



ELIZABETHAE SECUNDAE REGINAE

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No. 14 of 1972

**An Act to Amend the Law Reform Commission Act 1968  
in certain particulars**

[ASSENTED TO 15TH DECEMBER, 1972]

BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

**1. Short title and citation.** (1) This Act may be cited as the *Law Reform Commission Act Amendment Act 1972*.

(2) The *Law Reform Commission Act 1968* is in this Act referred to as the Principal Act.

(3) The Principal Act as amended by this Act may be cited as the *Law Reform Commission Act 1968-1972*.

**2. Commencement.** This Act shall come into operation on a date to be fixed by Proclamation.

**3. Amendment of s. 3.** Section 3 of the Principal Act is amended by, in subsection (2), omitting the word "five" and inserting in its stead the word "seven".

**4. Amendment of s. 4.** Section 4 of the Principal Act is amended—

(a) by omitting from paragraph (b) of subsection (1) the words "for a term not exceeding three years" and inserting in their stead the words "in the case of a person qualified for appointment by the holding of judicial office for such term as may be fixed by the Governor in Council and in the case of any other person for a term not exceeding three years,"; and

(b) by adding the following subsection:—

"(4) An officer of any department of the Government of this State who at any time is appointed a member may hold such appointment in conjunction with the office for the time being held by him in the department concerned."

**5. Amendment of s. 7. Removal and vacation of office.** Section 7 of the Principal Act is amended—

(a) by inserting in subsection (1), after the words "A member" the phrase "(not being the holder of a judicial office)"; and

(b) by adding at the end thereof the following subsection:—

"(3) A member who is the holder of a judicial office shall cease to hold office as a member if he ceases to hold judicial office."

**6. Repeal of and new s. 9.** Section 9 of the Principal Act is repealed and the following section is inserted in its stead:—

"**9. Specialized assistance.** For the purpose of its examination of a particular branch of the law, the Commission may—

(a) engage on a temporary basis any person who has technical or specialized knowledge or who is experienced in that particular branch of the law; and

(b) with the approval of the Minister first had and obtained, fix and pay the remuneration and expenses of any such person."

**7. Amendment of s. 10.** Section 10 of the Principal Act is amended by—

(a) omitting subsection (2) and inserting in its stead the following subsections:—

"(2) For the purposes of carrying out its functions, the Commission shall—

(a) receive and consider any proposal for the reform of the law which may be made or referred to it;

- (b) at the request of the Minister, provide assistance to any department or instrumentality of the Government of this State by undertaking the examination of any particular branch of the law and making recommendations for the reform of that branch of the law to bring it into accord with current conditions;
- (c) prepare and submit to the Minister from time to time, or at the request of the Minister at any time, a programme for the examination, in order of priority, of different branches of the law for the purposes of reform, consolidation or statute law revision;
- (d) undertake, pursuant to approval by the Minister of any programme, and in accordance with the approved order of priority, the examination of particular branches of the law, and the formulation of recommendations for reform, consolidation or statute law revision,

and may for these purposes hold and conduct such inquiries as it thinks fit, and inform itself on any matter in such manner as it thinks fit.

(3) The Minister may vary—

- (a) any programme submitted to him by the Commission by adding or deleting or making such alteration to any particular branch or branches of the law as the Minister thinks fit; and
- (b) the order of priority on any such programme.”;

(b) renumbering the existing subsection (3) as subsection (4) and inserting therein, after the word “Any”, the words “programmes of and”.

**8. Repeal of and new s. 13.** Section 13 of the Principal Act is repealed and the following section is inserted in its stead:—

“**13. Remuneration of members.** (1) Any member (including an acting member) other than the holder of a judicial office who is appointed on a full-time basis shall receive such salary as the Governor in Council may from time to time determine.

(2) Any member (including an acting member) other than the holder of a judicial office who is appointed on a part-time basis shall receive—

- (a) such remuneration for the performance of the ordinary duties of a part-time member including attendance at any meeting of the Commission as the Governor in Council may from time to time determine; and
- (b) such remuneration for work or services performed by him which is additional to the ordinary duties of a part-time member, as the Governor in Council may from time to time in each particular case determine.

(3) All members (including acting members) shall receive such allowances for reasonable travelling expenses as the Governor in Council may from time to time determine.”.

**9. Amendment of s. 15.** Section 15 of the Principal Act is amended by in subsection (1)—

(a) inserting after the word “ Minister ” the words “ for presentation to Parliament ”; and

(b) omitting the phrase “, pursuant to any programme approved by the Minister,”.