Objectives) Amendment Act 1992 commences on the date of assent to this Act.

25

**EXPLANATORY NOTE**

The proposed amendment corrects a typographical error.

**SCHEDULE 3—AMENDMENTS REPLACING GENDER-SPECIFIC LANGUAGE**

(Sec. 3) 30

**EXPLANATORY NOTE**

The amendments proposed to be made by this Schedule replace gender-specific language with gender-neutral language.

**ADMINISTRATION OF JUSTICE ACT 1924 No. 42****AMENDMENTS**

## Section 5:

- 5 (a) From section 5 (2) (c) and (e), omit “he” wherever occurring, insert instead “the judgment debtor”.
- (b) From section 5 (4) (c), omit “him to his”, insert instead “the judge to the judge’s”.
- (c) After “he” in section 5 (4) (c), insert “or she”.

**ADMINISTRATION (VALIDATING) ACT 1900 No. 38**10 **AMENDMENT**

## Section 5:

- (a) Omit “him”, insert instead “the deceased”.
- (b) Omit “his”, insert instead “the deceased’s”.

**BAIL ACT 1978 No. 161**15 **AMENDMENTS**

- (1) Sections 5, 7, 8, 9, 11, 15, 18, 20, 21, 26, 28, 31, 32, 34, 41, 48, 49–53 and 58:

20 From sections 5, 7, 8 (2)–(4), 9 (3) and (4) (a), 11, 15, 18 (3) (a) (ii), 20 (b), 21, 26, 28, 31, 32 (1) (b), 34 (1), 41 (1), 48 (6) and (8) (c), 49, 50 (3), 51 (2) and (3), 52, 53 (b) and 58 (2) and (3) (a), omit “he” wherever occurring, insert instead “the person”.

- (2) Section 6:

- 25 (a) From section 6 (a), omit “his” where firstly occurring, insert instead “the person”.
- (b) From section 6 (a), omit “his” where secondly occurring, insert instead “the person’s”.
- (c) From section 6 (b), omit “his”, insert instead “the person”.
- (d) From section 6 (e), omit “his”, insert instead “the person’s”.
- 30 (e) From section 6 (f), omit “his” where firstly occurring, insert instead “the person”.
- (f) From section 6 (f) (i) and (ii) and (g), omit “his” wherever occurring, insert instead “the person’s”.

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- (3) Sections 7, 8, 9, 16, 18, 26, 27, 32, 34, 48 and 50–53:  
 From sections 7 (1), 8 (2) (a) (iii), 9 (2) (b), 16 (c), 18 (1) (a), 26 (1), 27 (1) (a) and (b), 32 (1) (a) and (b), 34 (4), 48 (8) (c), 50 (1) and (2), 51 (1), 52 and 53 (a), omit “his” wherever occurring, insert instead “the person’s”. 5
- (4) Sections 8, 18, 20, 21, 25, 34, 49, 50 and 51:  
 From sections 8 (2) (b), 18, 20, 21, 25 (3), 34 (1), 49, 50 (1)–(3) and 51 (1) and (8), omit “him” wherever occurring, insert instead “the person”. 10
- (5) Section 9:  
 From section 9 (2) (a), omit “he or it”, insert instead “the officer or the court”. 10
- (6) Sections 18, 20, 27 and 61:  
 From sections 18 (3) (b), 20, 27 (1) (c) and 61, omit “his” wherever occurring, insert instead “the person”. 15
- (7) Section 19:  
 (a) From section 19 (1), omit “he” where firstly occurring, insert instead “the officer”.  
 (b) From section 19 (1), omit “him” wherever occurring, insert instead “the person”. 20  
 (c) From section 19 (1) (a) and (b), omit “he” wherever occurring, insert instead “the person”.  
 (d) From section 19 (1) (a), omit “his”, insert instead “the person’s”.  
 (e) From section 19 (2), omit “he”, insert instead “the officer”.
- (8) Section 23: 25  
 (a) From section 23 (a), omit “him”, insert instead “the magistrate or justice and”.  
 (b) From section 23 (b), omit “him”, insert instead “the magistrate or justice”.
- (9) Section 24: 30  
 (a) From section 24 (1) (a) and (b), omit “his” wherever occurring, insert instead “the person’s”.  
 (b) From section 24 (1) (d), omit “his” insert instead “the person”.  
 (c) From section 24 (2) and (3), omit “he” wherever occurring, insert instead “the magistrate or justice”. 35

*Statute Law (Miscellaneous Provisions) (No. 2) 1994—Sch. 3*

## (10) Section 36:

- (a) In section 36 (2), after “his” wherever occurring, insert “or her”.  
 (b) In section 36 (2) (b), after “he” wherever occurring, insert “or she”.  
 (c) From section 36 (4), omit “he”, insert instead “the person”.

## (11) Section 42:

- (a) From section 42 (1) and (4), omit “he” wherever occurring, insert instead “the person”.  
 (b) From section 42 (1), (3) and (4), omit “his” wherever occurring, insert instead “the applicant’s”.  
 (c) From section 42 (2), omit “him”, insert instead “the person”.  
 (d) From section 42 (2) and (6), omit “his” wherever occurring, insert instead “the person’s”.

## (12) Section 44:

- (a) From section 44 (1), omit “himself”, insert instead “the justice”.  
 (b) From section 44 (2), omit “himself”, insert instead “the reviewing magistrate”.

## (13) Section 53:

Omit “Her Majesty”, insert instead “the Crown”.

## (14) Section 57:

Omit “he” wherever occurring, insert instead “that person”.

## (15) Section 66:

From section 66 (1) omit “him”, insert instead “the police officer”.

**CHILDREN (EQUALITY OF STATUS) ACT 1976 No. 97****AMENDMENT****Section 20 (Reports of blood tests):**

From section 20 (5), omit “him” wherever occurring, insert instead “the person”.

**COMMON CARRIERS ACT 1902 No. 48****AMENDMENTS**

## (1) Section 4:

Omit “such common carrier or to his”, insert instead “the carrier or to the carrier’s”.

## (2) Section 7:

From section 7 (1), omit “him”, insert instead “the carrier”.

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- (3) Section 8:  
From section 8 (2), omit “his or their”, insert instead “the carrier’s or carriers’ ”.
- (4) Section 9:  
(a) Omit “such carrier or his servants”, insert instead “the carrier or the carrier’s servants”. 5  
(b) From section 9 (c), omit “him”, insert instead “the party”.
- (5) Section 10:  
(a) Omit “his” where firstly occurring, insert instead “the carrier’s”.  
(b) Omit “his” where secondly occurring, insert instead “the servant’s”. 10
- (6) Section 11:  
Omit “he”, insert instead “the carrier”.

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**COMMONWEALTH PLACES (ADMINISTRATION OF LAWS) ACT  
1970 No. 80** 15

**AMENDMENTS**

- (1) Section 5:  
(a) From section 5 (a), omit “it or he”, insert instead “the Authority”.  
(b) From section 5, omit “its or his”, insert instead “the Authority’s”.
- (2) Section 8: 20  
From section 8 (1), omit “he”, insert instead “, the offender”.
- (3) Section 11:  
Omit “he”, insert instead “that person”.

---

**COMMUNITY SERVICE ORDERS ACT 1979 No. 192**

**AMENDMENTS** 25

- (1) Section 9:  
After “himself” wherever occurring, insert “or herself”.
- (2) Sections 11, 18 and 25:  
From sections 11, 18 (2) and 25 (2) and (4), omit “him” wherever occurring, insert instead “the person”. 30

## (3) Sections 11, 12, 18–20 and 23–26:

From sections 11 (b), 12 (2) (a), 18 (1) and (2) (b), 19 (b), 20, 23 (1), 24, 25 (1) and 26 (2), omit “he” wherever occurring, insert instead “the person”.

5

## (4) Sections 14, 20, 22, 24 and 26:

From sections 14 (d), 20, 22 (1), 24 and 26 (2) (a) (ii), omit “his” wherever occurring, insert instead “the person’s”.

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**COSTS IN CRIMINAL CASES ACT 1967 No. 13**
**AMENDMENTS**

10

## (1) Section 2:

(a) From section 2 (b) (i), omit “he” where firstly occurring, insert instead “the defendant”.

(b) In section 2 (b) (i), after “he” where secondly occurring, insert “or she”.

15

(c) From section 2 (b) (ii), omit “he”, insert instead “the defendant”.

## (2) Section 3:

From section 3 (2), omit “he or they” wherever occurring, insert instead “the Justice or Justices”.

## (3) Section 3A:

20

From section 3A (2) (b), omit “it, he or they”, insert instead “the Court, Judge, Justice or Justices”.

## (4) Section 4:

(a) From section 4 (2) and (4), omit “him” wherever occurring, insert instead “the Under Secretary”.

25

(b) From section 4 (3) (b), omit “he”, insert instead “the applicant”.

(c) From section 4 (3) (b), omit “him”, insert instead “the applicant”.

(d) From section 4 (3) (b), omit “his”, insert instead “the applicant’s”.

(e) From section 4 (4), omit “he”, insert instead “the Under Secretary”.

30

(f) In section 4 (5), after “his”, insert “or her”.

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**CRIMINAL APPEAL ACT 1912 No. 16****AMENDMENTS**

- (1) Section 2:
- (a) From section 2 (2) (c), omit “him”, insert instead “the person”.
  - (b) From section 2 (2) (c), omit “his”, insert instead “the person’s”. 5
  - (c) From section 2 (2), omit “he”, insert instead “that person”.
- (2) Section 5:
- (a) From section 5 (1), omit “his” wherever occurring, insert instead “the person’s”.
  - (b) From section 5 (2), omit “him” wherever occurring, insert instead “the person”. 10
- (3) Section 5AA:
- (a) From section 5AA (2), omit “him” wherever occurring, insert instead “the person”.
  - (b) From section 5AA (6), omit “him”, insert instead “the appellant”. 15
- (4) Section 5B:
- Omit “him”, insert instead “the Judge”.
- (5) Section 7:
- (a) From section 7 (2), omit “him” wherever occurring, insert instead “the appellant”. 20
  - (b) From section 7 (4), omit “his or her”, insert instead “the appellant’s”.
- (6) Section 8:
- From section 8 (2), omit “him” wherever occurring, insert instead “the appellant”. 25
- (7) Section 9:
- From section 9 (3), omit “it or he”, insert instead “the court or judge”.
- (8) Section 11:
- Omit “his” wherever occurring, insert instead “the judge’s”. 30
- (9) Section 14:
- (a) From section 14 (1), omit “he” wherever occurring, insert instead “the appellant”.
  - (b) From section 14 (1), omit “his”, insert instead “the appellant’s”.

## (10) Section 15:

- (a) Omit “his” wherever occurring, insert instead “the appellant’s”.  
 (b) Omit “he”, insert instead “the appellant”.

## (11) Section 17:

- 5 From section 17 (2), omit “his” wherever occurring, insert instead  
 “the appellant’s”.

## (12) Section 18:

- (a) From section 18 (1) and (3), omit “his” wherever occurring, insert  
 instead “the appellant’s”.  
 10 (b) From section 18 (3) and (4), omit “he” wherever occurring, insert  
 instead “the appellant”.

## (13) Section 19:

- (a) From section 19 (2) and (3), omit “he” wherever occurring, insert  
 instead “the registrar”.  
 15 (b) From section 19 (3), omit “his”, insert instead “the governor’s”.

## (14) Section 24:

- (a) From section 24 (1), omit “him”, insert instead “the appellant”.  
 (b) From section 24 (1), omit “his”, insert instead “the appellant’s”.

## (15) Section 25:

- 20 Omit “him”, insert instead “the appellant”.

---

**CROWN ADVOCATE ACT 1979 No. 59**
**AMENDMENTS**

## (1) Long title:

- 25 Omit “his duties and functions”, insert instead “the duties and  
 functions of the Crown Advocate”.

## (2) Section 2:

Omit “his”, insert instead “the Crown Advocate’s”.

## (3) Section 4:

- (a) Omit “his capacity”, insert instead “his or her capacity”.  
 30 (b) Omit “his term”, insert instead “the Crown Advocate’s term”.

## (4) Section 5:

After “his” wherever occurring, insert “or her”.

- (5) Section 6:
- (a) From section 6 (1), omit “vacated his office”, insert instead “vacated the office of Crown Advocate”.
  - (b) From section 6 (1), omit “he” wherever occurring, insert instead “the Crown Advocate”. 5
  - (c) In section 6 (1) (b), after “his” wherever occurring, insert “or her”.
  - (d) Omit section 6 (1) (d), insert instead:
    - (d) if the Crown Advocate resigns the office by instrument in writing addressed to the Governor; or
  - (e) From section 6 (1) (f), omit “his term”, insert instead “the Crown Advocate’s term”. 10
  - (f) From section 6 (1) (f), omit “his office”, insert instead “the office”.
  - (g) From section 6 (2), omit “him”, insert instead “the Governor”.
- (6) Section 7:
- From section 7 (1), omit “him”, insert instead “the Crown Advocate”. 15
- (7) Section 8 (**Deputy of Crown Advocate during Crown Advocate’s illness or absence**):
- (a) From section 8 (1), omit “his”, insert “the Crown Advocate’s”.
  - (b) From section 8 (2), omit “his office”, insert instead “the office of Crown Advocate”. 20
  - (c) From section 8 (2), omit “he”, insert instead “the Crown Advocate”.

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**DAMAGES (INFANTS AND PERSONS OF UNSOUND MIND) ACT** 25  
**1929 No. 25**

**AMENDMENTS**

- (1) Section 3:
- In the definition of “Person of unsound mind”, after “his”, insert “or her”.
- (2) Section 4: 30
- In section 4 (c) (ii), after “his” wherever occurring, insert “or her”.
- (3) Section 5:
- (a) From section 5 (1)–(3), omit “him” wherever occurring, insert instead “the Public Trustee”.

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(b) From section 5 (1), omit “he”, insert instead “the Public Trustee”.

(c) From section 5 (4), omit “him”, insert instead “that person or body”.

(4) Section 7:

5 From section 7 (2), omit “he” wherever occurring, insert instead “the judge”.

---

**FELONS (CIVIL PROCEEDINGS) ACT 1981 No. 84**

**AMENDMENTS**

Sections 3 and 4:

10 Omit “his” wherever occurring.

---

**FINES AND PENALTIES ACT 1901 No. 16**

**AMENDMENTS**

(1) Section 5:

15 From section 5 (1), omit “His Majesty his Heirs and Successors”, insert instead “the Crown”.

(2) Section 6:

Omit “he”, insert instead “that Justice”.

(3) Section 7:

Omit “his or”.

---

**FOREIGN JUDGMENTS ACT 1973 No. 39**

**AMENDMENTS**

(1) Sections 4 and 5:

From section 4 (3) and 5 (3), omit “he” wherever occurring, insert instead “the Governor”.

(2) Section 8:

25 From section 8 (1) (a) (iii), omit “him” wherever occurring, insert instead “the judgment debtor”.

(3) Section 9:

From section 9 (1), omit “he”, insert instead “the applicant”.

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**INCLOSED LANDS PROTECTION ACT 1901 No. 33****AMENDMENT**

## Section 6:

After “his” wherever occurring, insert “or her”.

**INHERITANCE ACT OF 1901 No. 19**

5

**AMENDMENTS**

- (1) Section 3:
- (a) From the definition of “Descent”, omit “he”, insert instead “the heir”.
- (b) From the definition of “The person last entitled to land”, omit “he”, insert instead “that person”. 10
- (2) Section 4:
- (a) Omit “he” where firstly and secondly occurring, insert instead “the person last entitled to the land”.
- (b) Omit “he” where thirdly occurring, insert instead “that person”. 15
- (c) Omit “he” where fourthly occurring, insert instead “the person”.
- (3) Section 5:
- Omit “he”, insert instead “that person”.
- (4) Section 7 (**Limitation to grantor or grantor’s heirs creates an estate by purchase**): 20
- Omit “his”, insert instead “the person’s”.
- (5) Sections 8, 11 and 12:
- Omit “his” wherever occurring, insert instead “the person’s”.
- (6) Section 10 (**Lineal ancestor preferred to collaterals claiming through that ancestor**): 25
- (a) After “his” where firstly and fourthly occurring, insert “or her”.
- (b) Omit “his” where secondly and thirdly occurring, insert instead “the purchaser’s”.
- (c) Omit “his” where fifthly occurring, insert instead “the ancestor’s”.
- (d) Omit “his” where sixthly occurring, insert instead “that ancestor’s”. 30
- (7) Section 13:
- (a) Omit “his” where firstly occurring, insert instead “that person’s”.
- (b) Omit “his” where secondly occurring, insert instead “that relation’s”. 35

- (8) Section 16:  
 (a) After “his”, insert “or her”.  
 (b) Omit “he”, insert instead “the relation”.

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**INSURANCE ACT 1902 No. 49**

5 **AMENDMENTS**

- (1) Section 4:  
 (a) Omit “himself” wherever occurring, insert instead “the insured”.  
 (b) Omit “he” wherever occurring, insert instead “the insured”.  
 10 (c) Omit “his” where firstly, secondly and thirdly occurring, insert instead “the insured’s”.  
 (d) Omit “his” where fourthly occurring, insert instead “the bankrupt’s”.  
 (e) Omit “him”, insert instead “the bankrupt”.
- (2) Section 10A:  
 15 Omit “his own hand”, insert instead “the person’s own hand”.
- (3) Section 11:  
 From section 11 (2), omit “he” wherever occurring, insert instead “the Judge”.
- (4) Section 15 (**Assignee may sue in his or her own name**):  
 20 (a) Omit “his”, insert instead “the assignee’s”.  
 (b) Omit “he”, insert instead “the defendant”.

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**JUDGMENT CREDITORS’ REMEDIES ACT 1901 No. 8**

**AMENDMENTS**

- (1) Section 7:  
 25 Omit “him”, insert instead “the person”.
- (2) Section 8:  
 (a) Omit “him”, insert instead “the sheriff”.  
 (b) Omit “he”, insert instead “the sheriff”.
- (3) Section 12:  
 30 From section 12 (1), omit “such person himself”, insert instead “the person personally”.

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- (4) Section 14:
- (a) Omit “he”, insert instead “the sheriff”.
  - (b) Omit “him”, insert instead “the sheriff”.
- (5) Section 16:
- Omit “his” wherever occurring, insert instead “the person’s”. 5
- (6) Section 25:
- (a) From section 25 (1), omit “his” where firstly occurring, insert instead “the person’s”.
  - (b) From section 25 (1) and (2), omit “his discharge” wherever occurring, insert instead “be discharged”. 10
  - (c) From section 25 (2), omit “him”, insert instead “the person”.
  - (d) From section 25 (2), omit “he” wherever occurring, insert instead “the person”.
  - (e) From section 25 (2), omit “his certificate”, insert instead “a certificate”. 15
  - (f) From section 25 (2), omit “his bankruptcy”, insert instead “bankruptcy”.
  - (g) From section 25 (3), omit “him”, insert instead “the bailiff, gaoler or officer”.
- (7) Section 27: 20
- (a) From section 27 (1) (a), omit “his name in his own right”, insert instead “the judgment debtor’s name in the judgment debtor’s own right”.
  - (b) From section 27 (1) (a), omit “him”, insert instead “the judgment debtor”. 25
  - (c) From section 27 (2), omit “he”, insert instead “the judgment creditor”.
  - (d) From section 27 (2), omit “his”, insert instead “the judgment creditor’s”.
- (8) Section 29: 30
- Omit “his”, insert instead “the judgment creditor’s”.
- (9) Section 31:
- Omit “his”, insert instead “the judgment debtor’s”.
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**JURY ACT 1977 No. 18****AMENDMENTS**

- 5 (1) Sections 12, 14, 17, 18, 30 and 74:  
From section 12 (1), 14 (2), 17, 18 (4), 30 (1) and 74 (1), omit "his" wherever occurring, insert instead "the sheriff's".
- (2) Sections 13, 27, 31, 60, 61, 62 and 64:  
From section 13 (1), 27 (2), 31 (2), 60 (1), 61, 62 and 64 (3)–(5), omit "his" wherever occurring, insert instead "the person's".
- 10 (3) Sections 14, 18 and 26:  
From section 14 (1), 18 (1) (a) (i) and (ii) and 26 (1), omit "he" wherever occurring, insert instead "the sheriff".
- (4) Sections 23, 28 and 30:  
From section 23 (1), 28 (1) and 30 (3), omit "him" wherever occurring, insert instead "the sheriff".
- 15 (5) Section 33:  
(a) From section 33 (1), omit "him" where firstly occurring, insert instead "the presiding judge".  
(b) From section 33 (1), omit "him" where secondly occurring, insert instead "the pool officer".
- 20 (6) Section 34:  
(a) From section 34 (1), omit "he", insert instead "the pool officer".  
(b) From section 34 (2), omit "him", insert instead "the pool officer".
- (7) Sections 35 and 38:  
25 From sections 35 (2) and 38 (2), omit "he" wherever occurring, insert instead "the person".
- (8) Section 39:  
(a) From section 39 (1), omit "he", insert instead "the judge or coroner".  
30 (b) From section 39 (2), omit "him", insert instead "the judge or coroner".
- (9) Section 40:  
From section 40 (2), omit "his", insert instead "the party's".
- (10) Section 45:  
35 (a) From section 45 (1), omit "he", insert instead "the juror".  
(b) From section 45 (2), omit "his", insert instead "the plaintiff's".



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- (11) Sections 47 and 72:  
From sections 47 and 72 (1), omit “his” wherever occurring, insert instead “the juror’s”.
- (12) Section 49:  
 (a) From section 49 (3), omit “his” where firstly occurring, insert instead “the plaintiff’s”. 5  
 (b) From section 49 (3), omit “his” where secondly occurring, insert instead “the party’s”.  
 (c) From section 49 (4) (a) and (b), omit “his” wherever occurring, insert instead “the party’s”. 10
- (13) Section 50:  
From section 50 (2), omit “him”, insert instead “the coroner”.
- (14) Section 55:  
Omit “it or he”, insert instead “the court or coroner”.
- (15) Section 59: 15  
Omit “he”, insert instead “the coroner”.
- (16) Sections 60 and 64:  
From section 60 (2) and 64 (5) (b), omit “he” wherever occurring, insert instead “the person”.
- (17) Sections 60 and 69: 20  
From section 60 (2) and 69 (1), omit “him” wherever occurring, insert instead “the person”.
- (18) Section 61:  
Omit “to his knowledge he”, insert instead “the person knows that he or she”. 25
- (19) Section 69:  
In section 69 (1), (3) (b) and (6), after “his” wherever occurring, insert “or her”.

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**LIE DETECTORS ACT 1983 No. 62**

**AMENDMENTS**

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- Section 5:  
 (a) Omit “he” wherever occurring, insert instead “the person”.  
 (b) From section 5 (1) (b), omit “himself or another”, insert instead “the person or another person”.
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**MINES INSPECTION ACT 1901 No. 75****AMENDMENTS**

- (1) Section 4:
- 5 (a) From paragraph (b) of the definition of “Mine” in section 4 (1), omit “men”, insert instead “persons”.
- (b) From the definition of “Owner” in section 4 (1), omit “he”, insert instead “the contractor or tributer”.
- (2) Section 5:
- 10 (a) From section 5 (2), omit “him”, insert instead “the owner”.
- (b) In section 5 (2), after “himself”, insert “or herself”.
- (c) From section 5 (3) and (4), omit “he” wherever occurring, insert instead “the person”.
- (d) From section 5 (5), omit “his”, insert instead “the manager’s”.
- (3) Section 7:
- 15 (a) From section 7 (1), omit “his”, insert instead “the applicant’s”.
- (b) From section 7 (1), omit “he”, insert instead “the applicant”.
- (4) Sections 8, 26, 42 and 67:
- From sections 8 (1), 26 (4), 42 (2) and 67 (2), omit “he” wherever occurring, insert instead “the person”.
- 20 (5) Sections 9 and 16:
- From sections 9 (1) and 16 (1), omit “his” wherever occurring, insert instead “the holder’s”.
- (6) Section 12:
- 25 (a) From section 12 (1) (b), omit “his”, insert instead “the person’s”.
- (b) From section 12 (1) and (2), omit “he” wherever occurring, insert instead “the person”.
- (c) From section 12 (3) (b), omit “men”, insert instead “persons”.
- (7) Section 14:
- 30 From section 14 (1), omit “his” wherever occurring, insert instead “the applicant’s”.
- (8) Section 18A:
- (a) From the definition of “medical certificate” in section 18A (1), omit “him”, insert instead “the medical practitioner”.

- (b) From paragraphs (a) and (b) of the definition of “medical certificate” in section 18A (1), and from section 18A (4), (5), (7) and (8), omit “his” wherever occurring, insert instead “the person’s”.
- (c) From paragraph (c) of the definition of “medical certificate” in section 18A (1), and from section 18A (3), (5) (a) and (9), omit “he” wherever occurring, insert instead “the person”. 5
- (d) From section 18A (3) (a), (4) and (7), omit “him” wherever occurring, insert instead “the person”.
- (e) From section 18A (5) (b) and (8) (c), omit “he” wherever occurring, insert instead “the Chief Inspector”. 10
- (f) From section 18A (8), omit “him”, insert instead “the Chief Inspector”.
- (9) Section 19: 15
- (a) Omit “his” where firstly occurring, insert instead “the manager’s or engine-driver’s”.
- (b) In section 19 (d), after “himself”, insert “or herself”.
- (c) From section 19 (d), omit “his”, insert instead “or by his or her”.
- (d) From section 19 (d) and (g), omit “he” wherever occurring, insert instead “the manager or engine-driver”. 20
- (e) From section 19 (e), omit “he”, insert instead “the Minister”.
- (f) From section 19 (f), omit “his” where firstly occurring.
- (g) From section 19 (f), omit “he”, insert instead “the manager or engine-driver”.
- (h) From section 19 (f), omit “his” where secondly occurring, insert instead “the manager’s or engine-driver’s”. 25
- (10) Sections 20, 21, 39 and 78:  
From sections 20 (2), 21 (2), 39 and 78, omit “he” wherever occurring, insert instead “the Minister”.
- (11) Section 22: 30
- (a) Omit “he” where firstly occurring, insert instead “the person”.
- (b) Omit “his”, insert instead “the person’s”.
- (c) Omit “him”, insert instead “the person”.
- (d) Omit “he” where secondly occurring, insert instead “the Minister”.
- (12) Section 24: 35
- In section 24 (c), after “himself”, insert “or herself”.

## (13) Section 25:

From section 25 (2), omit:

and in the event of any such contravention by any person whomsoever, the owner and manager of the mine shall each be guilty of an offence against this Act, unless he proves that he had taken all reasonable means, by publishing and to the best of his power enforcing the provisions of this section, to prevent the contravention.

insert instead:

and in the event of any such contravention by any person whomsoever:

(a) the owner of the mine shall be guilty of an offence against this Act, unless the owner proves that he or she had taken all reasonable means, by publishing and to the best of his or her power enforcing the provisions of this section, to prevent the contravention; and

(b) the manager of the mine shall be guilty of an offence against this Act, unless the manager proves that he or she had taken all reasonable means, by publishing and to the best of his or her power enforcing the provisions of this section, to prevent the contravention.

## (14) Section 31:

(a) From section 31 (1) and (4), omit “he” wherever occurring, insert instead “the person”.

(b) Omit section 31 (2), insert instead:

(2) And in the event of any such contravention or non-compliance by any person whomsoever:

(a) the owner of the mine shall be guilty of an offence against this Act, unless the owner proves that he or she had taken all reasonable means, by publishing and to the best of his or her power enforcing the provisions of this section, to prevent the contravention or non-compliance; and

(b) the manager of the mine shall be guilty of an offence against this Act, unless the manager proves that he or she had taken all reasonable means, by publishing and to the best of his or her power enforcing the provisions of this section, to prevent the contravention or non-compliance.

(c) From section 31 (4), omit “his” wherever occurring, insert instead “the person’s”.

## (15) Section 32:

(a) From section 32 (1), omit “he”, insert instead “the Governor”.

(b) From section 32 (3), omit “his”, insert instead “the Chief Inspector’s”.

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- (16) Section 36:
- (a) From section 36, omit “his” wherever occurring, insert instead “the inspector’s”.
  - (b) From section 36, omit “him” wherever occurring, insert instead “the inspector”. 5
- (17) Section 37:
- (a) From section 37 (1), omit “his”, insert instead “the inspector’s”.
  - (b) From section 37 (1), omit “he”, insert instead “the inspector”.
- (18) Section 37A:
- Amend the heading of the section to read as follows: 10
- Order to withdraw persons from mine**
- (19) Section 40:
- From section 40, omit “his”, insert instead “the inspector’s”.
- (20) Section 41:
- (a) From section 41 (1) and (4), omit “he” wherever occurring, insert instead “the owner or manager”. 15
  - (b) From section 41 (2), omit “him”, insert instead “the inspector”.
  - (c) From section 41 (2), omit “he”, insert instead “the inspector”.
  - (d) From section 41 (3), omit “he” where firstly occurring, insert instead “the owner or manager concerned”. 20
  - (e) In section 41 (3), after “he” where secondly and thirdly occurring, insert “or she”.
- (21) Section 42A:
- (a) From section 42A (3), omit “he”, insert instead “the person”.
  - (b) From section 42A (4), omit “he”, insert instead “the Minister”. 25
- (22) Section 42B:
- (a) From section 42B (1), omit “his”, insert instead “the owner’s or manager’s”.
  - (b) From section 42B (1), omit “him”, insert instead “the Chief Inspector”. 30
- (23) Section 43:
- From section 43 (2B), omit “his”, insert instead “the owner’s or manager’s”.

## (24) Section 45:

- (a) From section 45 (2) and (6), omit “he” wherever occurring, insert instead “the person”.
- (b) From section 45 (4), omit “he”, insert instead “the occupier or other person firstmentioned”.

## (25) Section 46:

- (a) From section 46 (1), omit “he”, insert instead “the holder”.
- (b) From section 46 (1), omit “his”, insert instead “the Minister’s”.
- (c) From section 46 (4), omit “he”, insert instead “the person”.
- (d) From section 46 (4), omit “his”, insert instead “the person’s”.

## (26) Section 48B:

From section 48B (b), omit “he”, insert instead “the owner”.

## (27) Section 48C:

From section 48C (1), omit “him”, insert instead “the Minister”.

## (28) Section 50:

- (a) From section 50 (5), omit “him” wherever occurring, insert instead “the warden”.
- (b) From section 50 (5), omit “he”, insert instead “the warden”.

## (29) Section 54:

From section 54 (4), omit “his”, insert instead “the warden’s”.

## (30) Section 57:

From section 57, omit:

and in the event of any such contravention or non-compliance by any person whomsoever in the case of any mine, the owner and manager of the mine shall each be guilty of an offence against this Act, unless he proves that he had taken all reasonable means, by publishing and to the best of his power enforcing the rules as regulations for the working of the mine so as to prevent such contravention or non-compliance.

insert instead:

and in the event of any such contravention by any person whomsoever in the case of any mine:

- (a) the owner of the mine shall be guilty of an offence against this Act, unless the owner proves that he or she had taken all reasonable means, by publishing and to the best of his or her power enforcing the rules as regulations for the working of the mine so as to prevent such contravention or non-compliance; and

- (b) the manager of the mine shall be guilty of an offence against this Act, unless the manager proves that he or she had taken all reasonable means, by publishing and to the best of his or her power enforcing the rules as regulations for the working of the mine so as to prevent such contravention or non-compliance. 5
- (31) Section 58:
- (a) From section 58 (3), omit “he” where firstly occurring, insert instead “the person”. 10
- (b) From section 58 (3), omit: 15
- and also the owner and manager of such mine shall each be guilty of an offence against this Act, unless he proves that he had taken all reasonable means, by publishing and to the best of his power enforcing the rules as regulations for the working of the mine, so as to prevent such contravention or non-compliance.
- insert instead:
- and also:
- (a) the owner of the mine shall be guilty of an offence against this Act, unless the owner proves that he or she had taken all reasonable means, by publishing and to the best of his or her power enforcing the rules as regulations for the working of the mine, so as to prevent such contravention or non-compliance; and 20
- (b) the manager of the mine shall be guilty of an offence against this Act, unless the manager proves that he or she had taken all reasonable means, by publishing and to the best of his or her power enforcing the rules as regulations for the working of the mine, so as to prevent such contravention or non-compliance. 25
- (32) Section 65: 30
- Omit:
- of this section the owner and manager of the mine shall each be guilty of an offence against this Act, unless he proves that he had taken all reasonable means, by enforcing, to the best of his power, the observance of this section to prevent such non-compliance. 35
- insert instead:
- of this section:
- (a) the owner of the mine shall be guilty of an offence against this Act, unless the owner proves that he or she had taken all reasonable means, by enforcing, to the best of his or her power, the observance of this section to prevent such non-compliance; and 40

5 (b) the manager of the mine shall be guilty of an offence against this Act, unless the manager proves that he or she had taken all reasonable means, by enforcing, to the best of his or her power, the observance of this section to prevent such non-compliance.

(33) Section 71:

From section 71 (2), omit "he", insert instead "the owner, manager or employee".

(34) Section 72:

10 Omit "he", insert instead "the owner or manager".

(35) Section 74:

From section 74 (a), omit "his", insert instead "the Minister's".

(36) Section 80:

15 (a) From section 80 (1), omit "his" wherever occurring, insert instead "the Minister's".

(b) From section 80 (5), omit "he", insert instead "the owner".

(37) Section 81:

From section 81 (1) and (2), omit "him" wherever occurring, insert instead "the person".

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### NECROPOLIS ACT 1901 (1902 No. 20)

#### AMENDMENTS

(1) Section 8B:

From section 8B (2), omit "he", insert instead "the Minister".

(2) Section 13:

25 (a) Omit "his", insert instead "the minister's".

(b) Omit "he", insert instead "the minister".

(3) Section 24:

From section 24 (2), omit "his" wherever occurring, insert instead "the grantee's".

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(4) Sections 31 and 32:

(a) In section 31 (1) and 32, after "his" wherever occurring, insert "or her".

(b) In section 31 (1), after "he", insert "or she".



- (c) From section 31 (2), omit “his” where firstly occurring, insert instead “the person”.
- (d) In section 31 (2), after “his” where secondly occurring, insert “or her”.
- (e) From section 31 (2), omit “he”, insert instead “the person”. 5

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**PARLIAMENTARY EVIDENCE ACT 1901 No. 43**

**AMENDMENTS**

- (1) Section 6:
- (a) Omit “his” wherever occurring, insert instead “the witness’s”.
- (b) From section 6 (2), omit “him”, insert instead “the Treasurer”. 10
- (2) Section 7:
- (a) Omit “his” where firstly occurring, insert instead “the witness’s”.
- (b) Omit “his” where secondly occurring, insert instead “the President’s or the Speaker’s”.
- (3) Section 8: 15
- (a) Omit “his”, insert instead “a”.
- (b) Omit “him”, insert instead “the person”.
- (4) Section 9:
- (a) From section 9 (1), omit “him”, insert instead “the person”.
- (b) From section 9 (1), omit “he”, insert instead “the person”. 20
- (5) Section 10:
- (a) From section 10 (1), omit “his”, insert instead “the Clerk’s”.
- (b) From section 10 (1), omit “him”, insert instead “the Clerk”.
- (6) Section 11:
- (a) From section 11 (1), omit “his”, insert instead “the witness’s”. 25
- (b) From section 11 (1), omit “he”, insert instead “the witness”.
- (7) Section 12:
- Omit “him”, insert instead “the witness”.
- (8) Section 13: 30
- Omit “he”, insert instead “the witness”.
- (9) Second Schedule:
- (a) After “His Honour”, insert “/Her Honour”.
- (b) After “his”, insert “or her”.

## (10) Third Schedule:

- (a) Omit "his" where firstly occurring, insert instead "the Sheriff's".
- (b) After "him", insert "or her".
- (c) After "his" where secondly and thirdly occurring, insert "or her".

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**PAROLE ORDERS (TRANSFER) ACT 1983 No. 190****AMENDMENTS**

## (1) Section 7:

- (a) From section 7 (1) (a) and (2) (a), omit "he" wherever occurring, insert instead "the Minister".
- 10 (b) From section 7 (1) (a), omit "him", insert instead "the Minister".
- (c) From section 7 (1) (b) (i) and (2) (b) (i), omit "his" wherever occurring.

## (2) Section 8:

- (a) From section 8 (1) (a), omit "him", insert instead "the Registrar".
- 15 (b) From section 8 (2), omit "he", insert instead "the Registrar".

## (3) Section 9:

From section 9 (4), omit "he" wherever occurring, insert instead "the person".

## (4) Section 12:

- 20 (a) From section 12 (1), omit "him", insert instead "the Minister".
- (b) From section 12 (1), omit "his", insert instead "the Minister's".

**PAWNBROKERS ACT 1902 No. 66****AMENDMENTS**

## (1) Section 3:

- 25 (a) In section 3 (2) (a), after "if" insert "the person".
- (b) From section 3 (2) (a), omit "he" wherever occurring.
- (c) In section 3 (2) (a) (iv), after "himself", insert "or herself".
- (d) From section 3 (2) (b) and (c), omit "he" wherever occurring, insert instead "the person".
- 30 (e) From section 3 (2) (b), omit "him" where firstly occurring, insert instead "the person".
- (f) From section 3 (2) (b), omit "to him".

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- (g) From section 3 (2) (d), omit “he” where firstly occurring, insert instead “the person”.
- (h) From section 3 (2) (d), omit “him”, insert instead “the person,”.
- (i) From section 3 (2) (d), omit “he so delivers the article”, insert instead “the article is so delivered”. 5
- (2) Section 6:  
From section 6 (3) (a), omit “him”, insert instead “the officer”.
- (3) Section 7:  
(a) From section 7 (1), omit “he” wherever occurring, insert instead “the person”. 10  
(b) From section 7 (2), omit “he has issued the licence”, insert instead “the licence has been issued”.
- (4) Sections 7A and 21:  
From sections 7A (2) and 21 (1), omit “his” wherever occurring, insert instead “the person’s”. 15
- (5) Section 8:  
(a) From section 8 (1), omit “he” wherever occurring, insert instead “the pawnbroker”.  
(b) From section 8 (3), omit “him”, insert instead “the person”.
- (6) Sections 9 and 18: 20  
From sections 9 (2) and 18 omit “he” wherever occurring, insert instead “the pawnbroker”.
- (7) Section 11:  
(a) From section 11 (1), omit “he” wherever occurring, insert instead “the pawnbroker”. 25  
(b) From section 11 (1) (a), omit “his”, insert instead “the pawnbroker’s”.
- (8) Section 12:  
(a) From section 12 (1), omit “his” where firstly occurring.  
(b) From section 12 (1) (a), omit “he”, insert instead “the pawnbroker”. 30  
(c) From section 12 (1) (b), omit “held in pawn by him”, insert instead “that the pawnbroker holds in pawn”.  
(d) From section 12 (1) (c) (ii), omit “his”, insert instead “the person’s”. 35

- (9) Section 13:
- (a) From section 13 (1) (d), omit “his”, insert instead “the party’s”.
  - (b) From section 13 (1) (d), omit “him”, insert instead “the person pawning”.
  - 5 (c) From section 13 (2A), omit “he”, insert instead “the pawnbroker”.
- (10) Section 14:
- (a) From section 14 (1), omit “he”, insert instead “the pawnbroker”.
  - (b) From section 14 (2), omit “him”, insert instead “the person”.
  - (c) From section 14 (3), omit “him”, insert instead “the pawnbroker”.
- 10 (11) Section 15:
- (a) From section 15 (1) (a) and (b), omit “he” wherever occurring, insert instead “the person”.
  - (b) From section 15 (1), omit “him”, insert instead “the person”.
  - (c) From section 15 (4), omit “him”, insert instead “the pawnbroker”.
- 15 (12) Section 16:
- (a) From section 16 (3) (a) and (b) (ii), omit “him” wherever occurring, insert instead “the pawnbroker”.
  - (b) From section 16 (3) (c), omit “he”, insert instead “the pawnbroker”.
- 20 (13) Section 16A:
- (a) Omit “his” wherever occurring, insert instead “the pawnbroker’s”.
  - (b) Omit “him” wherever occurring, insert instead “the pawnbroker”.
  - (c) Omit “he” wherever occurring, insert instead “the pawnbroker”.
- (14) Section 20:
- 25 From section 20 (a), omit “his”, insert instead “the pawnbroker’s”.
- (15) Section 22:
- From section 22 (1), omit “has been held in pawn by him, he”, insert instead “the pawnbroker has held in pawn, the pawnbroker”.
- (16) Section 30:
- 30 (a) From section 30 (1), omit “him”, insert instead “the person”.
- (b) From section 30 (1), omit “his”, insert instead “the pawnbroker’s”.
- (17) Section 32:
- (a) Omit “he”, insert instead “the person”.
  - (b) Omit “him”, insert instead “the person”.
  - 35 (c) Omit “his”, insert instead “the person’s”.

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- (18) Section 33:  
After “he”, insert “or she”.
- (19) Section 34:  
From section 34 (2), omit “he”, insert instead “the person”.
- (20) Sections 37 and 38: 5  
From sections 37 (1) and 38 (1), omit “him” wherever occurring, insert instead “the justice”.
- (21) Section 44:  
(a) Omit “him”, insert instead “the justice, member of the police force or other peace officer”. 10  
(b) After “his”, insert “or her”.
- (22) Section 46:  
From section 46 (2) (c), omit “him”, insert instead “the pawnbroker”.

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**PERIODIC DETENTION OF PRISONERS ACT 1981 No. 18** 15

**AMENDMENTS**

- (1) Section 5:  
From section 5 (1) (a), omit “his”, insert instead “the”.
- (2) Section 7:  
From section 7 (2), omit “him”, insert instead “the person”. 20
- (3) Section 9:  
(a) In section 9 (1), after “his”, insert “or her”.  
(b) From section 9 (2) and (3), omit “him” wherever occurring, insert instead “the periodic detainee”.  
(c) In section 9 (2) and (4), after “he” wherever occurring, insert “or she”. 25
- (4) Sections 10 and 13:  
From sections 10 (4) and 13 (1) and (2), omit “him” wherever occurring, insert instead “the periodic detainee”.
- (5) Section 12: 30  
From section 12 (1) (a) and (b) and (3) (b), omit “he” wherever occurring, insert instead “the periodic detainee”.

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(6) Section 17:

(a) From section 17 (1) and (2), omit “him” wherever occurring, insert instead “the periodic detainee”.

5 (b) From section 17 (2), omit “he”, insert instead “the periodic detainee”.

(7) Sections 24, 28 and 33:

(a) From sections 24 (2) and (3), 28 and 33 (2), (3), (4) (a) and (b) and (5), omit “he” wherever occurring, insert instead “the periodic detainee”.

10 (b) From sections 24 (2) and (3), 28 and 33 (1) (e), (3), (4) (a) and (b) and (5), omit “him” wherever occurring, insert instead “the periodic detainee”.

(8) Section 27:

15 (a) From section 27 (1) (c) (i) and (ii), omit “him” wherever occurring, insert instead “the person”.

(b) From section 27 (1) (c) (ii), omit “he”, insert instead “the person”.

(9) Section 29:

(a) From section 29 (1), omit “he” wherever occurring, insert instead “the periodic detainee”.

20 (b) From section 29 (1), omit “his”, insert instead “the periodic detainee’s”.

(10) Section 30:

Omit “he” wherever occurring, insert instead “the periodic detainee”.

25 (11) Schedule 2:

(a) From clause 3 (1) (b) and (2) (b), omit “his” wherever occurring, insert instead “the”.

(b) From clause 3 (1) and (2), omit “he” wherever occurring, insert instead “the person”.

30 (c) From clause 4, omit “his”, insert instead “the person’s”.

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**PIRACY PUNISHMENT ACT 1902 No. 69**

**AMENDMENTS**

Section 7:

(a) Omit “him”, insert instead “the person”.

35 (b) Omit “, he”, insert instead “the person”.

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**PRISONERS (INTERSTATE TRANSFER) ACT 1982 No. 104****AMENDMENTS**

- (1) Section 5:  
From section 5 (2), omit "his", insert instead "the justice's".
- (2) Section 9: 5  
Omit "his".
- (3) Section 10:  
(a) Omit "him", insert instead "the Minister".  
(b) Omit "his", insert instead "the Minister's".
- (4) Section 11: 10  
(a) From section 11 (1), omit "himself as he", insert instead "himself or herself as the Minister".  
(b) From section 11 (2), omit "him" wherever occurring, insert instead "the corresponding Minister".
- (5) Section 12: 15  
(a) From section 12 (1), omit "his", insert instead "the Attorney General's".  
(b) From section 12 (3), omit "his".
- (6) Section 17: 20  
From section 17 (b), omit "he", insert instead "the prisoner".
- (7) Section 19:  
(a) From section 19 (b), omit "he", insert instead "the person".  
(b) From section 19 (c), omit "he", insert instead "the Attorney-General of the participating State".  
(c) From section 19 (c), omit "him", insert instead "the person". 25  
(d) From section 19, omit "his", insert instead "the Attorney General's".
- (8) Section 24:  
(a) From section 24 (1) (b), omit "him" wherever occurring, insert instead "the prisoner". 30  
(b) From section 24 (3), omit "him" wherever occurring, insert instead "the person".
- (9) Section 26:  
(a) From section 26 (1), omit "him", insert instead "the corresponding Minister". 35  
(b) From section 26 (1) (b), omit "he", insert instead "the prisoner".

- (10) Section 28:
- (a) From section 28 (6), omit “his” wherever occurring, insert instead “the person’s”.
- (b) From section 28 (6), omit “he” wherever occurring, insert instead “the person”.
- (11) Section 29:
- (a) From section 29 (1), omit “he”, insert instead “the prisoner”.
- (b) From section 29 (2), omit “him” wherever occurring, insert instead “the prisoner”.
- (12) Section 30:
- Omit “he”, insert instead “the Attorney General”.
- (13) Section 31:
- (a) From section 31 (1), omit “him” wherever occurring, insert instead “the person”.
- (b) From section 31 (1) (b), omit “he”, insert instead “the person”.
- (14) Section 32:
- (a) From section 32 (2), omit “his”, insert instead “the justice’s”.
- (b) From section 32 (4), omit “he”, insert instead “the person”.
- (c) From section 32 (6), omit “his”, insert instead “the person’s”.
- (15) Section 33:
- (a) From section 33 (1) and (2), omit “he” wherever occurring, insert instead “the person”.
- (b) From section 33 (1), omit “his”, insert instead “the person’s”.
- (16) Section 34:
- Omit “his”.

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**REAL PROPERTY ACT 1900 No. 25**

**AMENDMENTS**

- (1) Section 12:
- (a) From section 12 (1), omit “He” wherever occurring, insert instead “The Registrar-General”.
- (b) From section 12 (1) and (3) (a), omit “he” wherever occurring, insert instead “the Registrar-General”.
- (c) From section 12 (1) (a), (d), (e), (g), (h), (2), (3) and (4), omit “him” wherever occurring, insert instead “the Registrar-General”.



- (d) From section 12 (1) (h) and (4), omit “his” wherever occurring, insert instead “the Registrar-General’s”.
- (e) From section 12 (2), omit “he” wherever occurring, insert instead “the person”.
- (2) Section 12A: 5
- (a) From section 12A (2), omit “him” wherever occurring, insert instead “the Registrar-General”.
- (b) From section 12A (2), omit “he” wherever occurring, insert instead “the Registrar-General”.
- (c) From section 12A (3), omit “him” where firstly occurring, insert instead “the Registrar-General”. 10
- (d) From section 12A (3), omit “him” where secondly occurring, insert instead “that person”.
- (3) Section 12B:
- (a) Omit “he” wherever occurring, insert instead “the Registrar-General”. 15
- (b) From section 12B (2), omit “his” where firstly occurring, insert instead “the Registrar-General’s”.
- (c) From section 12B (2), omit “his” where secondly occurring, insert instead “the mortgagee’s”. 20
- (4) Section 13A:
- (a) From section 13A (2), omit “he”, insert instead “the Registrar-General”.
- (b) From section 13A (3) (a), omit “him”, insert instead “the Minister”. 25
- (c) From section 13A (3), omit “he or it”, insert instead “the Minister (or the person authorised by the Minister) or the Corporation”.
- (5) Section 13B:
- (a) From section 13B (2), omit “he”, insert instead “the Registrar-General”. 30
- (b) From section 13B (3) (a), omit “him”, insert instead “the Minister”.
- (c) From section 13B (3), omit “he or it”, insert instead “the Minister (or the person authorised by the Minister) or the Corporation”.
- (6) Sections 13C, 28C, 28GA, 28H, 28I, 96C, 96D, 96E, 96F, 96G, 105B, 123 and 137: 35
- From sections 13C, 28C (1), 28GA (1), 28H (2) (b), 28I (1), 96C, 96D (a), 96E (c) and (d), 96F (a), 96G (a), 105B (1), 123 and 137, omit “him” wherever occurring, insert instead “the Registrar-General”. 40

- (7) Section 13D:  
5 (a) From section 13D (2), omit “he” wherever occurring, insert instead “the Registrar-General”.  
(b) From section 13D (3), omit “his”, insert instead “the Registrar-General’s”.
- (8) Sections 13G, 28K, 28V, 39A, 40A, 56, 56A, 66 and 85:  
From sections 13G (1), 28K, 28V (2), 39A (2) (a), 40A, 56 (5), 56A (3), 66 (1) and 85 (2), omit “he” wherever occurring, insert instead, “the Registrar-General”.
- 10 (9) Section 13H:  
(a) From section 13H (1), omit “he” wherever occurring, insert instead “the Registrar-General”.  
(b) From section 13H (1), omit “him”, insert instead “the Registrar-General”.
- 15 (10) Section 13K:  
(a) From section 13K (1), omit “his”, insert instead “the Registrar-General’s”.  
(b) From section 13K (5), omit “he”, insert instead “the Registrar-General”.
- 20 (11) Section 14:  
(a) From section 14 (2) (c), omit “he”, insert instead “the person”.  
(b) From section 14 (3) (a) (ii), omit “his”, insert instead “the vendor’s”.  
25 (c) From section 14 (6), omit “him”, insert instead “the Registrar-General”.
- (12) Section 15:  
In section 15, after “his” wherever occurring, insert “or her”.
- (13) Section 17:  
30 (a) From section 17 (1) and (3) (a), omit “he” wherever occurring, insert instead “the Registrar-General”.  
(b) From section 17 (2) (b), omit “himself”, insert instead “the primary applicant”.
- (14) Section 23:  
35 (a) From section 23 (1), omit “he”, insert instead “the primary applicant”.  
(b) From section 23 (1), (2) (b) and (c), omit “his” wherever occurring, insert instead “the”.  
(c) From section 23 (2), omit “he”, insert instead “the Registrar-General”.

- (15) Section 23A:
- (a) From section 23A (2), omit “he”, insert instead “the Registrar-General”.
  - (b) From section 23A (3) (a), omit “his”, insert instead “the Registrar-General’s”. 5
  - (c) From section 23A (3) (a), omit “him”, insert instead “the primary applicant”.
  - (d) In section 23A (3) (c), after “he”, insert “or she”.
- (16) Sections 28D, 28N, 127 and 134: 10
- From sections 28D (b), 28N, 127 (1) and 134 (1), omit “his” wherever occurring, insert instead “the Registrar-General’s”.
- (17) Section 28E:
- (a) From section 28E (1), omit “him” wherever occurring, insert instead “the addressee”.
  - (b) From section 28E (1) (c), omit “he”, insert instead “the addressee”. 15
  - (c) From section 28E (1) (c) and (e), omit “his” wherever occurring, insert instead “the addressee’s”.
  - (d) From section 28E (3), omit “him”, insert instead “the person”.
  - (e) From section 28E (3), omit “his”, insert instead “the person’s”.
- (18) Section 28EA: 20
- (a) From section 28EA (1), omit “he” wherever occurring, insert instead “the Registrar-General”.
  - (b) From section 28EA (1) (a) and (b), omit “his” wherever occurring, insert instead “the Registrar-General’s”.
- (19) Section 28M: 25
- (a) From section 28M (4), (7) and (8), omit “he” wherever occurring, insert instead “the Registrar-General”.
  - (b) From section 28M (7) (d) omit “him”, insert instead “the Registrar-General”.
- (20) Section 28T: 30
- (a) From section 28T (1), (2) and (3), omit “he” wherever occurring, insert instead “the Registrar-General”.
  - (b) From section 28T (1) (b), omit “his”, insert instead “the Registrar-General’s”.
- (21) Section 28U: 35
- From section 28U (2), omit “his”.

## (22) Section 31A:

- (a) In section 31A (2) (a), after “himself”, insert “or herself”.
- (b) From section 31A (2A) and (4) (b), omit “him” wherever occurring, insert instead “the Registrar-General”.
- 5 (c) From section 31A (3) (a) and (5), omit “he” wherever occurring, insert instead “the Registrar-General”.
- (d) From section 31A (3) (a), omit “his”, insert instead “the Registrar-General’s”.

## (23) Section 32:

- 10 (a) From section 32 (4), (5), (6) and (7), omit “he” wherever occurring, insert instead “the Registrar-General”.
- (b) From section 32 (5), omit “him”, insert instead “the Registrar-General”.

## (24) Section 33:

- 15 (a) From section 33 (1) and (4), omit “he” wherever occurring, insert instead “the Registrar-General”.
- (b) From section 33 (1) and (4), omit “him” wherever occurring, insert instead “the Registrar-General”.

## (25) Section 33A:

- 20 (a) From section 33A (1) (a) and (c), omit “he” wherever occurring, insert instead “the Registrar-General”.
- (b) From section 33A (1) (a), omit “his” where firstly occurring, insert instead “the Registrar-General’s”.
- 25 (c) From section 33A (1) (a), omit “his” where secondly occurring, insert instead “the person’s”.
- (d) From section 33A (2) (b), omit “his” where firstly occurring, insert instead “the Registrar-General’s”.
- (e) From section 33A (2) (b), omit “his” where secondly occurring, insert instead “the person’s”.
- 30 (f) From section 33A (3), omit “he” where firstly and secondly occurring, insert instead “the Registrar-General”.
- (g) From section 33A (3), omit “he” where thirdly occurring, insert instead “the person”.
- (h) In section 33A (4C), after “himself”, insert “or herself”.
- 35 (i) From section 33A (4C), omit “he”, insert instead “the Registrar-General”.
- (j) From section 33A (5), omit “him”, insert instead “the Registrar-General”.

- (26) Section 36:
- (a) From section 36 (1A), (6A) and (7), omit “he” wherever occurring, insert instead “the Registrar-General”.
  - (b) From section 36 (4) and (10), omit “him” wherever occurring, insert instead “the Registrar-General”. 5
- (27) Section 38:
- (a) From section 38 (2) and (3), omit “him” wherever occurring, insert instead “the Registrar-General”.
  - (b) From section 38 (2), (3), (6), (7) and (8), omit “he” wherever occurring, insert instead “the Registrar-General”. 10
  - (c) In section 38 (5), after “himself”, insert “or herself”.
  - (d) From section 38 (6) (b), omit “his”, insert instead “the Registrar-General’s”.
- (28) Section 39:
- (a) From section 39 (1), omit “he” wherever occurring, insert instead “the Registrar-General”. 15
  - (b) From section 39 (1A) (b), omit “him”, insert instead “the Registrar-General”.
  - (c) From section 39 (2) and (3), omit “his” wherever occurring, insert instead “the Registrar-General’s”. 20
- (29) Sections 42 and 130:  
In sections 42 (1) (d) and 130 (3) and (4), after “he” wherever occurring, insert “or she”.
- (30) Section 43B:
- (a) From section 43B (2), omit “he” wherever occurring, insert instead “the registered proprietor”. 25
  - (b) From section 43B (2), omit “his”, insert instead “the registered proprietor”.
- (31) Section 45A:  
From section 45A (2), omit “he”, insert instead “the applicant”. 30
- (32) Section 45D:
- (a) From section 45D (2), omit “his” wherever occurring, insert instead “the person’s”.
  - (b) From section 45D (2), omit “he” wherever occurring, insert instead “the person”. 35
  - (c) From section 45D (2), omit “him”, insert instead “the person”.

## (33) Section 45E:

(a) From section 45E (1), (2) and (6), omit “he” wherever occurring, insert instead “the Registrar-General”.

5

(b) From section 45E (4), omit “he”, insert instead “the possessory applicant”.

## (34) Section 45G:

(a) In section 45G (1), after “his”, insert “or her”.

(b) From section 45G (2) (b) and (c), omit “his” wherever occurring, insert instead “the”.

10

(c) From section 45G (2), omit “he”, insert instead “the Registrar-General”.

## (35) Section 46C:

(a) From section 46C (1), omit “his”, insert instead “the Registrar-General’s”.

15

(b) From section 46C (4), omit “he”, insert instead “the Registrar-General”.

## (36) Section 47:

(a) From section 47 (4) and (5), omit “he” wherever occurring, insert instead “the Registrar-General”.

20

(b) From section 47 (6A), omit “him”, insert instead “the Registrar-General”.

## (37) Section 51:

Omit “he”, insert instead “the transferee”.

## (38) Section 53:

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From section 53 (3), omit “his”, insert instead “the lessee’s”.

## (39) Section 55:

(a) Omit “his” where firstly occurring, insert instead “the Registrar-General’s”.

30

(b) Omit “he”, insert instead “the Registrar-General”.

(c) Omit “him” where firstly occurring, insert instead “the lessee”.

(d) Omit “his” where secondly occurring, insert instead “the lessee’s”.

(e) Omit “him” where secondly occurring, insert instead “the Registrar-General”.

## (40) Section 57:

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From section 57 (3) (b), omit “he” wherever occurring, insert instead “the mortgagor, charger or covenant charger”.

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- (41) Section 58:
- (a) From section 58 (1), omit “he”, insert instead “the mortgagee, chargee or covenant chargee”.
  - (b) From section 58 (1), omit “his”, insert instead “the purchaser’s”.
  - (c) From section 58 (2), omit “him”, insert instead “the purchaser”.
  - (d) From section 58 (2), omit “he”, insert instead “the purchaser”.
- (42) Section 60:
- (a) From section 60 (c), omit “his”, insert instead “the”.
  - (b) From section 60, omit “he”, insert instead “the mortgagee, chargee or covenant chargee”.
  - (c) From section 60, omit “him”, insert instead “the mortgagee, chargee or covenant chargee”.
- (43) Section 61:
- (a) In section 61 (1), after “his”, insert “or her”.
  - (b) From section 61 (4), omit “his”, insert instead “the applicant’s”.
- (44) Section 63:
- (a) From section 63 (1), omit “his”.
  - (b) From section 63 (2), omit “his”, insert instead “the person’s”.
- (45) Section 64:
- After “him”, insert “or her”.
- (46) Section 75:
- Omit “he”, insert instead “the party”.
- (47) Section 80A:
- (a) From section 80A (2) (a), omit “him”, insert instead “the Registrar-General”.
  - (b) From section 80A (2) (a), omit “he”, insert instead “the Registrar-General”.
  - (c) From section 80A (2) (b), omit “his”, insert instead “the Registrar-General’s”.
- (48) Section 87:
- From section 87 (1) and (2), omit “his” wherever occurring, insert instead “the person’s”.
- (49) Section 91:
- (a) From section 91 (3) (b) and (6) (b), omit “his” wherever occurring, insert instead “the”.
  - (b) From section 91 (6) (b), omit “himself”, insert instead “the mortgagee”.

## (50) Section 93:

From section 93 (4), omit "himself".

## (51) Section 96:

Omit "he" wherever occurring, insert instead "the fiduciary".

## 5 (52) Sections 96I and 132:

From sections 96I (1) and 132 (3), omit "he" wherever occurring, insert instead "the person".

10 (53) Section 99 (**Proprietor may vest estate jointly in himself or herself and others without limiting any use or without re-assignment**):

After "himself", insert "or herself".

## (54) Section 100:

(a) From section 100 (2) (b) and (3), omit "he" wherever occurring, insert instead "the Registrar-General".

15

(b) From section 100 (3), omit "his", insert instead "the Registrar-General's".

## (55) Section 101:

(a) From section 101 (1) (a), omit "him", insert instead "the person".

(b) From section 101 (1), omit "his", insert instead "the Registrar-General's".

20

## (56) Section 104:

(a) From section 104 (1), omit "his" wherever occurring, insert instead "the Registrar-General's".

(b) From section 104 (1), omit "he" wherever occurring, insert instead "the Registrar-General".

25

## (57) Section 105:

(a) From section 105 (3), omit "his", insert instead "the Registrar-General's".

(b) From section 105 (5), omit "he", insert instead "the Registrar-General".

30

## (58) Section 105A:

From section 105A (1) (f), omit "his", insert instead "the mortgagee's or chargee's".

## (59) Section 106:

35

From section 106 (2) (d), omit "he or they", insert instead "the person or persons".



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- (60) Section 115:
- (a) From section 115 (2), omit “him”, insert instead “the Registrar-General”.
  - (b) From section 115 (2), omit “his”, insert instead “the Registrar-General’s”. 5
- (61) Section 117:
- (a) From section 117 (1) (b) (i), (ii) and (iii), omit “him” wherever occurring, insert instead “the Registrar-General”.
  - (b) From section 117 (1), omit “his” wherever occurring, insert instead “each such person’s”. 10
- (62) Section 121:
- (a) From section 121 (1), omit “his” where firstly occurring, insert instead “the”.
  - (b) From section 121 (1), omit “his” where secondly and thirdly occurring, insert instead “the Registrar-General’s”. 15
  - (c) In section 121 (1), after “he”, insert “or she”.
  - (d) From section 121 (2) (c) and (3), omit “him” wherever occurring, insert instead “the defendant”.
  - (e) From section 121 (3) (c), omit “his”, insert instead “the defendant’s”. 20
  - (f) From section 121 (6), omit “him”, insert instead “the Registrar-General”.
- (63) Section 122:
- From section 122 (1), omit “he”, insert instead “the applicant”.
- (64) Section 125: 25
- (a) From section 125 (1), omit “he” wherever occurring, insert instead “the defendant”.
  - (b) From section 125 (3) and (4), omit “he” wherever occurring, insert instead “the plaintiff”.
  - (c) From section 125 (6), omit “his co-defendant, as he”, insert instead “the co-defendant, as the Registrar-General”. 30
  - (d) From section 125 (7), omit “he”, insert instead “the principal defendant”.
- (65) Section 126:
- (a) From section 126 (4), omit “his”, insert instead “the person’s”. 35
  - (b) From section 126 (4), omit “him” wherever occurring, insert instead “the person”.

## (66) Section 131:

From section 131 (1), omit “his”, insert instead “the person’s”.

## (67) Section 135:

(a) Omit “he”, insert instead “a person”.

5 (b) Omit “his vendor or mortgagor”, insert instead “the vendor or mortgagor concerned”.

## (68) Section 136:

(a) From section 136 (1), omit “him”, insert instead “the possessory applicant”.

10 (b) From section 136 (2) (a), omit “to him”.

(c) From section 136 (2), omit “he”, insert instead “the Registrar-General”.

(d) From section 136 (6), omit “him”, insert instead “the defendant”.

## (69) Section 141:

15 In section 141 (1), after “he”, insert “or she”.

## (70) Section 142:

From section 142, omit “his estate”, insert instead “the estate of the person who has committed such act”.

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**SHERIFF ACT 1900 No. 16**

20 **AMENDMENTS**

(1) Section 4 (**Bond by sheriff for due execution of office**):

(a) Omit “by himself and”, insert instead “personally and by”.

(b) After “him”, insert “or her”.

(c) After “his” wherever occurring, insert “or her”.

25 (2) Section 6:

(a) From section 6 (1), omit “he”, insert instead “the surety”.

(b) In section 6 (1), after “himself”, insert “or herself”.

(c) From section 6 (2), omit “his”, insert instead “the”.

## (3) Section 7:

30 From section 7 (1), omit “his”, insert instead “the sheriff’s”.

(4) Section 8 (**Sheriff or deputy to attend Courts**):

Omit “by himself or his”, insert instead “personally or by a”.

*Statute Law (Miscellaneous Provisions) (No. 2) 1994—Sch. 3*

- (5) Section 8A:  
Omit “his”, insert instead “the sheriff’s”.
- (6) Section 12:  
(a) Omit “him” where firstly occurring, insert instead “the sheriff”.  
(b) Omit “him” where secondly occurring, insert instead “that officer”. 5

**SUPREME COURT (SUMMARY JURISDICTION) ACT 1967 No. 72****AMENDMENTS**

- (1) Section 4:  
From section 4 (1) (b), omit “his”, insert instead “the person’s”.
- (2) Section 5: 10  
(a) Omit “him” wherever occurring, insert instead “the person”.  
(b) Omit “he” wherever occurring, insert instead “the person”.
- (3) Section 6:  
From section 6 (2) (a), omit “him”, insert instead “the Judge”.
- (4) Section 7: 15  
(a) After “him”, insert “or her”.  
(b) After “he”, wherever occurring, insert “or she”.
- (5) Section 9:  
(a) Omit “his” wherever occurring, insert instead “a”.  
(b) Omit “he” wherever occurring, insert instead “the Judge”. 20
- (6) Section 10:  
(a) Omit “him”, insert instead “the defendant”.  
(b) Omit “his”, insert instead “the defendant’s”.
- (7) Section 11: 25  
From section 11 (1), omit “his or their”, insert instead “a”.
- (8) Section 14:  
From section 14 (1), omit “he”, insert instead “the Judge”.
- (9) Section 16:  
In section 16 (4), after “he”, insert “or she”.

**SURVEY MARKS ACT 1902 No. 56****AMENDMENT**

**Section 4 (Penalty for unauthorised defacement or destruction of survey marks, landmarks or beacons):**

- 5 From section 4 (2), omit “he”, insert instead “the owner or occupier”.

**SYDNEY HARBOUR TRUST ACT 1900 (1901 No. 1)****AMENDMENTS**

- 10 (1) Section 42:  
 (a) Omit “his” where firstly occurring, insert instead “the person’s”.  
 (b) Omit “him”, insert instead “the Sheriff”.  
 (c) Omit “he” where firstly occurring, insert instead “the Sheriff”.  
 (d) Omit “he” where secondly occurring, insert instead “the justice”.  
 (e) Omit “his” where secondly occurring, insert instead “the justice’s”.
- 15 (2) Section 43:  
 (a) After “his”, insert “or her”.  
 (b) After “him”, insert “, her”.
- (3) Section 56:  
 After “his”, insert “or her”.
- 20 (4) Section 62:  
 Omit “him”, insert instead “the person”.
- (5) Section 77E:  
 In section 77E (1), after “his”, insert “or her”.
- 25 (6) Section 77M:  
 After “him”, insert “or her”.
- (7) Section 83:  
 (a) After “his”, insert instead “or her”.  
 (b) Omit “he”, insert instead “the Attorney-General”.
- 30 (8) Section 84:  
 (a) In section 84 (1), after “he”, insert “or she”.  
 (b) In section 84 (2), after “his”, insert “or her”.  
 (c) In section 84 (2), after “him”, insert “or her”.

- (9) Section 85:  
 (a) Omit “he”, insert instead “the person”.  
 (b) Omit “his” wherever occurring, insert instead “the”.
- (10) Section 87:  
 Omit “he”, insert instead “the person”. 5
- (11) Section 88:  
 (a) Omit “he”, insert instead “the person”.  
 (b) Omit “his”, insert instead “the justice’s”.
- (12) Section 90:  
 From section 90 (2), omit “he”, insert instead “the magistrate”. 10
- (13) Section 91:  
 Omit “his”, insert instead “the magistrate’s”.
- (14) Section 92:  
 Omit “he”, insert instead “the magistrate”.
- (15) Section 99: 15  
 (a) Omit “him” where firstly occurring, insert instead “the officer or agent”.  
 (b) After “his”, insert “or her”.  
 (c) Omit “him” where secondly occurring, insert instead “the person”.

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**TRUSTEES OF SCHOOLS OF ARTS ENABLING ACT 1902 No. 68** 20

**AMENDMENTS**

- (1) Section 6:  
 (a) Omit “him”, insert instead “the Minister”.  
 (b) Omit “his”, insert instead “the Minister’s”.
- (2) Section 7: 25  
 (a) From section 7 (1) and (2), omit “his” wherever occurring.  
 (b) Omit “he” wherever occurring, insert instead “the Minister”.  
 (c) From section 7 (3), omit “his”, insert instead “the Minister’s”.
- (3) Section 8:  
 (a) Omit “his”. 30  
 (b) Omit “him”, insert instead “the Minister”.

## (4) Section 12:

Omit “him”, insert instead “the person”.

## (5) Section 14:

(a) From section 14 (1), omit “he”, insert instead “the trustee”.

5 (b) From section 14 (4), omit “he”, insert instead “the Minister”.

(c) From section 14 (4), omit “his”, insert instead “the Minister’s”.

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**UNCLAIMED MONEY ACT 1982 No. 174****AMENDMENTS**

## (1) Section 3:

10 (a) After “his” in paragraph (h) of the definition of “business”, insert  
“, her”.

(b) From the definition of “owner”, omit “his executors”, insert  
instead “the person’s executors”.

15 (c) From the definition of “owner”, omit “and his”, insert instead “and  
his, her”.

## (2) Sections 6, 8, 10 and 11:

From sections 6 (2), 8, 10 (5) and 11 (2), omit “him” wherever  
occurring, insert instead “the Treasurer.”

## (3) Section 10:

20 In section 10 (1), after “he”, insert “or she”.

## (4) Section 11:

(a) Omit “he” wherever occurring, insert instead “the Treasurer.”

(b) From section 11 (3) (b), omit “his”, insert instead “the person’s”.

## (5) Section 13:

25 (a) Omit “he” wherever occurring, insert instead “the officer”.

(b) From section 13 (1) (a), omit “his”, insert instead “the officer’s”.

## (6) Schedule 2, clause 7:

From clause 7, omit “it or he”, insert instead “the business or  
person”.

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**VICE-ADMIRALTY VEXATIOUS ARRESTS ACT 1901 (1902 No. 3)****AMENDMENT**

## Section 5:

After “he”, insert “or she”.

**WITNESSES EXAMINATION ACT 1900 No. 34**

5

**AMENDMENT**

## Section 6:

From section 6 (1), omit “his” wherever occurring.

**SCHEDULE 4—REPEALS**

	(Sec. 4)	10
Economic Stability and War-time Provisions Continuance Act 1946 No. 54**		
Murrumbidgee Electricity Undertaking Transfer Act 1955 No. 24**		
Housing Indemnities Act 1962 No. 4**		
Maintenance Act 1964 No. 74**		
Land Acquisition (The Southern Electric Authority of Queensland) Act 1967 No. 3**		15
Daylight Saving (Referendum) Act 1975 (1976 No. 2)**		
Department of Agriculture (Repeal) Act 1976 No. 49**		
Statute Law Revision Act 1976 No. 63**		
Miscellaneous Acts (Taxation) Repeal Act 1976 No. 85**		20
Maintenance (Amendment) Act 1977 No. 43*		
Bankruptcy (Repeal) Act 1978 No. 1**		
Inebriates (Amendment) Act 1979 No. 68*		
Mining (Amendment) Act 1980 No. 81*		
Credit-sale Agreements (Repeal) Act 1981 No. 126**		25
Employment Protection (Amendment) Act 1983 No. 19*		
Commercial Vessels (Amendment) Act 1983 No. 114*		
Compensation to Relatives (De Facto Relationships) Amendment Act 1984 No. 149*		
Farm Water Storages and Bores Subsidies (Amendment and Repeal) Act 1984 No. 154*		30
Prisons (Amendment) Act 1985 No. 26*		
Firearms and Dangerous Weapons (Amendment) Act 1985 No. 51*		

*Statute Law (Miscellaneous Provisions) (No. 2) 1994—Sch. 4*

- 
- Commercial Agents and Private Inquiry Agents (Amendment) Act 1985  
No. 53\*
- Miscellaneous Acts (Workers' Compensation) Amendment Act 1985 No. 94\*
- Miscellaneous Acts (Animal Research) Amendment Act 1985 No. 124\*
- 5 Judicial Officers (Amendment) Act 1987 No. 22\*
- Arbitration (Civil Actions) Amendment Act 1987 No. 28\*
- Miscellaneous Acts (Public Authorities Financial Arrangements) Amendment  
Act 1987 No. 34\*
- 10 Nurses Registration (Amendment) Act 1987 No. 130\*
- Closer Settlement (Miscellaneous Repeals and Amendments) Act 1987  
No. 180\*
- Miscellaneous Acts (Wilderness) Amendment Act 1987 No. 197\*
- Health Legislation (Reasons for Decisions) Amendment Act 1987 No. 275\*
- Ethnic Affairs Commission (Amendment) Act 1987 No. 288\*
- 15 Miscellaneous Acts (Marine Pollution) Amendment Act 1987 No. 300\*
- Book Purchasers' Protection (Repeal) Act 1988 No. 57\*\*
- Motor Vehicle Driving Instructors (Amendment) Act 1988 No. 83\*
- Waste Disposal (Amendment) Act 1989 No. 30\*
- Waste Disposal (Further Amendment) Act 1989 No. 38\*
- 20 Co-operation (Amendment) Act 1989 No. 55\*
- Miscellaneous Acts (Industrial and Commercial Training) Amendment Act  
1989 No. 79\*
- Bush Fires (Amendment) Act 1989 No. 115\*
- Coal Mines Regulation (Amendment) Act 1989 No. 216\*
- 25 Prisons (Serious Offenders Review Board) Amendment Act 1989 No. 219\*
- Coroners (Miscellaneous Amendments) Act 1989 No. 237\*
- Health Professional Boards Legislation (Amendment) Act 1990 No. 12\*
- Mining (Amendment) Act 1990 No. 37\*
- Prisons (Medical Tests) Amendment Act 1990 No. 40\*
- 30 Coal Mining Industry Long Service Leave (Amendment) Act 1990 No. 73\*
- Home Care Service (Amendment) Act 1990 No. 76\*
- Business Franchise Licences (Tobacco) Amendment 1991 No. 30\*
- Business Franchise Licences (Petroleum Products) Amendment Act 1991  
No. 40\*
- 35 Motor Vehicles Taxation (Amendment) Act 1991 No. 41\*
- Film and Video Tape Classification (Amendment) Act 1991 No. 74\*
- Credit (Amendment) Act 1992 No. 27\*
- Children (Care and Protection) (Child Employment) Amendment Act 1992  
No. 51\*
- 40 Supply Act 1992 No. 53\*\*
- Dairy Industry (Corporations) Amendment Act 1992 No. 58\*
- Appropriation Act 1992 No. 72\*\*



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Business Franchise Licences (Petroleum Products) Amendment Act 1992 No. 73*	
Motor Vehicles Taxation (Amendment) Act 1992 No. 74*	
Industrial Relations (Sick Leave) Amendment Act 1992 No. 87*	
Traffic (Tow Truck Penalty Notices) Amendment Act 1993 No. 14*	5
Trustee (Amendment) Act 1993 No. 18*	
Fair Trading (Lay-By) Amendment Act 1993 No. 25*	
HomeFund Select Committee (Special Provisions) Act 1993 No. 27**	
Police Service (Management) Amendment Act 1993 No. 39*	
Protection of the Environment Administration (Amendment) Act 1993 No. 40*	10
Credit (Amendment) Act 1993 No. 71*	
Motor Accidents (Amendment) Act 1993 No. 72*	
Bookmakers (Taxation) (Bet Back) Amendment Act 1993 No. 76*	
Industrial Relations (Public Vehicles and Carriers) Amendment Act 1993 No. 82*	15
Prisons (Amendment) Act 1993 No. 89*	
Anti-Discrimination (Age Discrimination) Amendment Act 1993 No. 91*	
Anti-Discrimination (Homosexual Vilification) Amendment Act 1993 No. 97*	
Bush Fires (Amendment) Act 1993 No. 98*	
Election Funding (Amendment) Act 1993 No. 104*	20
Fire Brigades (Hazardous Materials) Amendment Act 1993 No. 110*	
Health Administration (Medicare) Amendment Act 1994 No. 2*	
Bush Fires (Amendment) Act 1994 No. 24*	
Environmental Planning and Assessment (Amendment) Act 1994 No. 29*	
 <b>Note:</b>	 25
* 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	
 <b>EXPLANATORY NOTE</b>	 30
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:	35
(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.	40

**SCHEDULE 5—GENERAL SAVINGS, TRANSITIONAL AND OTHER PROVISIONS**

(Sec. 5)

**Effect of amendment of amending provisions**

5 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:

10 **“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:

- 15 (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,

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

**EXPLANATORY NOTE**

25 This clause ensures that amendments correcting errors in 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.

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

30 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,

35 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**

40 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.

**Revocation of repeal**

3. (1) The Governor may by proclamation revoke the repeal of any Act effected by Schedule 4.

(2) Any Act the subject of a proclamation under subclause (1) is taken not to be, and never to have been, repealed by Schedule 4, but this subclause does not operate so as: 5

(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 publication in the Gazette of the proclamation; 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 publication of the proclamation. 10

**EXPLANATORY NOTE**

This clause enables the revocation of the repeal of an Act that is effected by Schedule 4 to this Act. 15

**Approved forms**

4. If, by an amendment made by this Act, a reference to a prescribed form is replaced by a reference to an approved form, a form prescribed under the relevant provision of the Act amended and in force immediately before the commencement of the amendment is taken to be an approved form under the relevant provision of the Act, as amended by this Act, until a form is approved under that provision. 20

**EXPLANATORY NOTE**

This clause ensures that, until a form is approved for use under a provision of an Act in accordance with an amendment made by this Act, the form previously prescribed for use under the provision may continue to be used. 25

**Amendments removing gender-specific language**

5. The amendments made to an Act by Schedule 3 are made for the purposes of replacing gender-specific language with gender-neutral language. The amendments contained in that Schedule do not affect the construction or meaning of any Act. 30

**EXPLANATORY NOTE**

This clause ensures that amendments that are made solely for the purposes of removing gender-specific language from an Act do not have any unintended consequences. A similar provision is included in the Reprints Act 1972 (section 11). 35

**Regulations**

6. (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. 40

*Statute Law (Miscellaneous Provisions) (No. 2) 1994—Sch. 5*

(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:

- 5 (a) to affect, in a manner prejudicial to any person (other than the State or any 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.

10 **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.

15

**NOTES****Index of Acts amended by Schedules 1, 2 and 3**

- Administration of Justice Act 1924 No. 42—Sch. 2, Sch. 3  
 Administration (Validating) Act 1900 No. 38—Sch. 3  
 Annual Reports (Departments) Act 1985 No. 156—Sch. 1  
 20 Annual Reports (Statutory Bodies) Act 1984 No. 87—Sch. 1  
 Associations Incorporation Act 1984 No. 143—Sch. 1  
 Bail Act 1978 No. 161—Sch. 3  
 Bush Fires Act 1949 No. 31—Sch. 1  
 Business Names Act 1962 No. 11—Sch. 1  
 25 Children (Criminal Proceedings) Act 1987 No. 55—Sch. 1  
 Children (Equality of Status) Act 1976 No. 97—Sch. 3  
 Common Carriers Act 1902 No. 48—Sch. 3  
 Commonwealth Places (Administration of Laws) Act 1970 No. 80—Sch. 3  
 Community Service Orders Act 1979 No. 192—Sch. 3  
 30 Compensation Court Act 1984 No. 89—Sch. 1  
 Contractors' Debts Act 1897 No. 29—Sch. 2  
 Conveyancers Licensing Act 1992 No. 55—Sch. 2  
 Costs in Criminal Cases Act 1967 No. 13—Sch. 3  
 Crimes Act 1900 No. 40—Sch. 2  
 35 Criminal Appeal Act 1912 No. 16—Sch. 3  
 Crown Advocate Act 1979 No. 59—Sch. 3  
 Damages (Infants and Persons of Unsound Mind) Act 1929 No. 25—Sch. 3

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Debits Tax Act 1990 No. 112—Sch. 2	
Disability Services Act 1993 No. 3—Sch. 1	
District Court Act 1973 No. 9—Sch. 1	
Election Funding Act 1981 No. 78—Sch. 1	
Felons (Civil Proceedings) Act 1981 No. 84—Sch. 3	5
Film and Computer Game Classification Act 1984 No. 155—Sch. 2	
Financial Institutions (New South Wales) Act 1992 No. 46—Sch. 2	
Fines and Penalties Act 1901 No. 16—Sch. 3	
Fisheries and Oyster Farms Act 1935 No. 58—Sch. 2	
Fisheries Management Act 1994 No. 38—Sch. 2	10
Foreign Judgments Act 1973 No. 39—Sch. 3	
Health Care Complaints Act 1993 No. 105—Sch. 1	
Inclosed Lands Protection Act 1901 No. 33—Sch. 3	
Infants' Home, Ashfield, Act 1924 No. 13—Sch. 1	
Inheritance Act of 1901 No. 19—Sch. 3	15
Insurance Act 1902 No. 49—Sch. 3	
Irrigation Corporations Act 1994 No. 41—Sch. 2	
Judgment Creditors' Remedies Act 1901 No. 8—Sch. 3	
Jury Act 1977 No. 18—Sch. 3	
Justices Act 1902 No. 27—Sch. 1	20
Lie Detectors Act 1983 No. 62—Sch. 3	
Local Courts Act 1982 No. 164—Sch. 1	
Mines Inspection Act 1901 No. 75—Sch. 3	
Mining Act 1992 No. 29—Sch. 1	
Motor Accidents Act 1988 No. 102—Sch. 2	25
Native Title (New South Wales) Act 1994 No. 45—Sch. 1	
Necropolis Act 1901 (1902 No. 20)—Sch. 3	
Occupational Health and Safety Act 1983 No. 20—Sch. 1	
Ombudsman Act 1974 No. 68—Sch. 1	
Parliamentary Evidence Act 1901 No. 43—Sch. 3	30
Parole Orders (Transfer) Act 1983 No. 190—Sch. 3	
Pawnbrokers Act 1902 No. 66—Sch. 3	
Periodic Detention of Prisoners Act 1981 No. 18—Sch. 3	
Petroleum (Onshore) Act 1991 No. 84—Sch. 1	
Piracy Punishment Act 1902 No. 69—Sch. 3	35
Poisons Act 1966 No. 31—Sch. 1	
Police Service Act 1990 No. 47—Sch. 1	
Poultry Meat Industry Act 1986 No. 101—Sch. 1	
Prevention of Cruelty to Animals Act 1979 No. 200—Sch. 1	
Prisoners (Interstate Transfer) Act 1982 No. 104—Sch. 3	40
Public Finance and Audit Act 1983 No. 152—Sch. 1	
Public Notaries Act 1985 No. 6—Sch. 2	
Real Property Act 1900 No. 25—Sch. 3	

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- Registered Clubs Act 1976 No. 31—Sch. 2  
 Reprints Act 1972 No. 48—Sch. 1  
 Sheriff Act 1900 No. 16—Sch. 3  
 5 South-west Tablelands Water Supply Administration Act 1941 No. 36—Sch. 1  
 Sporting Injuries Insurance Act 1978 No. 141—Sch. 1  
 Stamp Duties Act 1920 No. 47—Sch. 2  
 Statute Law (Miscellaneous Provisions) Act 1994 No. 32—Sch. 2  
 Strata Titles (Leasehold) Act 1986 No. 219—Sch. 1  
 Subordinate Legislation Act 1989 No. 46—Sch. 2  
 10 Supreme Court (Summary Jurisdiction) Act 1967 No. 72—Sch. 3  
 Survey Marks Act 1902 No. 56—Sch. 3  
 Sydney Harbour Trust Act 1900 (1901 No. 1)—Sch. 3  
 Teacher Housing Authority Act 1975 No. 27—Sch. 1  
 Technical and Further Education Commission Act 1990 No. 118—Sch. 2  
 15 Trade Measurement Act 1989 No. 233—Sch. 1  
 Trustees of Schools of Arts Enabling Act 1902 No. 68—Sch. 3  
 Unclaimed Money Act 1982 No. 174—Sch. 3  
 University of Technology, Sydney, Act 1989 No. 69—Sch. 1  
 Very Fast Train (Route Investigation) Act 1989 No. 44—Sch. 1  
 20 Vice-Admiralty Vexatious Arrests Act 1901 (1902 No. 3)—Sch. 3  
 Witnesses Examination Act 1900 No. 34—Sch. 3  
 Women's College Act 1902 No. 71—Sch. 1  
 Workers Compensation Act 1987 No. 70—Sch. 2  
 Zoological Parks Board (Conservation and Environmental Objectives)  
 25 Amendment Act 1992 No. 44—Sch. 2

**Index of Acts repealed by Schedule 4**

- Anti-Discrimination (Age Discrimination) Amendment Act 1993 No. 91\*  
 Anti-Discrimination (Homosexual Vilification) Amendment Act 1993 No. 97\*  
 Appropriation Act 1992 No. 72\*\*  
 30 Arbitration (Civil Actions) Amendment Act 1987 No. 28\*  
 Bankruptcy (Repeal) Act 1978 No. 1\*\*  
 Book Purchasers' Protection (Repeal) Act 1988 No. 57\*\*  
 Bookmakers (Taxation) (Bet Back) Amendment Act 1993 No. 76\*  
 Bush Fires (Amendment) Act 1989 No. 115\*  
 35 Bush Fires (Amendment) Act 1993 No. 98\*  
 Bush Fires (Amendment) Act 1994 No. 24\*\*  
 Business Franchise Licences (Petroleum Products) Amendment Act 1991 No.  
 40\*  
 Business Franchise Licences (Petroleum Products) Amendment Act 1992 No.  
 40 73\*  
 Business Franchise Licences (Tobacco) Amendment Act 1991 No. 30\*

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Closer Settlement (Miscellaneous Repeals and Amendments) Act 1987 No. 180*	
Coal Mines Regulation (Amendment) Act 1989 No. 216*	5
Coal Mining Industry Long Service Leave (Amendment) Act 1990 No. 73*	
Commercial Agents and Private Inquiry Agents (Amendment) Act 1985 No. 53*	
Commercial Vessels (Amendment) Act 1983 No. 114*	
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Co-operation (Amendment) Act 1989 No. 55*	
Coroners (Miscellaneous Amendments) Act 1989 No. 237*	
Credit (Amendment) Act 1992 No. 27*	
Credit (Amendment) Act 1993 No. 71*	15
Credit-sale Agreements (Repeal) Act 1981 No. 126**	
Dairy Industry (Corporations) Amendment Act 1992 No. 58*	
Daylight Saving (Referendum) Act 1975 (1976 No. 2)**	
Department of Agriculture (Repeal) Act 1976 No. 49**	
Economic Stability and War-time Provisions Continuance Act 1946 No. 54**	20
Election Funding (Amendment) Act 1993 No. 104*	
Employment Protection (Amendment) Act 1983 No. 19*	
Environmental Planning and Assessment (Amendment) Act 1994 No. 29*	
Ethnic Affairs Commission (Amendment) Act 1987 No. 288*	
Fair Trading (Lay-By) Amendment Act 1993 No. 25*	25
Farm Water Storages and Bores Subsidies (Amendment and Repeal) Act 1984 No. 154*	
Film and Video Tape Classification (Amendment) Act 1991 No. 74*	
Fire Brigades (Hazardous Materials) Amendment Act 1993 No. 110*	
Firearms and Dangerous Weapons (Amendment) Act 1985 No. 51*	30
Health Administration (Medicare) Amendment Act 1994 No. 2*	
Health Legislation (Reasons for Decisions) Amendment Act 1987 No. 275*	
Health Professional Boards Legislation (Amendment) Act 1990 No. 12*	
Home Care Service (Amendment) Act 1990 No. 76*	
HomeFund Select Committee (Special Provisions) Act 1993 No. 27**	35
Housing Indemnities Act 1962 No. 4**	
Industrial Relations (Sick Leave) Amendment Act 1992 No. 87*	
Industrial Relations (Public Vehicles and Carriers) Amendment Act 1993 No. 82*	
Inebriates (Amendment) Act 1979 No. 68*	40
Judicial Officers (Amendment) Act 1987 No. 22*	
Land Acquisition (The Southern Electric Authority of Queensland) Act 1967 No. 3**	

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- 
- Maintenance Act 1964 No. 74\*\*  
 Maintenance (Amendment) Act 1977 No. 43\*  
 Mining (Amendment) Act 1980 No. 81\*  
 Mining (Amendment) Act 1990 No. 37\*  
 5 Miscellaneous Acts (Animal Research) Amendment Act 1985 No. 124\*  
 Miscellaneous Acts (Industrial and Commercial Training) Amendment Act  
 1989 No. 79\*  
 Miscellaneous Acts (Marine Pollution) Amendment Act 1987 No. 300\*  
 Miscellaneous Acts (Public Authorities Financial Arrangements) Amendment  
 10 Act 1987 No. 34\*  
 Miscellaneous Acts (Taxation) Repeal Act 1976 No. 85\*\*  
 Miscellaneous Acts (Wilderness) Amendment Act 1987 No. 197\*  
 Miscellaneous Acts (Workers' Compensation) Amendment Act 1985 No. 94\*  
 Motor Accidents (Amendment) Act 1993 No. 72\*  
 15 Motor Vehicle Driving Instructors (Amendment) Act 1988 No. 83\*  
 Motor Vehicles Taxation (Amendment) Act 1991 No. 41\*  
 Motor Vehicles Taxation (Amendment) Act 1992 No. 74\*  
 Murrumbidgee Electricity Undertaking Transfer Act 1955 No. 24\*\*  
 Nurses Registration (Amendment) Act 1987 No. 130\*  
 20 Police Service (Management) Amendment Act 1993 No. 39\*  
 Prisons (Amendment) Act 1985 No. 26\*  
 Prisons (Amendment) Act 1993 No. 89\*  
 Prisons (Medical Tests) Amendment Act 1990 No. 40\*  
 Prisons (Serious Offenders Review Board) Amendment Act 1989 No. 219\*  
 25 Protection of the Environment Administration (Amendment) Act 1993 No. 40\*  
 Statute Law Revision Act 1976 No. 63\*\*  
 Supply Act 1992 No. 53\*\*  
 Traffic (Tow Truck Penalty Notices) Amendment Act 1993 No. 14\*  
 Trustee (Amendment) Act 1993 No. 18\*  
 30 Waste Disposal (Amendment) Act 1989 No. 30\*  
 Waste Disposal (Further Amendment) Act 1989 No. 38\*
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THIRD PRINT

**STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL  
(No. 2) 1994**

NEW SOUTH WALES



**TABLE OF PROVISIONS**

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5. General savings, transitional and other provisions
6. Explanatory notes

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Annual Reports (Statutory Bodies) Act 1984 No. 87  
Associations Incorporation Act 1984 No. 143  
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  - Poisons Act 1966 No. 31
  - Police Service Act 1900 No. 47
  - Poultry Meat Industry Act 1986 No. 101
  - Prevention of Cruelty to Animals Act 1979 No. 200
  - Public Finance and Audit Act 1983 No. 152
  - Reprints Act 1972 No. 48
  - South-west Tablelands Water Supply Administration Act 1941 No. 36
  - Sporting Injuries Insurance Act 1978 No. 141
  - Strata Titles (Leasehold) Act 1986 No. 219
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- SCHEDULE 2—AMENDMENTS BY WAY OF STATUTE LAW REVISION  
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PROVISIONS
-

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

*Legislative Council*

*Clerk of the Parliaments*

NEW SOUTH WALES



Act No.           , 1994

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

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

**Short title**

- 5 1. This Act may be cited as the Statute Law (Miscellaneous Provisions) Act (No. 2) 1994.

**Commencement**

2. This Act commences on the date of assent, except as provided in Schedules 1 and 2.

**Amendments**

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

**Repeals**

4. Each Act specified in Schedule 4 is repealed.

**General savings, transitional and other provisions**

- 15 5. Schedule 5 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.

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**SCHEDULE 1—MINOR AMENDMENTS**

- 20 (Sec. 3)

**ANNUAL REPORTS (DEPARTMENTS) ACT 1985 No. 156****AMENDMENTS****Section 17 (Land register):**

- 25 (a) Omit "Secretary of the Premier's Department" wherever occurring, insert instead "Director-General of the Department of Conservation and Land Management".
- (b) From section 17 (1), omit "given by the Secretary, furnish to the Secretary", insert instead "given by the Director-General, furnish to the Director-General".
- 30 (c) From section 17 (1) (e), omit "Secretary", insert instead "Director-General".
- (d) From section 17 (3), omit "to the Secretary", insert instead "to the Director-General".

**COMMENCEMENT**

- 35 The amendments to the Annual Reports (Departments) Act 1985 commence on the date of assent to this Act.

**EXPLANATORY NOTE**

Section 17 of the Act concerns the keeping of a register of land vested in, owned or occupied by, or subject to the control of, each Department (or Minister) and provides for the furnishing of information to allow the register to be kept. At present, the Managing Director of the Property Services Group is responsible for keeping the register. (Although the Act provides that the Secretary of the Premier's Department is to keep the register, an Administrative Changes Order gazetted on 31 May 1991 provides that references in section 17 (and in section 14 of the Annual Reports (Statutory Bodies) Act 1984) to the Secretary are to be construed as references to the Managing Director of the Property Services Group.)

The proposed amendments transfer the responsibility for keeping the register to the Director-General of the Department of Conservation and Land Management.

Similar amendments to section 14 of the Annual Reports (Statutory Bodies) Act 1984 are proposed to be made by the amendments immediately following.

**ANNUAL REPORTS (STATUTORY BODIES) ACT 1984 No. 87****AMENDMENTS****Section 14 (Land register):**

- (a) Omit "Secretary of the Premier's Department" wherever occurring, insert instead "Director-General of the Department of Conservation and Land Management".
- (b) From section 14 (1), omit "given by the Secretary, furnish to the Secretary", insert instead "given by the Director-General, furnish to the Director-General".
- (c) From section 14 (1) (f), omit "Secretary", insert instead "Director-General".
- (d) From section 14 (4), omit "to the Secretary", insert instead "to the Director-General".
- (e) From section 14 (5), omit "report to the Secretary", insert instead "report to the Director-General".

**COMMENCEMENT**

The amendments to the Annual Reports (Statutory Bodies) Act 1984 commence on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendments are similar to amendments to the Annual Reports (Departments) Act 1985 proposed to be made by the amendments immediately preceding these amendments. The Explanatory Note to those amendments is also applicable to these amendments.

**ASSOCIATIONS INCORPORATION ACT 1984 No. 143****AMENDMENTS**

## (1) The whole Act:

5

Omit “the prescribed form” wherever occurring, insert instead “an approved form”.

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

In section 3, insert in alphabetical order:

“**approved**”, in relation to a form, means approved by the Commissioner;

10

(3) Section 27 (**Lodgment of accounts etc.**):

## (a) After section 27 (1), insert:

15

(1A) The Commissioner may, at any time, insert in a form approved for the purposes of the statement referred to in subsection (1), such details relating to an incorporated association as are known to the Commissioner, and may provide the partially-completed form (or part of the form) to the association concerned.

20

(1B) The public officer of an incorporated association provided with such a form does not meet the requirements of subsection (1) if the public officer does not cause the form to be completed in full (with details that were inserted by the Commissioner corrected if necessary and further matter added if part only of the form was provided) and duly lodged in accordance with this section.

## (b) From section 27 (2), omit “if it thinks fit”, insert instead “if the Commissioner thinks fit”.

25

**COMMENCEMENT**

The amendments to the Associations Incorporation Act 1984 commence on the date of assent to this Act.

**EXPLANATORY NOTE**

30

**Prescribed forms** (items (1) and (2))

At present, an application made, a notice or statement required to be given or lodged and a certificate issued, under the Act, and a supplementary document referred to in section 65 (2) (c) of the Act, must be in the form prescribed by the regulations. The proposed amendments repeal that requirement, providing instead that the applications, notices, statements, certificates and supplementary documents are to be in a form approved by the Commissioner for Consumer Affairs.

35

Item (1) replaces all references to “prescribed form” with “approved form”, and item (2) inserts a definition of “approved” (in relation to a form).

**Annual statements** (item (3) (a))

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Section 27 requires the public officer of an incorporated association to lodge an annual statement of accounts and other matters with the Commissioner for Consumer Affairs.

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Item (3) (a) of the proposed amendments allows the Commissioner to provide an incorporated association with a partially-completed version of the statement (or part of the statement), and requires the public officer of the association concerned to arrange the completion and lodgment of the statement.

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

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Item (3) (b) of the proposed amendments makes an amendment by way of statute law revision.

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**BUSH FIRES ACT 1949 No. 31**

**AMENDMENTS**

- (1) Section 11 (**Duration, revocation, suspension and variation of permits**): 10

From section 11 (4), omit “for 21 days after the day on which it was granted”, insert instead “for such period (not exceeding 21 days) as is specified in it”.

- (2) Schedule 1A (**Savings and transitional provisions**): 15

From Part 3 (as inserted by the Bush Fires (Amendment) Act 1994 No. 24):

(a) Omit “**Part 3**”, insert instead “**Part 2A**”.

(b) Omit “6. (1)”, insert instead “5A. (1)”.

**COMMENCEMENT** 20

The amendments to the Bush Fires Act 1949 commence on the date of assent to this Act.

**EXPLANATORY NOTE**

**Permits to light certain classes of fires (item (1))**

A permit under section 10 of the Bush Fires Act 1949 is required for certain classes of fires, such as those for the purpose of clearing land during a bush fire danger period (October to March, inclusive, for the entire State). At present, section 11 (4) provides that such a permit remains in force for 21 days after the day on which it was granted (unless, during that period, it is revoked or ceases to have effect because of a direction given under section 16 of the Act). 25

Item (1) of the proposed amendments allows the permit to be granted for a period of less than 21 days. 30

**Statute law amendments (item (2))**

Item (2) of the proposed amendments corrects duplicated numbering.

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**BUSINESS NAMES ACT 1962 No. 11****AMENDMENTS**

## (1) The whole Act:

- 5 (a) Omit “Managing Director” wherever occurring (except where occurring in section 4 (1) but including wherever occurring in a heading to a section), insert instead “Commissioner”.
- (b) Omit “Managing Director’s” wherever occurring, insert instead “Commissioner’s”.
- 10 (c) Omit “the prescribed form” wherever occurring, insert instead “an approved form”.

(2) Section 4 (**Definitions**):

- (a) In section 4 (1), insert in alphabetical order:
- 15 “**Approved**”, in relation to a form, means approved by the Commissioner.
- “**Commissioner**” means the Commissioner for Consumer Affairs.
- (b) From section 4 (1), omit the definition of “Managing Director”.

(3) Section 7 (**Registration of business names**):

- 20 (a) In section 7 (1) (a), after “business name”, insert “(and, if the applicant or applicants wish, up to 2 alternative business names in order of preference)”.
- (b) After section 7 (3), insert:
- 25 (3A) If the business name set out in the statement lodged under subsection (1) is not able to be registered under this Act because of the operation of section 5B or 9, the Commissioner is to consider (in the applicant’s preferred order) any alternative business names set out in that statement and is to register the first of those alternatives that is, subject to this Act, able to be registered.

(4) Section 8 (**Resident agent**):

- 30 (a) From section 8 (1), omit “shall”, insert instead “is to be accompanied by a further statement”.
- (b) From section 8 (1) (a), omit “include”, insert instead “that sets out”.
- 35 (c) From section 8 (1) (b), omit “in addition be”, insert instead “that is”.



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(5) Section 9 (**Restriction on registration of business names that are undesirable etc.**):

From section 9 (2), omit “the Attorney-General of each State of the Commonwealth”, insert instead “the Minister in each State and Territory of the Commonwealth who administers the Act of the State or Territory that is concerned with the registration of business names”.

5

(6) Section 15 (**Signing of statements**):

From section 15 (1) (b), omit “manager or the”, insert instead “the chief executive officer or”.

10

(7) Section 32 (**Regulations**):

Omit section 32 (2) (d).

**COMMENCEMENT**

The amendments to the Business Names Act 1962 commence on the date of assent to this Act.

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**EXPLANATORY NOTE**

**References to “Managing Director”** (items (1) (a) and (b) and (2) (a) (in part) and (b))

Item (1) (a) and (b) of the proposed amendments makes explicit in the Act the effect of an Administrative Changes Order to the extent that the Order affects the Act. The Order provides (among other things) that references to the Managing Director of Business and Consumer Affairs in the Act are to be construed as references to the Commissioner for Consumer Affairs.

20

Item (2) (b) and part of item (2) (a) make consequential amendments by omitting the definition of “Managing Director” and inserting a definition of “Commissioner”.

25

**Prescribed forms** (items (1) (c), (2) (a) (in part) and (7))

At present, a statement or notification required to be lodged, and a certificate issued, under the Act must be in the form prescribed by the regulations. The proposed amendments repeal that requirement, providing instead that the statements, notifications and certificates are to be in a form approved by the Commissioner for Consumer Affairs.

30

Item (1) (c) replaces all references to “prescribed form” with “approved form”, and part of item (2) (a) inserts a definition of “approved” (in relation to a form).

Item (7) makes a consequential amendment by repealing the power to make regulations prescribing the forms to be used under the Act.

35

**Registration of business names** (item (3))

Item (3) (a) of the proposed amendments allows an applicant for the registration of a business name to nominate up to 2 alternative names (in order of preference) on the application form.

Sections 5B (Business names must use English alphabet etc.) and 9 (Restriction on registration of business names that are undesirable etc.) of the Act can operate to prevent the registration of a particular name as a business name. If the operation of one of those sections is the reason that the applicant’s first choice of name cannot be registered, item (3) (b) requires the Commissioner for Consumer Affairs to register the first of the nominated alternative names (if any) that can be registered.

40

45

**Resident agent (item (4))**

At present, an applicant for the registration of a business name must provide the name and address of a resident agent on the application form if the applicant resides outside NSW or has no fixed address within NSW. The effect of item (4) of the proposed amendments is to require the agent's name and address to be on a separate form, rather than on the application form. The proposed amendments alter the subsection as follows (matter to be omitted is in *italic* type, matter to be inserted is in **bold** type):

8. (1) Where a business name is required to be registered under this Act and the person or all the persons carrying on or proposing to carry on business in the State under that name resides or reside outside the State, or has or have no fixed address within the State, the statement referred to in subsection (1) of section 7 **shall is to be accompanied by a further statement:**

- (a) *include that sets out* the name and address of some person resident in the State .....; and
- (b) *in addition be* **that is** signed by the person who has consented to be the resident agent.

**Notification of direction not to register particular name (item (5))**

Section 9 (1) empowers the Minister to direct the Commissioner for Consumer Affairs not to accept a name, or a name of a kind, for registration as a business name. Section 9 (2) requires (among other things) a copy of any such direction to be forwarded to the Attorney-General of the Commonwealth and "the Attorney-General of each State of the Commonwealth".

Item (5) of the proposed amendments provides that, instead of being sent to the State Attorneys-General, the copy is to be sent to the Minister in each State and Territory who administers the Act that is concerned with the registration of business names.

**"Manager" of corporation (item (6))**

Item (6) of the proposed amendments updates a reference to a "manager" of a corporation by replacing it with a reference to the "chief executive officer" in line with current usage.

**CHILDREN (CRIMINAL PROCEEDINGS) ACT 1987 No. 55****AMENDMENTS****Section 39 (Definitions):**

Omit the definitions of "Director-General" and "officer", insert instead:

**"Director-General"** means the person for the time being holding office or acting as the Director-General of the Department of Juvenile Justice;

**"officer"** means an officer or temporary employee, within the meaning of the Public Sector Management Act 1988, employed in the Department of Juvenile Justice or in the Department of Corrective Services.

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**COMMENCEMENT**

The amendments to the Children (Criminal Proceedings) Act 1987 commence on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendments replace references to the Department of Family and Community Services with references to the Department of Juvenile Justice. These amendments are consequential on administrative changes. 5

The proposed amendments also update a reference to a repealed Act.

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**COMPENSATION COURT ACT 1984 No. 89**

**AMENDMENT**

Section 42 (**Rule Committee**):

After section 42 (7), insert:

(7A) The Rule Committee may, if it thinks fit, transact any of its business by the circulation of papers among all members of the Rule Committee for the time being, and a resolution in writing approved in writing by a majority of those members is taken to be a decision of the Rule Committee. 15

**COMMENCEMENT**

The amendment to the Compensation Court Act 1984 commences on the date of assent to this Act. 20

**EXPLANATORY NOTE**

The proposed amendment allows the Rule Committee of the Compensation Court to transact its business by means of the circulation of papers and resolutions, rather than by calling a physical meeting of its members. The Rule Committees of various other courts are already empowered to transact business in this way. 25

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**DISABILITY SERVICES ACT 1993 No. 3**

**AMENDMENTS**

Section 6 (**Minister to ensure that designated services are provided and funded in conformity with the Act**):

(a) From section 6 (2) (b) and (3) (b), omit "2 years" wherever occurring, insert instead "3 years". 30

(b) From section 6 (4), omit "2-year period", insert instead "3-year period".

**COMMENCEMENT**

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

**EXPLANATORY NOTE**5      **Postponement of application of section 6 to certain services (item (a))**

Section 6 (1) of the Act requires the Minister to ensure that “designated services” under the Act are provided and funded in conformity with the objects of the Act and the principles, and applications of principles, set out in Schedule 1 to the Act. Section 6 (2)–(4) provides for the postponement (in certain circumstances) for 2 years of the application of section 6 to services that were provided or funded by the Minister or by the Commonwealth before the commencement of the section, and for the preparation of transition plans in relation to them.

The application of section 6 to those services is currently postponed to 9 April 1995. Item (a) of the proposed amendments extends that postponement for a further year from that date.

15      **Minister’s obligation during postponement (item (b))**

During the period that section 6 does not apply to the services concerned, the Minister must ensure that those services are provided or funded as closely as possible in conformity with the objects, principles and application of principles concerned. That period is specified in section 6 (4). Item (b) amends that subsection as a consequence of the extension of the postponement.

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**DISTRICT COURT ACT 1973 No. 9**
**AMENDMENT**Section 161 (**Civil procedure rules**):

25      From section 161 (1), omit:

30      (1) The Rule Committee may make rules, not inconsistent with this Act, for or with respect to any matter that by this Act is required or permitted to be prescribed for the purposes of, or in connection with, the exercise by the Court of its civil jurisdiction or that is necessary or convenient to be prescribed for carrying out or giving effect to this Part and Division 3 of Part 2 or any Act under or by virtue of which rules made under this Part apply, and in particular for or with respect to:

insert instead:

35      (1) The Rule Committee may make rules, not inconsistent with this Act, for or with respect to any matter:

- that by this Act, or by any other Act or law, is required or permitted to be prescribed by rules; or
- that is necessary or convenient to be prescribed by rules,

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for the purposes of, or in connection with, the exercise by the Court of its civil jurisdiction under provisions of this Act, or of any other Act or law, or for carrying any such provisions into effect, and in particular for or with respect to:

**COMMENCEMENT** 5

The amendment to the District Court Act 1973 commences on the date of assent to this Act.

**VALIDATION**

Any rule of court made (or purporting to be made) under section 161 of the District Court Act 1973 that could have been made under that section as amended by this Act is taken to be made under that section as so amended. 10

**EXPLANATORY NOTE**

Section 161 empowers the Rule Committee of the District Court to make rules concerning the Court's exercise of its civil jurisdiction.

The proposed amendment makes the following points clear: 15

- (a) the section applies even if the jurisdiction is conferred on the Court by an Act other than the District Court Act 1973;
- (b) the rules are not to be concerned with any matter *other than* the Court's exercise of its jurisdiction.

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**ELECTION FUNDING ACT 1981 No. 78** 20

**AMENDMENT**

Section 74 (**Claims for, and approvals of, payments**):

From section 74 (1), omit "90 days" wherever occurring, insert instead "120 days".

**COMMENCEMENT** 25

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

**EXPLANATORY NOTE**

The proposed amendment extends the time allowed for the lodgment of claims for payments under section 74 of the Act (relating to expenditure for election campaign purposes) from 90 days to 120 days after the return of the writs for the election or by-election concerned. That time is consistent with the time allowed (under sections 83–85A) for the lodgment of declarations of political contributions received and electoral expenditure incurred. 30

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**HEALTH CARE COMPLAINTS ACT 1993 No. 105****AMENDMENT**

## Section 70A:

After section 70, insert:

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**Reporting when Parliament not in session**

70A. (1) If a House of Parliament is not sitting when the Joint Committee seeks to furnish a report to it, the Committee may present copies of the report to the Clerk of the House.

10

(2) The report:

(a) on presentation and for all purposes is taken to have been laid before the House; and

(b) may be printed by authority of the Clerk; and

15

(c) if printed by authority of the Clerk, is for all purposes taken to be a document published by or under the authority of the House; and

(d) is to be recorded in the Minutes, or Votes and Proceedings, of the House on the first sitting day of the House after receipt of the report by the Clerk.

**COMMENCEMENT**

20

The amendment to the Health Care Complaints Act 1993 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

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The proposed amendment provides a mechanism by which the Committee on the Health Care Complaints Commission may report to a House of Parliament when the House is not sitting. Similar provisions are contained in the other Acts that establish Parliamentary Committees (such as the Regulation Review Act 1987), with the exception of the Ombudsman Act 1974. An equivalent provision is to be inserted in that Act by an amendment proposed to be made elsewhere in this Schedule.

**INFANTS' HOME, ASHFIELD, ACT 1924 No. 13**

30

**AMENDMENTS**(1) Section 2 (**Definitions**):

Omit the definition of "Members", insert instead:

**"Member"** means a person who:

35

(a) has paid the annual fee, if any, charged by the body corporate for membership; and

(b) is registered in any register of members kept under the constitution and rules of the body corporate.

(2) Section 3 (**Members to be corporate body**):

At the end of section 3 (4) (c), insert:

- ; and
- (d) invest any funds of the body corporate in any manner authorised by law for the investment of trust funds; and 5
- (e) borrow money on the security of the whole or any part of any property of the body corporate; and
- (f) enter into any contract; and
- (g) exercise and perform such powers, authorities, duties and functions, in addition to those specified elsewhere in this Act, as are necessary or convenient to enable it to achieve its objects. 10

## (3) Section 4A:

After section 4, insert:

**Liability of officers and members of body corporate and others** 15

4A. (1) A matter or thing done, or omitted to be done, by:

- (a) an officer or member of the governing body of the body corporate; or
- (b) a person acting under the direction of such an officer or member, 20

does not subject the officer, member or person so acting personally to any action, liability, claim or demand if the matter or thing was done, or omitted to be done, in good faith for the purpose of executing this Act.

(2) Despite the other provisions of this Act, the liability of any member of the body corporate is limited to the amount of the annual fee, if any, paid or payable by the member for membership. 25

(4) Section 5 (**Objects and powers**):

Omit section 5 (1), insert instead:

- (1) The body corporate has the following charitable objects: 30
  - (a) to uphold and promote:
    - (i) the dignity of children; and
    - (ii) childrens' rights to growth, care and opportunity; and
    - (iii) childrens' rights to health, happiness and self confidence; 35
  - (b) to assist parents, and especially sole parents, by providing child care, temporary accommodation and advice in respect of child care, home management and health;
  - (c) to provide services to protect children from circumstances that may endanger them. 40

**COMMENCEMENT**

The amendments to the Infants' Home, Ashfield, Act 1924 commence on the date of assent to this Act.

**EXPLANATORY NOTE****Membership** (item (1))

Item (1) of the proposed amendments replaces the definition of “Members” of the body corporate that conducts the Infants’ Home, Ashfield, so as to clarify the classes of persons who are members.

**Powers of body corporate** (item (2))

Item (2) of the proposed amendments expressly sets out in a provision specifying powers of the body corporate certain other powers that are contemplated elsewhere in the Act. For example, section 6 (2) (c) contemplates the making of rules for the application or investment of the body corporate’s funds, and section 7 specifies the way in which contracts may be made on behalf of the body corporate.

The amendment also permits the body corporate to exercise such other functions as are necessary or convenient for it to achieve its objects.

**Limitation of liability** (item (3))

Item (3) of the proposed amendments provides protection from personal liability for officers and members of the governing body of the body corporate, and persons acting under their direction, in relation to activities done (or omitted to be done) in good faith for the purpose of executing the Infants’ Home, Ashfield, Act 1924.

Item (3) also ensures that the liability of members of the body corporate is limited to the amount of the annual fee (if any) payable for membership.

**Objects of body corporate** (item (4))

At present, the objects of the body corporate are set out in section 5 (1) in very specific terms (such as “to assist foundlings”). Item (4) of the proposed amendments replaces that subsection with a series of more general objects that are in keeping with the current activities of the body corporate.

**JUSTICES ACT 1902 No. 27****AMENDMENTS****Section 131AF (Appeal by Crown to Land and Environment Court against sentence):**

(a) After section 131AF (1), insert:

(1A) The Environment Protection Authority may appeal to the Land and Environment Court against any sentence imposed by a Justice or Justices in proceedings for an environmental offence that has been dealt with summarily if those proceedings have been instituted or carried on by, or on behalf of, the Environment Protection Authority.

(b) Before section 131AF (3) (a), insert:

(aa) a reference to the Director of Public Prosecutions is, in relation to an appeal under subsection (1A), to be construed as a reference to the Environment Protection Authority.

**COMMENCEMENT**

The amendments to the Justices Act 1902 commence on the date of assent to this Act.



**TRANSITIONAL**

Section 131AF (1A) of the Justices Act 1902, as inserted by this Act, does not apply in respect of a sentence imposed before the commencement of the subsection.

**EXPLANATORY NOTE**

At present, section 131AF of the Act empowers the Director of Public Prosecutions to appeal to the Land and Environment Court against any sentence imposed by a Justice or Justices in proceedings for an environmental offence that has been dealt with summarily if the Director of Public Prosecutions instituted or carried on the proceedings concerned. 5

Item (a) of the proposed amendments confers the same power on the Environment Protection Authority in respect of sentences imposed by a Justice or Justices in proceedings instituted or carried on by or on behalf of the Authority. 10

Item (b) makes a consequential amendment.

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**LOCAL COURTS ACT 1982 No. 164**
**AMENDMENTS**(1) Section 4 (**Definitions**):

- (a) From section 4 (1), omit the definition of "prescribed office".
- (b) Omit section 4 (4).

(2) Section 13 (**Appointments for limited tenure**):

Omit section 13 (2)–(4). 20

(3) Section 20 (**Vacation of office**):

Omit section 20 (g).

(4) Section 23 (**Employment of Magistrates in other offices etc.**):

Omit section 23 (5).

(5) Section 24 (**Remuneration**): 25

- (a) From section 24 (1), omit "subsection (2) or (3)", insert instead "subsection (2)".
- (b) Omit section 24 (3).

**COMMENCEMENT**

The amendments to the Local Courts Act 1982 commence on the date of assent to this Act. 30

**TRANSITIONAL**

The holder of a prescribed office who was appointed to be a Magistrate under section 13 (2) of the Local Courts Act 1982 before the repeal of that subsection by this Act, and who, on that repeal, holds the office of Magistrate pursuant to that appointment is taken to have been appointed under section 12 of that Act. 35

*Statute Law (Miscellaneous Provisions) (No. 2) 1994—Sch. 1***AMENDMENT TO LOCAL COURTS REGULATION 1994**

Clause 4 (2) of the Local Courts Regulation 1994 is amended by omitting the words “, or who is the holder of a prescribed office within the meaning of the Act,”.

**EXPLANATORY NOTE**

5 Section 4 (1) of the Local Courts Act 1982 defines “prescribed office” as the office of Clerk of a Local Court and any other office prescribed for the purposes of the definition. Section 13 (2) of the Act empowers the Governor to appoint the holder of a prescribed office to be a Magistrate.

10 However, the Act also empowers the Governor to appoint *any* qualified person to be a Magistrate (section 12 (1)) or a Magistrate for a specified term (section 13 (1)), and to grant approval to the person’s holding and exercising the functions of another office or appointment at the same time as the office of Magistrate (section 23 (2)). The specific power relating to the holder of a prescribed office is, therefore, unnecessary.

15 Accordingly, the proposed amendments remove the references to “prescribed office” from the Act. They also make a consequential amendment to the Local Courts Regulation 1994.

**MINING ACT 1992 No. 29****AMENDMENTS**

The whole Act (including headings to sections of the Act):

20 (a) Omit “warden’s court” wherever occurring, insert instead “Warden’s Court”.

(b) Omit “wardens’ courts” wherever occurring, insert instead “Wardens’ Courts”.

**COMMENCEMENT**

25 The amendments to the Mining Act 1992 commence on the date of assent to this Act.

**EXPLANATORY NOTE**

30 The proposed amendments use capital initial letters to refer to Wardens’ Courts. Similar amendments are proposed to be made to the Native Title (New South Wales) Act 1994, the Petroleum (Onshore) Act 1991 and the Very Fast Train (Route Investigation) Act 1989 elsewhere in this Schedule.

**NATIVE TITLE (NEW SOUTH WALES) ACT 1994 No. 45****AMENDMENTS**

The whole Act (including headings to sections of the Act):

35 (a) Omit “warden’s court” wherever occurring, insert instead “Warden’s Court”.

(b) Omit “wardens’ courts” wherever occurring, insert instead “Wardens’ Courts”.

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**COMMENCEMENT**

The amendments to the Native Title (New South Wales) Act 1994 commence on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendments are similar to the amendments to the Mining Act 1992 immediately preceding these amendments. The Explanatory Note to those amendments is also applicable to these amendments.

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**OCCUPATIONAL HEALTH AND SAFETY ACT 1983 No. 20**

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

In section 4 (1), in the definition of “place of work”, after “premises”, insert “, or any other place,”.

10

**COMMENCEMENT**

The amendment to the Occupational Health and Safety Act 1983 commences on the date of assent to this Act.

15

**EXPLANATORY NOTE**

The proposed amendment makes it clear that the term “place of work”, when used in the Occupational Health and Safety Act 1983, includes any place where a person works. In particular, the amendment makes it clear that places in or under water are covered by the Act, so that, for example, occupational divers come within its ambit.

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**OMBUDSMAN ACT 1974 No. 68**

**AMENDMENTS****(1) Section 10A (Delegation to other Ombudsman):**

In section 10A (1), before “18”, insert “13A,”.

**(2) Part 3, heading:**

After “**INVESTIGATIONS**”, insert “**AND CONCILIATIONS**”.

25

**(3) Section 13A:**

After section 13, insert:

**Dealing with complaint by conciliation**

13A. (1) The Ombudsman may, at any time, decide to attempt to deal with a complaint by conciliation under this section.

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(2) The conciliator in any conciliation under this section is to be the Ombudsman or an officer of the Ombudsman. However, the conciliator may, with the agreement of the complainant, arrange for a mediator to assist in the conciliation.

35

(3) Participation in the conciliation by the parties to a complaint is voluntary, and either party may withdraw at any time. The conciliator may also terminate the attempt at conciliation at any time.

(4) Evidence of anything said or admitted during the conciliation (or attempted conciliation) and any document prepared for the purposes of any such conciliation are not admissible:

(a) in any subsequent investigation, under this Part, of the complaint concerned (unless the person who said or admitted the thing, or to whom the document relates, consents to its admission); or

(b) in any proceedings in a court or before a person or body authorised to hear and receive evidence.

(5) If an attempt to deal with a complaint by conciliation under this section is unsuccessful, the complaint is to be treated under this Part as if the attempted conciliation had not taken place. However, the conciliator is excluded from participating as an investigating officer in any investigation of the complaint.

(6) Nothing in this section prevents a complaint from being dealt with otherwise than in accordance with this section.

(4) **Section 14 (Amendment of Schedule):**

In section 14 (2) and (6) (a), after “investigation” wherever occurring, insert “or conciliation”.

(5) **Section 15 (Reasons for refusal to conciliate, investigate or continue investigation):**

In section 15 (1) (b) (i), after “complained of”, insert “or to deal with the complaint by conciliation”.

(6) **Section 23 (Expert assistance):**

In section 23, after “investigation”, insert “or conciliation”.

(7) **Section 31FA:**

After section 31F, insert:

**Reporting when Parliament not in session**

31FA. (1) If a House of Parliament is not sitting when the Joint Committee seeks to furnish a report to it, the Committee may present copies of the report to the Clerk of the House.

(2) The report:

(a) on presentation and for all purposes is taken to have been laid before the House; and

(b) may be printed by authority of the Clerk; and

(c) if printed by authority of the Clerk, is for all purposes taken to be a document published by or under the authority of the House; and

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- (d) is to be recorded in the Minutes, or Votes and Proceedings, of the House on the first sitting day of the House after receipt of the report by the Clerk.
- (8) Section 35 (**Ombudsman, officer or expert as witness**):
- After section 35 (2), insert: 5
- (3) Subsection (1) applies to a person whose services are engaged under section 23 in the same way as it applies to the Ombudsman and officers of the Ombudsman.
- COMMENCEMENT**
- The amendments to the Ombudsman Act 1974 commence on the date of assent to this Act. 10
- EXPLANATORY NOTE**
- Conciliation of complaints (items (1)–(6))**
- Item (3) of the proposed amendments enables the Ombudsman to attempt to deal with complaints by way of conciliation. Item (1) allows the Ombudsman to delegate this power to a person exercising functions similar to those of the Ombudsman under a law of another State, the Commonwealth or a Territory of the Commonwealth. Items (2) and (4)–(6) make consequential amendments. 15
- Reporting to Parliament when Parliament not sitting (item (7))**
- Item (7) of the proposed amendments provides a mechanism by which the Committee on the Office of the Ombudsman may report to a House of Parliament when the House is not sitting. Similar provisions are contained in the other Acts that establish Parliamentary Committees (such as the Regulation Review Act 1987), with the exception of the Health Care Complaints Act 1993. An equivalent provision is to be inserted in that Act by an amendment proposed to be made elsewhere in this Schedule. 20
- Giving evidence in other proceedings (item (8))**
- Section 23 empowers the Ombudsman, in conducting an investigation (or a conciliation) under the Act, to engage the services of any person for the purpose of getting expert assistance. Section 35 prevents the Ombudsman, and any officer of the Ombudsman other than a member of the Police Force, from giving evidence or producing any document in any legal proceedings or proceedings before the Police Tribunal in respect of any information obtained by the Ombudsman or officer in the course of his or her office. 30
- Item (8) of the proposed amendments extends the ambit of section 35 so as to cover persons whose services are engaged under section 23. 35

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**PETROLEUM (ONSHORE) ACT 1991 No. 84**

**AMENDMENTS**

- (1) Section 110 (**Manner of assessment**):
- From section 110 (2) (d) and (3), omit “warden’s court” wherever occurring, insert instead “Warden’s Court”. 40

**(2) Section 114 (Wardens' Courts):**

- (a) Omit "Wardens' courts", insert instead "Wardens' Courts".
- (b) Omit "wardens' courts", insert instead "Wardens' Courts".

**(3) Section 115 (Jurisdiction of court):**

- 5 From section 115 (1), omit "warden's court", insert instead "Warden's Court".

**COMMENCEMENT**

The amendments to the Petroleum (Onshore) Act 1991 commence on the date of assent to this Act.

**10 EXPLANATORY NOTE**

The proposed amendments are similar to the amendments to the Mining Act 1992 proposed to be made elsewhere in this Schedule. The Explanatory Note to those amendments is also applicable to these amendments.

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**POISONS ACT 1966 No. 31**

**15 AMENDMENTS****(1) Section 4 (Definitions):**

From paragraph (b) of the definition of "Wholesale dealing" in section 4 (1), omit "profession, business, trade or industry" wherever occurring, insert instead "activity".

**20 (2) Section 6 (Poisons Advisory Committee):**

- (a) From section 6 (3) (f), omit "the Agricultural and Veterinary Chemicals Association of Australia Ltd.", insert instead "Avcare Limited".

**(b) Omit section 6 (3) (i), insert instead:**

- 25 (i) 1 is to be a person representing the country members of The Retail Traders' Association of New South Wales; and

**COMMENCEMENT**

The amendments to the Poisons Act 1966 commence on the date of assent to this Act.

**TRANSITIONAL**

- 30 (1) The person who, on the commencement of the amendment made to section 6 (3) (f) of the Poisons Act 1966 by this Act, is a member of the Poisons Advisory Committee pursuant to an appointment under that paragraph is taken to have been appointed under that paragraph as so amended.

- 35 (2) The person (if any) who, on the commencement of the amendment made to section 6 (3) (i) of the Poisons Act 1966 by this Act, purported to be a member of the Poisons Advisory Committee pursuant to an appointment under that paragraph is taken to have been appointed under that paragraph as so amended.

**EXPLANATORY NOTE****Meaning of “wholesale dealing” (item (1))**

The definition of “wholesale dealing” in section 4 (1) of the Act includes (among other things) supply, in certain circumstances, to persons for use in connection with any prescribed “profession, business, trade or industry”. 5

Item (1) of the proposed amendments substitutes the generic term “activity” for “profession, business, trade or industry”.

**Amendments consequential on administrative changes (item (2))**

Item (2) (a) of the proposed amendments is consequential on the change of name of a registered company. 10

Item (2) (b) is consequential on the fact that The Retail Traders’ Association of New South Wales no longer has a Country Division.

**POLICE SERVICE ACT 1990 No. 47****AMENDMENTS****Section 195 (Orders prohibiting publication):** 15

(a) From section 195, omit “the name and address”, insert instead “any information, photograph, drawing or other material that identifies, or is likely to lead to the identification”.

(b) At the end of section 195, insert:

(2) In this section, “**publication**” includes broadcasting by radio or television. 20

**COMMENCEMENT**

The amendments to the Police Service Act 1990 commence on the date of assent to this Act.

**TRANSITIONAL** 25

Section 195 of the Police Service Act 1990, as amended by this Act, extends to apply to any proceedings that are before the Police Tribunal on the commencement of the amendment (except in so far as any material that identifies, or is likely to lead to the identification of, any witness or complainant in the proceedings has already been published). 30

**EXPLANATORY NOTE**

At present, section 195 empowers the Police Tribunal to make orders prohibiting or restricting the publication of the name and address of any witness or complainant concerned in any proceedings before it or, if the proceedings are by way of appeal, concerned in the appeal or in any previous proceedings. 35

The proposed amendments make it clear that such orders may extend to prohibiting or restricting the publication in *any* way of *any* matter that is likely to lead to the identification of a witness or complainant.

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The proposed amendments alter the section as follows (matter to be omitted is in *italic* type and matter to be inserted is in **bold** type):

5           195. (1) In any proceedings before the Police Tribunal, the Police Tribunal may by order prohibit or restrict the publication of *the name and address any information, photograph, drawing or other material that identifies, or is likely to lead to the identification:*

- (a) of any witness or complainant concerned in the proceedings; or
- (b) if the proceedings are by way of appeal—of any witness or complainant concerned in the appeal or any previous proceedings.

10           (2) In this section, “publication” includes **broadcasting by radio or television.**

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**POULTRY MEAT INDUSTRY ACT 1986 No. 101**

**AMENDMENTS**

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

- 15           (a) From section 4 (3), omit “14 members”, insert instead “15 members”.
- (b) Omit section 4 (3) (a), insert instead:
- (a) 1 is to be an independent person of the Minister’s own choosing;
- 20           (c) Omit section 4 (3) (d), insert instead:
- (d) 2 are to be independent persons who, in the opinion of the Minister, are skilled in negotiation or have expertise in commerce.
- (d) After section 4 (6), insert:
- 25           (7) In subsection (3) (a) and (d), “**independent**” means the following:
- (a) not an officer of the Department of Agriculture;
- (b) not a representative of processors or growers.

**COMMENCEMENT**

30           The amendments to the Poultry Meat Industry Act 1986 commence on a day or days to be appointed by proclamation.

**TRANSITIONAL**

- 35           (1) The person who held office as a member of the Poultry Meat Industry Committee under section 4 (3) (a) of the Poultry Meat Industry Act 1986 immediately before the replacement of that paragraph by this Act ceases to hold that office on that replacement.
- (2) The person who held office as a member of the Committee under section 4 (3) (d) of that Act immediately before the replacement of that paragraph by this Act ceases to hold that office on that replacement.



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- (3) The persons appointed as members of the Committee under section 4 (3) (a) or (d) of that Act as replaced by this Act are taken to be appointed for a term that expires on the same date as the term of the member last appointed under the paragraph concerned before its replacement by this Act.

**EXPLANATORY NOTE****Poultry Meat Industry Committee**

The proposed amendments:

- (a) increase the number of members of the Poultry Meat Industry Committee from 14 to 15 (item (a)); and
- (b) replace the member who was an officer of the Department of Agriculture with an independent person of the Minister's choosing (who, by operation of section 4 (4), is to be the Chairperson of the Committee) (item (b)); and
- (c) replace the member who represented consumers of poultry meat with 2 independent persons with negotiating skills or commercial expertise (item (c)); and
- (d) define the meaning of "independent" for the purposes of section 4 (3) (a) and (d) (item (d)).

**PREVENTION OF CRUELTY TO ANIMALS ACT 1979 No. 200****AMENDMENTS**

- (1) Section 25 (**Powers of officers in respect of certain places**):

From section 25 (2), omit "within the meaning of the Animal Research Act 1985 unless the officer is an inspector within the meaning of that Act.", insert instead "in relation to any animal research authorised to be carried out on that land by an animal research authority or an animal research licence (being an authority or licence that is in force), unless the officer is an inspector. In this subsection, "**designated land**", "**animal research**", "**animal research authority**", "**animal research licence**" and "**inspector**" have the same meanings as they have in the Animal Research Act 1985."

- (2) Section 26 (**Powers of officers, generally**):

From section 26 (7A), omit "within the meaning of the Animal Research Act 1985 unless the officer is an inspector within the meaning of that Act.", insert instead "in relation to any animal research authorised to be carried out on that land by an animal research authority or an animal research licence (being an authority or licence that is in force), unless the officer is an inspector. In this subsection, "**designated land**", "**animal research**", "**animal research authority**", "**animal research licence**" and "**inspector**" have the same meanings as they have in the Animal Research Act 1985."

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**COMMENCEMENT**

The amendments to the Prevention of Cruelty to Animals Act 1979 commence on the date of assent to this Act.

**EXPLANATORY NOTE**

5 Animal research is carried out on “designated land” under the Animal Research Act 1985. It is supervised by animal care and ethics committees established under that Act. For that reason, an officer under the Prevention of Cruelty to Animals Act 1979 is not authorised to exercise his or her powers on designated land unless the officer is an inspector under the Animal Research Act 1985. The effect of this is that officers  
10 who are not inspectors cannot exercise their powers on designated land even in relation to matters that do not involve animal research.

The proposed amendments will allow all officers to exercise their powers on designated land in relation to matters *other than* matters involving authorised animal research or the supply of animals for that research.

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

**AMENDMENT****Section 6 (Preparation of the Public Accounts):**

From section 6 (2), omit “or one hundred thousand dollars”, insert instead “, one hundred thousand or one million dollars”.

20 **COMMENCEMENT**

The amendment to the Public Finance and Audit Act 1983 is taken to have commenced on 30 June 1994.

**EXPLANATORY NOTE**

25 At present, section 6 (2) permits rounding of amounts in the Public Accounts to the nearest \$1,000 or \$100,000. However, the Public Finance and Audit Act 1983 has been amended to require the Public Accounts to be composed of accrual-based consolidated financial statements for the budget sector rather than (as in the past) in the form of statements of receipts and payments (which is on a cash accounting basis).

30 The proposed amendment will permit rounding of the amounts in those Accounts to the nearest \$1,000, \$100,000 or \$1,000,000. The lower figures are retained because the Accounts in the new format will provide some supplementary information covering certain matters (such as trust funds) that were previously reported on in the old format and in respect of which either of those lower figures might be appropriate.

35 The proposed amendment is taken to have commenced at the same time as the amendment requiring the Public Accounts to be in the new format.

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**REPRINTS ACT 1972 No. 48****AMENDMENT**

Section 13 (**Application of certain provisions of this Act to certain instruments**):

Omit section 13 (a) and (b), insert instead: 5

- (a) a statutory rule within the meaning of the Interpretation Act 1987; and

**COMMENCEMENT**

The amendment to the Reprints Act 1972 commences on the date of assent to this Act. 10

**EXPLANATORY NOTE**

At present, section 13 of the Reprints Act 1972 applies certain other sections of that Act to the following instruments (as well as to environmental planning instruments within the meaning of the Environmental Planning and Assessment Act 1979):

- (a) ordinances made under the Local Government Act 1919 (some of those ordinances are still in force); 15  
 (b) regulations, rules and by-laws that are either made by the Governor or are required to be approved or confirmed by the Governor.

The provisions applied include, for example, section 6 (which gives the Attorney General the discretion to authorise an Act to be reprinted with the omission of all or any of the amending provisions contained in the Act), section 9D (which provides that the roman numerals may be regarded as being interchangeable with the corresponding arabic numerals) and section 9F (which provides that colons may be regarded as being interchangeable with dashes). 20

The proposed amendment extends the application of the provisions concerned to rules of court. (A "statutory rule" is defined, for the purposes of the Interpretation Act 1987, to mean a regulation, by-law, rule or ordinance that is either made by the Governor or is required to be approved or confirmed by the Governor, or a rule of court. Ordinances under Acts other than the Local Government Act 1919—such as the Anglican Church of Australia (Bodies Corporate) Act 1938—are not made, approved or confirmed by the Governor.) 25 30

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**SOUTH-WEST TABLELANDS WATER SUPPLY ADMINISTRATION  
 ACT 1941 No. 36**

**AMENDMENT**

Section 2 (**Definitions**): 35

In the definition of "Council", after "Local Government Act", insert "and includes an electricity distributor exercising water supply functions because of clause 7 of Schedule 11 to the Electricity Act 1945".

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**COMMENCEMENT**

The amendment to the South-west Tablelands Water Supply Administration Act 1941 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

5 A proclamation made under the Electricity Act 1945 dissolved a number of county councils with effect from 1 July 1993. Clause 7 of Schedule 11 (Savings, transitional and other provisions) to that Act transferred the water supply functions of those defunct county councils to electricity distributors established under the Act.

10 The proposed amendment ensures that electricity distributors to whom water supply functions were so transferred are treated under the South-west Tablelands Water Supply Administration Act 1941 in the same way as councils exercising those functions. It incorporates in that Act the effect of the relevant subclause of a transitional regulation currently in force under the Electricity Act 1945.

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**SPORTING INJURIES INSURANCE ACT 1978 No. 141**

15 **AMENDMENTS**

Section 31 (**Rules**):

(a) In section 31 (1) (f), after “Act”, insert “and the reimbursement (or non-reimbursement) by the Committee of any specific costs incurred in connection with the due making of those applications”.

20 (b) After section 31 (1), insert:

(1A) A rule may be made under section 31 (1) (f) for or with respect to the reimbursement by the Committee of any costs incurred in connection with an application duly made before the commencement of this subsection and not finally determined on that commencement.

25

**COMMENCEMENT**

The amendments to the Sporting Injuries Insurance Act 1978 commence on a day to be appointed by proclamation.

**EXPLANATORY NOTE**

30 At present, section 31 (1) (f) empowers the Sporting Injuries Committee to make rules for or with respect to the making of applications for benefits under the Act.

35 Item (a) of the proposed amendments makes it clear that the rules may provide for the reimbursement (or non-reimbursement) of any costs incurred in making those applications in accordance with the rules. Item (b) allows the making of such rules in relation to applications made before the commencement of the subsection inserted by that item if the applications have not been finally determined on that commencement.

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**STRATA TITLES (LEASEHOLD) ACT 1986 No. 219****AMENDMENT****Schedule 2A (Strata Management Statements):**

Omit clause 2 (2), insert instead:

- (2) The following persons must be members of the building management committee: 5
- (a) each body corporate for a leasehold strata scheme for part of the building;
- (b) every other person:
- (i) in whom is vested an estate in fee simple in any part of the building or its site that does not form part of a stratum parcel; or 10
- (ii) who holds a leasehold estate, directly from the person in whom the fee simple is vested, in such a part of the building or its site. 15

**COMMENCEMENT**

The amendment to the Strata Titles (Leasehold) Act 1986 commences on a day to be appointed by proclamation.

**EXPLANATORY NOTE**

Clause 2 (2) of Schedule 2A specifies certain persons who must be members of the building management committee of a building that is subject to one or more leasehold strata schemes. At present, those persons include the body corporate for each leasehold strata scheme for part of the building, and any other person in whom is vested an estate in fee simple in any part of the building or its site that is not subject to a leasehold strata scheme. They do not include any *lessees* of a part of the building or site that is not subject to a leasehold strata scheme. 20

The proposed amendment removes this anomaly by including on the committee the head lessees (but not sublessees) of those parts of the building or site that are not subject to a leasehold strata scheme. 25

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

30

**AMENDMENTS****(1) Section 7 (Appointment etc. of members):**

- (a) From section 7 (1) (a), omit "3", insert instead "4".
- (b) Omit section 7 (1) (b).
- (c) After section 7 (2) (a), insert: 35
- (b) one is to be nominated by the Managing Director of the TAFE Commission and is to be a senior financial manager of that Commission;
- (d) Omit section 7 (5) and (6).

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(2) Section 11 (**Vacation of office**):

From section 11 (1) (k) and (l) and (2), omit “, (b)” wherever occurring.

**COMMENCEMENT**

5 The amendments to the Teacher Housing Authority Act 1975 commence on a day to be appointed by proclamation.

**EXPLANATORY NOTE**

**Constitution of Authority** (item (1) (b) and (c))

10 At present, section 7 (1) (b) provides that the person holding, or acting in, the office of Secretary of the Treasury is to be an ex-officio member of the Teacher Housing Authority. Item (1) (b) of the proposed amendments removes that member from the Authority.

15 However, the membership of the Authority is to remain at its current level of 6. Item (1) (c) of the proposed amendments provides for an additional appointed member, who is to be a senior financial manager of the Technical and Further Education Commission nominated by the Managing Director of that Commission.

**Consequential amendments** (items (1) (a) and (d) and (2))

Item (1) (a) is consequential on item (1) (c), and items (1) (d) and (2) are consequential on item (1) (b).

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20 **TRADE MEASUREMENT ACT 1989 No. 233**

**AMENDMENT**

Section 81 (**Special provisions—application of Act in the State**):

Omit section 81 (2).

**COMMENCEMENT**

25 The amendment to the Trade Measurement Act 1989 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

30 The proposed amendment repeals a provision requiring a weighbridge with a capacity of 9 tonnes or more to be the subject, in certain circumstances, of a building certificate under section 317AE of the Local Government Act 1919 (now section 172 of the Local Government Act 1993). It is considered that the certificate serves no useful purpose in relation to such a weighbridge.

35 New South Wales, Queensland, South Australia, the Northern Territory and the Australian Capital Territory have adopted uniform trade measurement. None of those States or Territories other than New South Wales has a provision equivalent to section 81 (2) in their trade measurement legislation.

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**UNIVERSITY OF TECHNOLOGY, SYDNEY, ACT 1989 No. 69****AMENDMENTS****Section 9 (Constitution of Council):**

- (a) From section 9 (4), omit “4 persons”, insert instead “6 persons”. 5
- (b) After section 9 (4) (c), insert: 5
- (c1) persons who, in the opinion of the Minister, are likely to contribute to the cultural diversity of the University;
- (c) From section 9 (5) (c) (i), omit “a student”, insert instead “an undergraduate student”. 10
- (d) In section 9 (5) (c) (iii), before “students”, insert “the undergraduate”. 10
- (e) After section 9 (5) (c), insert:
- (c1) one person:
- (i) who is a postgraduate student of the University but who is not a member of the academic or non-academic staff of the University; 15
- (ii) who has such qualifications as may be prescribed by the by-laws; and
- (iii) who is elected by the postgraduate students of the University in the manner prescribed by the by-laws; 20
- (f) In section 9 (5) (d), after “4 persons”, insert “(at least one of whom is a graduate of the University)”.

**COMMENCEMENT**

The amendments to the University of Technology, Sydney, Act 1989 commence on a day or days to be appointed by proclamation. 25

**TRANSITIONAL**

- (1) If, on the commencement of paragraph (c) or (e) of the amendments made to the University of Technology, Sydney, Act 1989 by this Act, the membership of the Council of the University fails to comply with section 9 (5) of that Act as so amended, then, for the purposes of clause 3 (1) of Schedule 1 to that Act, there is taken to be a casual vacancy in the office of the member in respect of which the failure exists. 30
- (2) If, on the commencement of paragraph (f) of the amendments made to the University of Technology, Sydney, Act 1989 by this Act, the membership of the Council of the University fails to comply with section 9 (5) of that Act as so amended, the membership is taken so to comply until such time as the office of one or more of the members referred to in section 9 (5) (d) becomes vacant. 35

**EXPLANATORY NOTE**

The proposed amendments alter the composition of the Council of the University of Technology, Sydney, in the following way:

- 5 (a) by increasing the number of appointed members from 4 to 6 (item (a));
- (b) by providing an additional category of persons from which the appointments are to be made (item (b));
- 10 (c) by increasing the number of student members from 1 to 2 and by providing that, of the 2 student members, one is to be an undergraduate elected by the undergraduate students and the other a postgraduate elected by the postgraduate students (items (c)–(e));
- (d) by providing that at least 1 of the 4 members elected from members of Convocation is to be a graduate of the University (item (f)).

**VERY FAST TRAIN (ROUTE INVESTIGATION) ACT 1989 No. 44****AMENDMENTS**

- 15 Section 19 (**Determination of claim for compensation**):
- (a) From section 19 (1) and (2), omit “mining warden’s court” wherever occurring, insert instead “Warden’s Court”.
- (b) At the end of section 19, insert:
- 20 (7) In this section, “**Warden’s Court**” means a Warden’s Court established under the Mining Act 1992.

**COMMENCEMENT**

The amendments to the Very Fast Train (Route Investigation) Act 1989 commence on the date of assent to this Act.

**SAVING**

- 25 A mining warden’s court referred to in section 19 of the Very Fast Train (Route Investigation) Act 1989 before the amendment made to that section by this Act is taken to be, and always to have been, a Warden’s Court established under the Mining Act 1992.

**EXPLANATORY NOTE**

- 30 The proposed amendments are similar to the amendments to the Mining Act 1992 proposed to be made elsewhere in this Schedule. The Explanatory Note to those amendments is also applicable to these amendments.



**WOMEN'S COLLEGE ACT 1902 No. 71****AMENDMENT****Section 5 (Constitution of Council):**

Omit section 5 (2), insert instead:

- (2) In addition to the persons referred to in subsection (1) (b), the holders of the following offices are to be ex-officio councillors: 5
- (a) the Vice-Principal of the College;
  - (b) the President of the union (known as the Women's College Union) of members and friends of the College.

**COMMENCEMENT**

The amendment to the Women's College Act 1902 commences on a day to be appointed by proclamation. 10

**EXPLANATORY NOTE**

At present, section 5 (2) provides that the holder of the office of Vice-Principal of the Women's College is to be an ex-officio member of the Council of the Women's College. 15

The proposed amendment adds the President of the Women's College Union as a further ex-officio member of that Council.

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

(Sec. 3)

**ADMINISTRATION OF JUSTICE ACT 1924 No. 42****AMENDMENT****Section 2 (Arrangement):**

Omit the section. 25

**COMMENCEMENT**

The amendment to the Administration of Justice Act 1924 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendment omits a superfluous section. 30

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**CONTRACTORS' DEBTS ACT 1897 No. 29****AMENDMENT****Section 16 (Proceedings after judgment):**

5 From section 16, omit "plaintiff" where secondly occurring, insert instead "defendant".

**COMMENCEMENT**

The amendment to the Contractors' Debts Act 1897 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

10 A previous machinery amendment omitted the words "The plaintiff in the event of his obtaining judgment against the defendant", but replaced those words with "If the plaintiff obtains judgment against the plaintiff [instead of 'defendant'], the plaintiff". The proposed amendment corrects this obvious error.

**CONVEYANCERS LICENSING ACT 1992 No. 55****15 AMENDMENTS****(1) Section 4 (Conveyancing work):**

At the end of section 4 (3) (g), insert "or".

**(2) Section 27 (Sharing of receipts with unqualified persons):**

At the end of section 27 (2) (b), insert "and".

**20 (3) Section 29 (Sharing staff of legal practitioners and real estate agents etc.):**

Omit section 29 (b), insert instead:

(b) by the holder of a licence or certificate of registration under the Property, Stock and Business Agents Act 1941.

**25 (4) Section 155 (Functions of the Association):**

From section 155 (c), omit "licences", insert instead "licensees".

**(5) Schedule 3 (Savings, transitional and other provisions):**

From clause 1 (3), omit "its publication of the Gazette", insert instead "its publication in the Gazette".

**30 COMMENCEMENT**

The amendments to the Conveyancers Licensing Act 1992 commence on the date of assent to this Act.

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**EXPLANATORY NOTE**

The proposed amendments:

- (a) insert missing conjunctions (items (1) and (2)); and
- (b) repeal and re-enact section 29 (b) so as to omit an unnecessary word and update a reference to another Act (item (3)); and
- (c) correct a typographical error (item (4)); and
- (d) correct an incorrect preposition (item (5)).

5

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**CRIMES ACT 1900 No. 40**

**AMENDMENT**

Eleventh Schedule (**Savings and transitional provisions**):

10

From the heading to Part 5, omit “**Statements**”, insert instead “**Evidence**”.

**COMMENCEMENT**

The amendment to the Crimes Act 1900 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

15

The proposed amendment corrects an incorrect citation of another Act.

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**DEBITS TAX ACT 1990 No. 112**

**AMENDMENTS**

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

From paragraph (d) of the definition of “excluded debit” in section 3 (1), omit “is” where firstly occurring.

20

(2) Section 21 (**Amendment of assessments**):

From section 21 (4) (b), omit “if the amount of tax overpaid has been recovered from an account holder and the Chief Commissioner is satisfied”, insert instead “if the amount of tax overpaid has been recovered from an account holder—the Chief Commissioner is satisfied”.

25

(3) Section 50 (**Collection of tax from persons owing money to taxpayers**):

(a) From section 50 (1) (a), omit “by whom”, insert instead “from whom”.

30

(b) In section 50 (1), after “becoming”, insert “due”.

**COMMENCEMENT**

The amendments to the Debits Tax Act 1990 commence on the date of assent to this Act.

**EXPLANATORY NOTE**

- 5 The proposed amendments:
- (a) correct errors of syntax (items (1) and (2)); and
  - (b) correct an incorrect word (item (3) (a)); and
  - (c) insert a missing word (item (3) (b)).

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**FILM AND COMPUTER GAME CLASSIFICATION ACT  
1984 No. 155**

10

**AMENDMENTS**

- (1) Section 16 (**Retention of films and computer games by censor**):  
In section 16 (b), after “computer” where firstly occurring, insert “game”.
- 15 (2) Section 46 (**Forfeiture of films and computer games on conviction**):  
From section 46, omit “34A” where firstly occurring, insert instead “, 34A”.

**COMMENCEMENT**

20 The amendments to the Film and Computer Game Classification Act 1984 commence on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendments insert a missing word and a missing comma.

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**FINANCIAL INSTITUTIONS (NEW SOUTH WALES) ACT  
1992 No. 46**

25

**AMENDMENT**

Section 41:

After section 40, insert:

**References to repealed Acts**

30 41. (1) A reference in any Act, in any instrument made under an Act or in any document to an Act, or a provision of an Act, repealed by section 39 is to be read as a reference to the Financial Institutions (NSW) Code, or to the corresponding provision of that Code.

(2) Subsection (1) does not apply to a reference in the scheme legislation of New South Wales.

*Statute Law (Miscellaneous Provisions) (No. 2) 1994—Sch. 2***COMMENCEMENT**

The amendment to the Financial Institutions (New South Wales) Act 1992 is taken to have commenced on 30 June 1992.

**EXPLANATORY NOTE**

The proposed amendment makes it clear that references in other legislation and in private documents to the laws repealed by the Financial Institutions (New South Wales) Act 1992 (such as the Permanent Building Societies Act 1967 and the Credit Union Act 1969) are to be read as references to the law that replaced those repealed laws (the Financial Institutions (NSW) Code). The amendment is taken to have commenced on the commencement of the Financial Institutions (New South Wales) Act 1992. 5  
10

**FISHERIES AND OYSTER FARMS ACT 1935 No. 58****AMENDMENT**

**Section 5A (Fisheries Administration Ministerial Corporation):**  
From section 5A (5) (a), omit “liabilities”, insert instead “liabilities”. 15

**COMMENCEMENT**

The amendment to the Fisheries and Oyster Farms Act 1935 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendment corrects a typographical error. 20

**FISHERIES MANAGEMENT ACT 1994 No. 38****AMENDMENT**

**Schedule 7 (Savings, transitional and other provisions):**  
From clause 10 (5), omit “licences”, insert instead “licences”. 25

**COMMENCEMENT**

The amendment to the Fisheries Management Act 1994 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendment corrects a typographical error. 30

**IRRIGATION CORPORATIONS ACT 1994 No. 41****AMENDMENT**

Section 81 (**Change of Principal under contract**):

From section 81 (3) (b), omit “are”, insert instead “is”.

5 **COMMENCEMENT**

The amendment to the Irrigation Corporations Act 1994 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendment corrects a grammatical error.

---

10 **MOTOR ACCIDENTS ACT 1988 No. 102****AMENDMENT**

Section 73 (**Payment of interest**):

From section 73 (4) (a) (ii), omit “to” where thirdly occurring.

**COMMENCEMENT**15 

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

**EXPLANATORY NOTE**

The proposed amendment omits a duplicated word.

---

**PUBLIC NOTARIES ACT 1985 No. 6**20 **AMENDMENT**

Section 12 (**Effect of expression “public notary”**):

From section 12, omit “is” where firstly occurring, insert instead “it”.

**COMMENCEMENT**25 

The amendment to the Public Notaries Act 1985 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendment corrects a typographical error.

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**REGISTERED CLUBS ACT 1976 No. 31****AMENDMENT**

Section 33 (**Approval of secretary of registered club**):

From section 33 (3) (b), omit “or (4B)”.

**COMMENCEMENT**

5

The amendment to the Registered Clubs Act 1976 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

Section 33 (4B) of the Act, as enacted by the Registered Clubs (Amendment) Act 1993, was replaced before it commenced. The contents of the new subsection are such that a cross-reference to it in section 33 (3) (b) is inappropriate. The proposed amendment omits that cross-reference.

10

**STAMP DUTIES ACT 1920 No. 47****AMENDMENT**

Section 3 (**Definitions**):

From the definition of “Company title dwelling” in section 3 (1), omit “on land” where firstly occurring.

15

**COMMENCEMENT**

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

20

**EXPLANATORY NOTE**

The proposed amendment omits duplicated words.

**STATUTE LAW (MISCELLANEOUS PROVISIONS) ACT 1994 No. 32****AMENDMENT**

Schedule 1 (**Minor amendments**):

From the matter relating to the Prisons Act 1952, omit item (3) (b).

25

**COMMENCEMENT**

The amendment to the Statute Law (Miscellaneous Provisions) Act 1994 commences on the date of assent to this Act.

**EXPLANATORY NOTE**

30

The proposed amendment repeals a provision that will not be commenced. Items (3) (a) and (b) of the amendments to the Prisons Act 1952 in Schedule 1 to the Statute Law (Miscellaneous Provisions) Act 1994 were, as explained in the note to the amendments, in the alternative. As item (3) (a) has been commenced, item (3) (b) may be repealed.

35

**SUBORDINATE LEGISLATION ACT 1989 No. 146****AMENDMENTS**

- (1) Section 6 (**Regulatory impact statements not necessary in certain cases**):

5 From section 6 (1) (b), omit “the Attorney General” wherever occurring, insert instead “the Minister administering this Act”.

- (2) Section 12 (**Machinery provisions regarding repeal**):

Omit section 12 (5).

**COMMENCEMENT**

10 The amendments to the Subordinate Legislation Act 1989 commence on the date of assent to this Act.

**REPEAL**

15 The Administrative Changes (Subordinate Legislation) Order 1991, published in Gazette No. 116 of 16 August 1991 at page 6845, is repealed on the date of assent to this Act.

**EXPLANATORY NOTE**

The proposed amendments:

- 20 (a) make explicit in the Act the effect of an Administrative Changes Order that provides that the “references to the Attorney General in section 6 (1) (b) of the Subordinate Legislation Act 1989 are to be construed as references to the Minister administering that Act” and permit the repeal of that Order (item (1)); and
- (b) omit a provision concerning the Mines Inspection General Rules 1901, as those Rules have been repealed (item (2)).

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

**AMENDMENT**

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

Omit clause 7.

30 **COMMENCEMENT**

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

**EXPLANATORY NOTE**

35 Clause 7 of Schedule 4 provides that the provisions of Part 8 of the Technical and Further Education Regulation 1975, as in force immediately before the repeal of that Regulation, continue to have effect with respect to students of a TAFE establishment until the regulations under the Act otherwise provide.



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The effect of clause 23 of the Technical and Further Education Commission (Student Discipline) Regulation 1994 is that Part 8 has no effect in relation to a breach of discipline alleged to have arisen on or after 2 September 1994.

Clause 7 is, therefore, spent. The proposed amendment repeals the clause. (The operation of Part 8 in relation to breaches of discipline alleged to have arisen before 2 September 1994 is saved by section 30 (2) (b) of the Interpretation Act 1987.)

5

**WORKERS COMPENSATION ACT 1987 No. 70****AMENDMENT****Section 193 (Definitions):**

From section 193 (1), omit the definition of “periodic actuarial investigation”.

10

**COMMENCEMENT**

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

**EXPLANATORY NOTE**

The proposed amendment omits a definition that is no longer used.

15

**ZOOLOGICAL PARKS BOARD (CONSERVATION AND ENVIRONMENTAL OBJECTIVES) AMENDMENT ACT 1992 No. 44****AMENDMENT****Schedule 1 (Amendments):**

In item (2), from proposed section 15 (3) (a) of the Zoological Parks Board Act 1973, omit “goverments”, insert instead “governments”.

20

**COMMENCEMENT**

The amendment to the Zoological Parks Board (Conservation and Environmental Objectives) Amendment Act 1992 commences on the date of assent to this Act.

25

**EXPLANATORY NOTE**

The proposed amendment corrects a typographical error.

**SCHEDULE 3—AMENDMENTS REPLACING GENDER-SPECIFIC LANGUAGE**

(Sec. 3) 30

**EXPLANATORY NOTE**

The amendments proposed to be made by this Schedule replace gender-specific language with gender-neutral language.

**ADMINISTRATION OF JUSTICE ACT 1924 No. 42****AMENDMENTS**

## Section 5:

- 5 (a) From section 5 (2) (c) and (e), omit “he” wherever occurring, insert instead “the judgment debtor”.
- (b) From section 5 (4) (c), omit “him to his”, insert instead “the judge to the judge’s”.
- (c) After “he” in section 5 (4) (c), insert “or she”.

**ADMINISTRATION (VALIDATING) ACT 1900 No. 38**10 **AMENDMENT**

## Section 5:

- (a) Omit “him”, insert instead “the deceased”.
- (b) Omit “his”, insert instead “the deceased’s”.

**BAIL ACT 1978 No. 161**15 **AMENDMENTS**

- (1) Sections 5, 7, 8, 9, 11, 15, 18, 20, 21, 26, 28, 31, 32, 34, 41, 48, 49–53 and 58:

20 From sections 5, 7, 8 (2)–(4), 9 (3) and (4) (a), 11, 15, 18 (3) (a) (ii), 20 (b), 21, 26, 28, 31, 32 (1) (b), 34 (1), 41 (1), 48 (6) and (8) (c), 49, 50 (3), 51 (2) and (3), 52, 53 (b) and 58 (2) and (3) (a), omit “he” wherever occurring, insert instead “the person”.

- (2) Section 6:

- 25 (a) From section 6 (a), omit “his” where firstly occurring, insert instead “the person”.
- (b) From section 6 (a), omit “his” where secondly occurring, insert instead “the person’s”.
- (c) From section 6 (b), omit “his”, insert instead “the person”.
- (d) From section 6 (e), omit “his”, insert instead “the person’s”.
- 30 (e) From section 6 (f), omit “his” where firstly occurring, insert instead “the person”.
- (f) From section 6 (f) (i) and (ii) and (g), omit “his” wherever occurring, insert instead “the person’s”.

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- (3) Sections 7, 8, 9, 16, 18, 26, 27, 32, 34, 48 and 50–53: 5  
 From sections 7 (1), 8 (2) (a) (iii), 9 (2) (b), 16 (c), 18 (1) (a), 26 (1), 27 (1) (a) and (b), 32 (1) (a) and (b), 34 (4), 48 (8) (c), 50 (1) and (2), 51 (1), 52 and 53 (a), omit “his” wherever occurring, insert instead “the person’s”.
- (4) Sections 8, 18, 20, 21, 25, 34, 49, 50 and 51: 10  
 From sections 8 (2) (b), 18, 20, 21, 25 (3), 34 (1), 49, 50 (1)–(3) and 51 (1) and (8), omit “him” wherever occurring, insert instead “the person”.
- (5) Section 9: 10  
 From section 9 (2) (a), omit “he or it”, insert instead “the officer or the court”.
- (6) Sections 18, 20, 27 and 61: 15  
 From sections 18 (3) (b), 20, 27 (1) (c) and 61, omit “his” wherever occurring, insert instead “the person”.
- (7) Section 19: 20  
 (a) From section 19 (1), omit “he” where firstly occurring, insert instead “the officer”.  
 (b) From section 19 (1), omit “him” wherever occurring, insert instead “the person”.  
 (c) From section 19 (1) (a) and (b), omit “he” wherever occurring, insert instead “the person”.  
 (d) From section 19 (1) (a), omit “his”, insert instead “the person’s”.  
 (e) From section 19 (2), omit “he”, insert instead “the officer”.
- (8) Section 23: 25  
 (a) From section 23 (a), omit “him”, insert instead “the magistrate or justice and”.  
 (b) From section 23 (b), omit “him”, insert instead “the magistrate or justice”.
- (9) Section 24: 30  
 (a) From section 24 (1) (a) and (b), omit “his” wherever occurring, insert instead “the person’s”.  
 (b) From section 24 (1) (d), omit “his” insert instead “the person”.  
 (c) From section 24 (2) and (3), omit “he” wherever occurring, insert instead “the magistrate or justice”. 35

- (10) Section 36:
- (a) In section 36 (2), after “his” wherever occurring, insert “or her”.
- (b) In section 36 (2) (b), after “he” wherever occurring, insert “or she”.
- 5 (c) From section 36 (4), omit “he”, insert instead “the person”.
- (11) Section 42:
- (a) From section 42 (1) and (4), omit “he” wherever occurring, insert instead “the person”.
- 10 (b) From section 42 (1), (3) and (4), omit “his” wherever occurring, insert instead “the applicant’s”.
- (c) From section 42 (2), omit “him”, insert instead “the person”.
- (d) From section 42 (2) and (6), omit “his” wherever occurring, insert instead “the person’s”.
- (12) Section 44:
- 15 (a) From section 44 (1), omit “himself”, insert instead “the justice”.
- (b) From section 44 (2), omit “himself”, insert instead “the reviewing magistrate”.
- (13) Section 53:
- Omit “Her Majesty”, insert instead “the Crown”.
- 20 (14) Section 57:
- Omit “he” wherever occurring, insert instead “that person”.
- (15) Section 66:
- From section 66 (1) omit “him”, insert instead “the police officer”.

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**CHILDREN (EQUALITY OF STATUS) ACT 1976 No. 97**

25 **AMENDMENT**

**Section 20 (Reports of blood tests):**

From section 20 (5), omit “him” wherever occurring, insert instead “the person”.

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**COMMON CARRIERS ACT 1902 No. 48**

30 **AMENDMENTS**

(1) Section 4:

Omit “such common carrier or to his”, insert instead “the carrier or to the carrier’s”.

(2) Section 7:

35 From section 7 (1), omit “him”, insert instead “the carrier”.

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- (3) Section 8:  
From section 8 (2), omit “his or their”, insert instead “the carrier’s or carriers’ ”.
- (4) Section 9:  
(a) Omit “such carrier or his servants”, insert instead “the carrier or the carrier’s servants” 5  
(b) From section 9 (c), omit “him”, insert instead “the party”.
- (5) Section 10:  
(a) Omit “his” where firstly occurring, insert instead “the carrier’s”.  
(b) Omit “his” where secondly occurring, insert instead “the servant’s”. 10
- (6) Section 11:  
Omit “he”, insert instead “the carrier”.

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**COMMONWEALTH PLACES (ADMINISTRATION OF LAWS) ACT  
1970 No. 80** 15

**AMENDMENTS**

- (1) Section 5:  
(a) From section 5 (a), omit “it or he”, insert instead “the Authority”.  
(b) From section 5, omit “its or his”, insert instead “the Authority’s”.
- (2) Section 8: 20  
From section 8 (1), omit “he”, insert instead “, the offender”.
- (3) Section 11:  
Omit “he”, insert instead “that person”.

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**COMMUNITY SERVICE ORDERS ACT 1979 No. 192**

**AMENDMENTS** 25

- (1) Section 9:  
After “himself” wherever occurring, insert “or herself”.
- (2) Sections 11, 18 and 25:  
From sections 11, 18 (2) and 25 (2) and (4), omit “him” wherever occurring, insert instead “the person”. 30

## (3) Sections 11, 12, 18–20 and 23–26:

From sections 11 (b), 12 (2) (a), 18 (1) and (2) (b), 19 (b), 20, 23 (1), 24, 25 (1) and 26 (2), omit “he” wherever occurring, insert instead “the person”.

## 5 (4) Sections 14, 20, 22, 24 and 26:

From sections 14 (d), 20, 22 (1), 24 and 26 (2) (a) (ii), omit “his” wherever occurring, insert instead “the person’s”.

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**COSTS IN CRIMINAL CASES ACT 1967 No. 13****AMENDMENTS**

## 10 (1) Section 2:

(a) From section 2 (b) (i), omit “he” where firstly occurring, insert instead “the defendant”.

(b) In section 2 (b) (i), after “he” where secondly occurring, insert “or she”.

15 (c) From section 2 (b) (ii), omit “he”, insert instead “the defendant”.

## (2) Section 3:

From section 3 (2), omit “he or they” wherever occurring, insert instead “the Justice or Justices”.

## (3) Section 3A:

20 From section 3A (2) (b), omit “it, he or they”, insert instead “the Court, Judge, Justice or Justices”.

## (4) Section 4:

(a) From section 4 (2) and (4), omit “him” wherever occurring, insert instead “the Under Secretary”.

25 (b) From section 4 (3) (b), omit “he”, insert instead “the applicant”.

(c) From section 4 (3) (b), omit “him”, insert instead “the applicant”.

(d) From section 4 (3) (b), omit “his”, insert instead “the applicant’s”.

(e) From section 4 (4), omit “he”, insert instead “the Under Secretary”.

30 (f) In section 4 (5), after “his”, insert “or her”.

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**CRIMINAL APPEAL ACT 1912 No. 16****AMENDMENTS**

- (1) Section 2:
- (a) From section 2 (2) (c), omit “him”, insert instead “the person”. 5
  - (b) From section 2 (2) (c), omit “his”, insert instead “the person’s”.
  - (c) From section 2 (2), omit “he”, insert instead “that person”.
- (2) Section 5:
- (a) From section 5 (1), omit “his” wherever occurring, insert instead “the person’s”. 10
  - (b) From section 5 (2), omit “him” wherever occurring, insert instead “the person”.
- (3) Section 5AA:
- (a) From section 5AA (2), omit “him” wherever occurring, insert instead “the person”. 15
  - (b) From section 5AA (6), omit “him”, insert instead “the appellant”.
- (4) Section 5B:  
Omit “him”, insert instead “the Judge”.
- (5) Section 7:
- (a) From section 7 (2), omit “him” wherever occurring, insert instead “the appellant”. 20
  - (b) From section 7 (4), omit “his or her”, insert instead “the appellant’s”.
- (6) Section 8:  
From section 8 (2), omit “him” wherever occurring, insert instead “the appellant”. 25
- (7) Section 9:  
From section 9 (3), omit “it or he”, insert instead “the court or judge”.
- (8) Section 11:  
Omit “his” wherever occurring, insert instead “the judge’s”. 30
- (9) Section 14:
- (a) From section 14 (1), omit “he” wherever occurring, insert instead “the appellant”.
  - (b) From section 14 (1), omit “his”, insert instead “the appellant’s”.

- (10) Section 15:  
 (a) Omit “his” wherever occurring, insert instead “the appellant’s”.  
 (b) Omit “he”, insert instead “the appellant”.
- (11) Section 17:  
 5 From section 17 (2), omit “his” wherever occurring, insert instead “the appellant’s”.
- (12) Section 18:  
 (a) From section 18 (1) and (3), omit “his” wherever occurring, insert instead “the appellant’s”.  
 10 (b) From section 18 (3) and (4), omit “he” wherever occurring, insert instead “the appellant”.
- (13) Section 19:  
 (a) From section 19 (2) and (3), omit “he” wherever occurring, insert instead “the registrar”.  
 15 (b) From section 19 (3), omit “his”, insert instead “the governor’s”.
- (14) Section 24:  
 (a) From section 24 (1), omit “him”, insert instead “the appellant”.  
 (b) From section 24 (1), omit “his”, insert instead “the appellant’s”.
- (15) Section 25:  
 20 Omit “him”, insert instead “the appellant”.

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**CROWN ADVOCATE ACT 1979 No. 59.**

**AMENDMENTS**

- (1) Long title:  
 25 Omit “his duties and functions”, insert instead “the duties and functions of the Crown Advocate”.
- (2) Section 2:  
 Omit “his”, insert instead “the Crown Advocate’s”.
- (3) Section 4:  
 (a) Omit “his capacity”, insert instead “his or her capacity”.  
 30 (b) Omit “his term”, insert instead “the Crown Advocate’s term”.
- (4) Section 5:  
 After “his” wherever occurring, insert “or her”.



- (5) Section 6:
- (a) From section 6 (1), omit “vacated his office”, insert instead “vacated the office of Crown Advocate”.
  - (b) From section 6 (1), omit “he” wherever occurring, insert instead “the Crown Advocate”. 5
  - (c) In section 6 (1) (b), after “his” wherever occurring, insert “or her”.
  - (d) Omit section 6 (1) (d), insert instead:
    - (d) if the Crown Advocate resigns the office by instrument in writing addressed to the Governor; or
  - (e) From section 6 (1) (f), omit “his term”, insert instead “the Crown Advocate’s term”. 10
  - (f) From section 6 (1) (f), omit “his office”, insert instead “the office”.
  - (g) From section 6 (2), omit “him”, insert instead “the Governor”.
- (6) Section 7:
- From section 7 (1), omit “him”, insert instead “the Crown Advocate”. 15
- (7) Section 8 (**Deputy of Crown Advocate during Crown Advocate’s illness or absence**):
- (a) From section 8 (1), omit “his”, insert “the Crown Advocate’s”.
  - (b) From section 8 (2), omit “his office”, insert instead “the office of Crown Advocate”. 20
  - (c) From section 8 (2), omit “he”, insert instead “the Crown Advocate”.

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**DAMAGES (INFANTS AND PERSONS OF UNSOUND MIND) ACT  
1929 No. 25** 25

**AMENDMENTS**

- (1) Section 3:
- In the definition of “Person of unsound mind”, after “his”, insert “or her”.
- (2) Section 4: 30
- In section 4 (c) (ii), after “his” wherever occurring, insert “or her”.
- (3) Section 5:
- (a) From section 5 (1)–(3), omit “him” wherever occurring, insert instead “the Public Trustee”.

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- (b) From section 5 (1), omit “he”, insert instead “the Public Trustee”.  
 (c) From section 5 (4), omit “him”, insert instead “that person or body”.

## (4) Section 7:

- 5 From section 7 (2), omit “he” wherever occurring, insert instead “the judge”.

**FELONS (CIVIL PROCEEDINGS) ACT 1981 No. 84****AMENDMENTS**

## Sections 3 and 4:

- 10 Omit “his” wherever occurring.

**FINES AND PENALTIES ACT 1901 No. 16****AMENDMENTS**

## (1) Section 5:

- 15 From section 5 (1), omit “His Majesty his Heirs and Successors”, insert instead “the Crown”.

## (2) Section 6:

Omit “he”, insert instead “that Justice”.

## (3) Section 7:

Omit “his or”.

**FOREIGN JUDGMENTS ACT 1973 No. 39****AMENDMENTS**

## (1) Sections 4 and 5:

From section 4 (3) and 5 (3), omit “he” wherever occurring, insert instead “the Governor”.

## 25 (2) Section 8:

From section 8 (1) (a) (iii), omit “him” wherever occurring, insert instead “the judgment debtor”.

## (3) Section 9:

From section 9 (1), omit “he”, insert instead “the applicant”.

**INCLOSED LANDS PROTECTION ACT 1901 No. 33****AMENDMENT**

## Section 6:

After “his” wherever occurring, insert “or her”.

**INHERITANCE ACT OF 1901 No. 19**

5

**AMENDMENTS**

- (1) Section 3:
- (a) From the definition of “Descent”, omit “he”, insert instead “the heir”.
- (b) From the definition of “The person last entitled to land”, omit “he”, insert instead “that person”. 10
- (2) Section 4:
- (a) Omit “he” where firstly and secondly occurring, insert instead “the person last entitled to the land”.
- (b) Omit “he” where thirdly occurring, insert instead “that person”. 15
- (c) Omit “he” where fourthly occurring, insert instead “the person”.
- (3) Section 5:
- Omit “he”, insert instead “that person”.
- (4) Section 7 (**Limitation to grantor or grantor’s heirs creates an estate by purchase**): 20
- Omit “his”, insert instead “the person’s”.
- (5) Sections 8, 11 and 12:
- Omit “his” wherever occurring, insert instead “the person’s”.
- (6) Section 10 (**Lineal ancestor preferred to collaterals claiming through that ancestor**): 25
- (a) After “his” where firstly and fourthly occurring, insert “or her”.
- (b) Omit “his” where secondly and thirdly occurring, insert instead “the purchaser’s”.
- (c) Omit “his” where fifthly occurring, insert instead “the ancestor’s”.
- (d) Omit “his” where sixthly occurring, insert instead “that ancestor’s”. 30
- (7) Section 13:
- (a) Omit “his” where firstly occurring, insert instead “that person’s”.
- (b) Omit “his” where secondly occurring, insert instead “that relation’s”. 35

## (8) Section 16:

- (a) After “his”, insert “or her”.
- (b) Omit “he”, insert instead “the relation”.

**INSURANCE ACT 1902 No. 49**5 **AMENDMENTS**

## (1) Section 4:

- (a) Omit “himself” wherever occurring, insert instead “the insured”.
- (b) Omit “he” wherever occurring, insert instead “the insured”.
- 10 (c) Omit “his” where firstly, secondly and thirdly occurring, insert instead “the insured’s”.
- (d) Omit “his” where fourthly occurring, insert instead “the bankrupt’s”.
- (e) Omit “him”, insert instead “the bankrupt”.

## (2) Section 10A:

- 15 Omit “his own hand”, insert instead “the person’s own hand”.

## (3) Section 11:

From section 11 (2), omit “he” wherever occurring, insert instead “the Judge”.

(4) Section 15 (**Assignee may sue in his or her own name**):

- 20 (a) Omit “his”, insert instead “the assignee’s”.
- (b) Omit “he”, insert instead “the defendant”.

**JUDGMENT CREDITORS’ REMEDIES ACT 1901 No. 8****AMENDMENTS**

## (1) Section 7:

- 25 Omit “him”, insert instead “the person”.

## (2) Section 8:

- (a) Omit “him”, insert instead “the sheriff”.
- (b) Omit “he”, insert instead “the sheriff”.

## (3) Section 12:

- 30 From section 12 (1), omit “such person himself”, insert instead “the person personally”.

- 
- (4) Section 14:  
 (a) Omit “he”, insert instead “the sheriff”.  
 (b) Omit “him”, insert instead “the sheriff”.
- (5) Section 16:  
 Omit “his” wherever occurring, insert instead “the person’s”. 5
- (6) Section 25:  
 (a) From section 25 (1), omit “his” where firstly occurring, insert instead “the person’s”.  
 (b) From section 25 (1) and (2), omit “his discharge” wherever occurring, insert instead “be discharged”. 10  
 (c) From section 25 (2), omit “him”, insert instead “the person”.  
 (d) From section 25 (2), omit “he” wherever occurring, insert instead “the person”.  
 (e) From section 25 (2), omit “his certificate”, insert instead “a certificate”. 15  
 (f) From section 25 (2), omit “his bankruptcy”, insert instead “bankruptcy”.  
 (g) From section 25 (3), omit “him”, insert instead “the bailiff, gaoler or officer”.
- (7) Section 27: 20  
 (a) From section 27 (1) (a), omit “his name in his own right”, insert instead “the judgment debtor’s name in the judgment debtor’s own right”.  
 (b) From section 27 (1) (a), omit “him”, insert instead “the judgment debtor”. 25  
 (c) From section 27 (2), omit “he”, insert instead “the judgment creditor”.  
 (d) From section 27 (2), omit “his”, insert instead “the judgment creditor’s”.
- (8) Section 29: 30  
 Omit “his”, insert instead “the judgment creditor’s”.
- (9) Section 31:  
 Omit “his”, insert instead “the judgment debtor’s”.
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**JURY ACT 1977 No. 18****AMENDMENTS**

- 5 (1) Sections 12, 14, 17, 18, 30 and 74:  
From section 12 (1), 14 (2), 17, 18 (4), 30 (1) and 74 (1), omit "his"  
wherever occurring, insert instead "the sheriff's".
- (2) Sections 13, 27, 31, 60, 61, 62 and 64:  
From section 13 (1), 27 (2), 31 (2), 60 (1), 61, 62 and 64 (3)–(5),  
omit "his" wherever occurring, insert instead "the person's".
- 10 (3) Sections 14, 18 and 26:  
From section 14 (1), 18 (1) (a) (i) and (ii) and 26 (1), omit "he"  
wherever occurring, insert instead "the sheriff".
- (4) Sections 23, 28 and 30:  
From section 23 (1), 28 (1) and 30 (3), omit "him" wherever  
occurring, insert instead "the sheriff".
- 15 (5) Section 33:  
(a) From section 33 (1), omit "him" where firstly occurring, insert  
instead "the presiding judge".  
(b) From section 33 (1), omit "him" where secondly occurring, insert  
instead "the pool officer".
- 20 (6) Section 34:  
(a) From section 34 (1), omit "he", insert instead "the pool officer".  
(b) From section 34 (2), omit "him", insert instead "the pool officer".
- (7) Sections 35 and 38:  
25 From sections 35 (2) and 38 (2), omit "he" wherever occurring,  
insert instead "the person".
- (8) Section 39:  
(a) From section 39 (1), omit "he", insert instead "the judge or  
coroner".  
(b) From section 39 (2), omit "him", insert instead "the judge or  
30 coroner".
- (9) Section 40:  
From section 40 (2), omit "his", insert instead "the party's".
- (10) Section 45:  
(a) From section 45 (1), omit "he", insert instead "the juror".  
35 (b) From section 45 (2), omit "his", insert instead "the plaintiff's".

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- (11) Sections 47 and 72:  
From sections 47 and 72 (1), omit “his” wherever occurring, insert instead “the juror’s”.
- (12) Section 49:  
(a) From section 49 (3), omit “his” where firstly occurring, insert instead “the plaintiff’s”. 5  
(b) From section 49 (3), omit “his” where secondly occurring, insert instead “the party’s”.  
(c) From section 49 (4) (a) and (b), omit “his” wherever occurring, insert instead “the party’s”. 10
- (13) Section 50:  
From section 50 (2), omit “him”, insert instead “the coroner”.
- (14) Section 55:  
Omit “it or he”, insert instead “the court or coroner”.
- (15) Section 59: 15  
Omit “he”, insert instead “the coroner”.
- (16) Sections 60 and 64:  
From section 60 (2) and 64 (5) (b), omit “he” wherever occurring, insert instead “the person”.
- (17) Sections 60 and 69: 20  
From section 60 (2) and 69 (1), omit “him” wherever occurring, insert instead “the person”.
- (18) Section 61:  
Omit “to his knowledge he”, insert instead “the person knows that he or she”. 25
- (19) Section 69:  
In section 69 (1), (3) (b) and (6), after “his” wherever occurring, insert “or her”.

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**LIE DETECTORS ACT 1983 No. 62**

**AMENDMENTS**

- Section 5: 30  
(a) Omit “he” wherever occurring, insert instead “the person”.  
(b) From section 5 (1) (b), omit “himself or another”, insert instead “the person or another person”.
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**MINES INSPECTION ACT 1901 No. 75****AMENDMENTS**

- (1) Section 4:
- 5 (a) From paragraph (b) of the definition of “Mine” in section 4 (1), omit “men”, insert instead “persons”.
- (b) From the definition of “Owner” in section 4 (1), omit “he”, insert instead “the contractor or tributer”.
- (2) Section 5:
- 10 (a) From section 5 (2), omit “him”, insert instead “the owner”.
- (b) In section 5 (2), after “himself”, insert “or herself”.
- (c) From section 5 (3) and (4), omit “he” wherever occurring, insert instead “the person”.
- (d) From section 5 (5), omit “his”, insert instead “the manager’s”.
- (3) Section 7:
- 15 (a) From section 7 (1), omit “his”, insert instead “the applicant’s”.
- (b) From section 7 (1), omit “he”, insert instead “the applicant”.
- (4) Sections 8, 26, 42 and 67:
- From sections 8 (1), 26 (4), 42 (2) and 67 (2), omit “he” wherever occurring, insert instead “the person”.
- 20 (5) Sections 9 and 16:
- From sections 9 (1) and 16 (1), omit “his” wherever occurring, insert instead “the holder’s”.
- (6) Section 12:
- 25 (a) From section 12 (1) (b), omit “his”, insert instead “the person’s”.
- (b) From section 12 (1) and (2), omit “he” wherever occurring, insert instead “the person”.
- (c) From section 12 (3) (b), omit “men”, insert instead “persons”.
- (7) Section 14:
- 30 From section 14 (1), omit “his” wherever occurring, insert instead “the applicant’s”.
- (8) Section 18A:
- (a) From the definition of “medical certificate” in section 18A (1), omit “him”, insert instead “the medical practitioner”.



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- (b) From paragraphs (a) and (b) of the definition of “medical certificate” in section 18A (1), and from section 18A (4), (5), (7) and (8), omit “his” wherever occurring, insert instead “the person’s”.
- (c) From paragraph (c) of the definition of “medical certificate” in section 18A (1), and from section 18A (3), (5) (a) and (9), omit “he” wherever occurring, insert instead “the person”. 5
- (d) From section 18A (3) (a), (4) and (7), omit “him” wherever occurring, insert instead “the person”.
- (e) From section 18A (5) (b) and (8) (c), omit “he” wherever occurring, insert instead “the Chief Inspector”. 10
- (f) From section 18A (8), omit “him”, insert instead “the Chief Inspector”.
- (9) Section 19:
- (a) Omit “his” where firstly occurring, insert instead “the manager’s or engine-driver’s”. 15
- (b) In section 19 (d), after “himself”, insert “or herself”.
- (c) From section 19 (d), omit “his”, insert instead “or by his or her”.
- (d) From section 19 (d) and (g), omit “he” wherever occurring, insert instead “the manager or engine-driver”. 20
- (e) From section 19 (e), omit “he”, insert instead “the Minister”.
- (f) From section 19 (f), omit “his” where firstly occurring.
- (g) From section 19 (f), omit “he”, insert instead “the manager or engine-driver”.
- (h) From section 19 (f), omit “his” where secondly occurring, insert instead “the manager’s or engine-driver’s”. 25
- (10) Sections 20, 21, 39 and 78:  
From sections 20 (2), 21 (2), 39 and 78, omit “he” wherever occurring, insert instead “the Minister”.
- (11) Section 22: 30
- (a) Omit “he” where firstly occurring, insert instead “the person”.
- (b) Omit “his”, insert instead “the person’s”.
- (c) Omit “him”, insert instead “the person”.
- (d) Omit “he” where secondly occurring, insert instead “the Minister”.
- (12) Section 24: 35  
In section 24 (c), after “himself”, insert “or herself”.

## (13) Section 25:

From section 25 (2), omit:

and in the event of any such contravention by any person whomsoever, the owner and manager of the mine shall each be guilty of an offence against this Act, unless he proves that he had taken all reasonable means, by publishing and to the best of his power enforcing the provisions of this section, to prevent the contravention.

insert instead:

and in the event of any such contravention by any person whomsoever:

(a) the owner of the mine shall be guilty of an offence against this Act, unless the owner proves that he or she had taken all reasonable means, by publishing and to the best of his or her power enforcing the provisions of this section, to prevent the contravention; and

(b) the manager of the mine shall be guilty of an offence against this Act, unless the manager proves that he or she had taken all reasonable means, by publishing and to the best of his or her power enforcing the provisions of this section, to prevent the contravention.

## (14) Section 31:

(a) From section 31 (1) and (4), omit “he” wherever occurring, insert instead “the person”.

(b) Omit section 31 (2), insert instead:

(2) And in the event of any such contravention or non-compliance by any person whomsoever:

(a) the owner of the mine shall be guilty of an offence against this Act, unless the owner proves that he or she had taken all reasonable means, by publishing and to the best of his or her power enforcing the provisions of this section, to prevent the contravention or non-compliance; and

(b) the manager of the mine shall be guilty of an offence against this Act, unless the manager proves that he or she had taken all reasonable means, by publishing and to the best of his or her power enforcing the provisions of this section, to prevent the contravention or non-compliance.

(c) From section 31 (4), omit “his” wherever occurring, insert instead “the person’s”.

## (15) Section 32:

(a) From section 32 (1), omit “he”, insert instead “the Governor”.

(b) From section 32 (3), omit “his”, insert instead “the Chief Inspector’s”.

- (16) Section 36:
- (a) From section 36, omit “his” wherever occurring, insert instead “the inspector’s”.
  - (b) From section 36, omit “him” wherever occurring, insert instead “the inspector”. 5
- (17) Section 37:
- (a) From section 37 (1), omit “his”, insert instead “the inspector’s”.
  - (b) From section 37 (1), omit “he”, insert instead “the inspector”.
- (18) Section 37A: 10
- Amend the heading of the section to read as follows:
- Order to withdraw persons from mine**
- (19) Section 40:
- From section 40, omit “his”, insert instead “the inspector’s”.
- (20) Section 41: 15
- (a) From section 41 (1) and (4), omit “he” wherever occurring, insert instead “the owner or manager”.
  - (b) From section 41 (2), omit “him”, insert instead “the inspector”.
  - (c) From section 41 (2), omit “he”, insert instead “the inspector”.
  - (d) From section 41 (3), omit “he” where firstly occurring, insert instead “the owner or manager concerned”. 20
  - (e) In section 41 (3), after “he” where secondly and thirdly occurring, insert “or she”.
- (21) Section 42A:
- (a) From section 42A (3), omit “he”, insert instead “the person”.
  - (b) From section 42A (4), omit “he”, insert instead “the Minister”. 25
- (22) Section 42B:
- (a) From section 42B (1), omit “his”, insert instead “the owner’s or manager’s”.
  - (b) From section 42B (1), omit “him”, insert instead “the Chief Inspector”. 30
- (23) Section 43:
- From section 43 (2B), omit “his”, insert instead “the owner’s or manager’s”.

## (24) Section 45:

- (a) From section 45 (2) and (6), omit “he” wherever occurring, insert instead “the person”.
- (b) From section 45 (4), omit “he”, insert instead “the occupier or other person firstmentioned”.

## (25) Section 46:

- (a) From section 46 (1), omit “he”, insert instead “the holder”.
- (b) From section 46 (1), omit “his”, insert instead “the Minister’s”.
- (c) From section 46 (4), omit “he”, insert instead “the person”.
- (d) From section 46 (4), omit “his”, insert instead “the person’s”.

## (26) Section 48B:

From section 48B (b), omit “he”, insert instead “the owner”.

## (27) Section 48C:

From section 48C (1), omit “him”, insert instead “the Minister”.

## (28) Section 50:

- (a) From section 50 (5), omit “him” wherever occurring, insert instead “the warden”.
- (b) From section 50 (5), omit “he”, insert instead “the warden”.

## (29) Section 54:

From section 54 (4), omit “his”, insert instead “the warden’s”.

## (30) Section 57:

From section 57, omit:

and in the event of any such contravention or non-compliance by any person whomsoever in the case of any mine, the owner and manager of the mine shall each be guilty of an offence against this Act, unless he proves that he had taken all reasonable means, by publishing and to the best of his power enforcing the rules as regulations for the working of the mine so as to prevent such contravention or non-compliance.

insert instead:

and in the event of any such contravention by any person whomsoever in the case of any mine:

- (a) the owner of the mine shall be guilty of an offence against this Act, unless the owner proves that he or she had taken all reasonable means, by publishing and to the best of his or her power enforcing the rules as regulations for the working of the mine so as to prevent such contravention or non-compliance; and

- (b) the manager of the mine shall be guilty of an offence against this Act, unless the manager proves that he or she had taken all reasonable means, by publishing and to the best of his or her power enforcing the rules as regulations for the working of the mine so as to prevent such contravention or non-compliance. 5
- (31) Section 58:
- (a) From section 58 (3), omit “he” where firstly occurring, insert instead “the person”. 10
- (b) From section 58 (3), omit: 10  
and also the owner and manager of such mine shall each be guilty of an offence against this Act, unless he proves that he had taken all reasonable means, by publishing and to the best of his power enforcing the rules as regulations for the working of the mine, so as to prevent such contravention or non-compliance. 15  
insert instead:  
and also:
- (a) the owner of the mine shall be guilty of an offence against this Act, unless the owner proves that he or she had taken all reasonable means, by publishing and to the best of his or her power enforcing the rules as regulations for the working of the mine, so as to prevent such contravention or non-compliance; and 20
- (b) the manager of the mine shall be guilty of an offence against this Act, unless the manager proves that he or she had taken all reasonable means, by publishing and to the best of his or her power enforcing the rules as regulations for the working of the mine, so as to prevent such contravention or non-compliance. 25
- (32) Section 65: 30  
Omit:  
of this section the owner and manager of the mine shall each be guilty of an offence against this Act, unless he proves that he had taken all reasonable means, by enforcing, to the best of his power, the observance of this section to prevent such non-compliance. 35  
insert instead:  
of this section:
- (a) the owner of the mine shall be guilty of an offence against this Act, unless the owner proves that he or she had taken all reasonable means, by enforcing, to the best of his or her power, the observance of this section to prevent such non-compliance; and 40

- 5 (b) the manager of the mine shall be guilty of an offence against this Act, unless the manager proves that he or she had taken all reasonable means, by enforcing, to the best of his or her power, the observance of this section to prevent such non-compliance.
- (33) Section 71:  
From section 71 (2), omit “he”, insert instead “the owner, manager or employee”.
- 10 (34) Section 72:  
Omit “he”, insert instead “the owner or manager”.
- (35) Section 74:  
From section 74 (a), omit “his”, insert instead “the Minister’s”.
- (36) Section 80:  
15 (a) From section 80 (1), omit “his” wherever occurring, insert instead “the Minister’s”.  
(b) From section 80 (5), omit “he”, insert instead “the owner”.
- (37) Section 81:  
From section 81 (1) and (2), omit “him” wherever occurring, insert instead “the person”.

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20 **NECROPOLIS ACT 1901 (1902 No. 20)**

**AMENDMENTS**

- (1) Section 8B:  
From section 8B (2), omit “he”, insert instead “the Minister”.
- 25 (2) Section 13:  
(a) Omit “his”, insert instead “the minister’s”.  
(b) Omit “he”, insert instead “the minister”.
- (3) Section 24:  
From section 24 (2), omit “his” wherever occurring, insert instead “the grantee’s”.
- 30 (4) Sections 31 and 32:  
(a) In section 31 (1) and 32, after “his” wherever occurring, insert “or her”.  
(b) In section 31 (1), after “he”, insert “or she”.

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- (c) From section 31 (2), omit “his” where firstly occurring, insert instead “the person”.
- (d) In section 31 (2), after “his” where secondly occurring, insert “or her”.
- (e) From section 31 (2), omit “he”, insert instead “the person”. 5

**PARLIAMENTARY EVIDENCE ACT 1901 No. 43****AMENDMENTS**

- (1) Section 6:
- (a) Omit “his” wherever occurring, insert instead “the witness’s”.
- (b) From section 6 (2), omit “him”, insert instead “the Treasurer”. 10
- (2) Section 7:
- (a) Omit “his” where firstly occurring, insert instead “the witness’s”.
- (b) Omit “his” where secondly occurring, insert instead “the President’s or the Speaker’s”.
- (3) Section 8: 15
- (a) Omit “his”, insert instead “a”.
- (b) Omit “him”, insert instead “the person”.
- (4) Section 9:
- (a) From section 9 (1), omit “him”, insert instead “the person”.
- (b) From section 9 (1), omit “he”, insert instead “the person”. 20
- (5) Section 10:
- (a) From section 10 (1), omit “his”, insert instead “the Clerk’s”.
- (b) From section 10 (1), omit “him”, insert instead “the Clerk”.
- (6) Section 11:
- (a) From section 11 (1), omit “his”, insert instead “the witness’s”. 25
- (b) From section 11 (1), omit “he”, insert instead “the witness”.
- (7) Section 12:
- Omit “him”, insert instead “the witness”.
- (8) Section 13: 30
- Omit “he”, insert instead “the witness”.
- (9) Second Schedule:
- (a) After “His Honour”, insert “/Her Honour”.
- (b) After “his”, insert “or her”.

## (10) Third Schedule:

- (a) Omit “his” where firstly occurring, insert instead “the Sheriff’s”.
- (b) After “him”, insert “or her”.
- (c) After “his” where secondly and thirdly occurring, insert “or her”.

5

**PAROLE ORDERS (TRANSFER) ACT 1983 No. 190****AMENDMENTS**

## (1) Section 7:

- (a) From section 7 (1) (a) and (2) (a), omit “he” wherever occurring, insert instead “the Minister”.
- 10 (b) From section 7 (1) (a), omit “him”, insert instead “the Minister”.
- (c) From section 7 (1) (b) (i) and (2) (b) (i), omit “his” wherever occurring.

## (2) Section 8:

- (a) From section 8 (1) (a), omit “him”, insert instead “the Registrar”.
- 15 (b) From section 8 (2), omit “he”, insert instead “the Registrar”.

## (3) Section 9:

From section 9 (4), omit “he” wherever occurring, insert instead “the person”.

## (4) Section 12:

- 20 (a) From section 12 (1), omit “him”, insert instead “the Minister”.
- (b) From section 12 (1), omit “his”, insert instead “the Minister’s”.

**PAWNBROKERS ACT 1902 No. 66****AMENDMENTS**

## (1) Section 3:

- 25 (a) In section 3 (2) (a), after “if” insert “the person”.
- (b) From section 3 (2) (a), omit “he” wherever occurring.
- (c) In section 3 (2) (a) (iv), after “himself”, insert “or herself”.
- (d) From section 3 (2) (b) and (c), omit “he” wherever occurring, insert instead “the person”.
- 30 (e) From section 3 (2) (b), omit “him” where firstly occurring, insert instead “the person”.
- (f) From section 3 (2) (b), omit “to him”.



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- (g) From section 3 (2) (d), omit “he” where firstly occurring, insert instead “the person”.
- (h) From section 3 (2) (d), omit “him”, insert instead “the person,”.
- (i) From section 3 (2) (d), omit “he so delivers the article”, insert instead “the article is so delivered”. 5
- (2) Section 6:  
From section 6 (3) (a), omit “him”, insert instead “the officer”.
- (3) Section 7:  
(a) From section 7 (1), omit “he” wherever occurring, insert instead “the person”. 10  
(b) From section 7 (2), omit “he has issued the licence”, insert instead “the licence has been issued”.
- (4) Sections 7A and 21:  
From sections 7A (2) and 21 (1), omit “his” wherever occurring, insert instead “the person’s”. 15
- (5) Section 8:  
(a) From section 8 (1), omit “he” wherever occurring, insert instead “the pawnbroker”.  
(b) From section 8 (3), omit “him”, insert instead “the person”. 20
- (6) Sections 9 and 18:  
From sections 9 (2) and 18 omit “he” wherever occurring, insert instead “the pawnbroker”. 20
- (7) Section 11:  
(a) From section 11 (1), omit “he” wherever occurring, insert instead “the pawnbroker”. 25  
(b) From section 11 (1) (a), omit “his”, insert instead “the pawnbroker’s”.
- (8) Section 12:  
(a) From section 12 (1), omit “his” where firstly occurring.  
(b) From section 12 (1) (a), omit “he”, insert instead “the pawnbroker”. 30  
(c) From section 12 (1) (b), omit “held in pawn by him”, insert instead “that the pawnbroker holds in pawn”.  
(d) From section 12 (1) (c) (ii), omit “his”, insert instead “the person’s”. 35

- (9) Section 13:  
    (a) From section 13 (1) (d), omit “his”, insert instead “the party’s”.  
    (b) From section 13 (1) (d), omit “him”, insert instead “the person pawning”.  
5      (c) From section 13 (2A), omit “he”, insert instead “the pawnbroker”.
- (10) Section 14:  
    (a) From section 14 (1), omit “he”, insert instead “the pawnbroker”.  
    (b) From section 14 (2), omit “him”, insert instead “the person”.  
    (c) From section 14 (3), omit “him”, insert instead “the pawnbroker”.
- 10   (11) Section 15:  
    (a) From section 15 (1) (a) and (b), omit “he” wherever occurring, insert instead “the person”.  
    (b) From section 15 (1), omit “him”, insert instead “the person”.  
    (c) From section 15 (4), omit “him”, insert instead “the pawnbroker”.
- 15   (12) Section 16:  
    (a) From section 16 (3) (a) and (b) (ii), omit “him” wherever occurring, insert instead “the pawnbroker”.  
    (b) From section 16 (3) (c), omit “he”, insert instead “the pawnbroker”.
- 20   (13) Section 16A:  
    (a) Omit “his” wherever occurring, insert instead “the pawnbroker’s”.  
    (b) Omit “him” wherever occurring, insert instead “the pawnbroker”.  
    (c) Omit “he” wherever occurring, insert instead “the pawnbroker”.
- 25   (14) Section 20:  
    From section 20 (a), omit “his”, insert instead “the pawnbroker’s”.
- (15) Section 22:  
    From section 22 (1), omit “has been held in pawn by him, he”, insert instead “the pawnbroker has held in pawn, the pawnbroker”.
- 30   (16) Section 30:  
    (a) From section 30 (1), omit “him”, insert instead “the person”.  
    (b) From section 30 (1), omit “his”, insert instead “the pawnbroker’s”.
- 35   (17) Section 32:  
    (a) Omit “he”, insert instead “the person”.  
    (b) Omit “him”, insert instead “the person”.  
    (c) Omit “his”, insert instead “the person’s”.

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- (18) Section 33:  
After “he”, insert “or she”.
- (19) Section 34:  
From section 34 (2), omit “he”, insert instead “the person”.
- (20) Sections 37 and 38: 5  
From sections 37 (1) and 38 (1), omit “him” wherever occurring, insert instead “the justice”.
- (21) Section 44:  
(a) Omit “him”, insert instead “the justice, member of the police force or other peace officer”. 10  
(b) After “his”, insert “or her”.
- (22) Section 46:  
From section 46 (2) (c), omit “him”, insert instead “the pawnbroker”.

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**PERIODIC DETENTION OF PRISONERS ACT 1981 No. 18** 15

**AMENDMENTS**

- (1) Section 5:  
From section 5 (1) (a), omit “his”, insert instead “the”.
- (2) Section 7:  
From section 7 (2), omit “him”, insert instead “the person”. 20
- (3) Section 9:  
(a) In section 9 (1), after “his”, insert “or her”.  
(b) From section 9 (2) and (3), omit “him” wherever occurring, insert instead “the periodic detainee”.  
(c) In section 9 (2) and (4), after “he” wherever occurring, insert “or she”. 25
- (4) Sections 10 and 13:  
From sections 10 (4) and 13 (1) and (2), omit “him” wherever occurring, insert instead “the periodic detainee”.
- (5) Section 12: 30  
From section 12 (1) (a) and (b) and (3) (b), omit “he” wherever occurring, insert instead “the periodic detainee”.

- (6) Section 17:
- (a) From section 17 (1) and (2), omit “him” wherever occurring, insert instead “the periodic detainee”.
- 5 (b) From section 17 (2), omit “he”, insert instead “the periodic detainee”.
- (7) Sections 24, 28 and 33:
- (a) From sections 24 (2) and (3), 28 and 33 (2), (3), (4) (a) and (b) and (5), omit “he” wherever occurring, insert instead “the periodic detainee”.
- 10 (b) From sections 24 (2) and (3), 28 and 33 (1) (e), (3), (4) (a) and (b) and (5), omit “him” wherever occurring, insert instead “the periodic detainee”.
- (8) Section 27:
- 15 (a) From section 27 (1) (c) (i) and (ii), omit “him” wherever occurring, insert instead “the person”.
- (b) From section 27 (1) (c) (ii), omit “he”, insert instead “the person”.
- (9) Section 29:
- (a) From section 29 (1), omit “he” wherever occurring, insert instead “the periodic detainee”.
- 20 (b) From section 29 (1), omit “his”, insert instead “the periodic detainee’s”.
- (10) Section 30:
- Omit “he” wherever occurring, insert instead “the periodic detainee”.
- 25 (11) Schedule 2:
- (a) From clause 3 (1) (b) and (2) (b), omit “his” wherever occurring, insert instead “the”.
- (b) From clause 3 (1) and (2), omit “he” wherever occurring, insert instead “the person”.
- 30 (c) From clause 4, omit “his”, insert instead “the person’s”.

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**PIRACY PUNISHMENT ACT 1902 No. 69**

**AMENDMENTS**

- Section 7:
- 35 (a) Omit “him”, insert instead “the person”.
- (b) Omit “, he”, insert instead “the person”.
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**PRISONERS (INTERSTATE TRANSFER) ACT 1982 No. 104****AMENDMENTS**

- (1) Section 5:  
From section 5 (2), omit “his”, insert instead “the justice’s”. 5
- (2) Section 9:  
Omit “his”. 5
- (3) Section 10:  
(a) Omit “him”, insert instead “the Minister”.  
(b) Omit “his”, insert instead “the Minister’s”. 10
- (4) Section 11:  
(a) From section 11 (1), omit “himself as he”, insert instead “himself or herself as the Minister”.  
(b) From section 11 (2), omit “him” wherever occurring, insert instead “the corresponding Minister”. 10
- (5) Section 12:  
(a) From section 12 (1), omit “his”, insert instead “the Attorney General’s”.  
(b) From section 12 (3), omit “his”. 15
- (6) Section 17:  
From section 17 (b), omit “he”, insert instead “the prisoner”. 20
- (7) Section 19:  
(a) From section 19 (b), omit “he”, insert instead “the person”.  
(b) From section 19 (c), omit “he”, insert instead “the Attorney-General of the participating State”.  
(c) From section 19 (c), omit “him”, insert instead “the person”. 25  
(d) From section 19, omit “his”, insert instead “the Attorney General’s”.
- (8) Section 24:  
(a) From section 24 (1) (b), omit “him” wherever occurring, insert instead “the prisoner”. 30  
(b) From section 24 (3), omit “him” wherever occurring, insert instead “the person”.
- (9) Section 26:  
(a) From section 26 (1), omit “him”, insert instead “the corresponding Minister”. 35  
(b) From section 26 (1) (b), omit “he”, insert instead “the prisoner”.

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- (10) Section 28:
- (a) From section 28 (6), omit “his” wherever occurring, insert instead “the person’s”.
- (b) From section 28 (6), omit “he” wherever occurring, insert instead “the person”.
- (11) Section 29:
- (a) From section 29 (1), omit “he”, insert instead “the prisoner”.
- (b) From section 29 (2), omit “him” wherever occurring, insert instead “the prisoner”.
- (12) Section 30:  
Omit “he”, insert instead “the Attorney General”.
- (13) Section 31:
- (a) From section 31 (1), omit “him” wherever occurring, insert instead “the person”.
- (b) From section 31 (1) (b), omit “he”, insert instead “the person”.
- (14) Section 32:
- (a) From section 32 (2), omit “his”, insert instead “the justice’s”.
- (b) From section 32 (4), omit “he”, insert instead “the person”.
- (c) From section 32 (6), omit “his”, insert instead “the person’s”.
- (15) Section 33:
- (a) From section 33 (1) and (2), omit “he” wherever occurring, insert instead “the person”.
- (b) From section 33 (1), omit “his”, insert instead “the person’s”.
- (16) Section 34:  
Omit “his”.

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

- (1) Section 12:
- (a) From section 12 (1), omit “He” wherever occurring, insert instead “The Registrar-General”.
- (b) From section 12 (1) and (3) (a), omit “he” wherever occurring, insert instead “the Registrar-General”.
- (c) From section 12 (1) (a), (d), (e), (g), (h), (2), (3) and (4), omit “him” wherever occurring, insert instead “the Registrar-General”.

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- (d) From section 12 (1) (h) and (4), omit “his” wherever occurring, insert instead “the Registrar-General’s”.
- (e) From section 12 (2), omit “he” wherever occurring, insert instead “the person”.
- (2) Section 12A: 5
- (a) From section 12A (2), omit “him” wherever occurring, insert instead “the Registrar-General”.
- (b) From section 12A (2), omit “he” wherever occurring, insert instead “the Registrar-General”.
- (c) From section 12A (3), omit “him” where firstly occurring, insert instead “the Registrar-General”. 10
- (d) From section 12A (3), omit “him” where secondly occurring, insert instead “that person”.
- (3) Section 12B:
- (a) Omit “he” wherever occurring, insert instead “the Registrar-General”. 15
- (b) From section 12B (2), omit “his” where firstly occurring, insert instead “the Registrar-General’s”.
- (c) From section 12B (2), omit “his” where secondly occurring, insert instead “the mortgagee’s”. 20
- (4) Section 13A:
- (a) From section 13A (2), omit “he”, insert instead “the Registrar-General”.
- (b) From section 13A (3) (a), omit “him”, insert instead “the Minister”. 25
- (c) From section 13A (3), omit “he or it”, insert instead “the Minister (or the person authorised by the Minister) or the Corporation”.
- (5) Section 13B:
- (a) From section 13B (2), omit “he”, insert instead “the Registrar-General”. 30
- (b) From section 13B (3) (a), omit “him”, insert instead “the Minister”.
- (c) From section 13B (3), omit “he or it”, insert instead “the Minister (or the person authorised by the Minister) or the Corporation”.
- (6) Sections 13C, 28C, 28GA, 28H, 28I, 96C, 96D, 96E, 96F, 96G, 105B, 123 and 137: 35
- From sections 13C, 28C (1), 28GA (1), 28H (2) (b), 28I (1), 96C, 96D (a), 96E (c) and (d), 96F (a), 96G (a), 105B (1), 123 and 137, omit “him” wherever occurring, insert instead “the Registrar-General”. 40

- (7) Section 13D:
- (a) From section 13D (2), omit “he” wherever occurring, insert instead “the Registrar-General”.
- (b) From section 13D (3), omit “his”, insert instead “the Registrar-General’s”.
- (8) Sections 13G, 28K, 28V, 39A, 40A, 56, 56A, 66 and 85:  
From sections 13G (1), 28K, 28V (2), 39A (2) (a), 40A, 56 (5), 56A (3), 66 (1) and 85 (2), omit “he” wherever occurring, insert instead, “the Registrar-General”.
- (9) Section 13H:
- (a) From section 13H (1), omit “he” wherever occurring, insert instead “the Registrar-General”.
- (b) From section 13H (1), omit “him”, insert instead “the Registrar-General”.
- (10) Section 13K:
- (a) From section 13K (1), omit “his”, insert instead “the Registrar-General’s”.
- (b) From section 13K (5), omit “he”, insert instead “the Registrar-General”.
- (11) Section 14:
- (a) From section 14 (2) (c), omit “he”, insert instead “the person”.
- (b) From section 14 (3) (a) (ii), omit “his”, insert instead “the vendor’s”.
- (c) From section 14 (6), omit “him”, insert instead “the Registrar-General”.
- (12) Section 15:  
In section 15, after “his” wherever occurring, insert “or her”.
- (13) Section 17:
- (a) From section 17 (1) and (3) (a), omit “he” wherever occurring, insert instead “the Registrar-General”.
- (b) From section 17 (2) (b), omit “himself”, insert instead “the primary applicant”.
- (14) Section 23:
- (a) From section 23 (1), omit “he”, insert instead “the primary applicant”.
- (b) From section 23 (1), (2) (b) and (c), omit “his” wherever occurring, insert instead “the”.
- (c) From section 23 (2), omit “he”, insert instead “the Registrar-General”.



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- (15) Section 23A:
- (a) From section 23A (2), omit “he”, insert instead “the Registrar-General”.
  - (b) From section 23A (3) (a), omit “his”, insert instead “the Registrar-General’s”. 5
  - (c) From section 23A (3) (a), omit “him”, insert instead “the primary applicant”.
  - (d) In section 23A (3) (c), after “he”, insert “or she”.
- (16) Sections 28D, 28N, 127 and 134: 10
- From sections 28D (b), 28N, 127 (1) and 134 (1), omit “his” wherever occurring, insert instead “the Registrar-General’s”.
- (17) Section 28E:
- (a) From section 28E (1), omit “him” wherever occurring, insert instead “the addressee”.
  - (b) From section 28E (1) (c), omit “he”, insert instead “the addressee”. 15
  - (c) From section 28E (1) (c) and (e), omit “his” wherever occurring, insert instead “the addressee’s”.
  - (d) From section 28E (3), omit “him”, insert instead “the person”.
  - (e) From section 28E (3), omit “his”, insert instead “the person’s”.
- (18) Section 28EA: 20
- (a) From section 28EA (1), omit “he” wherever occurring, insert instead “the Registrar-General”.
  - (b) From section 28EA (1) (a) and (b), omit “his” wherever occurring, insert instead “the Registrar-General’s”.
- (19) Section 28M: 25
- (a) From section 28M (4), (7) and (8), omit “he” wherever occurring, insert instead “the Registrar-General”.
  - (b) From section 28M (7) (d) omit “him”, insert instead “the Registrar-General”.
- (20) Section 28T: 30
- (a) From section 28T (1), (2) and (3), omit “he” wherever occurring, insert instead “the Registrar-General”.
  - (b) From section 28T (1) (b), omit “his”, insert instead “the Registrar-General’s”.
- (21) Section 28U: 35
- From section 28U (2), omit “his”.

## (22) Section 31A:

- (a) In section 31A (2) (a), after “himself”, insert “or herself”.
- (b) From section 31A (2A) and (4) (b), omit “him” wherever occurring, insert instead “the Registrar-General”.
- 5 (c) From section 31A (3) (a) and (5), omit “he” wherever occurring, insert instead “the Registrar-General”.
- (d) From section 31A (3) (a), omit “his”, insert instead “the Registrar-General’s”.

## (23) Section 32:

- 10 (a) From section 32 (4), (5), (6) and (7), omit “he” wherever occurring, insert instead “the Registrar-General”.
- (b) From section 32 (5), omit “him”, insert instead “the Registrar-General”.

## (24) Section 33:

- 15 (a) From section 33 (1) and (4), omit “he” wherever occurring, insert instead “the Registrar-General”.
- (b) From section 33 (1) and (4), omit “him” wherever occurring, insert instead “the Registrar-General”.

## (25) Section 33A:

- 20 (a) From section 33A (1) (a) and (c), omit “he” wherever occurring, insert instead “the Registrar-General”.
- (b) From section 33A (1) (a), omit “his” where firstly occurring, insert instead “the Registrar-General’s”.
- 25 (c) From section 33A (1) (a), omit “his” where secondly occurring, insert instead “the person’s”.
- (d) From section 33A (2) (b), omit “his” where firstly occurring, insert instead “the Registrar-General’s”.
- (e) From section 33A (2) (b), omit “his” where secondly occurring, insert instead “the person’s”.
- 30 (f) From section 33A (3), omit “he” where firstly and secondly occurring, insert instead “the Registrar-General”.
- (g) From section 33A (3), omit “he” where thirdly occurring, insert instead “the person”.
- (h) In section 33A (4C), after “himself”, insert “or herself”.
- 35 (i) From section 33A (4C), omit “he”, insert instead “the Registrar-General”.
- (j) From section 33A (5), omit “him”, insert instead “the Registrar-General”.

- (26) Section 36:
- (a) From section 36 (1A), (6A) and (7), omit “he” wherever occurring, insert instead “the Registrar-General”.
  - (b) From section 36 (4) and (10), omit “him” wherever occurring, insert instead “the Registrar-General”. 5
- (27) Section 38:
- (a) From section 38 (2) and (3), omit “him” wherever occurring, insert instead “the Registrar-General”.
  - (b) From section 38 (2), (3), (6), (7) and (8), omit “he” wherever occurring, insert instead “the Registrar-General”. 10
  - (c) In section 38 (5), after “himself”, insert “or herself”.
  - (d) From section 38 (6) (b), omit “his”, insert instead “the Registrar-General’s”.
- (28) Section 39:
- (a) From section 39 (1), omit “he” wherever occurring, insert instead “the Registrar-General”. 15
  - (b) From section 39 (1A) (b), omit “him”, insert instead “the Registrar-General”.
  - (c) From section 39 (2) and (3), omit “his” wherever occurring, insert instead “the Registrar-General’s”. 20
- (29) Sections 42 and 130:  
In sections 42 (1) (d) and 130 (3) and (4), after “he” wherever occurring, insert “or she”.
- (30) Section 43B:
- (a) From section 43B (2), omit “he” wherever occurring, insert instead “the registered proprietor”. 25
  - (b) From section 43B (2), omit “his”, insert instead “the registered proprietor”.
- (31) Section 45A:  
From section 45A (2), omit “he”, insert instead “the applicant”. 30
- (32) Section 45D:
- (a) From section 45D (2), omit “his” wherever occurring, insert instead “the person’s”.
  - (b) From section 45D (2), omit “he” wherever occurring, insert instead “the person”. 35
  - (c) From section 45D (2), omit “him”, insert instead “the person”.

- (33) Section 45E:
- (a) From section 45E (1), (2) and (6), omit “he” wherever occurring, insert instead “the Registrar-General”.
- 5 (b) From section 45E (4), omit “he”, insert instead “the possessory applicant”.
- (34) Section 45G:
- (a) In section 45G (1), after “his”, insert “or her”.
- (b) From section 45G (2) (b) and (c), omit “his” wherever occurring, insert instead “the”.
- 10 (c) From section 45G (2), omit “he”, insert instead “the Registrar-General”.
- (35) Section 46C:
- (a) From section 46C (1), omit “his”, insert instead “the Registrar-General’s”.
- 15 (b) From section 46C (4), omit “he”, insert instead “the Registrar-General”.
- (36) Section 47:
- (a) From section 47 (4) and (5), omit “he” wherever occurring, insert instead “the Registrar-General”.
- 20 (b) From section 47 (6A), omit “him”, insert instead “the Registrar-General”.
- (37) Section 51:  
Omit “he”, insert instead “the transferee”.
- (38) Section 53:  
25 From section 53 (3), omit “his”, insert instead “the lessee’s”.
- (39) Section 55:
- (a) Omit “his” where firstly occurring, insert instead “the Registrar-General’s”.
- (b) Omit “he”, insert instead “the Registrar-General”.
- 30 (c) Omit “him” where firstly occurring, insert instead “the lessee”.
- (d) Omit “his” where secondly occurring, insert instead “the lessee’s”.
- (e) Omit “him” where secondly occurring, insert instead “the Registrar-General”.
- (40) Section 57:  
35 From section 57 (3) (b), omit “he” wherever occurring, insert instead “the mortgagor, charger or covenant charger”.

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- (41) Section 58:
- (a) From section 58 (1), omit “he”, insert instead “the mortgagee, chargee or covenant chargee”.
  - (b) From section 58 (1), omit “his”, insert instead “the purchaser’s”.
  - (c) From section 58 (2), omit “him”, insert instead “the purchaser”.
  - (d) From section 58 (2), omit “he”, insert instead “the purchaser”.
- 5
- (42) Section 60:
- (a) From section 60 (c), omit “his”, insert instead “the”.
  - (b) From section 60, omit “he”, insert instead “the mortgagee, chargee or covenant chargee”.
  - (c) From section 60, omit “him”, insert instead “the mortgagee, chargee or covenant chargee”.
- 10
- (43) Section 61:
- (a) In section 61 (1), after “his”, insert “or her”.
  - (b) From section 61 (4), omit “his”, insert instead “the applicant’s”.
- 15
- (44) Section 63:
- (a) From section 63 (1), omit “his”.
  - (b) From section 63 (2), omit “his”, insert instead “the person’s”.
- (45) Section 64:
- After “him”, insert “or her”.
- 20
- (46) Section 75:
- Omit “he”, insert instead “the party”.
- (47) Section 80A:
- (a) From section 80A (2) (a), omit “him”, insert instead “the Registrar-General”.
  - (b) From section 80A (2) (a), omit “he”, insert instead “the Registrar-General”.
  - (c) From section 80A (2) (b), omit “his”, insert instead “the Registrar-General’s”.
- 25
- (48) Section 87:
- From section 87 (1) and (2), omit “his” wherever occurring, insert instead “the person’s”.
- 30
- (49) Section 91:
- (a) From section 91 (3) (b) and (6) (b), omit “his” wherever occurring, insert instead “the”.
  - (b) From section 91 (6) (b), omit “himself”, insert instead “the mortgagee”.
- 35

- (50) Section 93:  
From section 93 (4), omit “himself”.
- (51) Section 96:  
Omit “he” wherever occurring, insert instead “the fiduciary”.
- 5 (52) Sections 96I and 132:  
From sections 96I (1) and 132 (3), omit “he” wherever occurring,  
insert instead “the person”.
- (53) Section 99 (**Proprietor may vest estate jointly in himself or herself  
and others without limiting any use or without re-assignment**):  
10 After “himself”, insert “or herself”.
- (54) Section 100:  
(a) From section 100 (2) (b) and (3), omit “he” wherever occurring,  
insert instead “the Registrar-General”.  
(b) From section 100 (3), omit “his”, insert instead “the  
15 Registrar-General’s”.
- (55) Section 101:  
(a) From section 101 (1) (a), omit “him”, insert instead “the person”.  
(b) From section 101 (1), omit “his”, insert instead “the  
Registrar-General’s”.
- 20 (56) Section 104:  
(a) From section 104 (1), omit “his” wherever occurring, insert instead  
“the Registrar-General’s”.  
(b) From section 104 (1), omit “he” wherever occurring, insert instead  
“the Registrar-General”.
- 25 (57) Section 105:  
(a) From section 105 (3), omit “his”, insert instead “the  
Registrar-General’s”.  
(b) From section 105 (5), omit “he”, insert instead “the  
Registrar-General”.
- 30 (58) Section 105A:  
From section 105A (1) (f), omit “his”, insert instead “the  
mortgagee’s or chargee’s”.
- (59) Section 106:  
35 From section 106 (2) (d), omit “he or they”, insert instead “the  
person or persons”.

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- (60) Section 115:
- (a) From section 115 (2), omit “him”, insert instead “the Registrar-General”.
  - (b) From section 115 (2), omit “his”, insert instead “the Registrar-General’s”. 5
- (61) Section 117:
- (a) From section 117 (1) (b) (i), (ii) and (iii), omit “him” wherever occurring, insert instead “the Registrar-General”.
  - (b) From section 117 (1), omit “his” wherever occurring, insert instead “each such person’s”. 10
- (62) Section 121:
- (a) From section 121 (1), omit “his” where firstly occurring, insert instead “the”.
  - (b) From section 121 (1), omit “his” where secondly and thirdly occurring, insert instead “the Registrar-General’s”. 15
  - (c) In section 121 (1), after “he”, insert “or she”.
  - (d) From section 121 (2) (c) and (3), omit “him” wherever occurring, insert instead “the defendant”.
  - (e) From section 121 (3) (c), omit “his”, insert instead “the defendant’s”. 20
  - (f) From section 121 (6), omit “him”, insert instead “the Registrar-General”.
- (63) Section 122:
- From section 122 (1), omit “he”, insert instead “the applicant”.
- (64) Section 125: 25
- (a) From section 125 (1), omit “he” wherever occurring, insert instead “the defendant”.
  - (b) From section 125 (3) and (4), omit “he” wherever occurring, insert instead “the plaintiff”.
  - (c) From section 125 (6), omit “his co-defendant, as he”, insert instead “the co-defendant, as the Registrar-General”. 30
  - (d) From section 125 (7), omit “he”, insert instead “the principal defendant”.
- (65) Section 126:
- (a) From section 126 (4), omit “his”, insert instead “the person’s”. 35
  - (b) From section 126 (4), omit “him” wherever occurring, insert instead “the person”.

## (66) Section 131:

From section 131 (1), omit "his", insert instead "the person's".

## (67) Section 135:

(a) Omit "he", insert instead "a person".

5 (b) Omit "his vendor or mortgagor", insert instead "the vendor or mortgagor concerned".

## (68) Section 136:

(a) From section 136 (1), omit "him", insert instead "the possessory applicant".

10 (b) From section 136 (2) (a), omit "to him".

(c) From section 136 (2), omit "he", insert instead "the Registrar-General".

(d) From section 136 (6), omit "him", insert instead "the defendant".

## (69) Section 141:

15 In section 141 (1), after "he", insert "or she".

## (70) Section 142:

From section 142, omit "his estate", insert instead "the estate of the person who has committed such act".

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**SHERIFF ACT 1900 No. 16**

20 **AMENDMENTS**

(1) Section 4 (**Bond by sheriff for due execution of office**):

(a) Omit "by himself and", insert instead "personally and by".

(b) After "him", insert "or her".

(c) After "his" wherever occurring, insert "or her".

25 (2) Section 6:

(a) From section 6 (1), omit "he", insert instead "the surety".

(b) In section 6 (1), after "himself", insert "or herself".

(c) From section 6 (2), omit "his", insert instead "the".

## (3) Section 7:

30 From section 7 (1), omit "his", insert instead "the sheriff's".

(4) Section 8 (**Sheriff or deputy to attend Courts**):

Omit "by himself or his", insert instead "personally or by a".



- (5) Section 8A:  
Omit “his”, insert instead “the sheriff’s”.
- (6) Section 12:  
(a) Omit “him” where firstly occurring, insert instead “the sheriff”.  
(b) Omit “him” where secondly occurring, insert instead “that officer”. 5

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**SUPREME COURT (SUMMARY JURISDICTION) ACT 1967 No. 72****AMENDMENTS**

- (1) Section 4:  
From section 4 (1) (b), omit “his”, insert instead “the person’s”.
- (2) Section 5: 10  
(a) Omit “him” wherever occurring, insert instead “the person”.  
(b) Omit “he” wherever occurring, insert instead “the person”.
- (3) Section 6:  
From section 6 (2) (a), omit “him”, insert instead “the Judge”.
- (4) Section 7: 15  
(a) After “him”, insert “or her”.  
(b) After “he”, wherever occurring, insert “or she”.
- (5) Section 9:  
(a) Omit “his” wherever occurring, insert instead “a”.  
(b) Omit “he” wherever occurring, insert instead “the Judge”. 20
- (6) Section 10:  
(a) Omit “him”, insert instead “the defendant”.  
(b) Omit “his”, insert instead “the defendant’s”.
- (7) Section 11: 25  
From section 11 (1), omit “his or their”, insert instead “a”.
- (8) Section 14:  
From section 14 (1), omit “he”, insert instead “the Judge”.
- (9) Section 16:  
In section 16 (4), after “he”, insert “or she”.
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**SURVEY MARKS ACT 1902 No. 56****AMENDMENT**

Section 4 (**Penalty for unauthorised defacement or destruction of survey marks, landmarks or beacons**):

- 5 From section 4 (2), omit “he”, insert instead “the owner or occupier”.

**SYDNEY HARBOUR TRUST ACT 1900 (1901 No. 1)****AMENDMENTS**

- 10 (1) Section 42:  
 (a) Omit “his” where firstly occurring, insert instead “the person’s”.  
 (b) Omit “him”, insert instead “the Sheriff”.  
 (c) Omit “he” where firstly occurring, insert instead “the Sheriff”.  
 (d) Omit “he” where secondly occurring, insert instead “the justice”.  
 (e) Omit “his” where secondly occurring, insert instead “the justice’s”.
- 15 (2) Section 43:  
 (a) After “his”, insert “or her”.  
 (b) After “him”, insert “, her”.
- (3) Section 56:  
 After “his”, insert “or her”.
- 20 (4) Section 62:  
 Omit “him”, insert instead “the person”.
- (5) Section 77E:  
 In section 77E (1), after “his”, insert “or her”.
- 25 (6) Section 77M:  
 After “him”, insert “or her”.
- (7) Section 83:  
 (a) After “his”, insert instead “or her”.  
 (b) Omit “he”, insert instead “the Attorney-General”.
- 30 (8) Section 84:  
 (a) In section 84 (1), after “he”, insert “or she”.  
 (b) In section 84 (2), after “his”, insert “or her”.  
 (c) In section 84 (2), after “him”, insert “or her”.

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- (9) Section 85:  
 (a) Omit “he”, insert instead “the person”.  
 (b) Omit “his” wherever occurring, insert instead “the”.
- (10) Section 87: 5  
 Omit “he”, insert instead “the person”.
- (11) Section 88:  
 (a) Omit “he”, insert instead “the person”.  
 (b) Omit “his”, insert instead “the justice’s”.
- (12) Section 90: 10  
 From section 90 (2), omit “he”, insert instead “the magistrate”.
- (13) Section 91:  
 Omit “his”, insert instead “the magistrate’s”.
- (14) Section 92:  
 Omit “he”, insert instead “the magistrate”.
- (15) Section 99: 15  
 (a) Omit “him” where firstly occurring, insert instead “the officer or agent”.  
 (b) After “his”, insert “or her”.  
 (c) Omit “him” where secondly occurring, insert instead “the person”.
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- TRUSTEES OF SCHOOLS OF ARTS ENABLING ACT 1902 No. 68** 20
- AMENDMENTS**
- (1) Section 6:  
 (a) Omit “him”, insert instead “the Minister”.  
 (b) Omit “his”, insert instead “the Minister’s”.
- (2) Section 7: 25  
 (a) From section 7 (1) and (2), omit “his” wherever occurring.  
 (b) Omit “he” wherever occurring, insert instead “the Minister”.  
 (c) From section 7 (3), omit “his”, insert instead “the Minister’s”.
- (3) Section 8: 30  
 (a) Omit “his”.  
 (b) Omit “him”, insert instead “the Minister”.

## (4) Section 12:

Omit “him”, insert instead “the person”.

## (5) Section 14:

(a) From section 14 (1), omit “he”, insert instead “the trustee”.

5 (b) From section 14 (4), omit “he”, insert instead “the Minister”.

(c) From section 14 (4), omit “his”, insert instead “the Minister’s”.

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**UNCLAIMED MONEY ACT 1982 No. 174****AMENDMENTS**

## (1) Section 3:

10 (a) After “his” in paragraph (h) of the definition of “business”, insert  
“, her”.

(b) From the definition of “owner”, omit “his executors”, insert  
instead “the person’s executors”.

15 (c) From the definition of “owner”, omit “and his”, insert instead “and  
his, her”.

## (2) Sections 6, 8, 10 and 11:

From sections 6 (2), 8, 10 (5) and 11 (2), omit “him” wherever  
occurring, insert instead “the Treasurer.”

## (3) Section 10:

20 In section 10 (1), after “he”, insert “or she”.

## (4) Section 11:

(a) Omit “he” wherever occurring, insert instead “the Treasurer.”

(b) From section 11 (3) (b), omit “his”, insert instead “the person’s”.

## (5) Section 13:

25 (a) Omit “he” wherever occurring, insert instead “the officer”.

(b) From section 13 (1) (a), omit “his”, insert instead “the officer’s”.

## (6) Schedule 2, clause 7:

From clause 7, omit “it or he”, insert instead “the business or  
person”.

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**VICE-ADMIRALTY VEXATIOUS ARRESTS ACT 1901 (1902 No. 3)****AMENDMENT**

Section 5:

After “he”, insert “or she”.

**WITNESSES EXAMINATION ACT 1900 No. 34**

5

**AMENDMENT**

Section 6:

From section 6 (1), omit “his” wherever occurring.

**SCHEDULE 4—REPEALS**

	(Sec. 4)	
Economic Stability and War-time Provisions Continuance Act 1946 No. 54**		10
Murrumbidgee Electricity Undertaking Transfer Act 1955 No. 24**		
Housing Indemnities Act 1962 No. 4**		
Maintenance Act 1964 No. 74**		
Land Acquisition (The Southern Electric Authority of Queensland) Act 1967 No. 3**		15
Daylight Saving (Referendum) Act 1975 (1976 No. 2)**		
Department of Agriculture (Repeal) Act 1976 No. 49**		
Statute Law Revision Act 1976 No. 63**		
Miscellaneous Acts (Taxation) Repeal Act 1976 No. 85**		20
Maintenance (Amendment) Act 1977 No. 43*		
Bankruptcy (Repeal) Act 1978 No. 1**		
Inebriates (Amendment) Act 1979 No. 68*		
Mining (Amendment) Act 1980 No. 81*		
Credit-sale Agreements (Repeal) Act 1981 No. 126**		25
Employment Protection (Amendment) Act 1983 No. 19*		
Commercial Vessels (Amendment) Act 1983 No. 114*		
Compensation to Relatives (De Facto Relationships) Amendment Act 1984 No. 149*		
Farm Water Storages and Bores Subsidies (Amendment and Repeal) Act 1984 No. 154*		30
Prisons (Amendment) Act 1985 No. 26*		
Firearms and Dangerous Weapons (Amendment) Act 1985 No. 51*		

*Statute Law (Miscellaneous Provisions) (No. 2) 1994—Sch. 4*

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- Commercial Agents and Private Inquiry Agents (Amendment) Act 1985  
No. 53\*
- Miscellaneous Acts (Workers' Compensation) Amendment Act 1985 No. 94\*
- Miscellaneous Acts (Animal Research) Amendment Act 1985 No. 124\*
- 5 Judicial Officers (Amendment) Act 1987 No. 22\*
- Arbitration (Civil Actions) Amendment Act 1987 No. 28\*
- Miscellaneous Acts (Public Authorities Financial Arrangements) Amendment  
Act 1987 No. 34\*
- 10 Nurses Registration (Amendment) Act 1987 No. 130\*
- Closer Settlement (Miscellaneous Repeals and Amendments) Act 1987  
No. 180\*
- Miscellaneous Acts (Wilderness) Amendment Act 1987 No. 197\*
- Health Legislation (Reasons for Decisions) Amendment Act 1987 No. 275\*
- Ethnic Affairs Commission (Amendment) Act 1987 No. 288\*
- 15 Miscellaneous Acts (Marine Pollution) Amendment Act 1987 No. 300\*
- Book Purchasers' Protection (Repeal) Act 1988 No. 57\*\*
- Motor Vehicle Driving Instructors (Amendment) Act 1988 No. 83\*
- Waste Disposal (Amendment) Act 1989 No. 30\*
- Waste Disposal (Further Amendment) Act 1989 No. 38\*
- 20 Co-operation (Amendment) Act 1989 No. 55\*
- Miscellaneous Acts (Industrial and Commercial Training) Amendment Act  
1989 No. 79\*
- Bush Fires (Amendment) Act 1989 No. 115\*
- Coal Mines Regulation (Amendment) Act 1989 No. 216\*
- 25 Prisons (Serious Offenders Review Board) Amendment Act 1989 No. 219\*
- Coroners (Miscellaneous Amendments) Act 1989 No. 237\*
- Health Professional Boards Legislation (Amendment) Act 1990 No. 12\*
- Mining (Amendment) Act 1990 No. 37\*
- Prisons (Medical Tests) Amendment Act 1990 No. 40\*
- 30 Coal Mining Industry Long Service Leave (Amendment) Act 1990 No. 73\*
- Home Care Service (Amendment) Act 1990 No. 76\*
- Business Franchise Licences (Tobacco) Amendment 1991 No. 30\*
- Business Franchise Licences (Petroleum Products) Amendment Act 1991  
No. 40\*
- 35 Motor Vehicles Taxation (Amendment) Act 1991 No. 41\*
- Film and Video Tape Classification (Amendment) Act 1991 No. 74\*
- Credit (Amendment) Act 1992 No. 27\*
- Children (Care and Protection) (Child Employment) Amendment Act 1992  
No. 51\*
- 40 Supply Act 1992 No. 53\*\*
- Dairy Industry (Corporations) Amendment Act 1992 No. 58\*
- Appropriation Act 1992 No. 72\*\*

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Business Franchise Licences (Petroleum Products) Amendment Act 1992 No. 73*	
Motor Vehicles Taxation (Amendment) Act 1992 No. 74*	
Industrial Relations (Sick Leave) Amendment Act 1992 No. 87*	
Traffic (Tow Truck Penalty Notices) Amendment Act 1993 No. 14*	5
Trustee (Amendment) Act 1993 No. 18*	
Fair Trading (Lay-By) Amendment Act 1993 No. 25*	
HomeFund Select Committee (Special Provisions) Act 1993 No. 27**	
Police Service (Management) Amendment Act 1993 No. 39*	
Protection of the Environment Administration (Amendment) Act 1993 No. 40*	10
Credit (Amendment) Act 1993 No. 71*	
Motor Accidents (Amendment) Act 1993 No. 72*	
Bookmakers (Taxation) (Bet Back) Amendment Act 1993 No. 76*	
Industrial Relations (Public Vehicles and Carriers) Amendment Act 1993 No. 82*	15
Prisons (Amendment) Act 1993 No. 89*	
Anti-Discrimination (Age Discrimination) Amendment Act 1993 No. 91*	
Anti-Discrimination (Homosexual Vilification) Amendment Act 1993 No. 97*	
Bush Fires (Amendment) Act 1993 No. 98*	
Election Funding (Amendment) Act 1993 No. 104*	20
Fire Brigades (Hazardous Materials) Amendment Act 1993 No. 110*	
Health Administration (Medicare) Amendment Act 1994 No. 2*	
Bush Fires (Amendment) Act 1994 No. 24*	
Environmental Planning and Assessment (Amendment) Act 1994 No. 29*	
<b>Note:</b>	25
* 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	
<b>EXPLANATORY NOTE</b>	30
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:	35
(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.	40

**SCHEDULE 5—GENERAL SAVINGS, TRANSITIONAL AND OTHER PROVISIONS**

(Sec. 5)

**Effect of amendment of amending provisions**

5 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:

10 **“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:

15 (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,

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

**EXPLANATORY NOTE**

25 This clause ensures that amendments correcting errors in 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.

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

30 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,

35 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**

40 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.



**Approved forms**

3. If, by an amendment made by this Act, a reference to a prescribed form is replaced by a reference to an approved form, a form prescribed under the relevant provision of the Act amended and in force immediately before the commencement of the amendment is taken to be an approved form under the relevant provision of the Act, as amended by this Act, until a form is approved under that provision. 5

**EXPLANATORY NOTE**

This clause ensures that, until a form is approved for use under a provision of an Act in accordance with an amendment made by this Act, the form previously prescribed for use under the provision may continue to be used. 10

**Amendments removing gender-specific language**

4. The amendments made to an Act by Schedule 3 are made for the purposes of replacing gender-specific language with gender-neutral language. The amendments contained in that Schedule do not affect the construction or meaning of any Act. 15

**EXPLANATORY NOTE**

This clause ensures that amendments that are made solely for the purposes of removing gender-specific language from an Act do not have any unintended consequences. A similar provision is included in the Reprints Act 1972 (section 11). 20

**Regulations**

5. (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 any 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**

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. 35

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## NOTES

**Index of Acts amended by Schedules 1, 2 and 3**

- Administration of Justice Act 1924 No. 42—Sch. 2, Sch. 3  
Administration (Validating) Act 1900 No. 38—Sch. 3  
5 Annual Reports (Departments) Act 1985 No. 156—Sch. 1  
Annual Reports (Statutory Bodies) Act 1984 No. 87—Sch. 1  
Associations Incorporation Act 1984 No. 143—Sch. 1  
Bail Act 1978 No. 161—Sch. 3  
Bush Fires Act 1949 No. 31—Sch. 1  
10 Business Names Act 1962 No. 11—Sch. 1  
Children (Criminal Proceedings) Act 1987 No. 55—Sch. 1  
Children (Equality of Status) Act 1976 No. 97—Sch. 3  
Common Carriers Act 1902 No. 48—Sch. 3  
Commonwealth Places (Administration of Laws) Act 1970 No. 80—Sch. 3  
15 Community Service Orders Act 1979 No. 192—Sch. 3  
Compensation Court Act 1984 No. 89—Sch. 1  
Contractors' Debts Act 1897 No. 29—Sch. 2  
Conveyancers Licensing Act 1992 No. 55—Sch. 2  
Costs in Criminal Cases Act 1967 No. 13—Sch. 3  
20 Crimes Act 1900 No. 40—Sch. 2  
Criminal Appeal Act 1912 No. 16—Sch. 3  
Crown Advocate Act 1979 No. 59—Sch. 3  
Damages (Infants and Persons of Unsound Mind) Act 1929 No. 25—Sch. 3  
Debits Tax Act 1990 No. 112—Sch. 2  
25 Disability Services Act 1993 No. 3—Sch. 1  
District Court Act 1973 No. 9—Sch. 1  
Election Funding Act 1981 No. 78—Sch. 1  
Felons (Civil Proceedings) Act 1981 No. 84—Sch. 3  
Film and Computer Game Classification Act 1984 No. 155—Sch. 2  
30 Financial Institutions (New South Wales) Act 1992 No. 46—Sch. 2  
Fines and Penalties Act 1901 No. 16—Sch. 3  
Fisheries and Oyster Farms Act 1935 No. 58—Sch. 2  
Fisheries Management Act 1994 No. 38—Sch. 2  
Foreign Judgments Act 1973 No. 39—Sch. 3  
35 Health Care Complaints Act 1993 No. 105—Sch. 1  
Inclosed Lands Protection Act 1901 No. 33—Sch. 3  
Infants' Home, Ashfield, Act 1924 No. 13—Sch. 1  
Inheritance Act of 1901 No. 19—Sch. 3  
Insurance Act 1902 No. 49—Sch. 3  
40 Irrigation Corporations Act 1994 No. 41—Sch. 2  
Judgment Creditors' Remedies Act 1901 No. 8—Sch. 3  
Jury Act 1977 No. 18—Sch. 3

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Lie Detectors Act 1983 No. 62—Sch. 3	
Local Courts Act 1982 No. 164—Sch. 1	
Mines Inspection Act 1901 No. 75—Sch. 3	
Mining Act 1992 No. 29—Sch. 1	5
Motor Accidents Act 1988 No. 102—Sch. 2	
Native Title (New South Wales) Act 1994 No. 45—Sch. 1	
Necropolis Act 1901 (1902 No. 20)—Sch. 3	
Occupational Health and Safety Act 1983 No. 20—Sch. 1	
Ombudsman Act 1974 No. 68—Sch. 1	10
Parliamentary Evidence Act 1901 No. 43—Sch. 3	
Parole Orders (Transfer) Act 1983 No. 190—Sch. 3	
Pawnbrokers Act 1902 No. 66—Sch. 3	
Periodic Detention of Prisoners Act 1981 No. 18—Sch. 3	
Petroleum (Onshore) Act 1991 No. 84—Sch. 1	15
Piracy Punishment Act 1902 No. 69—Sch. 3	
Poisons Act 1966 No. 31—Sch. 1	
Police Service Act 1990 No. 47—Sch. 1	
Poultry Meat Industry Act 1986 No. 101—Sch. 1	
Prevention of Cruelty to Animals Act 1979 No. 200—Sch. 1	20
Prisoners (Interstate Transfer) Act 1982 No. 104—Sch. 3	
Public Finance and Audit Act 1983 No. 152—Sch. 1	
Public Notaries Act 1985 No. 6—Sch. 2	
Real Property Act 1900 No. 25—Sch. 3	
Registered Clubs Act 1976 No. 31—Sch. 2	25
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Stamp Duties Act 1920 No. 47—Sch. 2	30
Statute Law (Miscellaneous Provisions) Act 1994 No. 32—Sch. 2	
Strata Titles (Leasehold) Act 1986 No. 219—Sch. 1	
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Survey Marks Act 1902 No. 56—Sch. 3	35
Sydney Harbour Trust Act 1900 (1901 No. 1)—Sch. 3	
Teacher Housing Authority Act 1975 No. 27—Sch. 1	
Technical and Further Education Commission Act 1990 No. 118—Sch. 2	
Trade Measurement Act 1989 No. 233—Sch. 1	
Trustees of Schools of Arts Enabling Act 1902 No. 68—Sch. 3	40
Unclaimed Money Act 1982 No. 174—Sch. 3	
University of Technology, Sydney, Act 1989 No. 69—Sch. 1	
Very Fast Train (Route Investigation) Act 1989 No. 44—Sch. 1	
Vice-Admiralty Vexatious Arrests Act 1901 (1902 No. 3)—Sch. 3	

- Witnesses Examination Act 1900 No. 34—Sch. 3  
 Women's College Act 1902 No. 71—Sch. 1  
 Workers Compensation Act 1987 No. 70—Sch. 2  
 Zoological Parks Board (Conservation and Environmental Objectives)  
 5 Amendment Act 1992 No. 44—Sch. 2

#### Index of Acts repealed by Schedule 4

- Anti-Discrimination (Age Discrimination) Amendment Act 1993 No. 91\*  
 Anti-Discrimination (Homosexual Vilification) Amendment Act 1993 No. 97\*  
 Appropriation Act 1992 No. 72\*\*  
 10 Arbitration (Civil Actions) Amendment Act 1987 No. 28\*  
 Bankruptcy (Repeal) Act 1978 No. 1\*\*  
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- Prisons (Amendment) Act 1993 No. 89\*  
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5 Protection of the Environment Administration (Amendment) Act 1993 No. 40\*  
Statute Law Revision Act 1976 No. 63\*\*  
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