

Queensland



STATUTE LAW REVISION ACT 1995

Act No. 57 of 1995

Queensland



STATUTE LAW REVISION ACT 1995

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Queensland



Statute Law Revision Act 1995

Act No. 57 of 1995

**An Act to amend or repeal certain Acts for the purpose of statute law
revision**

[Assented to 28 November 1995]

The Parliament of Queensland enacts—**Short title**

1. This Act may be cited as the *Statute Law Revision Act 1995*.

Commencement

2.(1) Schedules 1 and 2 contain provisions providing for particular amendments to commence on a day other than the day of assent.

(2) Also, section 4 and schedules 3 to 10 commence on the day after the day of assent.

Purpose

3. The purpose of this Act is to improve the quality of the statute law of Queensland amending or repealing Acts for the purpose of statute law revision.¹

Amended Acts—schs 1 and 2 and sch 3, pt 1

4. Schedules 1 and 2, and schedule 3, part 1, amend the Acts mentioned in them.

Repealed Acts—schs 3, pt 2 and sch 4 to 9

5.(1) The Acts mentioned in schedule 3, part 2, and schedules 4 to 7, are repealed.

(2) The Acts mentioned in schedule 8 are repealed so far as they are part of the law of Queensland.

(3) The Acts and provisions mentioned in schedule 9 are declared to be

¹ All amendments for the purpose of statute law revision are required to be concise, of a minor nature and non-controversial.

laws to which the *Acts Interpretation Act 1954*, section 20A² applies.

(4) Schedule 10 has effect.

Explanatory notes etc.

6.(1) Explanatory notes to the provisions of this Act do not form part of this Act.

(2) The provision references given at the end of the Acts mentioned in schedule 4 do not form part of this Act.

² Section 20A (Repeal does not end saving, transitional or validating effect etc.)

SCHEDULE 1**MINOR AMENDMENTS FOR STATUTE LAW
REVISION**

section 4

ABORIGINAL LAND ACT 1991**Amendment****1. Section 3, definitions “associated reserve” and “stock route”—***omit.***2. Section 3—***insert—*

‘ “associated reserve” means land—

- (a) dedicated as a reserve under the *Land Act 1994* for travelling stock requirements or watering-places; or
- (b) reserved and set apart under the *Land Act 1962* for works for obtaining, conserving, distributing or utilising water.

“stock route” see *Land Act 1994*.’.**3. Section 19(1)(c)—***omit, insert—*‘(c) a reserve under the *Land Act 1994*; or’.**4. Section 83(1)(b)—***omit, insert—*

SCHEDULE 1 (continued)

‘(b) is subject to the conditions prescribed under a regulation for the national park land or national parks generally.’.

Explanatory note

Amendments 1 to 3 make terminology changes consequential on the *Land Act 1994*.

Amendment 4 implements current drafting practice by providing that the statutory instruments used under the Act are regulations.

**AGRICULTURAL CHEMICALS DISTRIBUTION
CONTROL ACT 1966****Amendment****1. Section 22C(1) and (2)—**

omit.

2. Section 22C(3) and (4)—

renumber as section 22C(1) and (2).

Explanatory note

Amendment 1 omits provisions made redundant by recent amendments of the *Magistrates Courts Act 1921*.

Amendment 2 is a consequential renumbering amendment.

SCHEDULE 1 (continued)

AMBULANCE SERVICE ACT 1991**Amendment****1. Section 4.8(2), ‘*Art Unions and Amusements Act 1976*’—**

omit, insert—

‘*Art Unions and Public Amusements Act 1992*’.

2. Section 7.4(1)—

omit, insert—

‘7.4(1) The Governor in Council may make regulations under this Act.’.

3. Section 7.4(2), words before paragraph (a)—

omit, insert—

‘(2) A regulation may be made for or about—’.

4. Section 8.2—

omit.

5. Sections 8.10 and 8.11—

omit, insert—

‘Numbering and renumbering of Act

‘8.9 In the next reprint of this Act produced under the *Reprints Act 1992*, the provisions of this Act must be numbered and renumbered as permitted by the *Reprints Act 1992*, section 43.’.

SCHEDULE 1 (continued)

Explanatory note

Amendment 1 updates a reference.

Amendments 2 and 3 update the regulation making power in accordance with current drafting practice.

Amendments 4 and 5 omit redundant transitional provisions, and amendment 5 inserts a renumbering provision.

**AMPOL REFINERIES LIMITED AGREEMENT ACT
1964****Amendment****1. Section 4—**

omit, insert—

‘Variation of agreement

‘**4.(1)** The agreement may be varied by further agreements between the Minister and the company.

‘**(2)** However, the Minister may make a further agreement only if the proposed further agreement has been approved by regulation.

‘**(3)** The Minister must, by gazette notice, notify the date of the making of the further agreement.

‘**(4)** The agreement as varied has the force of law as if it were an enactment of this Act.

‘Regulation making power

‘**5.** The Governor in Council may make regulations under this Act.’.

Explanatory note

As the agreement under the Act as varied has the force of law, the amendment requires proposed varying agreements to be approved by regulation. The amendment

SCHEDULE 1 (continued)

also requires the date of the making of a varying agreement to be notified and inserts a regulation making power.

APIARIES ACT 1982**Amendment****1. Section 4—**

omit.

2. Section 5, heading—

omit, insert—

‘Definitions’.

3. Section 5, definitions “Director, Division of Plant Industry”, “Director-General”, “inspector”, “Minister” and “person”—

omit.

4. Section 5—

insert—

“approved form” see section 47.³

“inspector” means a person who is appointed as an inspector under this Act, and includes an honorary inspector.’.

³ Section 47 (Approval of forms)

SCHEDULE 1 (continued)

5. Section 5, definition “bee”, ‘by the Governor in Council’—*omit, insert—*

‘under a regulation’.

6. Section 5, definition “bee products”, ‘by Order in Council’—*omit, insert—*

‘under a regulation’.

7. Section 5, definition “disease”, ‘by the Governor in Council by Order in Council’—*omit, insert—*

‘under a regulation’.

8. Section 6—*omit.***9. Section 7—***omit, insert—***‘Inspectors**

‘7. The chief executive may appoint officers of the public service as inspectors for this Act.’.

10. Sections 9(3)(a), 11(3)(b) and (7)(a), 12(2)(a), 13(1), (2)(b) and (4)(a), 18(2) and 20(1), ‘prescribed form’—*omit, insert—*

‘approved form’.

SCHEDULE 1 (continued)

11. Section 10—

omit, insert—

‘Exclusion of parts of the State from part

‘10. A regulation may declare that this part, or a stated provision of this part, does not apply to a stated part of the State.’.

12. Sections 11(3)(c), 11(7)(b) and 13(2)(c) and (4)(b)—

omit.

13. Section 13(1), from ‘bees’ to ‘appliances’—

omit, insert—

‘bees or hives’.

14. Section 13(5)—

omit.

15. Section 14, ‘or failure to comply with’—

omit.

16. Section 15(1)(e), after ‘prescribed’—

insert—

‘under a regulation’.

17. Section 16(5)—

omit, insert—

‘(5) A regulation may prescribe conditions about isolation distances, and other matters, for new apiary classes.’.

SCHEDULE 1 (continued)

18. Section 18(4)—*omit, insert—*

‘(4) A regulation may exempt a person from the operation of this section.’.

19. Sections 19(4), second sentence, 22(5), 25(2), 29(2), 30(4), 31(8)(g) and 39(1), ‘the prescribed rate’—*omit, insert—*

‘the rate prescribed under a regulation’.

20. Section 20(3)—*omit.***21. Section 21(1), after ‘prescribed’—***insert—*

‘under a regulation’.

22. Section 21(2), words after ‘issued’—*omit, insert—*

‘to the person under this Act’.

23. Section 21(3), ‘the prescribed particulars’—*omit, insert—*

‘the particulars prescribed under a regulation’.

SCHEDULE 1 (continued)

24. Section 22, heading, ‘of Governor’—

omit.

25. Section 22(1) and (2)—

omit, insert—

‘**22.(1)** A regulation may declare—

- (a) that a race or strain of bees is not suitable for introduction into Queensland for beekeeping; or
- (b) that only a stated race or strain of bees may be kept in, or brought into, Queensland.

‘**(2)** A person who keeps, or brings into Queensland, a strain or race of bees in contravention of a regulation under subsection (1) commits an offence against this Act.

‘Maximum penalty—20 penalty units.’

26. Section 22(3), second sentence—

renumber as section 22(3A).

27. Section 22(3A), as renumbered—

insert—

‘Maximum penalty—20 penalty units.’

28. Section 22(6)—

omit.

SCHEDULE 1 (continued)

29. Section 27(2), ‘The Governor in Council may by Order in Council’—

omit, insert—

‘A regulation may’.

30. Section 31(1), ‘certificate in writing as prescribed’—

omit, insert—

‘certificate in the approved form’.

31. Section 31(1), ‘an approved officer of the Department of Agriculture, or the equivalent officer, in’—

omit, insert—

‘an appropriate official of’.

32. Section 31(1), words after ‘introduced’ (second mention)—

omit.

33. Section 31(5) and (6)—

omit, insert—

‘(5) A regulation may declare that subsection (1) does not apply to the introduction into Queensland of stated bees, hives, bee products or appliances, or does not apply if stated conditions are complied with.’.

SCHEDULE 1 (continued)

34. Section 31(8)(e), ‘shall be guilty of an offence and shall be liable to a penalty not exceeding \$2 000.’—*omit, insert—*

‘commits an offence.

‘Maximum penalty—40 penalty units.’.

35. Section 31(9), ‘shall be guilty of an offence and liable to a penalty not exceeding \$2 000.’—*omit, insert—*

‘commits an offence.

‘Maximum penalty—40 penalty units.’.

36. Section 32(1), from ‘The Governor’ to ‘Gazette’—*omit, insert—*

‘A regulation may’.

37. Section 32(3) and (4)—*omit, insert—*

‘(3) A person who contravenes a regulation under subsection (1) commits an offence.

‘Maximum penalty—40 penalty units.’.

38. Section 32(5), ‘or failure to comply pursuant to the Order’—*omit, insert—*

‘of a regulation’.

SCHEDULE 1 (continued)

39. Section 33(7)(b), ‘or fails to comply with’—

omit.

40. Section 33(7), ‘shall be guilty of an offence against this Act and liable to a penalty not exceeding \$2 000.’—

omit, insert—

‘commits an offence.

‘Maximum penalty—40 penalty units.’.

41. Section 33(10), first sentence—

omit, insert—

‘(10) The chief executive may, by gazette notice, declare that stated places occupied by the department are quarantine areas.’.

42. Section 33(10), ‘Director, Division of Plant Industry’—

omit, insert—

‘chief executive’.

43. Section 33(11)—

omit, insert—

‘(11) The chief executive may, by gazette notice, also declare that stated other places are quarantine areas.’.

44. Section 37, ‘Director, Division of Plant Industry,’—

omit.

SCHEDULE 1 (continued)

- 45. Section 40(1), ‘or fails to comply with’—**
omit.
- 46. Section 40(2), ‘\$500’—**
omit, insert—
‘10 penalty units’.
- 47. Section 40(3)—**
omit.
- 48. Section 41(1) and (3)—**
omit.
- 49. Section 41(2), ‘Any such’—**
omit, insert—
‘A’.
- 50. Section 44(1), ‘or Director, Division of Plant Industry,’—**
omit.
- 51. Section 44(1), ‘, in the absence of evidence to the contrary, be conclusive evidence’—**
omit, insert—
‘be evidence’.

SCHEDULE 1 (continued)

52. Section 44(2), ‘and in the absence of evidence to the contrary, conclusive evidence’—

omit.

53. Section 45(1), ‘, and in the absence of evidence to the contrary conclusive evidence,’—

omit.

54. Section 45(2), ‘in the prescribed form or to the like effect’—

omit.

55. Section 45(2), ‘and in the absence of evidence to the contrary conclusive evidence’—

omit.

56. Section 45(3)—

omit.

57. Sections 46 and 47—

omit, insert—

‘Delegations by Minister and chief executive

‘46.(1) The Minister may delegate the Minister’s powers under this Act to an officer or employee of the public service.

‘(2) The chief executive may delegate the chief executive’s powers under this Act to an officer or employee of the public service.

SCHEDULE 1 (continued)

‘Approval of forms

‘47. The chief executive may approve forms for use under this Act.

‘Regulation making power

‘48.(1) The Governor in Council may make regulations under this Act.

‘(2) A regulation may be made about the following matters—

- (a) disease control;
- (b) fees, charges and other amounts payable under this Act;
- (c) quarantine in a quarantine area under this Act;
- (d) seizure, detention and disposal of bees, hives, bee products and appliances dealt with in contravention of this Act.

‘Approved forms

‘49.(1) This section applies if—

- (a) immediately before the commencement of this section, there was a prescribed form for a matter; and
- (b) on the commencement of this section, there is to be an approved form for the matter.

‘(2) Until there is an approved form for the matter, the form that was the prescribed form for the matter immediately before the commencement of this section is taken to be the approved form for the matter.

‘(3) This section expires 3 months after it commences.

‘Numbering and renumbering of Act

‘50. In the next reprint of this Act produced under the *Reprints Act 1992*, the provisions of this Act (other than this section) must be numbered and renumbered as permitted by the *Reprints Act 1992*, section 43.’

SCHEDULE 1 (continued)

58. Schedule 1—

omit.

Explanatory note

Amendments 1, 3, 10, 33 and 41 omit spent and obsolete provisions. Amendment 13 also omits a definition replaced by amendment 4.

Amendment 2 changes a section heading in accordance with current drafting practice.

Amendment 4 replaces a definition in an updated form and includes a new definition about approved forms.

Amendments 5, 6, 7, 11, 17, 18, 24, 25, 29, 33, 36 and 38 implement current drafting practice by providing that the statutory rules used under the Act are regulations, make consequential amendments and update the drafting of some provisions.

Amendment 8 omits an unnecessary provision about the Act's administration.

Amendment 9 omits an outdated provision about inspectors and officers and replaces it with a power to appoint inspectors.

Amendments 10 and 30 change prescribed forms to approved forms in accordance with current drafting practice.

Amendment 12 omits unnecessary provisions that would have required particulars in approved forms to be prescribed under regulation.

Amendment 13 limits the operation of the section to accord with its current operation in practice. The current operation of the section is achieved by narrowing its broad potential operation by exemption.

Amendment 14 is consequential on amendment 13.

Amendments 15, 39 and 45 omit redundant wording (see *Acts Interpretation Act 1954*, section 36, definition "contravene").

Amendments 16, 19, 21 and 23 clarify provisions by providing that matters are to be prescribed by regulation.

Amendment 20 omits a provision that is now redundant (see new section 10).

Amendments 26 and 28 are consequential on amendment 27.

Amendments 27, 34, 35, 37 and 40 update the structure and wording of offence provisions.

Amendment 31 updates a reference to a department by a specific name.

SCHEDULE 1 (continued)

Amendment 32 omits unnecessary wording. The particulars to be provided in the certificate will be specified in the approved form.

Amendments 41 and 43 update the provisions dealing with the declaration of quarantine areas. The declarations are to be made by the chief executive rather than the Minister.

Amendments 42, 44 and 50 implement current drafting practice by removing references to statutory offices held by public servants.

Amendment 46 replaces a monetary penalty with a penalty expressed in penalty units.

Amendment 47 removes an unnecessary provision dealing with the persons who can bring prosecutions.

Amendment 48 omits service provisions covered in the *Acts Interpretation Act 1954*.

Amendment 49 is consequential on amendment 48.

Amendments 51, 52, 53 and 54 remove conclusive evidence provisions.

Amendment 54 removes an unnecessary reference to a prescribed form.

Amendment 56 omits a provision covered by the *Evidence Act 1977*.

Amendment 57 updates the delegation and regulation making powers in accordance with current drafting practice. It also inserts a provision allowing the chief executive to approve forms and a transitional provision that provides for a prescribed form to be taken as an approved form for a limited period.

Amendment 58 is consequential on amendment 57 so far as that amendment deals with the regulation making power.

ARCHITECTS ACT 1985**Amendment****1. Section 45(c) and (d)—**

omit.

2. Section 45(e)—

renumber as section 45(c).

SCHEDULE 1 (continued)

Explanatory note

Amendment 1 omits provisions made redundant by recent amendments of the *District Courts Act 1967*.

Amendment 2 is a consequential renumbering amendment.

ART UNIONS AND PUBLIC AMUSEMENTS ACT 1992**Amendment****1. Section 126(1), ‘for the purposes of’—**

omit, insert—

‘under’.

2. Part 11—

omit, insert—

‘PART 11—TRANSITIONAL PROVISIONS**‘Art Union Regulation Act 1930 or 1964 references**

‘**127.** In an Act or document, a reference to the *Art Union Regulation Act 1930* or the *Art Union Regulation Act 1964* may, if the context permits, be taken to be a reference to this Act.

‘Art Unions and Amusements Act 1976 references

‘**128.** In an Act or document, a reference to the *Art Unions and Amusements Act 1976* is also taken to be a reference to this Act.’.

Explanatory note

Amendment 1 updates the language of the Act’s regulation making power in accordance with current drafting practice.

SCHEDULE 1 (continued)

Amendment 2 omits redundant provisions and inserts provisions to deal with references to earlier repealed Acts that provided for substantially the same matters as this Act. The provisions will enable references to the repealed Acts to be updated in reprints (see *Reprints Act 1992*, section 22(4)).

ASSOCIATIONS INCORPORATION ACT 1981**Amendment****1. Section 5(1), definition “approved form”—**

omit, insert—

‘**“approved form”** see section 66A.⁴’.

2. Section 50K—⁵

omit.

3. After section 66—

insert—

‘Approval of forms

‘**66A.** The chief executive may approve forms for use under this Act.’.

Explanatory note

Amendment 1 inserts a definition about approved forms.

Amendment 2 omits a provision made redundant by recent amendments of the *District Courts Act 1967*.

Amendment 3 inserts a provision allowing the chief executive to approve forms for the Act.

⁴ Section 66A (Approval of forms)

⁵ This section was inserted by the *Associations Incorporation Amendment Act 1995*.

SCHEDULE 1 (continued)

AUCTIONEERS AND AGENTS ACT 1971**Amendment****1. Section 2—**

omit.

2. Section 4A—

omit.

3. Section 5, heading—

omit, insert—

‘Definitions’.

4. Section 5(1), definitions “Director-General” and “rental bond interest account”—

omit.

5. Section 5(1), definition “Deputy Registrar”, words after ‘Act’—

omit.

6. Section 5(1), definition “letting”, words after ‘businesses’—

omit.

7. Section 5(1), definition “used motor vehicle”, words after ‘a Territory’—

omit, insert—

‘or a foreign country’.

SCHEDULE 1 (continued)

8. Section 5(1)—

insert—

‘**“approved form”** see section 130C.⁶

‘**“business of letting”** includes the collecting or receiving of rents by an agent for a principal, whether or not the agent has let the house, land, estate or business concerned.

‘**“rental bond interest account”** see *Residential Tenancies Act 1994.*’.

9. Section 5(2), as a heading—

insert—

‘**Application of provisions about auctioneers and auctions**’.

10. Section 5(2)(a) and (b)—

omit, insert—

‘(a) a person selling by auction, for the State, land or other property of the State; or’.

11. Section 5(2)(g)—

omit.

12. Section 5(2) and (2A), as amended by this Act—

renumber as section 5A(1) and (2).

⁶ Section 130C (Approval of forms)

SCHEDULE 1 (continued)

13. Section 5(3), as a heading—*insert—***‘Application of provisions about real estate agents, commercial agents and motor dealers’.****14. Section 5(3), as amended by this Act—***renumber* as section 5B.**15. Section 5(4), as a heading—***insert—***‘Effect of Act on certain other laws’.****16. Section 5(4), words after ‘1867’—***omit.***17. Section 5(4), as amended by this Act—***renumber* as section 5C.**18. Section 5(5), as a heading—***insert—***‘Surrender of licence not cancellation’.****19. Section 5(5), as amended by this Act—***renumber* as section 5D.

SCHEDULE 1 (continued)

20. Part 1—*insert—***‘Exemptions**

‘5E. A regulation may exempt a person from this Act or a provision of this Act.’.

21. Section 6(4), ‘(if any) as are prescribed’—*omit, insert—*

‘as are approved by the Governor in Council’.

22. Section 12A—*omit.***23. Section 13A(8)—***omit.***24. Sections 14A(6), 15(3B), 15A(2), 18(4C), 28(4D), 29(1), 43(2)(a), 55(1), 58A, 62(1)(a), (2) and (8), 80(4), 100(1) and 126R, ‘prescribed form’—***omit, insert—*

‘approved form’.

25. Sections 16(4), 17(1) and 27(1), ‘form prescribed’—*omit, insert—*

‘approved form’.

SCHEDULE 1 (continued)

26. Section 17(1)(a)—

omit.

27. Section 25(1), ‘, in such form and manner as may be prescribed,’—

omit.

28. Section 27(1)(a)—

omit.

29. Section 32(1), ‘, in such form and manner as may be prescribed,’—

omit.

30. Section 33(1), ‘(including any Territory under the trusteeship of the Commonwealth)’—

omit.

31. Section 40(2)—

omit, insert—

‘(2) The code must be approved by regulation.’.

32. Sections 43(2) and 44, penalty—

omit, insert—

‘Maximum penalty—100 penalty units.’.

SCHEDULE 1 (continued)

33. Section 45(2)—*omit, insert—*

‘(2) The code must be approved by regulation.’

34. Section 51(1) and (2), penalty—*omit, insert—*

‘Maximum penalty—100 penalty units.’

35. Section 53(2)—*omit, insert—*

‘(2) The code must be approved by regulation.’

36. Section 58A, penalty—*omit, insert—*

‘Maximum penalty—100 penalty units.’

37. Section 60(2)—*omit, insert—*

‘(2) The code must be approved by regulation.’

38. Sections 62(1), 63(1) and (2) and 65(1) and (1A), penalty—*omit, insert—*

‘Maximum penalty—100 penalty units.’

SCHEDULE 1 (continued)

39. Section 66(9) and 68(9), words after ‘this Act’—*omit, insert—*

‘Maximum penalty—100 penalty units or 12 months imprisonment.’.

40. Section 71(1), words after ‘this Act’—*omit, insert—*

‘Maximum penalty—100 penalty units or 12 months imprisonment.

‘Minimum penalty—10 penalty units.’.

41. Sections 76(1) and (2) and 77, penalty—*omit, insert—*

‘Maximum penalty—100 penalty units.’.

42. Section 80(5), ‘\$10’—*omit, insert—*

‘half a penalty unit’.

43. Section 81B(a)—*omit, insert—*

‘(a) that, in Queensland or elsewhere, the person has been convicted of an indictable offence or an offence that makes the person unfit to be a licensed or registered individual;’.

44. Section 81G(b), ‘\$1 000’—*omit, insert—*

‘20 penalty units’.

SCHEDULE 1 (continued)

45. Section 82—

omit, insert—

‘Exemptions

‘**82.(1)** A regulation may exempt a licensee from complying with all or any of the provisions of the division.

‘**(2)** This division applies to amounts obtained from the sale of wool only to the extent that a regulation provides that it is to apply.’.

46. Section 83(12)—

omit, insert—

‘**(12)** A person who contravenes this section commits an offence.

‘Maximum penalty—100 penalty units.’.

47. Section 85, words after ‘crime’—

omit, insert—

‘Maximum penalty—200 penalty units or 5 years imprisonment.’.

48. Section 90(7)—

omit, insert—

‘**(7)** A person who contravenes this section commits an offence.

‘Maximum penalty—

(a) for a first offence—40 penalty units or 6 months imprisonment;
or

(b) for a second or subsequent offence—100 penalty units or
12 months imprisonment.

‘Maximum penalty for a second or subsequent offence—10 penalty units.’.

SCHEDULE 1 (continued)

49. Section 99(3) and (4), ‘Gazette notice’—*omit, insert—*

‘regulation’.

50. Section 100(1), ‘notification of the Governor in Council’—*omit, insert—*

‘regulation’.

51. Section 106(8), words after ‘this Act’—*omit, insert—*

‘Maximum penalty—100 penalty units.’.

52. Section 126A, definition “pastoral house”—*omit, insert—*‘**“pastoral house”** means a corporation declared under a regulation to be a pastoral house for this part.’.**53. Section 130(1), words after ‘that offence’—***omit, insert—*

‘, to a maximum penalty of 40 penalty units or 6 months imprisonment.’.

54. After section 130B—*insert—***‘Approval of forms**‘**130C.** The chief executive may approve forms for use under this Act.’.

SCHEDULE 1 (continued)

55. Section 131, words before paragraph (a)—

omit, insert—

‘Regulation making power

‘**131.(1)** The Governor in Council may make regulations under this Act.

‘**(2)** A regulation may be made for or about the following matters—’.

56. Section 131(a), words after ‘the proceedings of the Committee’—

omit.

57. Section 131(e), (h) and (i), ‘form and’—

omit.

58. Section 131(q), ‘\$500’—

omit, insert—

‘10 penalty units’.

59. Section 131(s)—

omit.

60. Section 132—

omit, insert—

‘Approved forms

‘**132.(1)** This section applies if—

- (a) immediately before its commencement, there was a prescribed form for a matter; and
- (b) on the commencement, there is to be an approved form for the matter.

SCHEDULE 1 (continued)

‘(2) Until there is an approved form for the matter, the form that was the prescribed form for the matter immediately before the commencement is taken to be the approved form for the matter.

‘(3) This section expires 3 months after it commences.

‘Numbering and renumbering of Act

‘**133.** In the next reprint of this Act produced under the *Reprints Act 1992*, the provisions of this Act (other than sections) must be numbered and renumbered as permitted by the *Reprints Act 1992*, section 43.’.

Explanatory note

Amendment 1 omits an obsolete commencement provision.

Amendment 2 is consequential on amendment 20.

Amendment 3 replaces a provision heading in accordance with current drafting practice.

Amendment 4 omits an obsolete definition and a definition updated by amendment 8.

Amendment 5 omits wording made redundant by amendments of the *Acts Interpretation Act 1954*.

Amendment 6 is consequential on amendment 8.

Amendment 7 updates a definition in accordance with current drafting practice.

Amendment 8 inserts replacement definitions and a new definition about approved forms.

Amendments 9, 13, 15 and 18 insert provision headings for sections renumbered from subsections.

Amendment 10 updates language in accordance with current drafting practice.

Amendments 11, 26, 28 and 30 omit obsolete provisions.

Amendments 12, 14, 17 and 19 renumber subsections as sections.

Amendment 16 omits obsolete references.

Amendment 20 inserts a relocated (and updated) section dealing with exemptions.

Amendment 21 removes the need for fees and allowances of members of the committee to be prescribed by regulations. Fees and allowances will continue to be

SCHEDULE 1 (continued)

approved by the Governor in Council.

Amendment 22 omits a provision made redundant by amendments of the *Acts Interpretation Act 1954*.

Amendment 23 omits a provision made redundant by recent amendments of the *Supreme Court of Queensland Act 1991* and the *District Courts Act 1967*.

Amendments 24 and 25 are consequential on amendment 54.

Amendments 27 and 29 remove provisions dealing with the keeping of registers as required by regulation.

Amendments 31, 33, 35, 37, 45, 49, 50 and 52 implement current drafting practice by providing that the statutory instruments under the Act are regulations.

Amendments 32, 34, 36, 38 to 42, 44, 46 to 48, 51, 53 and 58 change penalties expressed in dollars and update the wording of some provisions.

Amendment 43 omits wording made redundant by amendments of the *Acts Interpretation Act 1954*.

Amendment 54 inserts a provision allowing the chief executive to approve forms for the Act.

Amendments 55, 57 and 59 update the regulation making power in accordance with current drafting practice.

Amendment 56 removes an unnecessary power to prescribe fees and allowances for committee members by regulation.

Amendment 60 omits a provision made redundant by the *Statutory Instruments Act 1992* and inserts a transitional provision that provides for a prescribed form to be taken as an approved form for a limited period. The amendment also inserts a provision providing for the Act (other than sections) to be renumbered in the next reprint of the Act produced under the *Reprints Act 1992*.

BRIGALOW AND OTHER LANDS DEVELOPMENT ACT 1962

Amendment

1. Section 1—

omit.

SCHEDULE 1 (continued)

2. Section 2(1), definitions “Agreement”, “chief executive” and “declared area”—

omit.

3. Section 2(1)—

insert—

‘ **“agreement”** means the agreement that was set out in the *Brigalow and Other Lands Development Act 1962*, schedule.’.

4. Section 2(2)—

omit.

5. Section 3—

omit.

6. Sections 5A, 20(2)(d), 23(1), 25(1), 26, 27 and 29(1), ‘this Act’—

omit, insert—

‘this part’.

7. Section 5B—

omit.

8. Sections 8, 9(1), 12 and 13—

omit.

SCHEDULE 1 (continued)

9. Section 15, ‘the Land Act’—*omit, insert—*

‘this Act’.

10. Section 16, ‘of the Land Act’—*omit.***11. Section 17—***omit.***12. Section 18(2), ‘of the Land Act’—***omit.***13. Section 18(2), ‘section 393’—***omit, insert—*

‘section 174’.

14. Section 18(2), proviso—*omit.***15. Sections 20(2)(c), ‘this Act and the Land Act’—***omit, insert—*

‘this part’.

16. Section 20(2)(e), (4) and (5)—*omit.*

SCHEDULE 1 (continued)

17. Sections 21, 23, 24, 24A and 24B—

omit.

18. Section 25(2)—

omit.

19. Section 28—

omit.

20. Section 29(1), ‘Department of Lands’—

omit, insert—

‘department’.

21. Section 29(2) and (3)—

omit.

22. Section 30—

omit, insert—

‘Application of Act to purchase leases

‘**30.(1)** The provisions of this Act applying to a grazing homestead freeholding lease apply, with all necessary changes and any changes prescribed under a regulation, to purchase leases issued under the *Brigalow and Other Lands Development Act 1962*.

‘**(2)** To remove any doubt, the relocation of the sections in this part does not affect the amount or time of a repayment or the interest or penalty interest rates applying to purchase leases issued under the *Brigalow and Other Lands Development Act 1962*.’.

SCHEDULE 1 (continued)

23. Section 31—

omit.

24. Schedule 1—

omit.

25. Sections 2 to 30, as amended by this Act—

relocate to *Land Act 1994*, chapter 8, part 7A and *renumber* starting with section 506A.

Explanatory note

Amendments 1 to 24 remove unnecessary provisions, and make consequential and minor technical amendments before the relocation of the operative provisions of the Act.

Amendment 25 relocates the remaining provisions of the Act to the *Land Act 1994* to enable the Act to be repealed.

CHARITABLE FUNDS ACT 1958**Amendment****1. Section 29—**

omit.

Explanatory note

This amendment omits a provision made redundant by recent amendments of the *Supreme Court of Queensland Act 1991*.

SCHEDULE 1 (continued)

**CHEMICAL USAGE (AGRICULTURAL AND
VETERINARY CONTROL) ACT 1988****Amendment****1. Section 22C(1) and (2)—**

omit.

2. Section 22C(3) and (4)—

renumber as section 22C(1) and (2).

3. Section 28(2)(a), after ‘committed;’—

insert—

‘or’.

Explanatory note

Amendment 1 omits provisions made redundant by recent amendments of the *Magistrates Courts Act 1921*.

Amendment 2 is a consequential renumbering amendment.

Amendment 3 corrects a minor inconsistency.

CHILDRENS COURT ACT 1992**Amendment****1. Section 7(2) to (4)—**

omit, insert—

‘(2) The Governor in Council may, with the president’s agreement, make rules of court (the “**Childrens Court Rules**”) under this Act.

SCHEDULE 1 (continued)

‘(3) A rule may make provision about any matter—

- (a) that is required or permitted to be prescribed under a law giving jurisdiction to the Childrens Court; or
- (b) that is necessary or convenient to be prescribed for carrying out or giving effect to a law giving jurisdiction to the Childrens Court.

‘(4) In particular, a rule may make provision about the procedure of the Childrens Court, including the matters that may be dealt with in chambers or by a court official.’

2. Section 29—

omit, insert—

‘Regulation making power

‘29. The Governor in Council may make regulations under this Act.’

3. Schedule—

omit.

Explanatory note

Amendment 1 revises the power to make rules of court for the Childrens Court to bring it more closely into line with revised rule making powers of the Supreme Court and other courts.

Amendment 2 replaces the regulation making power to bring it fully into line with current drafting practice.

Amendment 3 omits transitional provisions.

SCHEDULE 1 (continued)

CHIROPRACTORS AND OSTEOPATHS ACT 1979**Amendment****1. Section 4, definitions “medical practitioner”, “register” and “registrar”—**

omit.

2. Section 4—

insert—

‘**“approved form”** see section 39.7

“register” means the register of chiropractors and osteopaths kept under this Act.

“registrar” means the registrar of the board.’.

3. Section 6(4) to (6)—

omit.

4. Section 7(1), ‘by notification published in the Gazette’—

omit.

5. Section 7A—

omit.

6. Section 8(2), ‘, by notification published in the Gazette,’—

omit.

⁷ Section 39 (Approval of forms)

SCHEDULE 1 (continued)

7. Section 9(1) and (1A)—

omit, insert—

‘**9.(1)** The appointment of a member of the board (other than a member appointed to fill a casual vacancy) is to be for a term of 3 years.’.

8. Section 9(3)(e)—

omit, insert—

‘(e) is convicted of an indictable offence or an offence against this Act; or’.

9. Section 11(1A)—

omit.

10. Section 11(3)—

omit.

11. Section 13(1), words after ‘Council’—

omit.

12. Sections 18(1)(a), 19(1), 20(1), 21(1) and 22(1), ‘prescribed form’—

omit, insert—

‘approved form’.

13. Section 25(1)(a)—

omit, insert—

‘(a) has been convicted of an indictable offence; or’.

SCHEDULE 1 (continued)

14. Section 25(3)(c), ‘\$2 000’—*omit, insert—*

‘35 penalty units’.

15. Section 28(4) and (4A)—*omit.***16. Section 30(1), penalty, ‘\$1 500’—***omit, insert—*

‘30 penalty units’.

17. Section 31(1), ‘, with the approval of the Governor in Council,’—*omit.***18. Section 31—***insert—*

‘(3) A rule must be approved by regulation.’.

19. Section 33(1), penalty, ‘\$1 500’—*omit, insert—*

‘30 penalty units’.

20. Section 34(1), ‘\$2 000’—*omit, insert—*

‘35 penalty units’.

SCHEDULE 1 (continued)

21. Section 37(2)—

omit.

22. Section 38(1)—

omit, insert—

‘**38.(1)** The board may make by-laws under this Act.’.

23. Section 38(2), words before paragraph (a)—

omit, insert—

‘**(2)** A by-law may be made for or about—’.

24. Section 38(2)(h)—

omit.

25. Section 38(2)(i), ‘\$1 500’—

omit, insert—

‘30 penalty units’.

26. Section 38(2)(m)—

omit.

27. Section 38(3)—

omit, insert—

‘**(3)** A by-law must be approved by the Governor in Council.⁸’.

⁸ A by-law is subordinate legislation (see *Statutory Instruments Act 1992*, sections 7, 8(b)(i) and 9(1)(a)).

SCHEDULE 1 (continued)

28. Sections 39, 40 and 41—

omit, insert—

‘Approval of forms

‘39. The board may approve forms under this Act.’.

‘PART 5—TRANSITIONAL PROVISIONS**‘Chiropractic Manipulative Therapists Act 1979 references**

‘40. In an Act or document, a reference to the *Chiropractic Manipulative Therapists Act 1979* is a reference to this Act.

‘Chiropractic manipulative therapy and therapist references etc.

‘41.(1) In an Act or document, a reference to chiropractic manipulative therapy is a reference to chiropractic and osteopathy.

‘(2) In an Act or document, a reference to a chiropractic manipulative therapist is a reference to a chiropractor and osteopath.

‘(3) In an Act or document, a reference to the Chiropractic Manipulative Therapists Board is a reference to the board constituted under this Act.

‘Approved forms

‘42.(1) This section applies if—

- (a) immediately before its commencement, there was a prescribed form for a matter; and
- (b) on the commencement, there is to be an approved form for the matter.

‘(2) Until there is an approved form for the matter, the form that was the prescribed form for the matter immediately before the commencement is

SCHEDULE 1 (continued)

taken to be the approved form for the matter.

‘(3) This section expires 6 months after it commences.’.

Explanatory note

Amendments 1 and 2 omit definitions and wording made redundant by amendments of the *Acts Interpretation Act 1954*. Amendment 2 also inserts a new definition “approved form” and updates the wording of definitions.

Amendments 3, 5 and 9 omit redundant transitional provisions.

Amendments 4, 6 and 7 remove the need for appointments to be made by gazette notice. Amendment 7 also updates language in accordance with current drafting practice and removes obsolete transitional wording.

Amendments 8 and 13 omit wording made redundant by amendments of the *Acts Interpretation Act 1954*.

Amendment 10 omits a provision made redundant by the *Acts Interpretation Act 1954*.

Amendment 11 revises, in accordance with government policy, a provision preventing fees and allowances being paid to officers of the public service.

Amendment 12 changes references to prescribed forms to approved forms in accordance with current drafting practice and government policy.

Amendments 14, 16, 19, 20, 25 and 26 change penalties expressed in dollars.

Amendment 15 omits provisions made redundant by recent amendments of the *District Courts Act 1967*.

Amendment 17 is consequential on amendment 18.

Amendment 18 provides that rules of practice must be approved by regulation.

Amendment 21 omits a provision made redundant by the *Acts Interpretation Act 1954* (see section 49(2)).

Amendments 22, 23, 26 and 27 omit redundant provisions and revise the board’s by-law making power to bring it into line with current drafting practice.

Amendment 24 omits a redundant power to prescribe forms by by-law.

Amendment 28 omits a provision made redundant by the *Statutory Instruments Act 1992* and transitional and validating provisions. The effect of the later provisions is preserved by the *Acts Interpretation Act 1954*, section 20A.

Amendment 28 also inserts a provision allowing the board to approve forms and also provisions to deal with references to the Act by its previous short title and certain

SCHEDULE 1 (continued)

outdated terms. The references will ensure the references can be updated in reprints. In addition, the amendment inserts a transitional provision that provides for a prescribed form to be taken as an approved form.

CITY OF BRISBANE ACT 1924**Amendment****1. Section 134—**

insert—

‘(4) Words and expressions used in this section and in the repealed *Land (Mt Coot-tha Television Stations) Sales Act 1986* continue to have the same respective meanings as they had in that repealed Act.’

Explanatory note

This amendment is consequential on the relocation to this Act of a section of the repealed *Land (Mt Cooth-tha Television Stations) Sales Act 1986*.

**CLASSIFICATION OF COMPUTER GAMES AND
IMAGES (INTERIM) ACT 1995****Amendment****1. Section 6(2), ‘with’—**

omit, insert—

‘of’.

2. Section 8, heading, ‘of computer’—

omit, insert—

‘of, computer’.

SCHEDULE 1 (continued)

3. Section 8, ‘classification of’—*omit, insert—*

‘classification of.’

4. Section 59(2)(b), ‘person or body’—*omit, insert—*

‘entity’.

5. Section 61(1), ‘and’—*omit, insert—*

‘or’.

6. Schedule 2, definition “computer game”, paragraph (d), ‘other program’—*omit, insert—*

‘other than a program’.

Explanatory note

The amendments correct minor errors.

COLLECTIONS ACT 1966**Amendment****1. Section 1(2)—***omit.*

SCHEDULE 1 (continued)

2. Section 5(1), definitions “police officer” and “Public Trustee”—

omit.

3. Section 5(1)—

insert—

‘ “approved form” see section 42A.⁹’.

4. Section 5(1), definition “appeal for support”, ‘For the purposes of this definition—’—

omit.

5. Section 5(1), definition “appeal for support”, definitions “advertisement” and “notification”, before ‘includes’—

insert—

‘, for the definition “appeal for support”,’.

6. Section 5(1), definition, “appeal for support”, definitions “advertisement” and “notification”—

relocate in section 5(1).

7. Section 5, definition “charitable purpose”, paragraph (f)—

omit, insert—

‘(f) a purpose declared under a regulation to be a charitable purpose for this Act.’.

⁹ Section 42A (Approval of forms)

SCHEDULE 1 (continued)

8. Section 5, definition “charity”, from ‘of such a class’ to ‘order in council’—

omit, insert—

‘declared to be charities under a regulation’.

9. Section 5, definition “community purpose”, paragraph (b)—

omit, insert—

‘(b) the objects of an association prescribed under a regulation for the provisions of this Act stated in the regulation;’.

10. Section 5, definition “community purpose”, paragraph (e)—

omit, insert—

‘(e) a purpose declared under a regulation to be a community purpose for this Act or particular provisions of this Act;’.

11. Section 5, definition “community purpose”, from ‘but does not’ to ‘order in council’—

omit, insert—

‘but does not include—

(f) the objects of an association declared under a regulation not to be a community association for this Act or particular provisions of this Act; and

(g) a purpose declared under a regulation not to be a community purpose for this Act or particular provisions of this Act.’.

12. Section 6(1A)—

omit.

SCHEDULE 1 (continued)

13. Section 8—

omit, insert—

‘Delegation by Minister

‘8. The Minister may delegate the Minister’s powers under this Act to an officer or employee of the public service.’.

14. Section 12(1A) to (6)—

renumber.

15. Section 13—

omit, insert—

‘Art union authorities to be treated as sanctions

‘13. For this part, if an appeal for support for a purpose consists only of conducting an art union authorised by an authority under the *Art Unions and Public Amusements Act 1992*, the authority is to be treated as a sanction given under this Act for the purpose.

‘Parent and Citizens Associations

‘13A. For this part, the objects of a parent and citizens association under the *Education (General Provisions) Act 1989* are taken to be sanctioned under this Act.’.

16. Section 14(1), heading—

omit, insert—

‘Definitions for part’.

SCHEDULE 1 (continued)

17. Section 14(1), ‘or for the purposes of’—

omit.

18. Section 14(1), definition “door-to-door appeal”, paragraph (e)—

omit, insert—

‘(e) doing anything else declared under a regulation to be a door-to-door appeal;’.

19. Section 14(1), definition “street collection”, paragraph (d)—

omit, insert—

‘(d) doing anything else declared under a regulation to be a street collection;’.

20. Section 14(2)—

renumber as section 14A.

21. Section 15(1)—

omit, insert—

‘**15.(1)** This section applies only to cities or towns, or cities and towns in a part of the State, specified under a regulation.’.

22. Section 15(4A) to (5)—

renumber.

SCHEDULE 1 (continued)

23. Section 16(1)—

omit, insert—

‘**16.(1)** This section applies only to cities or towns, or cities or towns in a part of the State, specified under a regulation.’.

24. Section 16(4A) to (5)—

renumber.

25. Section 18(1A) to (4)—

renumber.

26. Section 19(4) to (4E)—

omit.

27. Section 19(9), ‘prescribed form’—

omit, insert—

‘approved form’.

28. Section 19(1A) to (11)—

renumber.

29. Section 19A—

omit.

SCHEDULE 1 (continued)

30. Section 30(1), ‘permitted under the *Art Union Regulation Act 1964*’—

omit, insert—

‘authorised under the *Art Unions and Public Amusements Act 1992*’.

31. Section 30(1)(c), ‘and if and where prescribed in the form prescribed’—

omit, insert—

‘in the approved form’.

32. Section 35(1), from ‘and the Governor in Council’ to ‘any of that property’—

omit, insert—

‘a regulation may vest all or any of the property in the Public Trustee’.

33. Section 35(2), ‘by an order in council under this section’—

omit, insert—

‘under the regulation’.

34. Section 35(3)—

omit, insert—

‘(3) A regulation may amend the trusts or purposes and vest the property, or part of the property, in a person for charitable or community purposes.’.

35. Section 35(4)—

omit.

SCHEDULE 1 (continued)

36. Section 35(5) and (6)—

renumber.

37. Section 35A(4), ‘by notification published in the Gazette’—

omit.

38. Section 35A(6)—

omit, insert—

‘(6) The Public Trustee may appoint a person employed in the Public Trustee’s office to represent the Public Trustee on the committee.’.

39. Section 35A(7) and (10), ‘, by notification published in the Gazette,’—

omit.

40. Section 35A(15) and (18)—

omit.

41. Section 35A(9A) to (17)—

renumber.

42. Section 35B(2), ‘the Governor in Council may, by order in council,’—

omit, insert—

‘a regulation may’.

SCHEDULE 1 (continued)

43. Section 35B(3)—

omit.

44. Section 35B(5)—

omit.

45. Section 35B(6), from ‘In any case’ to ‘relief fund and’—

omit, insert—

‘If a regulation is made under this section about a fund declared, under a regulation, to be a disaster relief fund and’.

46. Section 35B(6)(a) and (b), ‘order in council’—

omit, insert—

‘regulation’.

47. Section 35B(6A) to (9)—

renumber.

48. Section 35C(2A) and (3)—

renumber.

49. After section 42—

insert—

‘Approval of forms

‘**42A.** The chief executive may approve forms for use under this Act.’.

SCHEDULE 1 (continued)

50. Section 47(1)—*omit, insert—*

‘**47.(1)** The Governor in Council may make regulations under this Act.’.

51. Section 47(2) and (2A)—*omit.***52. Section 47(3), ‘Without limiting the generality of subsections (1) to (2B), regulations’—***omit, insert—*

‘Regulations’.

53. Section 47(3)(a) and (zx)—*omit.***54. Section 47(1) to (3)—***renumber.***55. Section 48—***omit, insert—***‘Approved forms**

‘**48.(1)** This section applies if—

- (a) immediately before its commencement, there was a prescribed form for a matter; and
- (b) on the commencement, there is to be an approved form for the matter.

‘**(2)** Until there is an approved form for the matter, the form that was the

SCHEDULE 1 (continued)

prescribed form for the matter immediately before the commencement is taken to be the approved form for the matter.

‘(3) This section expires 3 months after it commences.’.

Explanatory note

Amendment 1 omits a spent provision.

Amendment 2 omits unnecessary definitions.

Amendments 3, 27 and 31 are consequential on amendment 49.

Amendments 4 and 5 are consequential on amendment 6.

Amendment 6 relocates as separate definitions definitions presently part of other definitions.

Amendments 7 to 11, 18, 19, 21, 23, 32 to 34, 42, 45 and 46 implement current drafting practice by providing that the statutory rules used under the Act are regulations.

Amendment 12 omits a subsection made obsolete by the *Acts Interpretation Act 1954*.

Amendment 13 revises a delegation provision in accordance with current drafting practice.

Amendments 14, 22, 24, 25, 28, 36, 41, 47, 48 and 54 are renumbering amendments.

Amendment 15 replaces provisions to update Act references and bring the drafting of the provisions in line with current drafting practice.

Amendment 16 replaces a provision heading in accordance with current drafting practice.

Amendments 17 and 52 updates language in accordance with current drafting practice.

Amendment 20 renumbers a subsection as a section.

Amendments 26 and 29 omit obsolete transitional provisions.

Amendment 30 updates a reference to an Act.

Amendment 35 omits an unnecessary provision.

Amendments 37 and 39 remove the need to make appointments by gazette notice.

Amendment 38 simplifies and updates a provision in accordance with current drafting practice.

SCHEDULE 1 (continued)

Amendments 40 and 53 omit obsolete and unnecessary provisions.

Amendments 43 and 44 omit unnecessary provisions.

Amendment 49 inserts a provision allowing the chief executive to approve forms for the Act.

Amendment 50 updates the regulation making power in accordance with current drafting practice.

Amendment 51 omits provisions made obsolete by the *Statutory Instruments Act 1992*.

Amendment 55 omits a provision made obsolete by the *Statutory Instruments Act 1992* and inserts a transitional provision that provides for a prescribed form to be taken as an approved form for a certain period.

COMMONWEALTH ALUMINIUM CORPORATION PTY. LIMITED AGREEMENT ACT 1957

Amendment

1. Section 3, second sentence—

omit.

2. Sections 4 and 5—

omit, insert—

‘Variation of agreement

‘4.(1) The agreement may be varied by further agreements between the Minister and the company.

‘(2) However, the Minister may make a further agreement only if the proposed further agreement has been approved by regulation.

‘(3) The Minister must, by gazette notice, notify the date of the making of the further agreement.

‘(4) The agreement as varied has the force of law as if it were an enactment of this Act.

SCHEDULE 1 (continued)

‘Regulation making power

‘5. The Governor in Council may make regulations under this Act.’.

Explanatory note

Amendment 1 omits a redundant provision.

Amendment 2 implements current drafting practice by providing that the statutory rules used under the Act are regulations and requires that the date of the making of a varying agreement be notified. The amendment also inserts a regulation making power.

**COMMONWEALTH AND STATE HOUSING
AGREEMENT ACT 1990****Amendment****1. Section 4—**

omit, insert—

‘Variation of agreement

‘4.(1) The agreement may be varied by further agreements between the State and Commonwealth.

‘(2) However, a further agreement may be made only if the proposed further agreement has been approved by regulation.

‘(3) The Minister must, by gazette notice, notify the date of the making of the further agreement.

‘(4) The agreement as varied has the force of law as if it were an enactment of this Act.

‘Regulation making power

‘5. The Governor in Council may make regulations under this Act.’.

SCHEDULE 1 (continued)

Explanatory note

As the agreement under the Act as varied has the force of law, the amendment requires proposed varying agreements to be approved by regulation. The amendment also requires the date of the making of a varying agreement to be notified and inserts a regulation making power.

CO-OPERATIVE AND OTHER SOCIETIES ACT 1967**Amendment****1. Section 1—**

omit, insert—

‘Short title

‘**1.** This Act may be cited as the *Cooperative and Other Societies Act 1967*.’.

2. Section 5, definition “registrar”—

omit.

3. Section 5—

insert—

‘**“approved form”** see section 119A.¹⁰

“registrar” means the registrar of cooperative and other societies.’.

4. Section 9(2)—

renumber as section 9A.

¹⁰ Section 119A (Approval of forms)

SCHEDULE 1 (continued)

5. Section 10(2), words before ‘the rendering’—*omit, insert—***‘(2) In subsection (1)—****“business, trade, or industry” includes, for example,’.****6. Section 32(1), heading—***omit, insert—***‘Effect of incorporation’.****7. Section 32(2), heading—***omit.***8. Section 34(4), ‘prescribed form’—***omit, insert—***‘approved form’.****9. Section 35(3)—***omit.***10. Section 80(1), heading, ‘Secretary’—***omit.***11. Section 80(4), heading—***omit.*

SCHEDULE 1 (continued)

12. Section 92(3)—

omit.

13. After section 119—

insert—

‘Approval of forms

‘**119A.** The chief executive may approve forms for use under this Act.

‘Approved forms

‘**119B.(1)** This section applies if—

- (a) immediately before its commencement, there was a prescribed form for a matter; and
- (b) on the commencement, there is to be an approved form for the matter.

‘(2) Until there is an approved form for the matter, the form that was the prescribed form for the matter immediately before the commencement is taken to be the approved form for the matter.

‘(3) This section expires 3 months after it commences.’.

14. Part 11—

insert—

‘References to Co-operative and Other Societies Act 1967 etc.

‘**121.(1)** In an Act or document, a reference to the *Co-operative and Other Societies Act 1967* is a reference to this Act.

‘(2) In an Act or document, a reference to the *Co-operative Societies Act 1946* may, if the context permits, be taken to be a reference to this Act.’.

SCHEDULE 1 (continued)

Explanatory note

Amendment 1 amends the Act's short title to update the spelling of cooperative.

Amendments 2 and 3 amend incorrect references in the definition of "registrar". Amendment 3 also inserts a definition of "approved form".

Amendment 4 recasts a subsection as a section.

Amendment 5 revises the layout of a section in accordance with current drafting practice.

Amendment 6 revises a heading to more accurately reflect the contents of a section.

Amendments 7, 10 and 11 omit redundant headings.

Amendment 8 changes a reference to prescribed form to an approved form in accordance with current drafting practice.

Amendment 9 omits a subsection made redundant by recent amendments of the *District Courts Act 1967*.

Amendment 12 omits a redundant transitional provision.

Amendment 13 inserts a provision allowing the chief executive to approve forms for the Act. The amendment also inserts a transitional provision that provides for a prescribed form to be taken as an approved form for a limited period.

Amendment 14 inserts a provision to deal with references to the Act by its previous short title. The amendment also inserts a provision to deal with references to an earlier repealed Act. The provisions will enable the references to be updated in reprints.

CO-OPERATIVE HOUSING SOCIETIES ACT 1958**Amendment****1. Section 1—**

omit, insert—

'Short title

'1. This Act may be cited as the *Cooperative Housing Societies Act 1958*.'

SCHEDULE 1 (continued)

2. Section 3—

omit.

3. After section 82—

insert—

‘References to Co-operative Housing Societies Act 1958

‘**83.** In an Act or document, a reference to the *Co-operative Housing Societies Act 1958* is a reference to this Act.’

4. Schedule—

omit.

Explanatory note

Amendment 1 updates the spelling of cooperative in the Act’s short title and omits redundant and unnecessary provisions.

Amendments 2 and 4 omit obsolete transitional provisions.

Amendment 3 inserts a provision to deal with references to the Act by its earlier short title. The provision will enable the references to be updated in reprints.

**CORRECTIVE SERVICES (ADMINISTRATION) ACT
1988****Amendment****1. Section 5—**

renumber and relocate in part 6, as section 73.

SCHEDULE 1 (continued)

2. After section 72—*insert—***‘PART 6—TRANSITIONAL PROVISIONS****‘Prisons Act 1890 or 1958 references**

‘74. In an Act or document, a reference to the *Prisons Act 1890* or the *Prisons Act 1958* may, if the context permits, be taken to be a reference to this Act or the *Corrective Services Act 1988*.’.

Explanatory note

Amendment 1 relocates a section to the transitional provisions at the end of the Act in accordance with current drafting practice.

Amendment 2 inserts a provision to deal with references to earlier repealed Acts that provided for substantially the same matters as this Act or the *Corrective Services Act 1988*. The provision will enable references to the repealed Act to be updated in reprints (see *Reprints Act 1992*, s 22(4)).

CREDIT ACT 1987**Amendment****1. Section 142(3) and (4)—***omit.***Explanatory note**

This amendment omits provisions made redundant by recent amendments of the *District Courts Act 1967*.

SCHEDULE 1 (continued)

**CULTURAL RECORD (LANDSCAPES QUEENSLAND
AND QUEENSLAND ESTATE) ACT 1987****Amendment****1. Section 2—**

omit.

2. Section 5(1), definitions “Area”, “Crown”, “Crown land”, “Deputy Director-General”, “Designated Landscape Area”, “Director-General” and “local government authority”—

omit.

3. Section 5(1)—

insert—

‘ **“designated landscape area”** includes an area that is declared to be a temporary designated landscape area.

“State land” means all land that is not freehold land, or land contracted to be granted in fee-simple by the State.’.

4. Section 5(2)—

omit.

5. Section 6—

omit.

6. Section 7—

omit.

SCHEDULE 1 (continued)

7. Section 8—

omit.

8. Section 9—

omit, insert—

‘Landscapes Queensland protectors

‘**9.(1)** The Minister may appoint a person to be a Landscapes Queensland protector.

‘**(2)** The appointment is for a term of not more than 3 years, and is an honorary appointment.

‘**(3)** A Landscapes Queensland protector may resign by written notice of resignation given to the Minister.

‘**(4)** The Minister may terminate the appointment of a Landscapes Queensland protector by written notice given to the person.’.

9. Section 10(3), second sentence—

omit.

10. Section 10(4)(c), ‘Local Authorities’—

omit.

11. Section 14(1), ‘authority’—

omit, insert—

‘local government’.

SCHEDULE 1 (continued)

12. Section 14(2), ‘the Area’—

omit, insert—

‘the local government area’.

13. Section 16—

omit, insert—

‘Delegation by Minister

‘**16.** The Minister may delegate the Minister’s powers under this Act to an officer or employee of the public service.’.

14. Section 17(1)(c)—

omit.

15. Section 17(1) and (2), ‘Order in Council’—

omit, insert—

‘regulation’.

16. Section 17(3)—

omit.

17. Section 18—

omit, insert—

‘Consents required for declaration under s 17

‘**18.** If an area or part of an area proposed to be declared as a designated landscape area consists of private land, the consent of the occupier and, if the occupier is not the owner, the owner must be obtained before the area is declared.’.

SCHEDULE 1 (continued)

18. Sections 19(1) and 22(2), ‘Order in Council’—

omit, insert—

‘regulation’.

19. Section 24(2)—

omit, insert—

‘(2) In subsection (1) and section 25—

“**authorised person**” means—

- (a) for State land—the Minister; or
- (b) for private land—the Minister and the owner or occupier of the land or the owner or occupier’s agent.’.

20. Section 25(1)(b)—

omit, insert—

‘(b) may be revoked by an authorised person; and’.

21. Section 42(3)—

omit, insert—

‘(3) If the owner of the item is not the State, the nomination may be approved by the Governor in Council only if the owner has consented, in writing, to the nomination.’.

22. Section 43(2)—

omit, insert—

‘(2) The Minister must arrange for a review to be made of the entries in the register at least once every 6 years.’.

SCHEDULE 1 (continued)

23. Section 43(3)(b)—*omit.***24. Section 43(4)—***omit.***25. Section 43(5)(b), ‘authority’—***omit.***26. Section 43(6), ‘subsections (3) and (4)’—***omit, insert—**‘subsection (3)’.***27. Section 44(2), first sentence—***omit.***28. Section 45(2)(a) and (b), ‘authority’—***omit.***29. Section 46—***omit.***30. Sections 49(1) and 52(c), ‘or of any Act repealed by this Act’—***omit.*

SCHEDULE 1 (continued)

31. Section 54—

omit.

32. Section 58(2)—

omit.

33. Section 64(1), ‘any by-law or ordinance of a local government authority’—

omit, insert—

‘a local law of a local authority’.

34. Section 64(2)—

omit.

35. Section 66, words before paragraph (a)—

omit, insert—

‘Regulation making power

‘**66.(1)** The Governor in Council may make regulations under this Act.

‘**(2)** A regulation may be made about—’.

36. Section 66(k), (m) and (n)—

omit.

37. After part 6—

insert—

SCHEDULE 1 (continued)

‘PART 7—TRANSITIONAL REFERENCES**‘Aboriginal Relics Preservation Act 1967 references**

‘67. In an Act or document, a reference to the *Aboriginal Relics Preservation Act 1967* may, if the context permits, be taken to be a reference to this Act.

‘Updating of certain references

‘68.(1) In this Act, a reference to the Crown may, if the context permits, be taken to be a reference to the State, and a reference to Crown land may, if the context permits, be taken to be a reference to State land.

‘(2) This section expires on the date of the first reprint of the Act produced under the *Reprints Act 1992*.’.

Explanatory note

Amendment 1 omits the provision that commenced the Act.

Amendment 2 omits definitions that are redundant because of the *Acts Interpretation Act 1954* and *Reprints Act 1992* or amendments made by other Acts, or that are replaced consequentially on other amendments.

Amendment 3 replaces definitions in an updated form.

Amendments 4, 6, 14, 17, 19, 20, 21, 23, 24, 26, 27 and 32 omit unnecessary provisions dealing with internal government administrative arrangements and make consequential amendments.

Amendment 5 omits a transitional provision. The effect of the provision is saved by the *Acts Interpretation Act 1954*, section 20A (see schedule 9).

Amendment 7 omits an unnecessary appointment provision (see also amendment 8).

Amendment 8 updates the provision for the appointment of protectors and allows appointments to be made by the Minister rather than the Governor in Council.

Amendment 9 omits a provision that is redundant after the making of amendment 8.

Amendments 10, 11, 12, 25, 28 and 33 update references about local governments.

SCHEDULE 1 (continued)

Amendment 13 updates the delegation power in accordance with current drafting practice.

Amendments 15 and 18 implement current drafting practice by providing that the statutory rules used under the Act are regulations.

Amendment 16 omits an unnecessary provision.

Amendment 22 revises a provision to remove unnecessary transitional wording.

Amendment 29 omits a provision made redundant by the *Land Act 1994*.

Amendment 30 omits unnecessary references to repealed Acts.

Amendments 31 and 34 omits provisions dealing with matters covered by the *Acts Interpretation Act 1954*.

Amendments 35 and 36 bring the regulation making power into line with current drafting practice.

Amendment 37 inserts a provision to deal with references to an earlier repealed Act that provided for substantially some of the same matters as this Act. The provision will enable references to the repealed Act to be updated in reprints (see *Reprints Act 1992*, section 22(4)).

Amendment 37 also inserts a provision to allow certain references to be updated in the first reprint of the Act.

DEER FARMING ACT 1985**Amendment****1. Section 5, definition “approved form”—**

omit, insert—

‘ “**approved form**” see section 43A.¹¹’.

2. Section 7(a)(ii)—

omit, insert—

¹¹ Section 43A (Approval of forms)

SCHEDULE 1 (continued)

‘(ii) premises to which an accreditation under the *Meat Industry Act 1993* applies; or’.

3. Section 7(2)—

omit.

4. Section 9—

omit, insert—

‘Honorary inspectors

‘**9.(1)** The Minister may appoint a conservation officer, or honorary protector, under the *Nature Conservation Act 1992* to be an honorary inspector.

‘**(2)** The Minister may limit the powers of an honorary inspector by written notice given to the person.

‘**(3)** An honorary inspector holds office on the conditions stated in the instrument of appointment.’.

5. Section 12(2), words after ‘permit’—

omit, insert—

‘or authority under the *Nature Conservation Act 1992*’.

6. Sections 16(4) to (6), 27(1), 30(1), (2) and (4), 31(2), 34 and 39(4), ‘or honorary inspector’—

omit.

7. Section 21(2), ‘prescribed form’—

omit, insert—

‘approved form’.

SCHEDULE 1 (continued)

8. Section 28(4)—

omit.

9. Sections 31(1) and 36(2), ‘, honorary inspector’—

omit.

10. Section 43(a), ‘any honorary inspector’—

omit.

11. Section 43(b), ‘or any honorary inspector’—

omit.

12. After section 43—

insert—

‘Approval of forms

‘**43A.** The chief executive may approve forms for use under this Act.’.

13. Section 44(1), ‘for the purposes of’—

omit.

14. After section 44—

insert—

‘Approved forms

‘**44A.(1)** This section applies if—

- (a) immediately before its commencement, there was a prescribed form for a matter; and

SCHEDULE 1 (continued)

(b) on the commencement, there is to be an approved form for the matter.

‘(2) Until there is an approved form for the matter, the form that was the prescribed form for the matter immediately before the commencement is taken to be the approved form for the matter.’

‘(3) This section expires 3 months after it commences.’

15. Schedule 1, item 12—

omit.

Explanatory note

Amendment 1 is consequential on amendment 12.

Amendments 2 and 5 update references to Acts and the terminology associated with references.

Amendment 3 omits an unnecessary provision.

Amendment 4 updates a provision dealing with the appointment of honorary inspectors.

Amendments 6 and 8 to 11 omit unnecessary references to honorary inspectors (see section 5, definition “inspector”).

Amendment 7 changes a reference to a prescribed form to an approved form.

Amendment 12 inserts a provision to allow the chief executive to approve forms for the Act.

Amendment 13 makes a minor change to the regulation making power.

Amendment 14 allows prescribed forms to continue to be used for a limited period.

Amendment 15 omits a specific regulation power that is covered by the general regulation making power.

SCHEDULE 1 (continued)

DENTAL ACT 1971**Amendment****1. Section 1(2)—**

omit.

2. Sections 3 and 7A—

omit.

3. Section 4, definition “medical practitioner”—

omit.

4. Section 4—

insert—

‘ “**approved form**” see section 36.¹²’.

5. Section 7(1), ‘by notification published in the Gazette’—

omit.

6. Section 8(2), ‘, by notification published in the Gazette,’—

omit.

¹² Section 36 (Approval of forms)

SCHEDULE 1 (continued)

7. Section 9(3)(e)—*omit, insert—*

‘(e) is convicted of an indictable offence; or’.

8. Section 13(1), words after ‘Governor in Council’—*omit.***9. Sections 18(1), (3) and (3A)(a), 20A(1) and (2), 26H(1) and 26I(1), ‘prescribed form’—***omit, insert—*

‘approved form’.

10. Section 18(2A) to (4)—*renumber.***11. Section 20(1)(a) and 20(5)(b), ‘a form approved by the Board’—***omit, insert—*

‘the approved form’.

12. Section 20A(3A) to (5)—*renumber.***13. Section 26(1)(a)—***omit, insert—*

‘(a) has been convicted of an indictable offence; or’.

SCHEDULE 1 (continued)

14. Section 26(1)(d), before ‘is no longer’—*insert—*

‘is not or’.

15. Section 26(6AA) to (8)—*renumber.***16. Section 29(2A) and (2B)—***omit.***17. Section 31(4)—***omit.***18. Section 35(1), ‘for the purposes of’—***omit, insert—*

‘under’.

19. Section 35(2)(i)—*omit.***20. After section 35—***insert—***‘Approval of forms**‘**36.** The board may approve forms for use under this Act.’

SCHEDULE 1 (continued)

‘Approved forms

‘37.(1) This section applies if—

- (a) immediately before its commencement, there was a prescribed form for a matter; and
- (b) on the commencement, there is to be an approved form for the matter.

‘(2) Until there is an approved form for the matter, the form that was the prescribed form for the matter immediately before the commencement is taken to be the approved form for the matter.

‘(3) This section expires 6 months after it commences.’.

Explanatory note

Amendment 1 omits the provision that commenced the Act.

Amendment 2 omits redundant transitional provisions.

Amendment 3 omits a definition made redundant by a definition in the *Acts Interpretation Act 1954*.

Amendment 4 is consequential on amendment 20.

Amendments 5 and 6 remove the need for appointments to be made by gazette notice.

Amendments 7 and 13 omit wording made redundant by amendments of the *Acts Interpretation Act 1954*.

Amendment 8 omits, in accordance with Government policy, a provision preventing fees and allowances being paid to officers of the public service.

Amendment 9 changes references to prescribed forms to approved forms in accordance with current drafting practice.

Amendments 10, 12 and 15 are renumbering amendments.

Amendment 11 is a minor consequential amendment about forms.

Amendment 14 clarifies the Dental Board’s jurisdiction to conduct disciplinary inquiries.

Amendment 16 omits provisions made redundant by recent amendments of the *District Courts Act 1967*.

SCHEDULE 1 (continued)

Amendment 17 omits a provision made redundant by a provision of the *Acts Interpretation Act 1954* (see section 45).

Amendment 18 omits a now redundant power to prescribe forms by by-law.

Amendment 19 makes a minor amendment to the board's by-law power to bring it into line with current drafting practice.

Amendment 20 inserts a provision allowing the board to approve forms for the Act. The amendment also inserts a transitional provision that provides for a prescribed form to be taken as an approved form for a limited period.

DENTAL TECHNICIANS AND DENTAL PROSTHETISTS ACT 1991

Amendment

1. Section 53(2)(b) and (3)—

omit.

2. Section 53—

renumber.

Explanatory note

Amendment 1 omits provisions made redundant by recent amendments of the *District Courts Act 1967*.

Amendment 2 is a consequential renumbering amendment.

DRUGS STANDARD ADOPTING ACT 1976

Amendment

1. Section 3—

omit, insert—

SCHEDULE 1 (continued)

‘Definitions

‘3. In this Act—

“British pharmaceutical codex” means the book called the British pharmaceutical codex published under the direction of the council of the Pharmaceutical Society of Great Britain.

“British pharmacopoeia” means the book called the British pharmacopoeia published under the *Medicines Act 1968* (UK) on the recommendation of the Medicines Commission.

“British veterinary codex” means the book called the British veterinary codex published under the direction of the council of the Pharmaceutical Society of Great Britain.

“current British pharmaceutical codex” means the latest edition of the British pharmaceutical codex that has effect for this Act, as added to and amended by additions and amendments that have taken effect for this Act.

“current British pharmacopoeia” means the latest edition of the British pharmacopoeia that has effect for this Act, as added to or amended by additions and amendments that have taken effect for this Act.

“current British veterinary codex” means the latest edition of the British veterinary codex that has effect for this Act, as added to or amended by additions and amendments that have taken effect for this Act.’.

2. Section 4—

omit, insert—

‘Adoption of codices and pharmacopoeia

‘4.(1) The current British pharmaceutical codex and veterinary codex are the codices in force in Queensland.

‘(2) The current British pharmacopoeia is the pharmacopoeia in force in Queensland.’.

SCHEDULE 1 (continued)

3. Section 5—

omit, insert—

‘Editions of codices and pharmacopoeia etc. having effect for Act

‘**5.(1)** A regulation may declare that an edition of the British pharmaceutical codex, pharmacopoeia or veterinary codex has effect for this Act.

‘**(2)** A regulation may declare that an addition to, or amendment of, a codex or the pharmacopoeia has effect for this Act.’.

4. Section 6—

omit, insert—

‘Prescribing standards for substances and article sets

‘**6.(1)** A regulation may prescribe the standard for this Act of a substance or article, including a substance or article the subject of a monograph in the current British pharmaceutical codex, pharmacopoeia or veterinary codex.

‘**(2)** The standard may be prescribed in any way, including by reference to, for example, composition, method of preparation, potency, quality, quantity, stability, sterility and strength.

‘**(3)** A regulation may prescribe tests for the standard.’.

5. Section 7—

omit, insert—

‘Changes to monographs

‘**7.(1)** A regulation may prescribe changes to a monograph in the current British pharmaceutical codex, pharmacopoeia or veterinary codex.

‘**(2)** In an Act, a reference to the monograph may, if the context permits, be taken to be a reference to the monograph as changed under a regulation.’.

SCHEDULE 1 (continued)

6. Sections 8 and 9—

omit, insert—

‘Regulation making power

‘8. The Governor in Council may make regulations under this Act.’.

Explanatory note

These amendments change Ministerial notifications to regulations in accordance with current drafting practice.

The opportunity has also been taken to remove obsolete transitional wording and update the drafting of provisions.

EGG INDUSTRY (RESTRUCTURING) ACT 1993**Amendment****1. Section 88(1) and (2)—**

omit.

2. Section 88(3) and (4)—

renumber.

Explanatory note

Amendment 1 omits provisions made redundant by recent amendments of the *Magistrates Courts Act 1921*.

Amendment 2 is a consequential renumbering amendment.

SCHEDULE 1 (continued)

ELECTRICITY ACT 1994**Amendment****1. Section 256(3), ‘State electricity authority’—**

omit, insert—

‘State Electricity entity’.

2. After section 285—

insert—

‘Electricity Act 1976 references

‘**285A.** In an Act or document, a reference to the *Electricity Act 1976* may, if the context permits, be taken to be a reference to this Act.’.

3. Section 286—

insert—

‘(4) A reference in any document, including an Act, to the Electricity Generating Board or the State Electricity Commission is taken, after the commencement, to be a reference to the Queensland Electricity Commission mentioned in subsection (2).’.

Explanatory note

Amendment 1 amends a reference.

Amendment 2 inserts a provision to deal with references to an earlier repealed Act that provided for substantially the same matters as this Act. The provision will enable references to the repealed Act to be updated in reprints (see *Reprints Act 1992*, s 22(4)).

Amendment 3 inserts a provision to deal with references to previous entities. The section may enable references to be updated in reprints (see *Reprints Act 1992*, section 23A(3)).

SCHEDULE 1 (continued)

EXOTIC DISEASES IN ANIMALS ACT 1981**Amendment****1. Section 5, definitions “control zone”, “Chief Inspector”, “Government Veterinary Officer”, “inspector” and “standstill zone”—**

omit.

2. Section 5—

insert—

‘**“approved form”** see section 46.¹³

‘**“chief inspector”** see *Stock Act 1915*.

‘**“control zone”** means an area that is notified as a control zone under this Act.

‘**“government veterinary officer”** see *Stock Act 1915*.

‘**“inspector”** see *Stock Act 1915*, and includes a person acting under an inspector’s direction, but does not include an honorary inspector.

‘**“standstill zone”** means a zone that is notified as a standstill zone under this Act.’.

3. Sections 11(1) and 20(1), ‘prescribed form’—

omit, insert—

‘approved form’.

¹³ Section 46 (Approval of forms)

SCHEDULE 1 (continued)

4. Section 20(p)(vii), ‘Fauna Conservation Act 1974–1979’—

omit, insert—

‘Nature Conservation Act 1992’.

5. Section 30, words after ‘compensation’ (second mention)—

omit, insert—

‘is lodged in the approved form in accordance with this Act’.

6. Section 31, ‘his delegate,’—

omit.

7. Section 33(1)(a)(iii), words after ‘that Judge’—

omit.

8. Section 33(2), ‘, subject to this section,’—

omit.

9. Section 33(3)—

omit.

10. Section 36(1)—

omit, insert—

‘36.(1) A regulation may specify a day when an account that forms part of the fund is to be closed.’.

SCHEDULE 1 (continued)

11. Section 36(2), ‘On the date specified in the Proclamation referred to in subsection (1)’—

omit, insert—

‘On the day specified in the regulation’.

12. Before section 47—

insert—

‘Approval of forms

‘46. The chief executive may approve forms for use under this Act.’.

13. After section 47—

insert—

‘Approved forms

‘48.(1) This section applies if—

- (a) immediately before its commencement, there was a prescribed form for a matter; and
- (b) on the commencement, there is to be an approved form for the matter.

‘(2) Until there is an approved form for the matter, the form that was the prescribed form for the matter immediately before the commencement is taken to be the approved form for the matter.

‘(3) This section expires 3 months after it commences.’.

14. Schedule 2, item 11, ‘(including the Brisbane City Council)’—

omit.

SCHEDULE 1 (continued)

15. Schedule 2, item 14—

omit.

Explanatory note

Amendments 1 and 2 revise various definitions to take account of amendments of the *Stock Act 1915* and bring them in line with current drafting practice. Amendment 2 also includes a new definition of approved form.

Amendments 3 and 5 change references to prescribed forms to approved forms in accordance with current drafting practice and Government policy.

Amendment 4 updates a reference to an Act.

Amendment 6 removes unnecessary references to delegates.

Amendments 7 and 9 omit provisions made redundant by recent amendments of the *District Courts Act 1967*.

Amendment 8 is consequential on amendments 7 and 9.

Amendments 10 and 11 implement current drafting practice by providing that the statutory instruments used under the Act are regulations and remove redundant provisions.

Amendment 12 inserts a provision authorising the chief executive to approve forms for the Act.

Amendment 13 inserts a transitional provision that provides for a prescribed form to be taken as an approved form for a limited period.

Amendment 14 omits an unnecessary reference to Brisbane City Council.

Amendment 15 is consequential on amendments 3 and 5.

EXPLOSIVES ACT 1952**Amendment****1. Section 3—**

omit.

SCHEDULE 1 (continued)

2. Section 5—

omit.

3. Section 6(3)—

omit.

4. Section 6(4) and (5)—

renumber.

5. Section 6B(c), ‘by order in council’—

omit, insert—

‘under a regulation’.

6. Section 6B(c), ‘in the order in council’—

omit, insert—

‘under the regulation’.

7. Section 7—

omit, insert—

‘Exemptions

‘7. A regulation may exempt safety fuses, safety cartridges and other explosives from this Act or a provision of this Act.’.

8. Section 8(1), definitions “Chief Inspector” and “inspector”—

omit.

SCHEDULE 1 (continued)

9. Section 8(1)—

insert—

‘**“approved form”** see section 47A.¹⁴

“chief inspector” means the chief inspector of explosives.

“inspector” means a person who is appointed as an inspector under this Act, and includes the chief inspector.’.

10. Section 8(2)—

omit.

11. Section 9—

omit.

12. Section 10B—

omit, insert—

‘Delegation by Minister

‘10B.(1) The Minister may delegate the Minister’s powers under this Act to an officer or employee of the public service.

‘(2) However, the Minister may not delegate—

(a) the Minister’s powers under—

- section 11(3A) (Issue of licences)
- section 15A(2) (Grievances)
- section 28 (Government magazines); or

(b) the Minister’s power to order an inquiry by a court of inquiry for an explosion or fire.

¹⁴ Section 47A (Approval of forms)

SCHEDULE 1 (continued)

‘Delegation by chief inspector

‘10C.(1) The chief inspector may delegate the chief inspector’s powers under this Act to an officer or employee of the public service.

‘(2) However, the chief inspector may not delegate the chief inspector’s powers under section 15A(1) (Grievances).’.

13. Section 11(1A), ‘prescribed form’—

omit, insert—

‘approved form’.

14. Section 11(2), ‘thereof shall be in or to the effect of the prescribed form,’—

omit.

15. Section 11(1A) to (6)—

renumber.

16. Section 12(1A) to (3)—

renumber.

17. Section 12A(2)(a)—

omit.

18. Section 12A(2)(b) and (c)—

renumber.

SCHEDULE 1 (continued)

19. Section 12A(3)(a)—

omit.

20. Section 12A(3)(b) to (g)—

renumber.

21. Section 14(5), heading—

omit.

22. Section 14(2A) to (5)—

renumber.

23. Section 15(2A) to (4)—

renumber.

24. Section 17(2), ‘the Register of Explosives maintained under section 17(3) of the *Explosives Act 1952–1981*’—

omit, insert—

‘a register of explosives’.

25. Section 17(6)—

omit.

26. Section 17A(1), words before ‘prohibit’—

omit, insert—

‘**17A.(1)** A regulation may’.

SCHEDULE 1 (continued)

27. Section 17A(1), ‘in the order in council’—*omit, insert—*

‘under a regulation’.

28. Section 17A(2), ‘provision of an order in council’—*omit, insert—*

‘regulation’.

29. Section 17A(3A) to (4)—*renumber.***30. Section 22(1A) to (6)—***renumber.***31. Section 28, from ‘from time to time by’ to ‘Gazette’—***omit.***32. Section 28, words after ‘explosives’—***omit.***33. Section 33, ‘which is classified or defined by the Governor in Council by order in council or the regulations as’—***omit, insert—*

‘declared under a regulation to be’.

SCHEDULE 1 (continued)

34. Section 38(2A) to (7)—

renumber.

35. Section 42(1), heading, ‘without application therefor’—

omit.

36. Section 42(2), heading—

omit.

37. Section 45A(2)(c)—

omit, insert—

‘(c) whether any action has been taken under the *Weapons Act 1990* in relation to the person;’.

38. After section 47—

insert—

‘Approval of forms

‘**47A.** The chief executive may approve forms for use under this Act.’.

39. Section 48(1)—

omit, insert—

‘**48.(1)** The Governor in Council may make regulations under this Act.’.

40. Section 48(1A), words before paragraph (a)—

omit, insert—

‘**(1A)** A regulation may provide for—’.

SCHEDULE 1 (continued)

41. Section 48(1A), paragraph headings—

omit.

42. Section 48(1A)(zk) and (zm)—

omit.

43. Section 48(3), (4) and (5)—

omit.

44. Section 48(1A) to (3A)—

renumber.

45. Section 49—

omit.

46. Section 50—

omit, insert—

‘PART 9—TRANSITIONAL PROVISIONS**‘Explosives Act 1906 references**

‘50. In an Act or document, a reference to the *Explosives Act 1906* may, if the context permits, be taken to be a reference to this Act.

‘Approved forms

‘51.(1) This section applies if—

- (a) immediately before its commencement, there was a prescribed form for a matter; and

SCHEDULE 1 (continued)

(b) on the commencement, there is to be an approved form for the matter.

‘(2) Until there is an approved form for the matter, the form that was the prescribed form for the matter immediately before the commencement is taken to be the approved form for the matter.’

‘(3) This section expires 3 months after it commences.’

Explanatory note

Amendments 1, 2, 3, 10, 11 and 25 omit spent and obsolete provisions.

Amendments 4, 15, 16, 18, 20, 22, 23, 29, 30, 34 and 44 are renumbering amendments.

Amendments 5, 6, 26, 27, 28 and 33 implement current drafting practice by providing that the statutory instruments used under the Act are regulations. The opportunity has also been taken in amendment 33 to amend a provision to bring it into line with current drafting practice.

Amendment 7 revises the section dealing with exemptions in accordance with current drafting practice.

Amendments 8 and 9 omit and replace definitions to bring the language used into line with current drafting practice. Amendment 9 also includes a new definition of approved form.

Amendment 12 replaces the delegation provision in accordance with current drafting practice.

Amendments 13, 14, 17 and 19 omit references to forms prescribed by regulation in accordance with current drafting practice.

Amendments 21, 36 and 41 omit unnecessary headings.

Amendment 24 updates a provision that refers to a repealed Act.

Amendments 31 and 32 remove gazette notification requirements for government magazines.

Amendment 35 updates a provision heading.

Amendment 37 updates a reference to a repealed Act.

Amendment 38 inserts a provision allowing the chief executive to approve forms for the Act.

SCHEDULE 1 (continued)

Amendment 39 updates the regulation making power in accordance with current drafting practice.

Amendments 40, 42 and 43 omit provisions made obsolete by the *Statutory Instruments Act 1992*.

Amendment 45 omits a provision made obsolete by the amendments providing that the statutory instruments used under the Act are regulations.

Amendment 46 inserts a provision to deal with references to an earlier repealed Act that provided for substantially the same matters as this Act. The provision will ensure that the references can be updated in reprints. The amendment also inserts a transitional provision that provides for a prescribed form to be taken as an approved form for a limited period.

FIRE SERVICE ACT 1990**Amendment****1. Section 104Q(5) and (6)—**

omit.

Explanatory note

This amendment omits provisions made redundant by recent amendments of the *Magistrates Courts Act 1921*.

**FLUORIDATION OF PUBLIC WATER SUPPLIES
ACT 1963****Amendment****1. Section 3, ‘Order in Council’—**

omit, insert—

‘regulation’.

SCHEDULE 1 (continued)

2. Section 5, heading—*omit, insert—***‘Regulation making power’.****3. Section 5(1)—***omit, insert—***‘5.(1) The Governor in Council may make regulations under this Act.’.****4. Section 5(2), words before paragraph (a)—***omit, insert—***‘(2) A regulation may regulate or control the addition of fluorine to public water supplies.****‘(3) In particular, a regulation may make provision for or about the following matters—’.****5. Section 5(3)—***omit.***6. Section 5, as amended by this Act—***relocate* as section 6.**7. Sections 6 and 7—***omit.***8. Section 8—***renumber* and *relocate* as section 5.

SCHEDULE 1 (continued)

Explanatory note

Amendment 1 implements current drafting practice by providing that the statutory rules used under the Act are regulations.

Amendments 2 to 5 revise the Act's regulation making power in accordance with current drafting practice and remove unnecessary provisions.

Amendments 6 and 8 relocate the regulation making power as the last section of the Act.

Amendment 7 omits provisions made redundant by the *Statutory Instruments Act 1992*.

FOOD ACT 1981**Amendment****1. Section 5(1), definition “Chief Health Officer” (second mention)—**

omit.

2. Section 5(1), definition “corresponding law”—

omit.

3. Section 5(1)—

insert—

‘ “**approved form**” see section 56.¹⁵

“**corresponding law**” means a law of another State declared under a regulation to be a law that makes provision substantially similar to a provision of this Act.

“**State**” includes Territory.’.

¹⁵ Section 56 (Approval of forms)

SCHEDULE 1 (continued)

4. Section 5(1), definition “food”, words after paragraph (c)—

omit, insert—

‘and

‘(d) another substance declared under a regulation to be food;

but does not include a substance used only as a drug or declared under a regulation not to be food.’.

5. Section 5(2)—

omit.

6. Section 5(3), as heading—

insert—

‘**Application of Act to certain food**’.

7. Section 5(4), as heading—

insert—

‘**Operation of local laws**’.

8. Section 5(3) and (4)—

renumber as sections 5A and 6 respectively.

9. Section 6—

omit.

SCHEDULE 1 (continued)

10. Section 7, ‘The Governor in Council by order in council’—*omit, insert—*

‘A regulation’.

11. Section 7, ‘the order’—*omit, insert—*

‘the regulation’.

12. Section 17(2), ‘The Governor in Council by order in council’—*omit, insert—*

‘A regulation’.

13. Section 17(2), ‘the order’—*omit, insert—*

‘the regulation’.

14. Section 17(3)—*omit.***15. Section 19(1A)—***omit.***16. Section 21(4A) to (8)—***renumber.*

SCHEDULE 1 (continued)

17. Section 23—

omit.

18. Section 26(1A)—

omit, insert—

‘(1A) A regulation may exclude a food store, food vehicle or appliance from the operation of subsection (1).’.

19. Section 26(1A) and (2)—

renumber.

20. Section 27—

omit, insert—

‘Certain vehicles taken to be within area of local government

‘27.(1) For this Act, a vehicle on a river, harbour or other waters not within a local government area is taken to be within the area of the local government declared under a regulation or, if a declaration has not been made, the local government whose area is nearest to the vehicle.

‘(2) Subsection (1) does not apply to a vehicle of the Australian Defence Force or that belongs to a foreign country.’.

21. Section 28(2A) to (6)—

renumber.

22. Sections 31(a) and (b), 33(1) and 36(5), ‘prescribed form’—

omit, insert—

‘approved form’.

SCHEDULE 1 (continued)

23. Section 33(1A) to (7)—

renumber.

24. Section 36(6A) and (7)—

renumber.

25. Section 39—

omit, insert—

‘Delegation by Minister

‘39. The Minister may delegate the Minister’s powers under this Act to—

- (a) an officer or employee of the public service; or
- (b) an employee of a local government; or
- (c) a regional director, officer or employee of a regional health authority.

‘Delegation by chief health officer

‘39A. The chief health officer may delegate the chief health officer’s powers under this Act to—

- (a) an officer or employee of the public service; or
- (b) an employee of a local government; or
- (c) a regional director, officer or employee of a regional health authority.’.

26. Section 45(2A) to (5)—

renumber.

SCHEDULE 1 (continued)

27. Section 46(2A) and (3)—

renumber.

28. Section 49(3A) and (4)—

renumber.

29. Section 50(1A) to (3)—

renumber.

30. Section 52(3A) to (6)—

renumber.

31. Section 56—

omit, insert—

‘Approval of forms

‘56. The chief health officer may approve forms for use under this Act.’.

32. Section 57(1) to (3)—

omit, insert—

‘57.(1) The Governor in Council may make regulations under this Act.’.

33. Section 57(5)—

omit, insert—

‘(5) A regulation may make provision for a matter mentioned in the schedule.’.

SCHEDULE 1 (continued)

34. Section 57(6), words after ‘those regulations’—

omit.

35. Section 57(4) to (6)—

renumber.

36. Section 58—

omit, insert—

‘Approved forms

‘58.(1) This section applies if—

- (a) immediately before its commencement, there was a prescribed form for a matter; and
- (b) on the commencement, there is to be an approved form for the matter.

‘(2) Until there is an approved form for the matter, the form that was the prescribed form for the matter immediately before the commencement is taken to be the approved form for the matter.

‘(3) This section expires 3 months after it commences.’.

37. Schedule 2, sections 28 and 32—

omit.

38. Schedule 2—

renumber as schedule.

Explanatory note

Amendment 1 omits a redundant definition.

SCHEDULE 1 (continued)

Amendments 2, 10, 11, 12, 13 and 18 implement current drafting practice by providing that the statutory rules used under the Act are regulations.

Amendment 3 implements current drafting practice by providing that the statutory rules used under the Act are regulations. The amendment also includes a new definition of “approved form”, and a new definition of “State” to simplify the drafting of provisions in accordance with current drafting practice.

Amendment 4 implements current drafting practice by providing that the statutory rules used under the Act are regulations. The amendment also makes it clear that exceptions in the definition “food” apply to the entire definition and not just paragraph (d).

Amendments 5, 9 and 14 omit provisions that are obsolete because of the change of statutory rules under the Act to regulations.

Amendments 6 and 7 insert provision headings.

Amendment 8 renumbers subsections in the interpretation sections as separate sections in accordance with current drafting practice.

Amendment 15 omits a provision made obsolete by the *Statutory Instruments Act 1992*.

Amendments 16, 19, 21, 23, 24, 26, 27, 28, 29, 30, 35 and 38 are renumbering amendments.

Amendment 17 omits an unnecessary provision about the administration of the Act.

Amendment 20 implements current drafting practice by providing that the statutory rules used under the Act are regulations. The amendment also revises the wording of a section to bring it into line with current drafting practice.

Amendment 22 is consequential on amendment 37.

Amendment 25 replaces a delegation provision in accordance with current drafting practice.

Amendment 31 omits a provision made obsolete because of the change of statutory rules under the Act to regulations and substitutes a provision authorising the chief health officer to approve forms for the Act.

Amendment 32 updates the regulation making power in accordance with current drafting practice. The amendment also omits provisions made obsolete by the *Statutory Instruments Act 1992*.

Amendment 33 updates language in accordance with current drafting practice and omits obsolete wording.

Amendments 34 and 37 omit provisions made obsolete by the *Statutory Instruments*

SCHEDULE 1 (continued)

Act 1992. Amendment 37 also omits an unnecessary power to prescribe forms by regulation.

Amendment 36 omits an obsolete provision and inserts a transitional provision that provides for a prescribed form to be taken as an approved form for a limited period.

FRIENDLY SOCIETIES ACT 1991**Amendment****1. Section 12.23—**

omit.

2. After section 13.14—

insert—

‘Numbering and renumbering of Act

‘13.15 In the next reprint of this Act produced under the *Reprints Act 1992*, the provisions of this Act must be numbered and renumbered as permitted by the *Reprints Act 1992*, section 43.

Explanatory note

Amendment 1 omits a provision made redundant by recent amendments of the *Supreme Court of Queensland Act 1991*.

Amendment 2 inserts a renumbering provision to require the Act to be renumbered when next reprinted under the *Reprints Act 1992*.

SCHEDULE 1 (continued)

FUNERAL BENEFIT BUSINESS ACT 1982**Amendment****1. Section 5, definition “Schedule 3”—**

omit.

2. Sections 7 and 8—

omit.

3. Section 9(1)—

omit, insert—

‘**9.(1)** The Funeral Benefit Trust Fund (the “**fund**”) is continued in existence.’.

4. Section 9(4)—

omit.

5. Section 9(5)—

omit, insert—

‘**(5)** The body corporate constituted by the trustees (the “**trustees**”) is continued in existence under the name ‘Trustees of the Funeral Benefit Trust Fund’, and continues to have an official seal.’.

6. Section 9(5) to (7), as amended by this Act—

renumber.

SCHEDULE 1 (continued)

7. Section 10—

omit.

8. Section 11, heading, ‘Vesting and’—

omit.

9. Section 11(1) and (2)—

omit, insert—

‘**11.(1)** Separate accounts must continue to be kept identifying amounts and securities held for the funeral benefit business of each corporation.

‘**(2)** The accounts must identify payments made under this part into the fund from the benefits trust funds of the corporations.’.

Explanatory note

Amendment 1 omits an obsolete definition referring to a provision of a repealed Act.

Amendments 2 to 5, 7 and 9 omit obsolete transitional provisions.

Amendment 6 is a consequential renumbering amendment.

Amendment 8 updates a section heading.

GAS ACT 1965**1. Sections 1(2) and 7A(2) to (5)—**

omit.

2. Section 5, definition “local government”—

omit.

SCHEDULE 1 (continued)

3. Section 5—*insert—***‘“approved form”** see section 59A.¹⁶.**4. Section 5, definitions “fuel gas”, “fuel gas supplier”, “gas” and “gas terminal”, ‘by order in council’—***omit, insert—***‘under a regulation’.****5. Section 7A(1), ‘either generally or otherwise as provided by the instrument of delegation, by signed notice’ and ‘except this power of delegation’—***omit.***6. Section 8(5), heading—***omit.***7. Section 10A(1), ‘by the regulations’—***omit, insert—***‘under a regulation’.****8. Section 10A(1)(c), after ‘prescribed’—***omit, insert—***‘under a regulation’.**

¹⁶ Section 59A (Approval of forms)

SCHEDULE 1 (continued)

9. Section 10A(1)(f)—

omit, insert—

- ‘(f) if damage happens—within 1 month after becoming aware of the accident and damage or, if another time is prescribed under a regulation, that time;’.

10. Section 10D(7), ‘Minister for Justice and Attorney-General’—

omit, insert—

‘Minister administering the *Commissions of Inquiry Act 1950*’.

11. Section 17(4), from ‘by order in council’ to ‘previous holder’—

omit, insert—

‘under a regulation, decide the amount of compensation payable by the holder to the previous holder’.

12. Section 17(5), ‘determination’—

omit, insert—

‘decision’.

13. Section 17(6), ‘an order in council’—

omit, insert—

‘a regulation’.

14. Section 17(6), ‘order’—

omit, insert—

‘regulation’.

SCHEDULE 1 (continued)

15. Section 20(1A), ‘by order in council’—*omit, insert—*

‘under a regulation’.

16. Section 20(2), ‘by order in council’—*omit, insert—*

‘under a regulation’.

17. Section 29(2) and (3)—*renumber.***18. Section 29(4) and (4A)—***renumber.***19. Section 29(5)—***renumber.***20. Section 30(1), ‘prescribed form’—***omit, insert—*

‘approved form’.

21. Section 32(1), ‘notification published in the Gazette’—*omit, insert—*

‘gazette notice’.

SCHEDULE 1 (continued)

- 22. Section 32(3), ‘pursuant to the provisions of this section’—**
omit, insert—
‘under section 32, 32A or 32B’.
- 23. Section 32(1) to (1D)—**
renumber as section 32(1) to (5).
- 24. Section 32(2) and (2AA)—**
renumber as section 32A(1) and (2).
- 25. Section 32(2A) to (2E)—**
renumber as section 32B(1) to (5).
- 26. Section 32(3), as amended by this Act—**
renumber as section 32C.
- 27. Section 33(c), ‘as amended and in force for the time being and any Act substituted for that Act’—**
omit.
- 28. Section 44(2)—**
omit.
- 29. Section 44(3), from ‘For so long as’ to ‘in respect of’—**
omit, insert—
‘A regulation may’.

SCHEDULE 1 (continued)

30. Section 44(3)(a), ‘regulating or prohibiting’—

omit, insert—

‘regulate’.

31. Section 44(3)(b), ‘providing’—

omit, insert—

‘provide’.

32. Section 44(3)(c), ‘conferring or imposing’—

omit, insert—

‘confer’.

33. Section 44(3)(d)—

omit, insert—

‘(d) prescribe offences for a contravention of a regulation and fix a maximum penalty of not more than 60 penalty units and, for a continuing offence, a further penalty of not more than 5 penalty units for each day the offence continued.’.

34. Section 44(4) to (5A)—

omit.

35. Section 44(8)—

omit.

36. Section 44(1) to (7)—

renumber as section 44(1) to (5).

SCHEDULE 1 (continued)

37. Section 51(2), ‘by order in council’—*omit, insert—*

‘under a regulation’.

38. Section 51(3), ‘any provision of an order in council’—*omit, insert—*

‘a regulation’.

39. Part 8, heading, ‘AND GENERAL’—*omit.***40. Section 52B(1)(b) and (3), ‘prescribed period’—***omit, insert—*

‘period prescribed under a regulation’.

41. Section 52B(4) and (7)—*omit.***42. Section 52C(1)(d), ‘by order in council’—***omit, insert—*

‘under a regulation’.

43. Section 52C(1)(d), ‘order in council’—*omit, insert—*

‘regulation’.

SCHEDULE 1 (continued)

44. Section 52C(2), from ‘by order in council’ to ‘Minister’—*omit, insert—*

‘under a regulation’.

45. Section 52C(3), ‘An order in council’—*omit, insert—*

‘A regulation’.

46. Section 52C(3), ‘order’—*omit, insert—*

‘regulation’.

47. Section 52C(5)—*omit.***48. Section 59—***omit, insert—***‘Returns**

‘**59.** A gas supplier must lodge with the chief executive, in the approved form, the statistics, information and returns prescribed under a regulation.

‘Approval of forms

‘**59A.** The chief executive may approve forms for use under this Act.’.

49. Section 60(1) to (4)—*omit, insert—*

SCHEDULE 1 (continued)

‘60.(1) The Governor in Council may make regulations under this Act.

‘(2) A regulation may make provision for a purpose mentioned in schedule 4.’.

50. Section 60(5)—

renumber as section 60(3).

51. Section 60, as amended by this Act—

relocate as section 64.

52. Section 62, ‘of the Department of Mines’—

omit.

53. Section 64—

omit.

54. Section 65—

omit, insert—

‘PART 9—TRANSITIONAL**‘Approved forms**

‘65.(1) This section applies if—

- (a) immediately before its commencement, there was a prescribed form for a matter; and
- (b) on the commencement, there is to be an approved form for the matter.

‘(2) Until there is an approved form for the matter, the form that was the

SCHEDULE 1 (continued)

prescribed form for the matter immediately before the commencement is taken to be the approved form for the matter.

‘(3) This section expires 3 months after it commences.’.

55. Schedule 2, section 13(1), heading—

omit, insert—

‘Breaking up of ground’.

56. Schedule 2, section 13(2) and (3), headings—

omit.

57. Schedule 2, section 16(1), heading—

omit, insert—

‘Alteration of street levels’.

58. Schedule 2, section 16(2), heading—

omit.

59. Schedule 2, section 17(1), heading—

omit, insert—

‘Fraudulent appropriation of gas’.

60. Schedule 2, section 17(2) and (3), headings—

omit.

SCHEDULE 1 (continued)

Explanatory notes

Amendment 1 omits unnecessary provisions.

Amendments 2 and 3 omit an unnecessary definition and insert a new definition.

Amendments 4, 11, 13 to 16, 37, 38 and 42 to 46 implement current drafting practice by providing that the statutory instruments used under the Act are regulations. The opportunity has also been taken in amendment 11 to amend a provision to bring it into line with current drafting practice.

Amendment 5 omits unnecessary wording from a delegation section.

Amendment 6 omits an unnecessary subsection heading.

Amendment 7 brings a reference about regulations into line with current drafting practice.

Amendments 8, 9 and 40 make it clear that references to prescribed mean prescribed under a regulation. The opportunity has also been taken in amendment 9 to amend a provision to bring it into line with current drafting practice.

Amendment 10 replaces a specific reference to a Minister with a general reference.

Amendment 12 is consequential on the amendment of section 17(4).

Amendments 17 to 19 are consequential renumbering amendments.

Amendment 20 provides for the use of approved forms rather than forms prescribed under regulation.

Amendment 21 updates a reference to a gazette notification.

Amendment 22 updates language and references in accordance with current drafting practice.

Amendments 23 to 26 recast subsection groups into separate sections in accordance with current drafting practice.

Amendment 27 omits unnecessary wording in relation to a reference to a Commonwealth Act.

Amendment 28 omits the need for a proclamation. Section 44 of the Act presently contains 2 types of subordinate legislation, namely, proclamations and regulations. The proclamations serve no useful purpose.

Amendments 29 to 32 are consequential on the omission of section 44(3) and also omit redundant words.

Amendment 33 recasts a paragraph in accordance with current drafting practice.

SCHEDULE 1 (continued)

Amendment 34 omits subsections made obsolete by the *Statutory Instruments Act 1992*.

Amendment 35 omits a subsection made obsolete by the *Penalties and Sentences Act 1992*.

Amendment 36 is consequential on the other amendments of section 44.

Amendment 39 omits unnecessary words from a heading.

Amendment 41 omits obsolete transitional provisions.

Amendment 47 omits an obsolete transitional provision.

Amendment 48 recasts section 59 to bring it into line with current drafting practice and inserts a provision allowing the chief executive to approve forms for the Act.

Amendment 49 updates the regulation making power in accordance with current drafting practice.

Amendment 50 is consequential on amendment 49.

Amendment 51 renumbers and relocates the regulation making power in accordance with current drafting practice.

Amendment 52 removes unnecessary wording from a reference.

Amendment 53 removes a Henry VIII provision that allows schedule 2 of the Act to be amended by order in council.

Amendment 54 omits an obsolete provision and inserts a transitional provision that provides for a prescribed form to be taken as an approved form for a limited period.

Amendments 55, 57 and 59 replace provision headings.

Amendments 56, 58 and 60 omit unnecessary provision headings.

GOVERNMENT LOANS REDEMPTION AND CONVERSION ACT 1923

Amendment

1. Section 2 ‘and for the purposes of’—

omit.

SCHEDULE 1 (continued)

2. Section 2, definition “government loan”, ‘, whether before or after the date of the passing of this Act’—

omit.

3. Section 2, definition “government stock”, ‘and includes’—

omit.

4. Section 2, definition “inscribed stock”, from ‘Queensland stock’ to ‘1883’—

omit.

5. Section 3, words before subsection (1)—

omit, insert—

‘(1A) This section applies to every government loan.’.

6. Section 3—

renumber.

7. Section 4(2) and (3), headings—

omit.

8. Section 6(2) and (3)—

omit.

9. Section 7—

omit, insert—

SCHEDULE 1 (continued)

‘Regulation making power

‘7. The Governor in Council may make regulations under this Act.’.

Explanatory note

Amendments 1 to 4 omit redundant wording.

Amendment 5 revises the drafting of a section in accordance with current drafting practice and amendment 6 provides for the renumbering of the section.

Amendment 7 omits unnecessary headings.

Amendment 8 omits provisions now covered by the *Financial Administration and Audit Act 1977*.

Amendment 9 revises the regulation making power in accordance with current drafting practice.

GRAIN INDUSTRY RESTRUCTURING ACT 1991**Amendment****1. Section 92—**

omit.

Explanatory note

This amendment omits a provision made redundant by recent amendments of the *Magistrates Courts Act 1921*.

SCHEDULE 1 (continued)

HAWKERS ACT 1984**Amendment****1. Section 6(1), definitions “chief executive” and “local government area” —**

omit.

2. Section 6(1) —

insert—

‘**“approved form”** see section 48.¹⁷

“State” includes a Territory.’.

3. Section 6(3) —

omit.

4. Sections 11(1), 13(2), 14(1)(a) and (3), 15A(2)(a) and 17(2), ‘prescribed form’ —

omit, insert—

‘approved form’.

5. Sections 11(2)(a), 16, 17(3)(a), 22(1), 23(3) and 24(1), ‘or to the effect of the prescribed form’ —

omit, insert—

‘the approved form’.

¹⁷ Section 48 (Approval of forms)

SCHEDULE 1 (continued)

6. Section 12(1)(c) and (d)—

omit.

7. Section 12(2)—

omit, insert—

‘(2) For subsection (1), the chief executive may get—

- (a) a report from the commissioner about the applicant; and
- (b) if the applicant holds, or has held, a licence or certificate of registration (or similar accreditation) for the business of hawker in another State—a report from the appropriate licensing authority of the other State.’.

8. Section 23(1A) to (3)—

renumber.

9. Section 25(1A)(b), ‘authorised officer’—

omit, insert—

‘chief executive’.

10. Section 25(1B)—

omit, insert—

‘(1B) A notice of appeal must state fully the grounds of appeal and the facts on which the appellant relies.’.

11. Section 25(2) to (4)—

omit.

SCHEDULE 1 (continued)

12. Section 25(1A) to (6), as amended by this Act—
renumber.

13. Section 36(1A) and (2)—
renumber.

14. Section 40(1A) to (3)—
renumber.

15. Section 48—
omit, insert—

‘Approval of forms

‘48. The chief executive may approve forms for use under this Act.

‘Regulation making power

‘49.(1) The Governor in Council may make regulations under this Act.

‘(2) A regulation may be made about the following—

- (a) keeping records;
- (b) additional duties of hawkers;
- (c) conditions of licences;
- (d) fees payable under this Act;
- (e) penalties of not more than 8 penalty units for offences against a regulation.

‘Approved forms

‘50.(1) This section applies if—

SCHEDULE 1 (continued)

- (a) immediately before its commencement, there was a prescribed form for a matter; and
- (b) on the commencement, there is to be an approved form for the matter.

‘(2) Until there is an approved form for the matter, the form that was the prescribed form for the matter immediately before the commencement is taken to be the approved form for the matter.

‘(3) This section expires 3 months after it commences.’

Explanatory note

Amendment 1 omits definitions made redundant by the *Acts Interpretation Act 1954*.

Amendment 2 inserts new definitions in accordance with current drafting practice.

Amendment 3 omits a provision made redundant by the *Local Government Act 1993* and the *Acts Interpretation Act 1954*.

Amendments 4 and 5 provide for the use of approved forms rather than forms prescribed under regulation.

Amendment 5 also omits redundant wording (see *Acts Interpretation Act 1954*, section 49(1)).

Amendment 6 omits redundant provisions.

Amendment 7 remakes a provision to omit redundant material about bodies corporate. Under section 10(a), a hawkers licence may only be held by a natural person.

Amendments 8, 12, 13 and 14 are renumbering amendments.

Amendment 9 corrects a reference to the person to whom notice of appeal must be given.

Amendment 10 is consequential on amendments 4 and 5.

Amendment 11 omits a provision made redundant by the *Acts Interpretation Act 1954*, section 49A and omits provisions made redundant by recent amendments of the *Magistrates Courts Act 1921*.

Amendment 15 inserts a provision allowing the chief executive to approve forms for the Act, updates the regulation making power in accordance with current drafting practice, and inserts a transitional provision that provides for a prescribed form to be taken as an approved form for a limited period.

SCHEDULE 1 (continued)

HEALTH ACT 1937**Amendment****1. Section 2—**

omit.

2. Section 5(1), definitions “Director-General” and “licence”—

omit.

3. Section 5(1)—

insert—

‘**“approved form”** see section 15A.¹⁸

“licence” means a licence that is in force under this Act.’.

4. Section 5(1), definition “analyst”, words after ‘prescribed’—

omit, insert—

‘under a regulation’.

5. Section 5(1), definition “article’, words after ‘dangerous substances’—

omit, insert—

‘and substances declared under a regulation to be articles.’.

¹⁸ Section 15A (Approval of forms)

SCHEDULE 1 (continued)

6. Section 5(1), definition “drug”, words after ‘and also includes’—

omit, insert—

‘goods for therapeutic use within the meaning of the *Therapeutic Goods Act 1993* (Cwlth), and an article or substance declared under a regulation to be a drug’.

7. Section 6—

omit.

8. Sections 7 and 8—

omit, insert—

‘Appointment of chief health officer

‘**7.(1)** There is to be a chief health officer of the department.

‘**(2)** The chief health officer must be a medical practitioner.

‘**(3)** The chief health officer is to be appointed by the Governor in Council.

‘Delegation of chief health officer’s powers

‘**8.** The chief health officer may delegate the chief health officer’s powers under any Act to any person.’.

9. Section 9(1) and (1A)—

omit.

SCHEDULE 1 (continued)

10. Section 9(2), ‘, on the recommendation of the Director-General from time to time by order in council’—

omit, insert—

‘, by order,’.

11. Section 9(2), ‘Director-General’ (second and last mention)—

omit, insert—

‘Governor in Council’.

12. Section 9(3), ‘order in council’—

omit, insert—

‘order’.

13. Section 9(3) to (3J), ‘Director-General’—

omit, insert—

‘chief health officer’.

14. Section 10(1), ‘, on the recommendation of the Director-General, by order in council’—

omit, insert—

‘, by order,’.

15. Section 10(1), ‘order in council’—

omit, insert—

‘order’.

SCHEDULE 1 (continued)

16. Section 10(2) to (4), ‘Director-General’—*omit, insert—*

‘chief health officer’.

17. Section 10(2), ‘in council’—*omit.***18. Sections 11 to 13—***omit.***19. Section 14—***omit.***20. Part 2, division 2, heading—***omit, insert—*

‘Division 2—Chief health officer’.

21. Section 15(1), heading—*omit, insert—*

‘Power to make inspections etc.’.

22. Section 15(1) to (1C), ‘Director-General’—*omit, insert—*

‘chief health officer’.

SCHEDULE 1 (continued)

23. Section 15(1), ‘Director-General’s’—*omit, insert—*

‘chief health officer’s’.

24. Section 15(1A) to (1C), headings—*omit.***25. Section 15(2) to (4)—***omit.***26. After section 15—***insert—***‘Approval of forms**

‘**15A.** The chief health officer may approve forms for use under this Act.’.

27. Section 16, heading and (1), ‘Director-General’—*omit, insert—*

‘chief health officer’.

28. Section 16(2), ‘Director-General’—*omit, insert—*

‘chief health officer’.

SCHEDULE 1 (continued)

29. Section 17, ‘Director-General’—*omit, insert—*

‘chief health officer’.

30. Section 17(1), ‘by order in council’—*omit.***31. Section 17(1), ‘and/or make such regulations’—***omit.***32. Section 17(1) and (2), ‘Director-General’s’—***omit, insert—*

‘chief health officer’s’.

33. Section 18, ‘Director-General’—*omit, insert—*

‘chief health officer’.

34. Section 19, ‘or orders of the Director-General’—*omit, insert—*

‘, or orders of the chief health officer,’.

35. Section 19, ‘by the Director-General’—*omit, insert—*

‘by the chief health officer’.

SCHEDULE 1 (continued)

36. Section 20, ‘Director-General’—*omit, insert—*

‘chief health officer’.

37. Section 21(2), ‘to be signified by order in council’—*omit.***38. Section 21(3), ‘order in council under this subsection shall be made’—***omit, insert—*

‘approval is to be given’.

39. Section 21(3), ‘make such order’—*omit, insert—*

‘give the approval’.

40. Section 22, ‘Director-General’—*omit, insert—*

‘chief health officer’.

41. Section 24(1), heading—*omit, insert—*

‘Local government analysts’.

SCHEDULE 1 (continued)

42. Section 24, ‘Director-General’—*omit, insert—*

‘chief health officer’.

43. Section 24(3), heading—*omit.***44. Section 27(1A), ‘pursuant to subsection (1)’—***omit.***45. Section 27(1A), as amended by this Act—***renumber* as section 27A.**46. Section 27(2), heading, ‘Regulations’—***omit, insert—***‘Rules’.****47. Section 27(2), ‘Director-General’—***omit, insert—*

‘chief health officer’.

48. Section 27(2), ‘regulations’—*omit, insert—*

‘rules’.

SCHEDULE 1 (continued)

49. After section 27(2)—*insert—*

‘(2A) A rule must be approved by the Governor in Council, and is subordinate legislation.’.

50. Section 27(2) and (2A), as amended by this Act—*renumber* as section 27B(1) and (2).**51. Section 27(3) and (4), ‘Director-General’—***omit, insert—*

‘chief health officer’.

52. Section 27(3), as amended by this Act—*renumber* as section 27C.**53. Section 27(4), as amended by this Act—***renumber* as section 27D.**54. Section 27(5) and (6), and schedule—***omit, insert—***‘Holders of certain offices health officers**

‘27E. A regulation may declare that the holder of a stated office is, without further appointment, a health officer.’.

55. Section 31(1), heading—*omit, insert—***‘Definitions for division’.**

SCHEDULE 1 (continued)

56. Section 31(2), heading—

omit, insert—

‘Notification of births’.

57. Section 31(2), ‘by the Governor in Council by proclamation published in the Gazette’—

omit, insert—

‘under a regulation’.

58. Section 31(2A), (3), (4), (5), (6) and (7), headings—

omit.

59. Section 31(5), ‘shall be in the prescribed form or to the like effect’—

omit, insert—

‘must be in the approved form’.

60. Section 31(2) to (8), as amended by this Act—

renumber as section 31A(1) to (9).

61. Section 31(9)—

omit.

62. Sections 32 and 63, heading—

omit, insert—

‘Definitions for division’.

SCHEDULE 1 (continued)

63. Section 32(1) and (2)—

omit.

64. Section 32(3) and (4)—

renumber as section 31B(1) and (2).

65. Before section 32A—

insert—

‘Declaration of notifiable diseases

‘**32.(1)** A regulation may declare a disease or disability to be a notifiable disease.

‘(2) A regulation may limit the declaration to part of the State.’.

66. Section 32A and 32B, ‘Director-General’—

omit, insert—

‘chief health officer’.

67. Section 32A(10), ‘by notification published in the Gazette’—

omit, insert—

‘by gazette notice,’.

68. Section 33(1), words before paragraph (a)—

omit, insert—

‘**33.(1)** A regulation may make provision for or about—’.

SCHEDULE 1 (continued)

69. Section 33(1)(a) and (b), ‘and/or’—*omit, insert—*

‘or’.

70. Section 33(1A), words before paragraph (a)—*omit, insert—*

‘(1A) A regulation may provide for or about the following matters—’.

71. Section 33(1A)(p), ‘Director-General’—*omit, insert—*

‘chief health officer’.

72. Section 33(1B) and (2)—*omit.***73. Sections 34 to 49, ‘Director-General’—***omit, insert—*

‘chief health officer’.

74. Section 38(2), heading—*omit.***75. Section 47(1), ‘by the Governor in Council by order in council’—***omit, insert—*

‘under a regulation’.

SCHEDULE 1 (continued)

76. Section 47(5), heading—

omit.

77. Sections 47(6) and 49(1A), ‘Director-General’s’—

omit, insert—

‘chief health officer’s’.

78. Section 48(1), ‘The Governor in Council may by regulation’—

omit, insert—

‘A regulation may’.

79. Section 49(1)—

insert—

‘Maximum penalty—20 penalty units.’.

80. Section 49(1B)—

omit.

81. Section 62(3), ‘\$50’—

omit, insert—

‘1 penalty unit’.

82. Section 63, ‘this Part’—

omit, insert—

‘this division’.

SCHEDULE 1 (continued)

83. Sections 64 to 71 and 73, ‘Director-General’—

omit, insert—

‘chief health officer’.

84. Section 67(2), ‘prescribed form and shall contain the prescribed particulars’—

omit, insert—

‘approved form’.

85. Section 68(1), ‘whether before or after the commencement of the *Health Act Amendment Act 1978*,’—

omit.

86. Section 68(4), ‘, whether renewed before or after the commencement of the *Health Act Amendment Act 1978*,’—

omit.

87. Section 68(2) to (5), as amended by this Act—

renumber as section 68AA(1) to (4).

88. Section 71(4) and (5), ‘under the Director-General’s hand’—

omit.

89. Section 72(1), ‘The Director-General may from time to time make regulations for’—

omit, insert—

‘A regulation may make provision for or about’.

SCHEDULE 1 (continued)

90. Section 72(1A), words before paragraph (a)—

omit, insert—

‘(1A) In particular, a regulation may be made prescribing—’.

91. Section 72(1A)(a) to (i), headings—

omit.

92. Section 72(3)—

omit.

93. Section 76B(1), ‘Part’—

omit, insert—

‘division’.

94. Section 76C, 76D, 76F, 76G and 76I, ‘Director-General’—

omit, insert—

‘chief health officer’.

95. Section 76C(2), ‘, shall be in or to the effect of the prescribed form,’—

omit, insert—

‘in the approved form’.

96. Section 76E(1)—

omit.

SCHEDULE 1 (continued)

97. Section 76G(2A), ‘Director-General’s’—*omit, insert—*

‘chief health officer’s’.

98. Section 76H(1), words before ‘the control’—*omit, insert—*‘**76H.(1)** A regulation may be made for or about’.**99. Section 76H(1), ‘Director-General may’—***omit, insert—*

‘chief health officer may’.

100. Section 76H(1), from ‘and, without’ to ‘foregoing provisions of this section,’—*omit, insert—*‘**(1A)** In particular, a regulation may be made’.**101. Section 76H(2)—***omit.***102. Section 76K(1), ‘by the Director-General by’—***omit, insert—*

‘under a’.

103. Section 76K(2)—*omit.*

SCHEDULE 1 (continued)

104. Section 76K(3), ‘Director-General’ (first mention)—*omit, insert—*

‘chief health officer’.

105. Section 76K(3), ‘such form as is specified by the Director-General by regulation’—*omit, insert—*

‘the approved form’.

106. Section 76K(6), ‘Director-General’—*omit, insert—*

‘chief health officer’.

107. Section 76L(7)(b), ‘Director-General’—*omit, insert—*

‘chief health officer’.

108. Section 76M, heading—*omit, insert—***‘Meaning of “child” for division’.****109. Section 76N—***omit.*

SCHEDULE 1 (continued)

110. Section 79(1), heading—*omit, insert—***‘Abatement of nuisance’.****111. Section 79(3), (4), (5), (6), (7) and (8), headings—***omit.***112. Section 92(1)(a) to (j) and (2), headings—***omit.***113. Section 95 to 96A, ‘Director-General’—***omit, insert—***‘chief health officer’.****114. Section 98, 98A, 99 and 99A, ‘Director-General’—***omit, insert—***‘chief health officer’.****115. Section 98A(1)(a), ‘prescribed form’—***omit, insert—***‘approved form’.****116. Sections 98(8) and 99(4), ‘Director-General’s’—***omit, insert—***‘chief health officer’s’.**

SCHEDULE 1 (continued)

117. Section 99(5), ‘made by the Director-General’ and ‘, the making of such regulations in accordance with this Act being hereby authorised’—

omit.

118. Section 99A(1), words before paragraph (a)—

omit, insert—

‘**99A.(1)** A regulation may make provision for or about—’.

119. Section 99A(2), words before ‘in relation to work’—

omit, insert—

‘**(2)** Conditions’.

120. Section 100(1), words before ‘the control’—

omit, insert—

‘**100.(1)** A regulation may make provision for or about’.

121. Section 100(2), words before paragraph (a)—

omit, insert—

‘**(2)** In particular, a regulation may make provision for or about the following matters—’.

122. Section 100(2)(c), ‘Director-General’—

omit, insert—

‘Governor in Council’.

SCHEDULE 1 (continued)

123. Section 100A(1), words before ‘in relation to’—

omit, insert—

‘**100A.(1)** A regulation may make provision’.

124. Section 100A(2), words before paragraph (a)—

omit, insert—

‘**(2)** In particular, a regulation may make provision for or about the following matters—’.

125. Section 100A(2)(h)—

omit.

126. Sections 100C to 100E, ‘Director-General’—

omit, insert—

‘chief health officer.’.

127. Section 100C(1), ‘or to the effect of the prescribed form’—

omit, insert—

‘the approved form’.

128. Section 100C(1), words after ‘such returns’—

omit.

129. Section 100C(2)(a)—

omit, insert—

‘(a) must complete a return in the approved form for the person; and’.

SCHEDULE 1 (continued)

130. Section 100F, words before paragraph (a)—

omit, insert—

‘Regulations for division

‘100F. A regulation may make provision for or about—’.

131. Section 100F(d) to (f)—

omit.

132. Sections 100H and 100I, ‘Director-General’—

omit, insert—

‘chief health officer’.

133. Section 100H(1), ‘or to the effect of the prescribed form’—

omit, insert—

‘the approved form’.

134. Section 100H(1), words after ‘such returns’—

omit.

135. Section 100J, words before paragraph (a)—

omit, insert—

‘Regulations for division

‘100J. A regulation may make provision for or about—’.

136. Section 100J(d) to (g)—

omit.

SCHEDULE 1 (continued)

137. Section 101(1)(e) and (f), ‘or any order in council’—

omit.

138. Section 101(2)—

renumber as section 101A.

139. Section 105(1)(b) to (g), headings—

omit.

140. Section 106(2), ‘the Director-General may by notification published in the Gazette’—

omit, insert—

‘a regulation may’.

141. Section 106(2), ‘in the notification’—

omit, insert—

‘in the regulation’.

142. Section 106(2A)—

omit.

143. Section 106(3), ‘Any notification’—

omit, insert—

‘A regulation’.

SCHEDULE 1 (continued)

144. Section 106(4)(a)—*omit, insert—*

‘(a) contravenes a regulation made under subsection (2); or’.

145. Section 106(4)(b), ‘by notification made pursuant to’—*omit, insert—*

‘under a regulation made under’.

146. Section 107(1B)(c), words after ‘regulations’—*omit.***147. Section 109, ‘Director-General’—***omit, insert—*

‘chief health officer’.

148. Section 110(1), heading, after ‘articles’—*insert—*

‘etc.’.

149. Section 110(1), words before ‘the advertising’—*omit, insert—*

‘**110.(1)** A regulation may prohibit’.

150. Section 110(1), ‘opinion of the Director-General’—*omit, insert—*

‘chief health officer’s opinion’.

SCHEDULE 1 (continued)

151. Section 110(1A)—

omit, insert—

‘**(1A)** However, a regulation may be made only if the manufacturer, importer, seller, or owner of the drug or article has been given a reasonable opportunity to object to the chief health officer about the proposed prohibition.’.

152. Section 113(1), words before ‘prohibit’—

omit, insert—

‘**113.(1)** A regulation may’.

153. Section 113(2)—

omit, insert—

‘**(2)** However, a regulation may be made only if the manufacturer, importer, seller or owner of the article has been given a reasonable opportunity to object to the chief health officer about the proposed prohibition.’.

154. Section 114—

omit, insert—

‘Labelling of disinfectants etc.

‘**114.(1)** A regulation may require a label to be supplied on or attached to a package of disinfectant, germicide, antiseptic or deodorant packed or enclosed for sale.

‘**(2)** A person must not sell, in a package, a disinfectant, germicide, antiseptic or deodorant that contravenes a requirement of a regulation made under subsection (1).

‘Maximum penalty—20 penalty units.’.

SCHEDULE 1 (continued)

155. Sections 124(2)(b), (c), (f) and (3) and 110(2), headings—

omit.

156. Section 124(2)(f), ‘Director-General by notification published in the Gazette’—

omit, insert—

‘chief health officer by gazette notice’.

157. Section 124A, ‘Director-General’—

omit, insert—

‘chief health officer’.

158. Section 124A(1), ‘writing under the Director-General’s hand’—

omit, insert—

‘signed writing’.

159. Section 124A(2), ‘a notice published in the Gazette’—

omit, insert—

‘gazette notice’.

160. Section 127(6) and (6A), ‘Director-General’—

omit, insert—

‘chief health officer’.

SCHEDULE 1 (continued)

161. Section 127(6A), from ‘this’ to ‘by’—*omit, insert—*

‘subsection (6) by’.

162. Section 128(1), words after ‘prescribed’—*omit, insert—*

‘under the regulations’.

163. Section 129D, words before ‘the method’—*omit, insert—***‘Prescribing methods of analysis****‘129D.** A regulation may prescribe’.**164. Section 130B(1), ‘by the Governor in Council by order in council’—***omit, insert—*

‘under a regulation’.

165. Sections 130B to 130H, ‘Director-General’—*omit, insert—*

‘chief health officer’.

166. Section 130B—*insert—***‘(5)** In this section—**“treatment”** includes medical treatment, care, training, education, social rehabilitation, help and advice.’.

SCHEDULE 1 (continued)

167. Section 130C, ‘section 130’—

omit, insert—

‘section 130B’.

168. Section 130F—

insert—

‘(4) In this section—

“**declared institution**” means an institution declared to be an institution for section 130B.

“**treatment**” includes medical treatment, care, training, education, supervision, social rehabilitation, help and advice.’.

169. Section 130O—

omit.

170. Section 131(3) and (4), headings—

omit.

171. Section 131F(1)(b) and (c), ‘Director-General’—

omit, insert—

‘chief health officer’.

172. Section 131H(1), words before paragraph (a)—

omit, insert—

‘**131H.** A regulation may make provision for—’.

SCHEDULE 1 (continued)

173. Section 131H(1)(c) and (d)—

omit.

174. Section 131H(2)—

omit.

175. Section 131I(1), words after ‘what is prescribed’—

omit, insert—

‘under a regulation’.

176. Section 131J, definition “prohibited pesticide”, ‘by order in council for the purpose of this Division’—

omit, insert—

‘under a regulation’.

177. Section 131J, definition “regulated pesticide”, ‘by order in council’—

omit, insert—

‘under a regulation’.

178. Section 131KB(1), ‘An order in council’—

omit, insert—

‘A regulation’.

179. Sections 131L and 131O to 131V, ‘Director-General’—

omit, insert—

‘chief health officer’.

SCHEDULE 1 (continued)

180. Section 131L(1), 131M(a), 131O(1) and 131P(1), ‘prescribed form’—*omit, insert—*

‘approved form’.

181. Sections 131R(2) and 131S, ‘Director-General’s’—*omit, insert—*

‘chief health officer’s’.

182. Section 131W(1) and (3)—*omit.***183. Section 131W(2), words before paragraph (a)—***omit, insert—*‘**131W.** A regulation may make provision for or about—’.**184. Section 131WA, definition “agricultural chemical”, ‘or any substance belonging to a class whose members are prescribed to be agricultural chemicals’ and ‘or any substance belonging to a class whose members are prescribed not to be agricultural chemicals’—***omit.***185. Section 131WB(1), ‘Director-General’—***omit, insert—*

‘chief health officer’.

SCHEDULE 1 (continued)

186. Section 131WD(1) and (4)—

omit.

187. Section 131WD(2), words before paragraph (a)—

omit, insert—

‘**131WD.** A regulation may make provision for or about the following matters—’.

188. Section 131WE, definition “hazardous substance”, ‘by order in council’—

omit, insert—

‘under a regulation’.

189. Section 131WF, ‘Director-General’—

omit, insert—

‘chief health officer’.

190. Section 131WG(1) and (4)—

omit.

191. Section 131WG(2), words before paragraph (a)—

omit, insert—

‘**131WG.** A regulation may make provision for or about the following matters—’.

SCHEDULE 1 (continued)

192. Section 132(1), heading—

omit, insert—

‘Powers of officers’.

193. Section 132(1), ‘Director-General’ (first mention)—

omit, insert—

‘chief health officer’.

194. Section 132(1)(a) and (b), ‘which, upon the recommendation of the Director-General, the Governor in Council (who is hereby thereunto authorised) shall have declared by order in council’—

omit, insert—

‘declared under a regulation’.

195. Section 132(1)(b) to (g), (2) to (4), (5), (6) and (7), headings—

omit.

196. Section 134A(1)—

omit, insert—

‘134A.(1) This section applies only to a drug or article declared under a regulation to be a drug or article to which this section applies.’.

197. Section 136(3), words after ‘article from the’—

omit, insert—

‘chief health officer or, if the first officer is an officer of a local government, the local government.’.

SCHEDULE 1 (continued)

198. Section 136(5), ‘or any regulation made thereunder’—

omit.

199. Section 137(a), ‘Director-General’—

omit, insert—

‘chief health officer’.

200. Section 140(3) and (4)—

renumber as section 140A(1) and (2).

201. Section 142(1), heading—

omit, insert—

‘Guarantees’.

202. Section 142(1)(k)—

omit, insert—

‘(k) a regulation may require the guarantee to be in the approved form.’.

203. Section 142(2) to (5), headings—

omit.

204. Section 142(5), words before ‘on the label or package’—

omit, insert—

‘(5) A person must not use’.

SCHEDULE 1 (continued)

205. Section 142(5), ‘or regulations’—

omit.

206. Section 143(2), heading—

omit.

**207. Sections 147, 150, 151 and 152(1)(i), (l) and (za),
‘Director-General’—**

omit, insert—

‘chief health officer’.

208. Section 150(1), ‘Director-General’s—

omit, insert—

‘chief health officer’s’.

209. Section 152, heading—

omit, insert—

‘Regulations about drugs, articles, substances, appliances etc.’.

**210. Section 152(1), words before paragraph (a) (other than
heading)—**

omit, insert—

‘152.(1) A regulation may be made about the following matters—’.

**211. Section 152(1)(a), (c) to (g), (m), (s), (t), (za), (zc), (zh) and (zj),
headings—**

omit.

SCHEDULE 1 (continued)

212. Section 152(1)(w)—

omit, insert—

‘(w) the siting, construction, layout, condition and registration of licensees’ premises;’.

213. Section 152(1)(u), (v), (y) and (z), ‘Therapeutic Goods Act 1966 (Cwlth)’—

omit, insert—

‘Therapeutic Goods Act 1993 (Cwlth)’.

214. Section 152(1)(zi) and (zk) to (zm)—

omit.

215. Section 152(2)—

omit.

216. Section 152A—

omit.

217. Section 153(2), heading—

omit.

218. Section 154M, ‘by order in council published in the Gazette’—

omit, insert—

‘by gazette notice’.

SCHEDULE 1 (continued)

219. Section 154N(3)—

omit.

220. Section 155(1), ‘the Governor in Council, by notification in the Gazette,’—

omit, insert—

‘a regulation’.

221. Section 155(1), ‘where no such notification has been given then’—

omit, insert—

‘, if a regulation is not in force for the water,’.

222. Section 158(1), ‘Director-General’—

omit, insert—

‘chief health officer’.

223. Sections 160(1), 164(5) and 167(1), (2) and (4), ‘Director-General’—

omit, insert—

‘chief health officer’.

224. Section 160(1), ‘Director-General’s’—

omit, insert—

‘chief health officer’s’.

SCHEDULE 1 (continued)

225. Section 160(1), ‘regulation,’—

omit.

226. Section 164(1), ‘regulation or’—

omit.

227. Section 165, ‘or order made by the Director-General’—

omit, insert—

‘, or order made by the chief health officer,’.

228. Section 166, ‘regulation or’—

omit.

229. Section 167(3) and (3A), ‘regulation,’—

omit.

230. Section 168(1), ‘regulation, or’—

omit.

231. Section 169—

omit.

232. Sections 170 and 173, ‘Director-General’—

omit, insert—

‘chief health officer’.

SCHEDULE 1 (continued)

233. Section 173, ‘regulation or’—

omit.

234. Section 176(5) to (7)—

omit.

235. Sections 177 and 178(b) and (g), ‘Director-General’—

omit, insert—

‘chief health officer’.

236. Section 178, ‘regulation, or’—

omit.

237. Section 178(c) and (d)—

omit.

238. Section 180, heading—

omit, insert—

‘Regulation making power’.

239. Section 180(1), ‘for the purposes of’—

omit, insert—

‘under’.

240. Section 180(2)(c)—

omit, insert—

SCHEDULE 1 (continued)

- ‘(c) the inspection of State premises;
- (d) the suspension or cancellation of licences, certificates, approvals and other instruments under this Act;
- (e) prescribing penalties of not more than 80 penalty units, and daily penalties of not more than 4 penalty units, for offences against a regulation.’.

241. Section 180(3)—

omit.

242. After section 180—

insert—

‘PART 6—TRANSITIONAL PROVISIONS**‘Saving of any existing appointment of Director-General of Health and Medical Services etc.**

‘**181.(1)** If, immediately before the commencement of this section, there is a person appointed as Director-General of Health and Medical Services or chief health officer of the department, then, on the commencement, the person is taken to be appointed under this Act as chief health officer on the same terms that the person held office immediately before the commencement.

‘(2) This section expires on the day it commences.

‘References to commissioner of health

‘**182.** In an Act or document, a reference to the commissioner of health may, if the context permits, be taken to be a reference to the chief health officer.

SCHEDULE 1 (continued)

‘Existing regulations etc. made by Director-General

‘**183.(1)** A regulation made by the Director-General, and in force under this Act immediately before the commencement of this section, is taken to be a regulation made under this Act by the Governor in Council.

‘**(2)** Subsection (1) does not apply to a regulation in force under section 27(2) immediately before the commencement.

‘**(3)** If—

- (a) a provision of this Act in force immediately before the commencement authorised or required the Director-General to make a statutory instrument other than a regulation; and
- (b) the provision was amended by the *Statute Law (Miscellaneous Provisions) Act 1995*; and
- (c) under the amended provision the Governor in Council may make an instrument of subordinate legislation;

a statutory instrument made by the Director-General, and in force under the provision immediately before the commencement, is taken to be a regulation made under this Act by the Governor in Council.

‘**(4)** This section is a law to which the *Acts Interpretation Act 1954*, section 20A applies.

‘**(5)** This section expires on the day it commences.

‘Numbering and renumbering of Act

‘**184.** In the next reprint of this Act produced under the *Reprints Act 1992*, the provisions of this Act (other than sections) must be numbered and renumbered as permitted by the *Reprints Act 1992*.’.

243. Schedule B—

omit.

SCHEDULE 1 (continued)

Explanatory note

Most of the amendments of the Health Act are of 2 types. First, there are amendments that change numerous references in the Act from the Director-General (of Health and Medical Services) to the chief health officer. Continued use in the Act of the older title of Director-General is the source of confusion. Second, there are a number of amendments that transfer regulation making power from the chief health officer to the Governor in Council. This is consistent with the proper respective roles of non-elected officials and the executive government in a Westminster system of government such as Queensland's. The opportunity has also been taken to update regulation making powers in accordance with current drafting practice and to remove unnecessary provisions. In addition to amendments of these 2 types, the amendments of the Act include a broad range of minor updating changes. These are outlined below.

Amendment 1 omits a redundant definition dealing with the Act's commencement.

Amendments 2 and 3 simplify the definition "licence" and are consequential on changes in relation to the use of the title Director-General. Amendment 3 also inserts a definition "approved form" which is consequential on amendments allowing the use of approved forms rather than prescribed forms.

Amendments 4, 5, 6, 57, 65, 75, 140, 143, 144, 145, 149, 152, 172, 176, 177, 178, 188, 194, 196 and 221 give effect to current drafting practice by providing that the statutory instruments used under the Act are regulations. These amendments will ensure that all instruments under the Act of a legislative character are subject to Parliamentary oversight.

Amendment 7 omits a provision that is now outdated, redundant and contrary to current drafting practice.

Amendment 8 updates provisions dealing with the appointment of, and delegations by, the chief health officer. The amendment also omits unnecessary provisions.

Amendment 9 omits outdated and unnecessary provisions. The Act contains ample power to make regulations covering the matters dealt with in the omitted provisions.

Amendments 10 and 14 omit, in accordance with Government policy, provisions dealing with internal government administrative arrangements. The amendments also make it clear that the Governor in Council's powers under the amended sections are not legislative.

Amendment 11 makes it clear that the discretions under the amended section are those of the Governor in Council.

Amendments 12, 15 and 17 are consequential on amendments 10 and 14.

SCHEDULE 1 (continued)

Amendments 18 and 19 omit unnecessary and outdated provisions about statutory instruments.

Amendments 21, 24, 41, 43, 58, 74, 76, 91, 110, 111, 112, 139, 148, 155, 170, 192, 195, 201, 203, 206, 209, 211 and 217 omit unnecessary headings and make consequential changes.

Amendments 25 and 26 update provisions dealing with forms. The amendments will allow the use of approved forms rather than forms prescribed by the Act or a regulation.

Amendments 30, 37 and 38 make it clear that the Governor in Council's powers under the amended sections are not legislative.

Amendments 45, 50, 52, 53, 60, 64, 87 and 200 recast subsections as sections.

Amendments 46, 48 and 49 allow the chief health officer to make rules (rather than regulations) about the appointment of health officers and other officers under the Act. The rules are subject to the Governor in Council's approval and are subordinate legislation.

Amendment 54 updates provisions and allows offices, the holders of which are automatically updated by regulation, to be updated by regulation rather than amendment of the Act.

Amendments 59, 84, 95, 105, 115, 127, 129, 133, 180 and 202 change references to prescribed forms to approved forms in accordance with current drafting practice and Government policy.

Amendments 62, 67, 69, 79, 80, 156, 160 and 212 update the language of provisions in minor ways.

Amendment 81 changes a penalty expressed in dollars to penalty units.

Amendments 82 and 93 correct minor errors.

Amendments 85, 86, 88 and 96 omit unnecessary provisions.

Amendments 167, 168 and 169 relocate and update definitions.

Amendments 213 updates a reference to a Commonwealth Act.

Amendment 216 omits an unnecessary transitional provision.

Amendment 218 makes it clear that the authorisation of scientific research and studies by the Governor in Council is an administrative power.

Amendments 231 and 234 omit outdated provisions about who can commence prosecutions.

Amendment 242 inserts transitional provisions to preserve the existing chief health

SCHEDULE 1 (continued)

officer's appointment, deal with references to an outdated office, deem existing regulations and other subordinate legislation made by the Director-General to be regulations made by the Governor in Council, and provide for limited renumbering of the Act.

Amendment 243 is consequential on amendments 25 and 26.

HEALTH SERVICES ACT 1991**Amendment****1. Section 1.4—**

omit.

2. Section 1.5, heading—

omit, insert—

‘Definitions’.

3. Section 1.5(1), definition “public sector health service”—

omit.

4. Section 1.5(1)—

insert—

‘ **“public sector health service”** means a health service operated or controlled by an entity from the public sector, and includes a health service declared under a regulation to be a public sector health service, but does not include a health service declared under a regulation not to be a public sector health service.’.

SCHEDULE 1 (continued)

5. Section 1.5(3)—

omit.

6. Section 1.7—

omit.

7. Section 2.3(1), ‘, other than the first financial year of operation of this Act,’—

omit.

8. Section 2.7(1) and (3), ‘from time to time by notification published in the Gazette’—

omit, insert—

‘, by gazette notice,’.

9. Section 2.9(1), ‘by notification published in the Gazette,’—

omit, insert—

‘, by gazette notice,’.

10. Section 3.2—

omit.

11. Section 3.15, ‘on the recommendation of the Minister, by notification published in the Gazette’—

omit, insert—

‘by gazette notice’.

SCHEDULE 1 (continued)

12. Section 3.15, ‘the notification’—

omit, insert—

‘the notice’.

13. Section 3.16(1)—

omit.

14. Sections 3.22(1)(a) and (2), 3.33(e) and 4.4(1), ‘Department of Health’—

omit, insert—

‘department’.

15. Section 3.34—

omit, insert—

‘Delegation by authority

‘**3.34.(1)** An authority may delegate its powers under this Act to its regional director or any of its employees.

‘**(2)** However, the authority may not delegate its powers to make by-laws.’.

16. Section 3.38(2)—

omit.

17. Section 5.9(1) and (4), words before paragraph (a)—

omit, insert—

‘**5.9.(1)** The Governor in Council may make regulations under this Act.

‘**(2)** A regulation may—’.

SCHEDULE 1 (continued)

18. Section 5.9(4)(a) and (c) to (i), ‘may’ (first mention)—

omit.

19. Section 5.9(4)(i), before ‘any other’—

insert—

‘make provision about’.

20. Section 5.9(4)(b), (5), (6) and (8)—

omit.

21. Section 5.9, as amended by this Act—

relocate in part 7 as section 7.5.

22. Section 5.10(1)—

omit, insert—

‘5.10.(1) An authority may make by-laws under this Act for its region.’.

23. Section 5.10(3), words before paragraph (a)—

omit, insert—

‘(2) A by-law may be made about—’.

24. Section 5.10(4)—

omit.

25. Section 7.4—

omit, insert—

SCHEDULE 1 (continued)

‘References to Director-General of Health and Medical Services

‘7.4. In an Act or document, a reference to the Director-General of Health and Medical Services may, if the context permits, be taken to be a reference to the chief health officer of the department.’.

26. Part 8, division 1, heading—

omit.

27. Section 8.1—

omit.

28. Section 8.2—

omit, insert—

‘References to hospitals board

‘8.2. In an Act or document, a reference to a hospital board established under the *Hospitals Act 1936* may, if the context permits, be taken to be a reference to a regional health authority.’.

29. Section 8.3—

omit.

30. Section 8.4, heading, after ‘Boards’—

insert—

‘etc.’.

SCHEDULE 1 (continued)

31. Section 8.4, ‘pursuant to section 8.3,’—

omit, insert—

‘on the appointed day’.

32. Part 8, divisions 2 and 3—

omit.

Explanatory note

Amendments 1, 7 and 26 to 32 omit redundant transitional provisions and make necessary consequential amendments.

Amendment 2 revises a heading in accordance with current drafting practice.

Amendments 3, 4 and 5 allow services to be added to or deleted from the definition “public sector health service” only by regulation rather than ministerial notice.

Amendment 6 omits an unnecessary provision about the Act’s administration.

Amendments 8, 9, 11 and 12 simplify the language of provisions and remove references to acts being done on the recommendation of the Minister.

Amendment 10 omits a section made redundant by amendments of the *Statutory Instruments Act 1992*.

Amendment 13 omits a provision made redundant by amendments of the *Acts Interpretation Act 1954*.

Amendments 14 and 25 revise references to the department by its name in accordance with current drafting practice.

Amendment 15 updates a delegation provision in accordance with current drafting practice.

Amendments 16 to 21 revise the regulation making power in accordance with current drafting practice and remove unnecessary provisions.

Amendments 22 to 24 revise the by-law making power in accordance with current drafting practice and remove unnecessary provisions.

SCHEDULE 1 (continued)

INDY CAR GRAND PRIX ACT 1990**Amendment****1. Section 1.2, heading—**

omit, insert—

‘Definitions’.

2. Section 1.2(1), definitions “declared area”, “declared period”, “Minister”, “official title” and “promoter”—

omit.

3. Section 1.2(1)—

insert—

‘ **“declared area”**, for a year, means the area declared under a regulation to be the declared area for the year.

“declared period”, for a year, means the period (not longer than 5 days) declared under a regulation to be the declared period for the year.

“official title”, for a motor racing event, means a name or title declared under a regulation to be an official title for the event.

“promoter”, for a year, means the person declared under a regulation to be the promoter for the year.’.

4. Section 1.2(1), definition “CART”, ‘or other body declared by the Minister by notification published in the Gazette’—

omit, insert—

‘, or someone else declared under a regulation’.

SCHEDULE 1 (continued)

5. Section 1.2(2), as heading—*insert—***‘Goods taken to be marked with official grand prix insignia’.****6. Section 1.2(3), as heading—***insert—***‘Meaning of “motor racing event”’.****7. Section 1.2(2) and (3)—***renumber* as section 1.2A and 1.2B.**8. Section 1.2(4)—***omit.***9. Part 2—***omit.***10. Section 4.4(2)(a), ‘section 4.2’—***omit, insert—***‘section 4.3’.****11. Section 4.6—***omit.***12. Section 4.8—***omit.*

SCHEDULE 1 (continued)

13. Section 4.10(1), ‘by Order in Council’—

omit, insert—

‘under a regulation’.

14. After section 4.10—

insert—

‘Regulation making power

‘4.10A.(1) The Governor in Council may make regulations under this Act.

‘(2) A regulation may make provision for a purpose mentioned in the schedule.

‘(3) A regulation may be made prescribing penalties of not more than 20 penalty units for offences against a regulation.’.

Explanatory note

Amendment 1 changes a heading in accordance with current drafting practice.

Amendments 2, 3 and 4 change statutory instruments of a legislative nature to regulations. Amendment 2 also omits a redundant definition.

Amendments 5, 6 and 7 change subsections to separate sections with their own headings.

Amendments 8 and 9 make omissions consequential on amendments 2, 3 and 4.

Amendment 10 corrects a cross-reference.

Amendments 11 and 14 update the regulation making power in accordance with current drafting practice.

Amendment 12 omits a provision about infringement notices that is now dealt with under the *Justices Act 1886*.

Amendment 13 implements current drafting practice by providing that the statutory instruments used under the Act are regulations.

SCHEDULE 1 (continued)

LAND ACT 1994**Amendment****1. Section 156(2), ‘To any remove doubt’—***omit, insert—*

‘To remove any doubt’.

2. Section 158(1), ‘it’s’—*omit, insert—*

‘its’.

3. Sections 175(5) and 176, ‘26’—*omit, insert—*

‘24’.

4. Section 210(3), ‘lessee or licensee’—*omit, insert—*

‘permittee’.

5. Section 210(5), ‘permitee’—*omit, insert—*

‘permittee’.

6. Section 399(1), ‘liable’—*omit, insert—*

‘liability’.

SCHEDULE 1 (continued)

7. Sections 409(3)(a), 410(4)(a), 411(1), 415(3)(a) and 416(1), ‘clerk of the court’—*omit, insert—*

‘registrar’.

8. Section 417(1) and (2)—*omit.***9. Section 417(3), words before paragraph (a)—***omit, insert—*‘**417.** In a proceeding in a Magistrates Court under this part, the court—’.**10. Section 422, after ‘way’—***insert—*

‘of’.

11. Section 483, ‘division 2’—*omit, insert—*

‘division 1’.

12. Section 500(1), after ‘overpaid’—*insert—*

‘amount’.

13. After section 506—*insert—*

SCHEDULE 1 (continued)

**‘PART 7A—BRIGALOW AND OTHER LANDS
DEVELOPMENT PROVISIONS’.****14. Section 511(a), (b), (d), (e) and (g) to (i), ‘is taken’—***omit, insert—*

‘may, if the context permits, be taken’.

15. Section 511(c), ‘is’—*omit, insert—*

‘may, if the context permits, be taken to be’.

16. Section 511(f)—*omit, insert—*

‘(f) the registrar of titles may, if the reference is about a register or the registration of a document under this Act and the context otherwise permits, be taken to be a reference to the chief executive; and’.

17. Section 511—*insert—*

‘(ga) a licensee under a particular type of licence under the repealed Act may, if the context permits, be taken to be a reference to a licensee under this Act; and

(gb) a permission to occupy under the repealed Act may, if the context permits, be taken to be a reference to a permit to occupy under this Act; and’.

SCHEDULE 1 (continued)

18. Section 511(h) and (i), after ‘repealed Act’—

insert—

‘, or the *Land Act 1897*, the *Land Act 1902* or the *Land Act 1910*,’.

19. Section 511(g) to (i)—

renumber.

20. Schedule 2, ‘section 422’—

omit, insert—

‘section 423’.

21. Schedule 5, amendment of *Local Government Act 1993*, amendments 3 and 4—

omit.

22. Schedule 5, amendments of *Torres Strait Islander Land Act 1991*, amendment 1, ‘1.03’—

omit, insert—

‘3’.

Commencement

Amendments 21 and 22 are taken to have commenced on 1 July 1995.

Explanatory note

Amendments 1 to 7, 10 to 12, 20 and 22 correct minor typographical, reference and terminology errors.

Amendment 8 omits provisions made redundant by recent amendments of the *District Courts Act 1967*.

SCHEDULE 1 (continued)

Amendment 9 is consequential on amendment 8.

Amendment 13 is consequential on the relocation of provisions from the *Brigalow and Other Lands Development Act 1962*.

Amendments 14 to 16 are minor drafting changes to clarify the operation of reference provisions.

Amendment 17 inserts provisions to deal with references to certain terms used under repealed Acts. The provisions will enable references to the terms to be updated in reprints (see *Reprints Act 1992*, section 23A(3)).

Amendment 18 amends a provision to deal with references to earlier repealed Acts that provided for substantially the same matters as this Act. The provision will enable references to the repealed Acts to be updated in reprints (see *Reprints Act 1992*, section 22(4)).

Amendment 19 is a consequential renumbering amendment.

Amendment 21 omits duplicated amendments (see *Transport Infrastructure Amendment Act (No. 2) 1994*, schedule 2).

LAND ACT (ABORIGINAL AND ISLANDER LAND GRANTS) AMENDMENT ACT 1982

Amendment

1. Section 21, heading—

omit, insert—

‘Land granted for Aboriginal or Islander inhabitants’.

2. Section 21, ‘is granted’—

omit, insert—

‘was granted’.

SCHEDULE 1 (continued)

3. Sections 21 and 22(1), after ‘granted in trust’—

insert—

‘under the repealed Act’.

4. Section 22, heading—

omit.

5. Section 22(1), ‘mining tenement within the meaning of the *Mining Act 1968–1980* shall exist and no authority to prospect within the meaning of that Act shall be granted or, being granted, be of any force or effect’—

omit, insert—

‘permit, claim, licence or lease under the *Mineral Resources Act 1989* is to be granted or exist’.

6. Section 22(2), ‘mining tenement or an authority to prospect’—

omit, insert—

‘permit, claim, licence or lease’.

7. Sections 21 and 22, as amended by this Act—

relocate to *Land Act 1994* in chapter 8, part 1, division 2, as section 452A(1) to (3).

Explanatory note

Amendments 1 to 4 are consequential on the relocation of provisions of this Act to the *Land Act 1994* by amendment 8.

Amendments 5 and 6 update terminology and references in the provisions to be relocated.

SCHEDULE 1 (continued)

Amendment 7 relocates provisions to the *Land Act 1994* to enable this Act to be repealed.

**LAND (MT COOT-THA TELEVISION STATIONS)
SALES ACT 1986****Amendment****1. Section 8—**

relocate to *City of Brisbane Act 1924* as section 134.

Explanatory note

This amendment relocates a provision to the *City of Brisbane Act 1924* to enable the *Land (Mt Coot-tha Television Stations) Sales Act 1986* to be repealed.

**LAW COURTS AND STATE BUILDINGS
PROTECTIVE SECURITY ACT 1983****Amendment****1. Section 19, ‘referred to in that section’—**

omit, insert—

‘of a police officer’.

Explanatory note

This amendment is consequential on an amendment of the section made by the *Statute Law (Miscellaneous Provisions) Act (No. 2) 1994*.

SCHEDULE 1 (continued)

LIENS ON CROPS OF SUGAR CANE ACT 1931**Amendment****1. Section 24—**

omit.

Explanatory note

This amendment omits a provision made redundant by recent amendments of the *Supreme Court of Queensland Act 1991*.

LOCAL GOVERNMENT ACT 1993**Amendment****1. Section 5(1)(h), ‘under an occupation licence or road licence’—**

omit.

2. Sections 217 and 218—

omit, insert—

‘Date of triennial elections

‘**217.(1)** Triennial elections are to be held in every third year after 1994.

‘**(2)** A triennial election is to be held on the last Saturday in March.

‘**(3)** However, a regulation may fix a different date for a particular year.’.

3. Section 530(5), ‘Transport Infrastructure Act 1994’—

omit, insert—

‘*Land Act 1994*’.

SCHEDULE 1 (continued)

4. Section 796(1)(b)—

omit, insert—

‘(b) to the area of a local authority is a reference to the area of a local government, and includes a reference to the joint local government area of a joint local government; and’.

5. Section 796(1)(o), after ‘1936’—

insert—

‘, or the *Local Authorities Act 1902*,’.

Explanatory note

Amendments 1 and 3 are consequential on the *Land Act 1994*.

Amendment 2 revises provisions to remove elements of a transitional nature.

Amendment 4 updates a reference provision to make its application clearer.

Amendment 5 adds an earlier Act to a reference provision.

MEAT INDUSTRY ACT 1993**Amendment****1. Section 102(1) and (2)—**

omit.

2. Section 102—

renumber.

SCHEDULE 1 (continued)

Explanatory note

Amendment 1 omits provisions made redundant by recent amendments of the *Magistrates Courts Act 1921*.

Amendment 2 is a consequential renumbering amendment.

**MEDICAL ACT AND OTHER ACTS
(ADMINISTRATION) ACT 1966****Amendment****1. Section 17, ‘for the purposes of’—**

omit, insert—

‘under’.

2. After section 17—

insert—

‘Medical Acts and Other Acts (Administration) Act 1966 references

‘**18.** In an Act or document, a reference to the *Medical Acts and Other Acts (Administration) Act 1966* is a reference to this Act.’.

Explanatory note

Amendment 1 updates the language of the Act’s regulation making power in accordance with current drafting practice.

Amendment 2 inserts a provision to deal with references to the Act by its previous short title. The provision will ensure that references to the Act by the previous short title can be updated in reprints.

SCHEDULE 1 (continued)

MENTAL HEALTH ACT 1974**Amendment****1. Section 72(1), ‘for the purposes of’—**

omit, insert—

‘under’.

2. After section 76—

insert—

‘PART 8—TRANSITIONAL PROVISIONS**‘Mental Health Act 1962 references**

‘77. In an Act or document, a reference to the *Mental Health Act 1962* may, if the context permits, be taken to be a reference to this Act.

‘Mental Health Act 1974 references

‘78. In an Act or document, a reference to the *Mental Health Services Act 1974* is a reference to this Act.

‘References to certain terms under repealed Acts

‘79. In an Act or document—

- (a) a reference to any of the following terms (or a similar term) may, if the context permits, be taken to be a reference to a patient within the meaning of this Act—

- a lunatic
- a mentally ill person
- an insane person

SCHEDULE 1 (continued)

- a person not of sound mind
 - a person of unsound mind; and
- (b) a reference to either of the following terms may, if the context permits, be taken to be a reference to a psychiatric hospital—
- a mental hospital
 - a special hospital.’.

Explanatory note

Amendment 1 updates the language of the Act’s regulation making power in accordance with current drafting practice.

Amendment 2 inserts a provision (new section 77) to deal with references to an earlier repealed Act that provided for substantially the same matters as this Act. The provision will enable references to the repealed Act to be updated in reprints (see *Reprints Act 1992*, s 22(4)).

Amendment 2 also inserts a provision (new section 78) to deal with references to the Act by its previous short title. The provision will ensure that references to the Act by the previous short title can be updated in reprints.

In addition, amendment 2 inserts a provision (new section 79) to deal with references to certain replaced terms. The provision will enable references to the terms to be updated in reprints (see *Reprints Act 1992*, section 23A(3)).

NATIONAL CRIME AUTHORITY (STATE PROVISIONS) ACT 1985**Amendment****1. Section 23(5)—**

omit.

Explanatory note

This amendment omits a provision made redundant by amendments of the Criminal Code made by the *Penalties and Sentences Act 1992*.

SCHEDULE 1 (continued)

NATIONAL TRUST OF QUEENSLAND ACT 1963**Amendment****1. Section 2, words before ‘this Act’—**

omit, insert—

‘In’.

2. Section 6(3)—

omit, insert—

‘(3) The council’s exercise of its powers and functions—

- (a) in the City of Brisbane—is subject to the *City of Brisbane Act 1924* and the *Local Government (Planning and Environment) Act 1990*; and
- (b) anywhere else in Queensland—is subject to the *Local Government Act 1993* and the *Local Government (Planning and Environment) Act 1990*.’.

3. Section 8(1), ‘, other than the first Council,’—

omit.

4. Section 8(3A)(f)—

omit, insert—

‘(f) the chief executive of the department in which this Act is administered;’.

5. Section 14—

omit.

SCHEDULE 1 (continued)

6. Section 16(1) and (1A)—

omit, insert—

‘16.(1) The council may make by-laws under this Act.

‘(2) A by-law must be approved by the Governor in Council.’

7. Section 16(1B), words before paragraph (a)—

omit, insert—

‘(1B) By-laws may be made for—’.

8. Section 16(1B)(k)—

omit.

9. Section 16(2), ‘under subsections (1) to (1B)’—

omit.

10. Section 16(1B) to (5)—

renumber.

11. Section 17—

omit.

12. Section 30, words before paragraph (a)—

omit, insert—

‘Regulation making power

‘30. The Governor in Council may make regulations about—’.

SCHEDULE 1 (continued)

Explanatory note

Amendment 1 omits unnecessary words referring to the effect of the Act's definitions on the *Acts Interpretation Act 1954*.

Amendment 2 updates references to certain Acts.

Amendment 3 omits redundant transitional words.

Amendment 4 removes a reference to a specific public service office in accordance with current drafting practice.

Amendment 5 omits a section made obsolete by amendments of the *Acts Interpretation Act 1954* (see sections 23(3) and 26).

Amendment 6 updates the language of the council's by-law making power to take account of the *Statutory Instruments Act 1992*.

Amendments 7 and 8 omit provisions made obsolete by the *Statutory Instruments Act 1992*.

Amendment 9 is a minor consequential amendment.

Amendment 10 is a renumbering amendment.

Amendment 11 omits a section made obsolete by the *Statutory Instruments Act 1992* and amendments proposed to be made to the *Evidence Act 1977* by this Bill.

Amendment 12 updates the wording of the regulation making power in accordance with current drafting practice.

NATURE CONSERVATION ACT 1992**Amendment****1. Section 7, definitions “Crown land” and “land-holder”—**

omit.

2. Section 7—

insert—

‘**“land-holder”** includes—

- (a) for a reserve under the *Land Act 1994*—the trustees of the

SCHEDULE 1 (continued)

reserve; and

- (b) for land leased under the *Land Act 1994*—the lessee of the land.

“State land” means all land in Queensland that is not—

- (a) freehold land, or land contracted to be granted in fee-simple by the State; or
- (b) a reserve under the *Land Act 1994*; or
- (c) subject to a lease or licence under the *Land Act 1994*; or
- (d) subject to a mining interest.’.

3. Section 31(8), ‘order in council’—

omit, insert—

‘gazette notice’.

4. Section 46(1), ‘Crown land’—

omit, insert—

‘State land’.

5. Section 46(6)—

omit, insert—

‘(6) In subsection (1)—

“State land” includes a reserve under the *Land Act 1994*.’.

SCHEDULE 1 (continued)

6. Section 174—

omit, insert—

‘Application of Statutory Instruments Act

‘**174.(1)** The *Statutory Instruments Act 1992*, sections 49 and 50¹⁹ do not apply to a regulation mentioned in the following provisions of this Act—

- section 30 (Revocation of State forests and timber reserves)
- section 32(2) (Revocation of protected areas)
- section 56 (Revocation of world heritage management area).

‘**(2)** Subsection (1) has effect despite the *Statutory Instruments Act 1992*, section 52.²⁰’.

7. Section 175(1), ‘for the purposes of’—

omit, insert—

‘under’.

8. After section 180—

insert—

‘Division 4—Updating of references**‘References to repealed Acts**

‘**181.** In an Act or document, a reference to any of the following Acts may, if the context permits, be taken to be a reference to this Act—

- *Fauna Conservation Act 1952*

¹⁹ Section 49 (Subordinate legislation must be tabled)
Section 50 (Disallowance)

²⁰ Section 52 (Other notification, gazettal, tabling or disallowance provisions of no effect)

SCHEDULE 1 (continued)

- *Fauna Conservation Act 1974*
- *National Parks and Wildlife Act 1975*
- *Native Plants Protection Act 1930.*

‘References to Crown land under Act

‘**182.** In an Act or document, a reference to Crown land under this Act may, if the context permits, be taken to be a reference to State land under this Act.’.

Explanatory note

Amendments 1 and 2 revise definitions to change terminology consequential on the *Land Act 1994*. Amendments 1 and 2 also change the term Crown land to State land.

Amendment 3 changes a statutory instrument from an order in council to a gazette notice.

Amendments 4 and 5 are consequential on amendments 1 and 2.

Amendment 6 changes references to take account of amendments of the *Statutory Instruments Act 1992*.

Amendment 7 is a minor amendment of the regulation making power.

Amendment 8 inserts a provision to deal with earlier repealed Acts that provided for some of the matters covered by this Act. The provision will enable references to the repealed Acts to be updated in reprints (see *Reprints Act 1992*, section 22(4)). The amendment also inserts a provision to enable references to Crown land to be updated in reprints.

NURSING ACT 1992**Amendment****1. Section 99—**

omit, insert—

SCHEDULE 1 (continued)

‘Code of conduct

‘**99.(1)** The Council may formulate a code of conduct about nursing practice to give practical guidance to nurses, midwives and anyone else authorised to practice nursing.

‘**(2)** A code of conduct must be approved by regulation.’.

2. Section 148, ‘for the purposes of’—

omit, insert—

‘under’.

3. Part 9—

omit, insert—

‘PART 9—TRANSITIONAL PROVISIONS**‘References to certain boards etc.**

‘**149.** In an Act or document—

- (a) a reference to the Nurses Registration Board or the Board of Nursing Studies may, if the context permits, be taken to be a reference to the Council; or
- (b) a reference to a registered nurse under the *Nursing Act 1976* (other than a person registered only in the midwifery branch of the register) may, if the context permits, be taken to be a reference to a registered nurse under this Act; or
- (c) a reference to an enrolled nurse under the *Nursing Act 1976* may, if the context permits, be taken to be a reference to an enrolled nurse under this Act; or
- (d) a reference to a person registered under the *Nursing Act 1976* as a registered nurse in the midwifery branch of the register only may,

SCHEDULE 1 (continued)

if the context permits, be taken to be a reference to a person authorised under this Act to practice midwifery.

‘Nursing Act 1976 and Nursing Studies Act 1976 references

‘**150.** In an Act or document, a reference to the *Nursing Act 1976* or the *Nursing Studies Act 1976* may, if the context permits, be taken to be a reference to this Act.’

Explanatory note

Amendment 1 replaces a provision about codes of practice to allow codes of practice to be approved under a regulation.

Amendment 2 updates the language of the Act’s regulation making power in accordance with current drafting practice.

Amendment 3 inserts a provision (new section 149) to deal with references to defined terms in a repealed Act. The provision will enable references to the terms to be updated in reprints (see *Reprints Act 1992*, s 23A(3)). Amendment 3 also inserts a provision (new section 150) to deal with references to earlier repealed Acts that provided for substantially the same matters as this Act. The provision will enable references to the repealed Act to be updated in reprints (see *Reprints Act 1992*, section 22(4)).

OCCUPATIONAL THERAPISTS ACT 1979**Amendment****1. Section 4, definitions “medical practitioner” and “registrar”—**

omit.

2. Section 4—

insert—

SCHEDULE 1 (continued)

‘**“approved form”**’ see section 37A.²¹

‘**“registrar”**’ means the registrar of the board.’

3. Section 6(1), words before ‘a Board’—

omit, insert—

‘**6.(1)** There is to be’.

4. Section 7(1), ‘by notification published in the Gazette’—

omit.

5. Sections 7(2) and 7A—

omit.

6. Section 8(2), ‘by notification published in the Gazette,’—

omit.

7. Section 9(1)—

omit, insert—

‘**9.(1)** The appointment of a member of the board is to be for a term of 3 years.’.

8. Section 9(3)(e)—

omit, insert—

‘(e) is convicted of an indictable offence; or’.

²¹ Section 37A (Approval of forms)

SCHEDULE 1 (continued)

9. Section 11(1) (second sentence)—

omit.

10. Section 11(2), from ‘cast’ to ‘vote’—

omit, insert—

‘cast a vote’.

11. Section 13, words after ‘Council’—

omit.

12. Sections 18(1), 19(1), 20(1), 21(1) and 22(1), ‘prescribed form’—

omit, insert—

‘approved form’.

13. Section 18(1)(d)—

omit.

14. Section 25(1)(a)—

omit, insert—

‘(a) has been convicted of an indictable offence; or’.

15. Section 25(1)(e), before ‘is no longer’—

insert—

‘is not or’.

SCHEDULE 1 (continued)

16. Section 28(4)—

omit.

17. Section 29(1), penalty—

omit, insert—

‘Maximum penalty—10 penalty units.’.

18. Section 30(1), ‘, with the approval of the Governor in Council,’—

omit.

19. Section 30—

insert—

‘(1A) A rule of practice must be approved by regulation.’.

20. Section 32(1), penalty—

omit, insert—

‘Maximum penalty—10 penalty units or 6 months imprisonment.’.

21. Section 33, ‘\$1,000’—

omit, insert—

‘20 penalty units’.

22. Section 36(2)—

omit.

SCHEDULE 1 (continued)

23. Section 37, words before paragraph (a) (in second sentence)—

omit, insert—

‘By-law making power

‘37.(1) The board may make by-laws under this Act.

‘(2) A by-law may be made for or about—’.

24. Section 37, second sentence, paragraphs (h) and (m)—

omit.

25. Section 37, second sentence, paragraph (i), ‘\$500’—

omit, insert—

‘10 penalty units’.

26. Section 37, last sentence—

omit, insert—

‘(3) A by-law must be approved by the Governor in Council.²²’.

27. After section 37—

insert—

‘Approval of forms

‘37A. The board may approve forms for use under this Act.

²² A by-law is subordinate legislation (see *Statutory Instruments Act 1992*, sections 7, 8(b)(i) and 9(1)(a)).

SCHEDULE 1 (continued)

‘Regulation making power

‘37B. The Governor in Council may make regulations under this Act.

‘Approved forms

‘37C.(1) This section applies if—

- (a) immediately before its commencement, there was a prescribed form for a matter; and
- (b) on the commencement, there is to be an approved form for the matter.

‘(2) Until there is an approved form for the matter, the form that was the prescribed form for the matter immediately before the commencement is taken to be the approved form for the matter.

‘(3) This section expires 6 months after it commences.’.

Explanatory note

Amendments 1 and 2 omit definitions and wording made redundant by amendments of the *Acts Interpretation Act 1954*. Amendment 2 also inserts the definition “approved form” which is consequential on amendment 27.

Amendment 3 updates a provision to remove obsolete transitional wording.

Amendments 4, 6 and 7 remove the need for appointments to be made by gazette notice. Amendment 7 also updates language in accordance with current drafting practice and removes obsolete transitional wording.

Amendments 5 and 9 omit redundant transitional provisions.

Amendments 8 and 14 omit wording made redundant by amendments of the *Acts Interpretation Act 1954*.

Amendment 10 corrects a minor error.

Amendment 11 omits, in accordance with Government policy, a provision preventing fees and allowances being paid to officers of the public service.

Amendment 12 changes references to prescribed forms to approved forms in accordance with current drafting practice and Government policy.

Amendment 13 omits an obsolete transitional provision.

SCHEDULE 1 (continued)

Amendment 15 clarifies the jurisdiction of the board to conduct inquiries.

Amendment 16 omits a provision made redundant by recent amendments of the *District Courts Act 1967*.

Amendments 17, 20, 21 and 25 change penalties expressed in dollars.

Amendment 18 is consequential on amendment 19.

Amendment 19 provides that rules of practice must be approved by regulation.

Amendment 22 omits a provision made redundant by amendments of the *Acts Interpretation Act 1954* (see section 49(2)).

Amendments 23 to 26 omit redundant provisions and revise the board's by-law making power to bring it into line with current drafting practice.

Amendment 27 inserts a provision allowing the board to approve forms for the Act and a regulation making power for the Act. A transitional provision that provides for a prescribed form to be taken as an approved form for a limited period is also inserted.

OPTOMETRISTS ACT 1974**Amendment****1. Section 4—**

omit.

2. Section 5, definitions “medical practitioner”, “registrar” and “the repealed Acts”—

omit.

3. Section 5—

insert—

SCHEDULE 1 (continued)

‘**“approved form”**’ see section 41.²³

“registrar” means the registrar of the board.’.

4. Section 8(1), ‘by notification published in the gazette’—

omit.

5. Sections 8A and 18(2)—

omit.

6. Section 9(2), ‘, by notification published in the gazette,’—

omit.

7. Section 10(3)(e)—

omit, insert—

‘(e) is convicted of an indictable offence or an offence against this Act; or’.

8. Section 14(1), words after ‘Governor in Council’—

omit.

9. Sections 19(1) and (2) and 21(1), ‘prescribed form’—

omit, insert—

‘approved form’.

²³ Section 41 (Approval of forms)

SCHEDULE 1 (continued)

10. Section 24(1)(a)—

omit, insert—

‘(a) has been convicted of an indictable offence; or’.

11. Section 27(2), ‘, subject to this section,’—

omit.

12. Section 27(4)—

omit.

13. Section 39(2)—

omit.

14. Section 40(1), words before paragraph (a)—

omit, insert—

‘**40.(1)** The board may make by-laws under this Act.

‘**(2)** A by-law may be made for or about the following—’.

15. Section 40(1)(j), (l) and (m)—

omit.

16. Section 40(1)(h) to (k)—

renumber.

17. Section 40(2) and (3)—

omit, insert—

SCHEDULE 1 (continued)

‘(3) In subsection (2)(g)—

“**advertise**” includes approach in any way, whether to the public generally or a particular person, for attracting work or business.

Example

A direct approach by spoken words.

‘(4) The power to regulate given by subsection (2)(g) includes power to regulate the use of notices, signs, name plates, and anything else used to show the location of a business or practice.

‘(5) A by-law must be approved by the Governor in Council.²⁴’.

18. Section 41—

omit, insert—

‘Approval of forms

‘**41.** The board may approve forms for use under this Act.

‘Approved forms

‘**41A.(1)** This section applies if—

- (a) immediately before its commencement, there was a prescribed form for a matter; and
- (b) on the commencement, there is to be an approved form for the matter.

‘(2) Until there is an approved form for the matter, the form that was the prescribed form for the matter immediately before the commencement is taken to be the approved form for the matter.

‘(3) This section expires 6 months after it commences.’.

²⁴ A by-law is subordinate legislation (see *Statutory Instruments Act 1992*, sections 7, 8(b)(i) and 9(1)(a)).

SCHEDULE 1 (continued)

19. Section 42—

omit.

20. After section 42—

insert—

‘References to the Optometrists Act 1917

‘**43.** In an Act or document, a reference to the *Optometrists Act 1917* may, if the context permits, be taken to be a reference to this Act.’

Explanatory note

Amendments 1 and 5 omit redundant transitional provisions.

Amendments 2 and 3 omit a definition and wording made redundant by amendments of the *Acts Interpretation Act 1954*. Amendment 3 also inserts the definition “approved form” which is consequential on amendment 18.

Amendments 4 and 6 remove the need for appointments to be made by gazette notice.

Amendments 7 and 10 omit wording made redundant by amendments of the *Acts Interpretation Act 1954*.

Amendment 8 omits, in accordance with Government policy, a provision preventing fees and allowances being paid to officers of the public service.

Amendment 9 changes references to prescribed forms to approved forms in accordance with current drafting practice.

Amendment 11 is consequential on amendment 12.

Amendment 12 omits provisions made redundant by recent amendments of the *District Courts Act 1967*.

Amendment 13 omits a provision made redundant by amendments of the *Statutory Instruments Act 1992*.

Amendments 14 to 17 omit redundant provisions, update the drafting of provisions and revise the board’s by-law power making power to bring it into line with current drafting practice.

Amendment 18 inserts a provision allowing the board to approve forms for the Act. The amendment also inserts a transitional provision that provides for a prescribed

SCHEDULE 1 (continued)

form to be taken as an approved form for a limited period.

Amendment 19 omits a validating provision. The provision's effect is preserved by the *Acts Interpretation Act 1954*, section 20A.

Amendment 20 inserts a provision to deal with references to an earlier repealed Act that provided for substantially the same matters as this Act. The provision will enable references to the repealed Act to be updated in reprints (see *Reprints Act 1992*, section 22(4)).

PAWNBROKERS ACT 1984**Amendment****1. Section 6(1), definitions “chief executive” and “local government area” —**

omit.

2. Section 6(1) —

insert —

‘“**approved form**” see section 66.²⁵’.

3. Section 6(2) —

omit.

4. Sections 11(1), 13(2), 14(1)(a) and (3), 15A(2)(a), 17(2), 27(1) and (8) and 32(1), ‘prescribed form’ —

omit, insert —

‘approved form’.

²⁵ Section 66 (Approval of forms)

SCHEDULE 1 (continued)

5. Sections 11(2)(a), 16, 17(3)(a), 21(1), 22(3) and 23(1), ‘or to the effect of the prescribed form’—*omit, insert—*

‘the approved form’.

6. Section 11(2A) to (5)—*renumber.***7. Sections 12(1)(a) and (b), 29(c), 49(1), 59(5) and 61(1)(a), ‘representative’—***omit, insert—*

‘nominee’.

8. Sections 12(1)(a) and (b), ‘nominated’—*omit, insert—*

‘proposed’.

9. Section 12(1)(d) and (e)—*omit.***10. Section 22(1A) to (3)—***renumber.***11. Section 32(2)(e)—***omit, insert—*

‘(e) all other particulars prescribed under a regulation.’.

SCHEDULE 1 (continued)

12. Section 32(4)—

omit, insert—

‘(4) The entries made under subsection (2) for transactions made in a calendar year must be numbered consecutively, starting with the number 1.’.

13. Section 35(2A) to (5)—

renumber.

14. Section 41(4), definition “licensed pawnbroker”, ‘representative of the pawnbroker’—

omit, insert—

‘nominee’.

15. Section 50(1A) to (4)—

renumber.

16. Section 53(1A) to (3)—

renumber.

17. Section 61(1A)(b), ‘authorised officer’—

omit, insert—

‘chief executive’.

18. Section 61(1B)—

omit, insert—

SCHEDULE 1 (continued)

‘**(1B)** A notice of appeal must state fully the grounds of appeal and the facts on which the appellant relies.’.

19. Section 61(2) and (3)—

omit.

20. Section 61(1A) to (5), as amended by this Act—

renumber.

21. Section 65—

omit.

22. Section 65A—

renumber as section 65.

23. Section 66—

omit, insert—

‘Approval of forms

‘**66.** The chief executive may approve forms for use under this Act.

‘Regulation making power

‘**67.(1)** The Governor in Council may make regulations under this Act.

‘**(2)** A regulation may be made about the following—

- (a) keeping records and other things;
- (b) additional duties of pawnbrokers, including, for example, duties about the keeping of records;
- (c) conditions of licences;

SCHEDULE 1 (continued)

- (d) fees payable under this Act;
- (e) painting or affixing names of licensed pawnbrokers on or to licensed premises;
- (f) penalties of not more than 8 penalty units for offences against a regulation.

‘Approved forms

‘68.(1) This section applies if—

- (a) immediately before its commencement, there was a prescribed form for a matter; and
- (b) on its commencement, there is to be an approved form for the matter.

‘(2) Until there is an approved form for the matter, the form that was the prescribed form for the matter immediately before the commencement is taken to be the approved form for the matter.

‘(3) This section expires 3 months after it commences.’.

Explanatory note

Amendment 1 omits definitions made redundant by the *Acts Interpretation Act 1954*.

Amendments 2 and 18 are consequential on amendment 23.

Amendment 3 omits a provision made redundant by the *Local Government Act 1993* and the *Acts Interpretation Act 1954*.

Amendments 4 and 5 provide for the use of approved forms rather than forms prescribed under regulation.

Amendment 5 also omits redundant wording (see *Acts Interpretation Act 1954*, section 49(1)).

Amendments 6, 10, 13, 15, 16, 20 and 22 are renumbering amendments.

Amendments 7, 8 and 17 update language to make the provisions consistent with language used elsewhere in the Act (see section 27).

Amendment 9 omits redundant provisions.

SCHEDULE 1 (continued)

Amendment 11 implements current drafting practice by providing that the statutory instruments used under the Act are regulations.

Amendment 12 remakes a provision to omit redundant transitional material.

Amendment 17 corrects a reference to the person to whom notice of appeal must be given.

Amendment 19 omits provisions made redundant by recent amendments of the *Magistrates Courts Act 1921*.

Amendment 21 omits a provision made redundant by the *Statutory Instruments Act 1992*.

Amendment 23 inserts a provision allowing the chief executive to approve forms for the Act, updates the regulation making power in accordance with current drafting practice, and inserts a transitional provision that provides for a prescribed form to be taken as an approved form for a limited period.

PAY-ROLL TAX ACT 1971**Amendment****1. Section 1, heading, ‘and commencement’**

omit.

2. Section 1(2) and (3)—

omit.

3. Section 3(1), definitions “corporation” and “voting share”—

omit.

4. Section 3(1)—

insert—

SCHEDULE 1 (continued)

‘**“approved form”**’ see section 50A.²⁶

‘**“corporation”**’ see the Corporations Law.

‘**“voting share”**’ see the Corporations Law, part 1.2, section 9.’.

5. Section 3(4) and (5)—

omit.

6. Section 4(5) to (11)—

omit.

7. After section 4—

insert—

‘Delegation by commissioner

‘**4A.** The commissioner may delegate the commissioner’s powers under this Act to a deputy commissioner of pay-roll tax or another officer of the public service employed in this Act’s administration or execution.’.

8. Section 5(1), ‘\$1 000’—

omit, insert—

‘20 penalty units’.

9. Section 9(5) and 16I(1) and (2)(b), ‘prescribed form’—

omit, insert—

‘approved form’.

²⁶ Section 50A (Approval of forms)

SCHEDULE 1 (continued)

10. Section 10(1), definition “exempt charitable institution”, paragraph (c), ‘by order in council’—*omit, insert—*

‘under a regulation’.

11. Section 10(2)(da), ‘from time to time by order in council’ and ‘in the order in council’—*omit, insert—*

‘under a regulation’.

12. Section 12(3)—*omit.***13. Section 13(1), ‘the form and in the manner prescribed’—***omit, insert—*

‘this Act’.

14. Section 13(4) and (5)—*omit.***15. Section 14(4)—***omit.***16. Section 16B—***omit, insert—*

SCHEDULE 1 (continued)

‘Grouping of corporations

‘**16B.** For this Act, 2 corporations constitute a group if they are, because of the Corporations Law, part 1.2, section 50, taken for that law to be related to each other.’.

17. Section 16D(4)—

omit, insert—

‘(4) If a corporation has a controlling interest under subsection (3) in a business, it is taken for this Act to have a controlling interest in any other business in which another corporation that is, because of the Corporations Law, part 1.2, section 50, taken for that law to be related to it has a controlling interest.’.

18. Section 16H(1)—

omit, insert—

‘**16H.(1)** The commissioner must not under section 16C, 16D, 16DA or 16E make an order that excludes a person from a group on and from a day if the person is or was on that day a corporation that, because of the Corporations Law, part 1.2, section 50, taken for that law to be related to another corporation that is a member of the group.’.

19. Section 25(4), ‘\$1 000’—

omit, insert—

‘20 penalty units’.

20. Section 25(8)—

omit.

SCHEDULE 1 (continued)

21. Section 26(2), penalty—*omit, insert—*

‘Maximum penalty for subsection (2)—20 penalty units.’.

22. Section 26(3)—*omit.***23. Section 31(2) and 35(1), ‘\$1 000’—***omit, insert—*

‘20 penalty units’.

24. Section 35(2)(b), ‘\$100’—*omit, insert—*

‘2 penalty units’.

25. Section 35(4)—*omit, insert—*

‘(4) A person must comply with an order made by a court under subsection (3).

Maximum penalty—40 penalty units or 6 months imprisonment.’.

26. Sections 37, 40 and 44(1), ‘\$1 000’—*omit, insert—*

‘20 penalty units’.

SCHEDULE 1 (continued)

27. Section 46(8)—

omit.

28. Section 47(3)—

omit, insert—

‘(3) This section is in addition to, and does not limit—

- (a) other provisions of this Act about the service of documents; or
- (b) the Corporations Law, part 3.1, section 220 or part 4.1, section 363.’.

29. After section 50—

insert—

‘Approval of forms

‘50A. The commissioner may approve forms for use under this Act.’.

30. Section 51(1), ‘for the purposes of’—

omit, insert—

‘under’.

31. Section 51(2)(a)—

omit.

32. After section 51—

insert—

‘Approved forms

‘52.(1) This section applies if—

SCHEDULE 1 (continued)

- (a) immediately before its commencement, there was a prescribed form for a matter; and
- (b) on the commencement, there is to be an approved form for the matter.

‘(2) Until there is an approved form for the matter, the form that was the prescribed form for the matter immediately before the commencement is taken to be the approved form for the matter.

‘(3) This section expires 3 months after it commences.’

Explanatory note

Amendment 1 is consequential on amendment 2.

Amendments 5, 12, 14, 15, 20 and 22 omit redundant transitional provisions.

Amendments 3, 4, 16 to 18 and 28 update corporations law references and make minor changes of a drafting nature. Amendment 4 also inserts the definition “approved form” which is consequential on amendment 29.

Amendments 6 and 27 are consequential on amendment 7.

Amendment 7 updates the delegation provisions in accordance with current drafting practice (see *Acts Interpretation Act 1954*, section 27A).

Amendments 8, 19, 21, 23, 24, 25 and 26 change penalties expressed in dollars. Amendment 25 also makes minor drafting changes.

Amendments 9 and 31 remove references to prescribed forms and, as necessary, substitute references to approved forms in accordance with current drafting practice and Government policy. Amendment 13 is consequential on these changes.

Amendments 10 and 11 change orders in council to regulations in accordance with current drafting practice.

Amendment 29 inserts a provision allowing the commissioner to approve forms for the Act.

Amendment 30 makes a minor, technical amendment to the regulation making power.

Amendment 32 inserts a transitional provision that provides for a prescribed form to be taken as an approved form for a limited period.

SCHEDULE 1 (continued)

PETROLEUM ACT 1923

Amendment

1. Section 59(1)—

omit, insert—

‘**59.(1)** Royalty payable under this Act must be paid to the chief executive on a monthly basis in accordance with this section.’.

Explanatory note

This amendment corrects a minor drafting error made by the *Petroleum Amendment Act 1995*. That Act omitted a number of references to the Director-General of the Department of Mines. However, in one case the Act failed to substitute a reference to the chief executive of the department.

PHARMACY ACT 1976

Amendment

1. Section 4—

omit.

2. Section 5, definition “registrar”—

omit.

3. Section 5—

omit, insert—

SCHEDULE 1 (continued)

‘**“approved form”**’ see section 41A.²⁷

‘**“registrar”**’ means the registrar of the board.’.

4. Section 8(1), ‘by notification published in the gazette’—

omit.

5. Section 9(1), ‘, by notification published in the gazette,’—

omit.

6. Section 10(1)—

omit, insert—

‘**10.(1)** The appointment of a member of the board (other than a member appointed to fill a casual vacancy) is to be for a term of 3 years.’.

7. Section 10(3)(e)—

omit, insert—

‘(e) is convicted of an indictable offence or an offence against this Act or the *Health Act 1937*; or’.

8. Section 14(1), words after ‘Council’—

omit.

9. Sections 19(1) and 21(1), ‘prescribed form’—

omit, insert—

‘approved form’.

²⁷ Section 41A (Approval of forms)

SCHEDULE 1 (continued)

10. Section 25(1)(a)—*omit, insert—*

‘(a) has been convicted of an indictable offence; or’.

11. Section 27(1), words after ‘pharmacists’—*omit.***12. Section 27(2)—***omit, insert—*

‘(2) The code must be approved by regulation.’.

13. Section 29(4)—*omit.***14. Section 33(1), penalty—***omit, insert—*

‘Maximum penalty—20 penalty units or imprisonment for 6 months.’.

15. Sections 33(3), second sentence, and 39(2)—*omit.***16. Section 36, ‘\$1000’—***omit, insert—*

‘20 penalty units’.

SCHEDULE 1 (continued)

17. Section 40(1), words before paragraph (a)—

omit, insert—

‘**40.(1)** The board may make by-laws under this Act.

‘**(1A)** By-laws may be made for or about the following matters—’.

18. Section 40(1)(j)—

omit.

19. Section 40(1)(k)—

omit, insert—

‘(k) penalties of not more than 20 penalty units;’.

20. Section 40(1)(p)—

omit.

21. Section 40(2)—

omit.

22. Sections 41 and 41A—

omit, insert—

‘Approval of forms

‘**41.** The board may approve forms for use under this Act.

‘Regulation making power

‘**41A.** The Governor in Council may make regulations under this Act.

SCHEDULE 1 (continued)

‘Approved forms

‘41B.(1) This section applies if—

- (a) immediately before its commencement, there was a prescribed form for a matter; and
- (b) on the commencement, there is to be an approved form for the matter.

‘(2) Until there is an approved form for the matter, the form that was the prescribed form for the matter immediately before the commencement is taken to be the approved form for the matter.

‘(3) This section expires 6 months after it commences.’.

23. Section 45—

omit.

Explanatory note

Amendment 1 omits a redundant transitional provision.

Amendments 2 and 3 omit and replace a definition made redundant by amendments of the *Acts Interpretation Act 1954*. Amendment 3 also inserts the definition “approved form” which is consequential on amendment 22.

Amendments 4 and 5 remove the need for appointments to be made by gazette notice.

Amendment 6 amends a provision to remove obsolete transitional wording.

Amendments 7 and 10 omit wording made redundant by amendments of the *Acts Interpretation Act 1954*.

Amendment 8 omits, in accordance with Government policy, a provision preventing fees and allowances being paid to officers of the public service.

Amendment 9 changes references to prescribed forms to approved forms in accordance with current drafting practice.

Amendment 11 omits redundant wording.

Amendment 12 provides that codes must be approved by regulation.

SCHEDULE 1 (continued)

Amendment 13 omits provisions made redundant by recent amendments of the *District Courts Act 1967*.

Amendment 14 changes a penalty expressed in dollars.

Amendment 15 omits an obsolete provision.

Amendment 16 omits a provision made redundant by amendments of the *Statutory Instruments Act 1992*.

Amendments 17 to 21 update the drafting of provisions and revise the board's by-law power making power to bring it into line with current drafting practice.

Amendment 22 updates the regulation making power in accordance with current drafting practice. The amendment also omits obsolete provisions, inserts a provision allowing the board to approve forms for the Act and inserts a transitional provision that provides for a prescribed form to be taken as an approved form for a limited period.

Amendment 23 omits a validating provision. The provision's effect is preserved by the *Acts Interpretation Act 1954*, section 20A.

PHYSIOTHERAPISTS ACT 1964**Amendment****1. Section 3—**

omit.

2. Section 4, definitions “Medical Practitioner”, “Register” and “Registrar”—

omit.

3. Section 4—

insert—

SCHEDULE 1 (continued)

‘**“approved form”**’ see section 30A.²⁸

“register” means the register of physiotherapists kept under this Act.

“registrar” means the registrar of the board.’.

4. Section 6(1), words before ‘a Board’—

omit, insert—

‘**6.(1)** There is to be’.

5. Section 7(1), ‘by notification published in the Gazette’—

omit.

6. Section 7(3)(b)(iii), proviso, ‘Provided that the attendance of any such member’—

omit, insert—

‘The attendance of a member’.

7. Section 7(3)(b)(iii), proviso, as amended by this Act—

relocate to the end of section 7(3).

8. Section 7(3)(v)—

omit, insert—

‘(v) is convicted of an indictable offence or an offence against this Act; or’.

²⁸ Section 30A (Approval of forms)

SCHEDULE 1 (continued)

9. Section 7(3), as amended by this Act—

renumber as section 7A.

10. Section 7(4), ‘by notification published in the Gazette’—

omit.

11. Section 7(4), as amended by this Act—

renumber as section 7B.

12. Section 7(5)—

renumber as section 7C.

13. Section 7(6)—

omit.

14. Section 7A—

omit.

15. Section 9(1), second sentence—

omit.

16. Section 9(3)—

omit.

17. Section 11, words after ‘Governor in Council’—

omit.

SCHEDULE 1 (continued)

18. Sections 16(1), 17(1) and 18(1), ‘prescribed form’—*omit, insert—*

‘approved form’.

19. Section 16(1)(c), after ‘(c)’—*insert—*

‘the following subparagraphs apply to the person’.

20. Section 16(1)(c)(i), ‘and’—*omit.***21. Section 16(1)(c)(ii), ‘and’—***omit.***22. Section 16(1)(d), after ‘(d)’—***insert—*

‘the following subparagraphs apply to the person’.

23. Section 16(1)(d)(i), ‘and’ (last mention)—*omit.***24. Section 21(1)(a)—***omit, insert—*

‘(a) has been convicted of an indictable offence; or’.

SCHEDULE 1 (continued)

25. Section 21(1)(f)—*omit, insert—*

‘(f) order that the physiotherapist pay to the board a penalty of not more than 20 penalty units; or’.

26. Section 24(4)—*omit.***27. Section 25(1), penalty—***omit, insert—*

‘Maximum penalty—10 penalty units.’.

28. Section 25(2)(f), ‘: Provided that’—*omit, insert—*

‘if’.

29. Section 27(1), words after paragraph (h)—*omit, insert—*

‘commits an offence.

Maximum penalty—10 penalty units or 6 months imprisonment.’.

30. Section 28(2), ‘\$300’—*omit, insert—*

‘5 penalty units’.

SCHEDULE 1 (continued)

31. After section 30—

insert—

‘Approval of forms

‘**30A.** The board may approve forms for use under this Act.

‘Approved forms

‘**30B.(1)** This section applies if—

- (a) immediately before its commencement, there was a prescribed form for a matter; and
- (b) on the commencement, there is to be an approved form for the matter.

‘**(2)** Until there is an approved form for the matter, the form that was the prescribed form for the matter immediately before the commencement is taken to be the approved form for the matter.

‘**(3)** This section expires 6 months after it commences.’.

32. Section 31(1), words before paragraph (i)—

omit, insert—

‘Regulation making power

‘**31.(1)** The Governor in Council may make regulations under this Act.

‘**(2)** A regulation may be made for or about—’.

33. Section 31(1), second sentence, paragraph (vii), ‘\$100’—

omit, insert—

‘2 penalty units’.

SCHEDULE 1 (continued)

34. Section 31(1), second sentence, paragraph (viii)—

omit.

35. Section 31(2)—

omit.

36. Section 32—

omit.

Explanatory note

Amendment 1 omits redundant transitional provisions.

Amendments 2 and 3 omit a definition and wording made redundant by amendments of the *Acts Interpretation Act 1954*. Amendment 3 also inserts the definition “approved form” which is consequential on amendment 31.

Amendment 4 updates a provision to remove obsolete transitional wording.

Amendments 5 and 10 remove the need for appointments to be made by gazette notice.

Amendment 6 is consequential on amendment 7.

Amendment 7 relocates a proviso.

Amendments 8, 16 and 24 omit wording made redundant by amendments of the *Acts Interpretation Act 1954*.

Amendments 9, 11 and 12 recast subsections as separate sections.

Amendments 13 to 15 omit redundant transitional provisions.

Amendment 17 permits, in accordance with Government policy, fees and allowances to be paid to board members who are officers of the public service.

Amendment 18 changes references to prescribed forms to approved forms in accordance with current drafting practice and Government policy.

Amendments 19 to 23 correct paragraphing that is inconsistent with current drafting practice and make consequential amendments.

Amendment 25 changes a reference to a penalty amount expressed in dollars to

SCHEDULE 1 (continued)

penalty units and updates a provision.

Amendment 26 omits a provision made redundant by recent amendments of the *District Courts Act 1967*.

Amendments 27, 29, 30 and 33 change penalties expressed in dollars. Amendment 29 also updates a provision.

Amendment 28 updates the drafting of a provision by removing a proviso.

Amendment 31 inserts a provision allowing the board to approve forms for the Act. A transitional provision that provides for a prescribed form to be taken as an approved form for a limited period is also inserted.

Amendments 32, 34 and 35 omit redundant provisions and revise the regulation making power to bring it into line with current drafting practice.

Amendment 36 omits a validating provision. The provisions effect is preserved by the *Acts Interpretation Act 1954*, section 20A.

PODIATRISTS ACT 1969**Amendment****1. Section 3, definition “registrar” —**

omit.

2. Section 3 —

insert—

“**approved form**” see section 32.²⁹

“**registrar**” means the registrar of the board.’.

²⁹ Section 32 (Approval of forms)

SCHEDULE 1 (continued)

3. Section 5(1), words before ‘a Board’—

omit, insert—

‘**5.(1)** There is to be’.

4. Section 6(1), ‘by Gazette notice’—

omit.

5. Sections 6(2) and 6A—

omit.

6. Section 7(1), second sentence, ‘, by Gazette notice,’—

omit.

7. Section 8(1)—

omit, insert—

‘**8.(1)** The appointment of a member of the board (other than a member appointed to fill a casual vacancy) is to be for a term of 3 years.’.

8. Section 8(2)(e)—

omit, insert—

‘(e) is convicted of an indictable offence or an offence against this Act; or’.

9. Section 10(1), second sentence—

omit.

SCHEDULE 1 (continued)

10. Section 10(3)—

omit.

11. Section 12, words after ‘Council’—

omit.

12. Sections 17(1), 18(1) and 19(1), ‘prescribed form’—

omit, insert—

‘approved form’.

13. After section 17(1)—

insert—

‘(1A) A person is the holder of a recognised podiatry qualification if—’.

14. Section 17(1)(a)(i) to (iii)—

relocate as section 17(1A)(a) to (c).

15. Section 17(1)(a), as amended by this Act—

omit, insert—

‘(a) the person is the holder of a recognised podiatry qualification;
and’.

16. Section 22(1)(a)—

omit, insert—

‘(a) has been convicted of an indictable offence; or’.

SCHEDULE 1 (continued)

17. Section 22(1)(d), before ‘is no longer’—*insert—*

‘is not or’.

18. Section 25(2), second sentence—*omit.***19. Section 31(1), ‘for the purposes of’—***omit, insert—*

‘under’.

20. Section 31(2)(h)—*omit.***21. Sections 32 and 33—***omit, insert—***‘Approval of forms**‘**32.** The board may approve forms for use under this Act.**‘Approved forms**‘**33.(1)** This section applies if—

- (a) immediately before its commencement, there was a prescribed form for a matter; and
- (b) on the commencement, there is to be an approved form for the matter.

‘**(2)** Until there is an approved form for the matter, the form that was the prescribed form for the matter immediately before the commencement is

SCHEDULE 1 (continued)

taken to be the approved form for the matter.

‘(3) This section expires 6 months after it commences.’.

Explanatory note

Amendments 1 and 2 revise a definition to omit words made redundant by amendments of the *Acts Interpretation Act 1954*. Amendment 2 also inserts the definition “approved form” which is consequential on amendment 21.

Amendment 3 updates a provision to remove obsolete transitional wording.

Amendments 4, 6 and 7 remove the need for appointments to be made by gazette notice. Amendment 7 also updates language in accordance with current drafting practice.

Amendments 5 and 9 omit redundant transitional provisions.

Amendments 8 and 16 omit wording made redundant by amendments of the *Acts Interpretation Act 1954*.

Amendment 10 omits a provision made redundant by amendments of the *Acts Interpretation Act 1954*.

Amendment 11 omits, in accordance with Government policy, a provision preventing fees and allowances being paid to officers of the public service.

Amendment 12 changes references to prescribed forms to approved forms in accordance with current drafting practice and Government policy.

Amendments 13 to 15 correct paragraphing that is inconsistent with current drafting practice.

Amendment 17 clarifies the jurisdiction of the board to conduct inquiries.

Amendment 18 omits a provision made redundant by recent amendments of the *District Courts Act 1967*.

Amendment 19 makes a minor change to the by-law making power.

Amendment 20 is consequential on amendment 12.

Amendment 21 omits transitional and validating provisions. The effect of the provisions is preserved by the *Acts Interpretation Act 1954*, section 20A. Amendment 21 also inserts a provision allowing the board to approve forms for the Act. A transitional provision that provides for a prescribed form to be taken as an approved form for a limited period is also inserted.

SCHEDULE 1 (continued)

**PRIMARY PRODUCERS' CO-OPERATIVE
ASSOCIATIONS ACT 1923****Amendment****1. Section 1—**

omit, insert—

'Short title

'1. This Act may be cited as the *Primary Producers' Cooperative Associations Act 1923*.'

2. Heading before section 26—

omit.

3. Section 26(1), words before paragraph (a)—

omit.

4. Section 26(1)(c)—

omit.

5. Section 26(1)(i), '\$100'—

omit, insert—

'2 penalty units'.

6. Section 26(2)—

omit.

SCHEDULE 1 (continued)

7. Section 26(1)(a) to (k), as amended by this Act—

relocate as section 33(2)(a) to (j).

8. Section 29—

omit.

9. Section 31—

omit.

10. After section 32—

insert—

‘Regulation making power

‘**33.(1)** The Governor in Council may make regulations under this Act.

‘**(2)** A regulation may be made for or about the following—

‘References to Primary Producers’ Co-operative Associations Act 1923

‘**34.** In an Act or document, a reference to the *Primary Producers’ Co-operative Association Act 1923* is a reference to this Act.’.

Explanatory note

Amendment 1 updates the spelling of cooperative in the Act’s short title and omits redundant wording about the Act’s commencement.

Amendment 2 removes an unnecessary heading.

Amendments 3 to 7 and 10 revise and relocate the regulation making power in accordance with current drafting practice.

Amendments 8 and 9 omit redundant provisions.

SCHEDULE 1 (continued)

Amendment 10 also inserts a provision to deal with references to the Act by its earlier short title. The provision will enable the references to be updated in reprints.

PSYCHOLOGISTS ACT 1977**Amendment****1. Section 4, definitions “medical practitioner” and “registrar”—**

omit.

2. Section 4,—

insert—

‘**“approved form”** see section 39.³⁰

“registrar” means the registrar of the board.’.

3. Section 6(1), words before ‘a Board’—

omit, insert—

‘**6.(1)** There is to be’.

4. Section 7(1), ‘by notification published in the Gazette’—

omit.

5. Sections 7(2) and 7A—

omit.

³⁰ Section 39 (Approval of forms)

SCHEDULE 1 (continued)

6. Section 8(1), second sentence, ‘, by notification published in the Gazette,’—

omit.

7. Section 9(1)—

omit, insert—

‘**9.(1)** The appointment of a member of the board (other than a member appointed to fill a casual vacancy) is to be for a term of 3 years.’.

8. Section 9(3)(e)—

omit, insert—

‘(e) is convicted of an indictable offence or an offence against this Act; or’.

9. Section 11(1), second sentence—

omit.

10. Section 11(3)—

omit.

11. Section 13(1)—

omit, insert—

‘**13.(1)** A member of the board or an advisory committee is entitled to be paid the allowances approved by the Governor in Council.’.

SCHEDULE 1 (continued)

12. Sections 18(1), 20(1) and 21(1), ‘prescribed form’—*omit, insert—*

‘approved form’.

13. Section 18(1)(d)—*omit.***14. Section 24(1)(a)—***omit, insert—*

‘(a) has been convicted of an indictable offence; or’.

15. Section 24(1)(e), before ‘is no longer’—*insert—*

‘is not or’.

16. Section 24(3)(c), ‘\$1000’—*omit, insert—*

‘20 penalty units’.

17. Section 27(4)—*omit.***18. Section 28(1) and (2), penalty—***omit, insert—*

‘Maximum penalty—10 penalty units.’.

SCHEDULE 1 (continued)

19. Section 30(1), ‘, with the approval of the Governor in Council,’—

omit.

20. Section 30—

insert—

‘(4) A rule of practice must be approved by regulation.’.

21. Section 31(1), penalty—

omit, insert—

‘Maximum penalty—5 penalty units.’.

22. Section 33(1), penalty—

omit, insert—

‘Maximum penalty—10 penalty units or 6 months imprisonment.’.

23. Section 34(1), ‘\$1 000’—

omit, insert—

‘20 penalty units’.

24. Section 37(2)—

omit.

25. Section 38, words before paragraph (a)—

omit, insert—

SCHEDULE 1 (continued)

‘By-law making power

‘**38.(1)** The board may make by-laws under this Act.

‘**(2)** A by-law may be made for or about—’.

26. Section 38, second sentence, paragraphs (h) and (l)—

omit.

27. Section 38, second sentence, paragraph (i), ‘\$200’—

omit, insert—

‘5 penalty units’.

28. Section 38, last sentence—

omit, insert—

‘**(3)** A by-law must be approved by the Governor in Council.³¹’.

29. Sections 39 and 40—

omit, insert—

‘Approval of forms

‘**39.** The board may approve forms for use under this Act.

‘Regulation making power

‘**40.** The Governor in Council may make regulations under this Act.

³¹ A by-law is subordinate legislation (see *Statutory Instruments Act 1992*, sections 7, 8(b)(i) and 9(1)(a)).

SCHEDULE 1 (continued)

‘Approved forms

‘41.(1) This section applies if—

- (a) immediately before its commencement, there was a prescribed form for a matter; and
- (b) on the commencement, there is to be an approved form for the matter.

‘(2) Until there is an approved form for the matter, the form that was the prescribed form for the matter immediately before the commencement is taken to be the approved form for the matter.

‘(3) This section expires 6 months after it commences.’.

Explanatory note

Amendments 1, 2 and 10 omit provisions and wording made redundant by amendments of the *Acts Interpretation Act 1954*. Amendment 2 also inserts the definition “approved form” which is consequential on amendment 29.

Amendment 3 updates a provision to remove obsolete transitional wording.

Amendments 4, 6 and 7 remove the need for appointments to be made by gazette notice. Amendment 7 also updates language in accordance with current drafting practice and removes obsolete transitional wording.

Amendments 5 and 9 omit redundant transitional provisions.

Amendments 8 and 14 omit wording made redundant by amendments of the *Acts Interpretation Act 1954*.

Amendment 11 revises, in accordance with Government policy, a provision preventing allowances being paid to officers of the public service. The revised provision also permits the Governor in Council to approve allowances rather than requiring them to be prescribed.

Amendment 12 changes references to prescribed forms to approved forms in accordance with current drafting practice and Government policy.

Amendment 13 omits an obsolete transitional provision.

Amendment 15 clarifies the jurisdiction of the board to conduct inquiries.

Amendment 17 omits a provision made redundant by recent amendments of the *District Courts Act 1967*.

SCHEDULE 1 (continued)

Amendments 18, 21, 22, 23 and 27 change penalties expressed in dollars.

Amendment 19 is consequential on amendment 20.

Amendment 20 provides that rules of practice must be approved by regulation.

Amendment 24 omits a provision made redundant by amendments of the *Acts Interpretation Act 1954* (see section 49(2)).

Amendments 25, 26 and 28 omit redundant provisions and revise the board's by-law making power to bring it into line with current drafting practice.

Amendment 29 omits transitional and validating provisions. The effect of the provisions is preserved by the *Acts Interpretation Act 1954*, section 20A.

Amendment 29 also inserts a provision allowing the board to approve forms for the Act and a regulation making power for the Act. A transitional provision that provides for a prescribed form to be taken as an approved form for a limited period is also inserted.

PUBLIC OFFICERS' SUPERANNUATION BENEFITS RECOVERY ACT 1988

Amendment

1. Before section 1—

insert—

‘PART 1—PRELIMINARY’.

2. Section 1, ‘Officers’ —

omit, insert—

‘Officers’.

3. Section 2—

omit.

SCHEDULE 1 (continued)

4. Section 23(1) and (2)—

omit.

5. Section 23(4), ‘the person holding the appointment, Under Treasurer, Treasury Department,’—

omit, insert—

‘the chief executive of the department’.

6. Section 23(3) and (4), as amended by this Act—

renumber.

7. Section 25(4), words before paragraph (a)—

omit, insert—

‘(4) A certificate purporting to be a certificate of the Public Trustee and—’.

8. Section 26(2), ‘subsection (3)’—

omit, insert—

‘subsection (1)’.

9. Section 29(1), penalty—

omit, insert—

‘Maximum penalty—10 penalty units or 3 months imprisonment.’.

10. Section 29(4), penalty—

omit, insert—

‘Maximum penalty—35 penalty units or 6 months imprisonment.’.

SCHEDULE 1 (continued)

11. Section 35(1), ‘the Governor in Council may, by order in council,’—*omit, insert—*

‘a regulation may’.

12. Section 35(2), words before ‘the dismissed person’s’—*omit, insert—*

‘(2) If the declaration is made,’.

13. Section 39—*omit, insert—***‘Regulation making power**‘**39.** The Governor in Council may make regulations under this Act.**‘References to Public Officers’ Superannuation Benefits Recovery Act**‘**40.** In an Act or document, a reference to the *Public Officers’ Superannuation Benefits Recovery Act 1988* is a reference to this Act.’.**Explanatory note**

Amendment 1 inserts a part heading missing from the Act as enacted.

Amendment 2 makes a minor change to the short title to remove the possessive.

Amendment 3 omits a redundant commencement provision.

Amendment 4 omits provisions made redundant by recent amendments of the *Supreme Court of Queensland Act 1991*.

Amendment 5 replaces a department specific reference with a more general reference.

Amendment 6 is a consequential renumbering amendment.

Amendment 7 updates the language of a provision and revises it to take account of

SCHEDULE 1 (continued)

amendments of the *Public Trustee Act 1988*.

Amendment 8 corrects a reference.

Amendments 9 and 10 revise penalties to omit specific references to corporations. Under the *Penalties and Sentences Act 1992*, section 181B(3), a court may impose a maximum fine on a corporation equal to 5 times the maximum fine for an individual.

Amendment 11 changes a statutory instrument from order in council to regulation.

Amendment 12 is consequential on amendment 11.

Amendment 13 omits a redundant transitional provision and inserts a regulation making power and a provision to allow updating in reprints of references to the Act by its earlier short title.

PUBLIC TRUSTEE ACT 1978**Amendment****1. Section 6, heading—**

omit, insert—

‘Definitions’.

2. Section 6, definitions “mortgage”, “mortgagee” and “mortgagor”—

omit.

3. Section 142, heading—

omit, insert—

‘Regulation making power’.

4. Section 142(1A)(e)—

omit.

SCHEDULE 1 (continued)

5. Section 142(2)—

omit.

6. Section 142(1A)—

renumber as section 142(2).

7. After section 143—

insert—

‘Public Curator Act 1915 references

‘**144.** In an Act or document, a reference to the *Public Curator Act 1915* may, if the context permits, be taken to be a reference to this Act.’

Explanatory note

Amendments 1 and 3 update headings in accordance with current drafting practice.

Amendment 2 omits definitions made redundant by amendments of the *Acts Interpretation Act 1954* (see section 36, definitions “mortgage” and “property” and section 35A).

Amendment 4 omits a provision that is expressed in unjustifiably broad terms, but adequately covered by the *Statutory Instruments Act 1992* (see section 22).

Amendment 5 omits a provision made redundant by recent amendments of the *Supreme Court of Queensland Act 1991*.

Amendment 6 is a consequential renumbering amendment.

Amendment 7 inserts a provision to deal with references to an earlier repealed Act that provided for substantially the same matters as this Act. The provision will ensure that the references can be updated in reprints.

SCHEDULE 1 (continued)

QUEENSLAND HERITAGE ACT 1992

Amendment

1. Sections 44(1) and (2), 45, 46(1) and 50, ‘by order in council’—

omit, insert—

‘under a regulation’.

2. Section 68—

omit.

3. Section 69—

omit, insert—

‘Regulation making power

‘**68.** The Governor in Council may make regulations under this Act.’.

Explanatory note

Amendment 1 implements current drafting practice by providing that the statutory instruments used under the Act are regulations.

Amendment 2 omits a provision made redundant by the *Statutory Instruments Act 1992*.

Amendment 3 updates the regulation making power in accordance with current drafting practice.

SCHEDULE 1 (continued)

RACING VENUES DEVELOPMENT ACT 1982**Amendment****1. Section 3, definitions “financial year”, “Local Authority” and “Minister”—**

omit.

2. Section 4—

omit, insert—

‘Trustees of land acquired by corporation

‘**4.(1)** If the corporation acquires land under the *Racing and Betting Act 1980*, section 126A, the Governor in Council may appoint trustees to control the land for the purpose of establishing, extending or developing the land as a racing venue, or for another purpose decided by the Governor in Council.

‘**(2)** The Governor in Council may change the number of trustees appointed by increasing or decreasing the number, and may make additional appointments.

‘**(3)** The Governor in Council also may appoint a trustee as chairperson.’.

3. Section 9—

omit.

4. Section 10(2)—

omit.

5. Section 14(3) and (4)—

omit, insert—

SCHEDULE 1 (continued)

‘(3) A rule must be approved by the Governor in Council, and is subordinate legislation.’.

6. Sections 26 and 27—

omit, insert—

‘Revocation of appointment of trustees

‘**26.(1)** The Governor in Council may at any time revoke the appointment of trustees to control land.

‘(2) On the revocation of the appointment—

- (a) the trustees cease to hold office as trustees; and
- (b) any lease granted by the trustees ends.

‘(3) On the ending of a lease, the lessee must immediately leave the land.

‘(4) Any improvements made on the land by the lessee become the corporation’s property, unless the corporation permits their removal.’.

7. Section 29(1), ‘by Order in Council’—

omit.

8. Section 29(1), ‘upon such terms and conditions as are specified in the Order’—

omit, insert—

‘on the conditions decided by the Governor in Council’.

9. Section 35—

omit, insert—

‘Regulation making power

‘**35.(1)** The Governor in Council may make regulations under this Act.

SCHEDULE 1 (continued)

‘(2) A regulation may be made prescribing a penalty of not more than 8 penalty units for an offence against a regulation.’.

Explanatory note

Amendment 1 omits definitions made redundant by definitions in the *Acts Interpretation Act 1954* (see section 36).

Amendment 2 revises a provision to remove the need for trustees to be appointed by order in council.

Amendment 3 omits a provision made redundant by the *Acts Interpretation Act 1954* (see sections 23(3) and 26).

Amendment 4 omits a provision requiring the register to be in the prescribed form.

Amendment 5 updates a provision and omits a provision made redundant by the *Statutory Instruments Act 1992*. Rules made by trustees are subordinate legislation under the *Statutory Instruments Act 1992*.

Amendment 6 removes the need for the appointment of trustees to be revoked by order in council and updates provisions in accordance with current drafting practice.

Amendments 7 and 8 remove the need for mortgages of land held by trustees to be approved by order in council.

Amendment 9 updates the regulation making power in accordance with current drafting practice.

RADIOACTIVE SUBSTANCES ACT 1958**Amendment****1. Section 19(2A) and (2B)—**

omit.

Explanatory note

The amendment omits provisions made redundant by recent amendments of the *Supreme Court of Queensland Act 1991*.

SCHEDULE 1 (continued)

RURAL ADJUSTMENT AUTHORITY ACT 1994**Amendment****1. Section 47—**

insert—

- ‘• *Farm Water Supplies Assistance Act 1958*’.

2. After section 52—

insert—

‘Documents relating to Farm Water Supplies Assistance Act 1958

‘**53.(1)** A document (other than an Act) created in relation to the *Farm Water Supplies Assistance Act 1958*, in existence immediately before the commencement of this Act and applying to the former assistance provider, applies to the authority in place of the former assistance provider.’

‘**(2)** Without limiting subsection (1), a document—

- (a) to which, immediately before the commencement of this Act, the former assistance provider was a party, is taken to be a document to which the authority is a party in the way the former assistance provider was a party; and
- (b) given to, by or in favour of the former assistance provider is taken to be a document given to, by or in favour of the authority in the way it was given to, by or in favour of the former assistance provider; and
- (c) in which a reference is made to the former assistance provider (including, for example, a document to which the former assistance provider was a party) is taken to be a document in which the reference is made to the authority in the way the reference is made to the former assistance provider; and
- (d) under which an amount was or might become payable to or by the former assistance provider is taken to be a document under

SCHEDULE 1 (continued)

which the amount is or may become payable to or by the authority in the way the amount was or might become payable to or by the former assistance provider; and

- (e) under which other property was to be, or might become liable to be, transferred, conveyed or assigned to or by the former assistance provider is taken to be a document under which the property is to be, or may become liable to be, transferred, conveyed or assigned to or by the authority in the way the property was to be, or might become liable to be, transferred, conveyed or assigned to or by the former assistance provider.

‘(3) The continuing application of a document to QIDC, to the extent that immediately before the commencement of this Act it applied to QIDC in a capacity other than as the former assistance provider, is not affected by subsections (1) and (2).

‘(4) This section expires 6 months after its commencement.’.

Explanatory note

These amendments are made so that outstanding loans made under the *Farm Water Supplies Assistance Act 1958* that were formerly administered by the Queensland Industry Development Corporation may now be administered by the Queensland Rural Adjustment Authority under the *Rural Adjustment Authority Act 1994*. The *Farm Water Supplies Assistance Act 1958* is repealed by schedule 6 of this Act.

SANCTUARY COVE RESORT ACT 1985**Amendment****1. Section 40(5)—**

omit.

2. Section 84(5)—

omit.

SCHEDULE 1 (continued)

Explanatory note

Amendments 1 and 2 omit provisions made redundant by recent amendments of the *Supreme Court of Queensland Act 1991*.

**SECOND-HAND DEALERS AND COLLECTORS ACT
1984****Amendment****1. Section 6(1), definitions “chief executive” and “local government area” —**

omit.

2. Section 6(1) —

insert —

“**approved form**” see section 71.³²’.

3. Section 6(1), definition “second-hand goods”, paragraph (c) —

omit, insert —

‘(c) other goods or articles declared, under a regulation, not to be second-hand goods for this Act.’.

4. Section 6(1), definition “second-hand goods”, paragraphs (a) to (c) (as amended) —

renumber.

³² Section 71 (Approval of forms)

SCHEDULE 1 (continued)

5. Section 6(2)—

omit.

6. Sections 11(1), 13(2), 14(1)(a) and (3), 15A(2)(a), 17(2), 27(1) and (8), 34(1) and 44(1), ‘prescribed form’—

omit, insert—

‘approved form’.

7. Sections 11(2)(a), 16, 17(3)(a), 21(1), 22(3) and 23(1), ‘or to the effect of the prescribed form’—

omit, insert—

‘the approved form’.

8. Section 11(2A) to (5)—

renumber.

9. Sections 12(1)(a) and (b), 41(c), 56(1), 64(5) and 66(1)(a), ‘representative’—

omit, insert—

‘nominee’.

10. Section 12(1)(a) and (b), ‘nominated’—

omit, insert—

‘proposed’.

11. Section 12(1)(d) and (e)—

omit.

SCHEDULE 1 (continued)

12. Section 22(1A) to (3)—

renumber.

13. Section 32(1A) to (4)—

renumber.

14. Section 34(1A) to (3)—

renumber.

15. Section 44(1A) to (3)—

renumber.

16. Section 48(4), definition “licensed dealer”, ‘representative of the dealer’—

omit, insert—

‘nominee’.

17. Section 55(1A) and (2)—

renumber.

18. Section 57(1A) to (4)—

renumber.

19. Section 60(1A) to (3)—

renumber.

SCHEDULE 1 (continued)

20. Section 66(1A)(b), ‘authorised officer’—

omit, insert—

‘chief executive’.

21. Section 66(1B)—

omit, insert—

‘(1B) A notice of appeal must state fully the grounds of appeal and the facts on which the appellant relies.’.

22. Section 66(2)—

omit.

23. Section 66(3) and (4)—

omit.

24. Section 66(1A) to (6), as amended by this Act—

renumber.

25. Section 70—

omit.

26. Section 70A—

renumber as section 70.

27. Section 71—

omit, insert—

SCHEDULE 1 (continued)

‘Approval of forms

‘71. The chief executive may approve forms for use under this Act.

‘Regulation making power

‘72.(1) The Governor in Council may make regulations under this Act.

‘(2) A regulation may be made about the following—

- (a) keeping records and other things;
- (b) additional duties of collectors and dealers, including, for example, duties about the keeping of records;
- (c) conditions of licences;
- (d) fees payable under this Act;
- (e) painting, affixing or displaying names of licensed dealers on or to licensed premises;
- (f) penalties of not more than 8 penalty units for offences against a regulation.

‘Approved forms

‘73.(1) This section applies if—

- (a) immediately before its commencement, there was a prescribed form for a matter; and
- (b) on the commencement, there is to be an approved form for the matter.

‘(2) Until there is an approved form for the matter, the form that was the prescribed form for the matter immediately before the commencement is taken to be the approved form for the matter.

‘(3) This section expires 3 months after it commences.’.

SCHEDULE 1 (continued)

Explanatory note

Amendment 1 omits definitions made redundant by the *Acts Interpretation Act 1954*.

Amendment 2 is consequential on amendment 27.

Amendment 3 implements current drafting practice by providing that the statutory instruments used under the Act are regulations.

Amendments 4, 8, 12, 13, 14, 15, 17 to 19, 24 and 26 are renumbering amendments.

Amendment 5 omits a provision made redundant by the *Local Government Act 1993* and the *Acts Interpretation Act 1954*.

Amendment 5 also omits redundant wording (see *Acts Interpretation Act 1954*, section 49(1)).

Amendments 6 and 7 provide for the use of approved forms rather than forms prescribed under regulation.

Amendments 9, 10 and 16 update language to make the provisions consistent with language used elsewhere in the Act (see section 27).

Amendment 11 omits redundant provisions.

Amendment 20 corrects a reference to the person to whom notice of appeal must be given.

Amendment 21 updates a provision dealing with appeals in accordance with current drafting practice.

Amendment 22 omits a provision made redundant by the *Acts Interpretation Act 1954*, section 49A.

Amendment 23 omits provisions made redundant by recent amendments of the *Magistrates Courts Act 1921*.

Amendment 25 omits a provision made redundant by the *Statutory Instruments Act 1992*.

Amendment 27 inserts a provision allowing the chief executive to approve forms for the Act, updates the regulation making power in accordance with current drafting practice, and inserts a transitional provision that provides for a prescribed form to be taken as an approved form for a limited period.

SCHEDULE 1 (continued)

SEWERAGE AND WATER SUPPLY ACT 1949**Amendment****1. Section 4—***insert—*‘**“approved form”** see section 20.³³’.**2. Section 12(2)—***omit.***3. Section 19(1)—***omit, insert—*‘**19.(1)** The Governor in Council may make regulations under this Act.’.**4. Section 19(2), words before paragraph (i)—***omit, insert—*‘**(2)** A regulation may make provision—’.**5. Section 19(2)(i), (vii) and (x)—***omit.***6. Section 19(2)(iii), ‘, the form in which applications for examination shall be made,’—***omit.*

³³ Section 20 (Approval of forms)

SCHEDULE 1 (continued)

7. Section 19(2)(iv), ‘form of and’—

omit.

8. After section 19—

insert—

‘Approval of forms

‘**20.** The chief executive may approve forms for use under this Act.’.

9. After section 23—

insert—

‘Sewerage, Water Supply, and Gasfitting Act 1949 references

‘**24.** In an Act or document, a reference to the *Sewerage, Water Supply, and Gasfitting Act 1949* is a reference to this Act.

‘Approved forms

‘**25.(1)** This section applies if—

- (a) immediately before its commencement, there was a prescribed form for a matter; and
- (b) on the commencement, there is to be an approved form for the matter.

‘**(2)** Until there is an approved form for the matter, the form that was the prescribed form for the matter immediately before the commencement is taken to be the approved form for the matter.

‘**(3)** This section expires 3 months after it commences.’.

Explanatory note

Amendment 1 is consequential on amendment 8.

Amendment 2 omits an unnecessary provision requiring applications for licences to

SCHEDULE 1 (continued)

be in the prescribed form.

Amendments 3 and 4 update the regulation making power in accordance with current drafting practice.

Amendments 5, 6 and 7 omit redundant provisions and provisions dealing with the prescribing of forms by regulation.

Amendment 8 inserts a provision allowing the chief executive to approve forms for the Act.

Amendment 9 inserts a provision to deal with references to the Act by its previous short title. The provision will ensure that references to the Act by the previous short title can be updated in reprints. The amendment also inserts a transitional provision that provides for a prescribed form to be taken as an approved form for a certain period.

SPEECH PATHOLOGISTS ACT 1979**Amendment****1. Section 4, definitions “medical practitioner” and “registrar”—**

omit.

2. Section 4—

insert—

“**approved form**” see section 37A.³⁴

“**registrar**” means the registrar of the board.’.

3. Section 6(1), words before ‘a Board’—

omit, insert—

‘**6.(1)** There is to be’.

³⁴ Section 37A (Approval of forms)

SCHEDULE 1 (continued)

4. Section 7(1), ‘by notification published in the Gazette’—

omit.

5. Sections 7A and 11(1), second sentence—

omit.

6. Section 8(2), ‘, by notification published in the Gazette,’—

omit.

7. Section 9(1)—

omit, insert—

‘**9.(1)** The appointment of a member of the board (other than a member appointed to fill a casual vacancy) is to be for a term of 3 years.’.

8. Section 9(3)(e)—

omit, insert—

‘(e) is convicted of an indictable offence; or’.

9. Section 11(3)—

omit.

10. Section 13(1)—

omit, insert—

‘**13.(1)** A member of the board or an advisory committee is entitled to be paid the allowances approved by the Governor in Council.’.

SCHEDULE 1 (continued)

11. Sections 18(1), 19(1), 20(1), 21(1) and 22(1), ‘prescribed form’—*omit, insert—*

‘approved form’.

12. Section 18(1)(d)—*omit.***13. Section 25(1)(a)—***omit, insert—*

‘(a) has been convicted of an indictable offence; or’.

14. Section 25(1)(e), before ‘is no longer’—*insert—*

‘is not or’.

15. Section 25(3)(c), ‘\$1000’—*omit, insert—*

‘20 penalty units’.

16. Section 28(4)—*omit.***17. Section 29(1), penalty—***omit, insert—*

‘Maximum penalty—10 penalty units.’.

SCHEDULE 1 (continued)

18. Section 30(1), ‘, with the approval of the Governor in Council,’—
omit.

19. Section 30—

insert—

‘(1A) A rule of practice must be approved by regulation.’.

20. Section 32(1), penalty—

omit, insert—

‘Maximum penalty—10 penalty units or 6 months imprisonment.’.

21. Section 33(1), ‘\$1,000’—

omit, insert—

‘20 penalty units’.

22. Section 36(2)—

omit.

23. Section 37, words before paragraph (a)—

omit, insert—

‘By-law making power

‘37.(1) The board may make by-laws under this Act.

‘(2) A by-law may be made for or about—’.

24. Section 37, second sentence, paragraphs (h) and (m)—

omit.

SCHEDULE 1 (continued)

25. Section 37, second sentence, paragraph (i), ‘\$500’—

omit, insert—

‘10 penalty units’.

26. Section 37, last sentence—

omit.

27. After section 37—

insert—

‘Approval of forms

‘**37A.** The board may approve forms for use under this Act.

‘Regulation making power

‘**37B.** The Governor in Council may make regulations under this Act.

‘Approved forms

‘**37C.(1)** This section applies if—

- (a) immediately before its commencement, there was a prescribed form for a matter; and
- (b) on the commencement, there is to be an approved form for the matter.

‘**(2)** Until there is an approved form for the matter, the form that was the prescribed form for the matter immediately before the commencement is taken to be the approved form for the matter.

‘**(3)** This section expires 6 months after it commences.’.

SCHEDULE 1 (continued)

Explanatory note

Amendments 1, 2 and 9 omit provisions and wording made redundant by amendments of the *Acts Interpretation Act 1954*. Amendment 2 also inserts the definition “approved form” which is consequential on amendment 27.

Amendment 3 updates a provision to remove obsolete transitional wording.

Amendments 4, 6 and 7 remove the need for appointments to be made by gazette notice. Amendment 7 also updates language in accordance with current drafting practice and removes obsolete transitional wording.

Amendment 5 omits redundant transitional provisions.

Amendments 8 and 13 omit wording made redundant by amendments of the *Acts Interpretation Act 1954*.

Amendment 10 revises, in accordance with Government policy, a provision preventing fees and allowances being paid to officers of the public service. The revised provision also permits the Governor in Council to approve allowances rather than requiring them to be prescribed.

Amendment 11 changes references to prescribed forms to approved forms in accordance with current drafting practice and Government policy.

Amendment 12 omits an obsolete transitional provision.

Amendment 14 clarifies the jurisdiction of the board to conduct inquiries.

Amendment 15 changes an amount expressed in dollars to penalty units.

Amendment 16 omits a provision made redundant by recent amendments of the *District Courts Act 1967*.

Amendments 17, 20, 21 and 25 change penalties expressed in dollars.

Amendment 18 is consequential on amendment 19.

Amendment 19 provides that rules of practice must be approved by regulation.

Amendment 22 omits a provision made redundant by amendments of the *Acts Interpretation Act 1954* (see section 49(2)).

Amendments 23, 24 and 26 omit redundant provisions and revise the board’s by-law making power to bring it into line with current drafting practice.

Amendment 27 inserts a provision allowing the board to approve forms for the Act and a regulation making power for the Act. A transitional provision that provides for a prescribed form to be taken as an approved form for a limited period is also inserted.

SCHEDULE 1 (continued)

STAMP ACT 1894**Amendment****1. Section 45(1), words before ‘the person or officer’—**

omit, insert—

‘**45.(1)** If duties imposed by this Act are paid on documents required to be registered at the office of a clerk of the court, warden or mining registrar,’.

2. Section 56FC(3), ‘this part’—

omit, insert—

‘sections 56FA to 56FO’.

3. Section 81, as enacted by the *Stamp Act 1894* 58 Vic No. 8—

omit.

4. Section 85—

omit, insert—

‘Declaration about certain provisions

‘**85.(1)** Duty under schedule 1, under the heading ‘Conveyance or transfer’, paragraph (4) is payable on an agreement for the sale or conversion of, or a deed of grant for—

- (a) land in a term lease mentioned in the *Land Act 1994*, section 116(1)(b); or
- (b) an estate in fee simple granted without competition under the *Land Act 1994*, section 122; or
- (c) land in a road permanently closed and sold under the *Land Act 1994*, section 108(2)(a); or

SCHEDULE 1 (continued)

- (d) an estate in fee simple made available by public auction, tender or ballot under the *Land Act 1994*, section 112.

‘(2) The commissioner, and an officer of the department in which the *Land Act 1994* is administered acting for the commissioner, is authorised to assess, collect and recover under this Act duty under schedule 1, under the heading ‘Conveyance or transfer’, paragraph (4) on a document mentioned in subsection (1).’.

Explanatory note

Amendment 1 updates an obsolete currency reference.

Amendment 2 corrects a reference.

Amendment 3 omits a section that was apparently inadvertently not omitted when another section with the same number was inserted into the Act in 1959.

Amendment 4 updates a provision consequentially on the *Land Act 1994*. The substance of the provision has not been changed.

STATE SERVICE SUPERANNUATION ACT 1972**Amendment****1. Section 24—**

insert—

‘(9) If an officer made an election under subsection (4) before the commencement of the *Superannuation Acts Amendment Act (No. 2) 1974* and was a contributor at that commencement, the additional contribution under the election must be adjusted by the board as if that subsection as amended by that Act was in force at the date of the election.’.

Explanatory note

This amendment reproduces the effect of the *Superannuation Acts Amendment Act (No. 2) 1974*, section 5(2) to enable that Act to be repealed.

SCHEDULE 1 (continued)

SUGAR INDUSTRY ACT 1991**Amendment****1. Section 242(1), ‘for the purposes of’—**

omit, insert—

‘under’.

2. Part 14—

omit, insert—

‘PART 14—TRANSITIONAL PROVISIONS**‘References to certain boards etc.**

‘243. In an Act or document—

- (a) a reference to a cane pest and disease control board may, if the context permits, be taken to be a reference to a cane protection and productivity board; and
- (b) a reference to the Sugar Board may, if the context permits, be taken to be a reference to the corporation.’.

Explanatory note

Amendment 1 updates the regulation making power in accordance with current drafting practice.

Amendment 2 omits redundant provisions, and inserts a provision to deal with references to certain replaced bodies. The provision will enable references to the bodies to be updated in reprints (see *Reprints Act 1992*, section 23A(3)).

SCHEDULE 1 (continued)

SURVEYORS ACT 1977**Amendment****1. Section 66(4) and (4A)—**

omit.

2. Section 66(1A) to (5)—

renumber.

Explanatory note

Amendment 1 omits provisions made redundant by recent amendments of the *District Courts Act 1967*.

Amendment 2 is a consequential renumbering amendment.

TIMBER UTILISATION AND MARKETING ACT 1987**Amendment****1. Section 6(1)—**

insert—

‘**“approved form”** see section 52.³⁵’.

2. Sections 10, 29(1) and 33(1), ‘him, his servants or agents’—

omit, insert—

‘the person or the person’s employees or agents’.

³⁵ Section 52 (Approval of forms)

SCHEDULE 1 (continued)

3. Sections 16(2)(a), 19(2)(a), 20(2)(a), 21(2)(a), 25(3), 26(1) and (2), 27(2)(a) and 38(6), ‘prescribed form’—*omit, insert—*

‘approved form’.

4. Section 47—*omit.***5. Section 49(2)(a), ‘him, his servants or agents’—***omit, insert—*

‘the defendant or the defendant’s employees or agents’.

6. After section 51—*insert—***‘Approval of forms**

‘52. The chief executive may approve forms for use under this Act.’.

7. Section 53, heading—*omit, insert—***‘Regulation making power’.****8. Section 53(1)(b), (d) and (h)—***omit.***9. Section 53(1), words before paragraph (a)—***omit, insert—*

SCHEDULE 1 (continued)

‘53.(1) The Governor in Council may make regulations under this Act.

‘(1A) A regulation may be made for or about—’.

10. After part 6—

insert—

‘PART 7—TRANSITIONAL PROVISION**‘Timber Utilization and Marketing Act 1987 references**

‘54. In an Act or document, a reference to the *Timber Utilization and Marketing Act 1987* is a reference to this Act.

‘Approved forms

‘55.(1) This section applies if—

- (a) immediately before its commencement, there was a prescribed form for a matter; and
- (b) on the commencement, there is to be an approved form for the matter.

‘(2) Until there is an approved form for the matter, the form that was the prescribed form for the matter immediately before the commencement is taken to be the approved form for the matter.

‘(3) This section expires 3 months after it commences.’.

Explanatory note

Amendment 1 is consequential on amendment 6.

Amendments 2 and 5 correct minor grammatical errors and update the wording of provisions.

Amendment 3 amends provisions to change prescribed forms to approved forms in accordance with current drafting practice.

SCHEDULE 1 (continued)

Amendment 4 omits a provision that duplicates a provision of the *Acts Interpretation Act 1954*.

Amendment 6 inserts a provision allowing the chief executive to approve forms for the Act.

Amendments 7 to 9 bring the regulation making power into line with current drafting practice.

Amendment 10 inserts a provision to deal with references to the Act by its earlier short title. The provision will enable references to be updated in reprints.

Amendment 10 also inserts a transitional provision to allow existing prescribed forms to continue to be used for a limited period.

TORRES STRAIT ISLANDER LAND ACT 1991**Amendment****1. Section 16(1)(c)—**

omit, insert—

‘(c) a reserve under the *Land Act 1994*; or’.

2. Section 80(1)(b)—

omit, insert—

‘(b) is subject to the conditions prescribed under a regulation for the national park land or national park land generally.’.

Explanatory note

Amendment 1 makes terminology changes consequential on the *Land Act 1994*.

Amendment 2 implements current drafting practice by providing that the statutory rules used under the Act are regulations.

SCHEDULE 1 (continued)

TOW TRUCK ACT 1973**Amendment****1. Section 4(1)—***insert—*

‘**“approved form”** see section 42A.³⁶’.

2. Section 4(1), definition “towing authority”, ‘form prescribed for the purpose’—*omit, insert—*

‘approved form’.

3. Section 36—*omit.***4. After section 42—***insert—***‘Approval of forms**

‘**42A.** The chief executive may approve forms for use under this Act.’.

5. Section 43, words before paragraph (a)—*omit, insert—*

³⁶ Section 42A (Approval of forms)

SCHEDULE 1 (continued)

‘Regulation making power

‘**43.(1)** The Governor in Council may make regulations under this Act.

‘**(2)** A regulation may make provision about the following—’.

6. Section 43(f), ‘the forms to be used for the purposes of this Act and’—

omit.

7. Section 43(u) to (z)—

omit, insert—

‘(u) penalties of not more than 4 penalty units for each offence against a regulation.’.

8. After section 43—

insert—

‘PART 8—TRANSITIONAL PROVISIONS**‘Tow-truck Act 1973 references**

‘**44.** In an Act or document, a reference to the *Tow-truck Act 1973* is a reference to this Act.

‘Approved forms

‘**45.(1)** This section applies if—

- (a) immediately before its commencement, there was a prescribed form for a matter; and
- (b) on the commencement, there is to be an approved form for the matter.

SCHEDULE 1 (continued)

‘(2) Until there is an approved form for the matter, the form that was the prescribed form for the matter immediately before the commencement is taken to be the approved form for the matter.

‘(3) This section expires 3 months after it commences.’.

Explanatory note

Amendments 1 and 2 are consequential on amendment 4.

Amendment 3 omits a redundant delegation power. The chief executive can delegate powers under this Act under the *Transport Planning and Coordination Act 1994*.

Amendment 4 allows the chief executive to approve forms for use under the Act.

Amendment 5 updates the language of the Act’s regulation making power in accordance with current drafting practice.

Amendment 6 omits a reference to forms in accordance with current drafting practice.

Amendment 7 omits provisions made obsolete by the *Statutory Instruments Act 1992* and updates a reference to a penalty in accordance with current drafting practice.

Amendment 8 inserts a provision to deal with references to the Act by its previous short title. The provision will ensure that references to the Act by the previous short title can be updated in reprints. The amendment also inserts a transitional provision that provides for a prescribed form to be taken as an approved form for a certain period.

**TRADE MEASUREMENT ADMINISTRATION ACT
1990****Amendment****1. Section 3(1)—**

insert—

‘**“function”** includes power.’.

SCHEDULE 1 (continued)

2. Section 3(2), as heading—

insert—

‘Expressions used in Trade Measurement Act 1990’.

3. Section 3(2)—

renumber as section 3A.

4. Section 14—

omit.

5. Section 16(b), words after ‘District’—

omit.

6. Section 24(1) and (2)—

omit, insert—

‘24.(1) The Governor in Council may make regulations under this Act.’.

7. Section 24(3)—

renumber as section 24(2).

8. Sections 26 to 29—

omit.

9. Section 30—

omit, insert—

SCHEDULE 1 (continued)

‘References to certain officials

‘30. In an Act or document—

- (a) a reference to the chief inspector of weights and measures may, if the context permits, be taken to be a reference to the chief inspector of trade measurement; and
- (b) a reference to a deputy chief inspector of weights and measures may, if the context permits, be taken to be a reference to the deputy chief inspector of trade measurement.’

Explanatory note

Amendment 1 includes the definition “function”. The definition accords with current drafting practice.

Amendments 2 and 3 recast an interpretative provision as a separate section.

Amendment 4 omits a provision dealing with the repealed *Penalty Units Act 1985*.

Amendment 5 omits an unnecessary reference to an Act that is proposed to be repealed.

Amendment 6 omits unnecessary provisions and recasts the regulation making power in accordance with current drafting practice.

Amendment 7 is a consequential renumbering amendment.

Amendment 8 omits redundant provisions.

Amendment 9 inserts a provision to deal with references to certain replaced offices. The provision will enable references to the offices to be updated in reprints (see *Reprints Act 1992*, section 23A(3)).

TRADING (ALLOWABLE HOURS) ACT 1990**Amendment****1. Section 14—**

omit.

SCHEDULE 1 (continued)

2. Section 33(1), ‘factory and shop’—

omit, insert—

‘factory or shop’.

Explanatory note

Amendment 1 removes the need for a separate annual report for this Act. The administration of this Act will be covered in the department’s annual report under the *Financial Administration and Audit Act 1977*.

Amendment 2 corrects a minor error.

TRAFFIC ACT 1949**Amendment****1. Section 69—**

omit.

Explanatory note

This amendment omits a provision made redundant by recent amendments of the *Supreme Court of Queensland Act 1991*.

TRANSPORT INFRASTRUCTURE ACT 1994**Amendment****1. Section 102(3), penalty—**

omit, insert—

‘Maximum penalty for subsection (3)—10 penalty units.’.

SCHEDULE 1 (continued)

2. Section 153, definition “vehicle”—

omit.

3. Section 243—

omit, insert—

‘Main Roads Act 1920 references

‘**243.** A reference to the *Main Roads Act 1920* may, in relation to transport infrastructure or another matter dealt with under this Act, be taken to be a reference to this Act.’.

4. Schedule 3, definitions “State-controlled road” (both definitions) and “vehicle”—

omit.

5. Schedule 3—

insert—

‘ **“State-controlled road”** means a road or land, or part of a road or land, declared under section 23³⁷ to be a State-controlled road, and, for chapter 5, part 5, division 2, subdivision 2,³⁸ see section 50.

“vehicle” see *Traffic Act 1949*.’.

Explanatory note

Amendment 1 confirms a correction made in a reprint of a cross-referencing error.

Amendment 2 is consequential on amendments 4 and 5.

³⁷ Section 23 (Declaration of State-controlled roads)

³⁸ Chapter 5 (Road transport infrastructure), part 5 (Management of State-controlled roads), division 2 (Ancillary works and encroachments and roadside facilities), subdivision 2 (Special arrangements for means of access)

SCHEDULE 1 (continued)

Amendment 3 corrects a reference provision.

Amendments 4 and 5 combine 2 definitions of “State-controlled road” and extend the definition “vehicle” to apply to the entire Act.

TRANSPORT PLANNING AND COORDINATION ACT 1994

Amendment

1. Section 21—

omit.

2. Section 23—

omit.

Explanatory note

Amendment 1 omits a provision made redundant by recent amendments of the *District Courts Act 1967*.

Amendment 2 omits a provision made redundant by recent amendments of the *Magistrates Courts Act 1921*.

VALUATION OF LAND ACT 1944

Amendment

1. Section 7(2)(g), ‘under an occupation licence or road licence’—

omit.

SCHEDULE 1 (continued)

2. Section 14(5)(b), after ‘licence’—

insert—

‘, permit’.

Explanatory note

These amendments are consequential on the *Land Act 1994*.

VALUERS REGISTRATION ACT 1992**Amendment****1. Section 61(2)(b) and (4)—**

omit.

2. Section 61(2) to (5)—

renumber.

Explanatory note

Amendment 1 omits provisions made redundant by recent amendments of the *District Courts Act 1967*.

Amendment 2 is a consequential renumbering amendment.

SCHEDULE 1 (continued)

WATER RESOURCES ACT 1989**Amendment****1. Section 2(1)—***insert—*

‘**“approved form”** see section 250.³⁹’.

2. Section 162—*omit.***3. Section 245(2), ‘the Commissioner for Corporate Affairs or’—***omit.***4. Section 248(2)(a), ‘within the meaning of the *Harbours Act 1955*’—***omit.***5. Section 250—***omit, insert—***‘Approval of forms**

‘**250.** The chief executive may approve forms for use under this Act.

‘Regulation making power

‘**250A.(1)** The Governor in Council may make regulations under this Act.

‘**(2)** A regulation may confer powers and functions for this Act on the

³⁹ Section 250 (Approval of forms)

SCHEDULE 1 (continued)

corporation, a chief executive, a department, public authority or local government.

‘(3) A regulation may make provision for a purpose mentioned in the schedule.’.

6. Sections 252 and 253—

omit, insert—

‘Approved forms

‘252.(1) This section applies if—

- (a) immediately before its commencement, there was a prescribed form for a matter; and
- (b) on the commencement, there is to be an approved form for the matter.

‘(2) Until there is an approved form for the matter, the form that was the prescribed form for the matter immediately before the commencement is taken to be the approved form for the matter.

‘(3) This section expires 3 months after it commences.’.

7. Schedule 1, item 4, ‘forms of and the’—

omit.

8. Schedule 1, item 35—

omit.

9. Schedule 1, items 36 and 37—

renumber as items 35 and 36.

SCHEDULE 1 (continued)

10. Schedule 1, item 38—

omit.

11. Schedule 1—

renumber as the schedule.

Explanatory note

Amendment 1 is consequential on amendment 5.

Amendment 2 omits a redundant provision.

Amendment 3 omits an unnecessary reference to a State office that has been replaced by a Commonwealth office.

Amendment 4 omits an obsolete reference. Navigable river will have its ordinary meaning.

Amendments 5 and 10 update the regulation making power in accordance with current drafting practice. Amendment 5 also inserts a section providing for the approval of forms.

Amendment 6 omits obsolete transitional provisions. The amendment also inserts a transitional provision that provides for a prescribed form to be taken as an approved form for a certain period.

Amendments 7 and 8 omit provisions dealing with the prescription of forms by regulation.

Amendment 9 is a consequential renumbering amendment.

Amendment 10 is also a renumbering amendment.

WEAPONS ACT 1990**Amendment****1. Section 3.29(2), ‘prescribed manner and prescribed form’—**

omit, insert—

‘way prescribed under the regulations’.

SCHEDULE 1 (continued)

2. Section 5.1E(1) and (2)—

omit.

3. Section 6.9(2), ‘prescribed form’—

omit, insert—

‘approved form’.

4. Part 7—

omit.

Explanatory note

Amendment 1 revises the provision in accordance with current drafting practice.

Amendment 2 omits provisions made redundant by recent amendments of the *Magistrates Courts Act 1921*.

Amendment 3 omits references to ‘prescribed form’ and inserts references to ‘approved form’ in accordance with current drafting practice.

Amendment 4 removes obsolete transitional and savings provisions.

WORKPLACE HEALTH AND SAFETY ACT 1995**Amendment****1. Section 10(2), ‘the person’—**

omit, insert—

‘the person engaged’.

2. Section 77(3), ‘hinder or’—

omit.

SCHEDULE 1 (continued)

3. Section 112(4), ‘the notice’—

omit, insert—

‘the receipt’.

4. Section 172(4), ‘the statement or entry’—

omit, insert—

‘the document or entry’.

5. Sections 190 and 191—

omit, insert—

‘Existing regulations

‘190.(1) A provision of the *Workplace Health and Safety Regulation 1989* mentioned in subsection (4) and in force under the former Act immediately before the commencement remains in force for this Act.

‘(2) The provision—

- (a) may be amended or repealed by a regulation under this Act; and
- (b) is to be read with the changes necessary to make it consistent with this Act and adapt its operation to the provisions of this Act.

‘(3) The provision expires on the expiry day unless earlier repealed.

‘(4) Subject to subsection (5), the provisions that remain in force for this Act are—

- section 12 (Safeguards and safety measures to be taken by principal contractor)
- part 10 (Construction and maintenance equipment)
- part 11 (Construction, alteration and removal of buildings and structures)
- part 12 (Demolition work)
- part 13 (Excavations, trenches, caissons, cofferdams and tunnels)

SCHEDULE 1 (continued)

- part 16 (Access provisions)
- part 17 (Electrical equipment and installations)
- part 18 (Cranes and hoists)
- part 27 (Confined spaces)
- part 28 (Lead)
- part 29 (Asbestos)
- part 30 (Noise)
- part 31 (Spray painting)
- part 32 (Welding)
- part 33 (Foundry and abrasive blasting)
- part 34 (Compressed air)
- part 35 (Underwater diving)
- part 37 (Hazardous substances)
- part 38 (Air handling and water systems of buildings).

‘(5) Also, the *Workplace Health and Safety Amendment Regulation (No. 1) 1995* (other than section 5) remains in force under this Act and, for subsection (2)(a), is taken to be a regulation under this Act.

‘(6) This section expires on 1 July 1996.

‘Existing codes of practice

‘191.(1) This section applies to a code of practice approved under the former Act, and in force immediately before the commencement, if the code is notified by the Minister under this Act before 1 December 1995.

‘(2) The code of practice is taken to be an advisory standard made under this Act.

‘(3) The code of practice is to be read with the changes necessary to make it consistent with this Act and adapt its operation to the provisions of this Act.

SCHEDULE 1 (continued)

‘(4) The code of practice expires on the expiry day unless earlier repealed.

‘(5) This section expires on 1 July 1996.’.

6. After section 204—

insert—

‘Workplace Health and Safety Act 1989 references

‘**204A.** In an Act or document, a reference to the *Workplace Health and Safety Act 1989* may, if the context permits, be taken to be a reference to this Act.’.

7. Schedule 2, section 2, definition “gas cylinder”, ‘not more’—

omit, insert—

‘not more than’.

8. Schedule 3, definition “public place”, after ‘a place’—

insert—

‘that’.

Commencement

Amendment 5 is taken to have commenced on 1 July 1995.

Explanatory Note

Amendments 1, 3, 4, 7 and 8 make minor corrections.

Amendment 2 omits redundant words—see definition “obstruct”.

Amendment 5 corrects the numbering of certain provisions in the *Workplace Health and Safety Regulation 1989* mentioned in section 190(4) and preserves the operation of an amending regulation that had not come into force at the commencement of the new Act. The amendment also provides, by adjustments made to section 191, that

SCHEDULE 1 (continued)

the Minister may notify those codes of practice in force under the former Act that are to have a continued operation during the transitional phase. This will ensure the community can identify, with certainty, which codes continue in force.

Amendment 6 inserts a provision to deal with references to an earlier repealed Act that provided for substantially the same matters as this Act. The provision will enable references to the repealed Act to be updated in reprints (see *Reprints Act 1992*, section 22(4)).

SCHEDULE 2**STATUTE LAW REVISION AMENDMENTS OF LESS
IMPORTANCE**

section 4

ANZAC DAY ACT 1995**Amendment****1. After part 4—***insert—***‘PART 5—TRANSITIONAL****‘Anzac Day Act 1921 references**

‘**32.** In an Act or document, a reference to the *Anzac Day Act 1921* may, if the context permits, be taken to be a reference to this Act.’.

Explanatory note

The amendment inserts a provision to deal with references to an earlier repealed Act that provided for substantially the same matters as this Act. The provision will enable references to the repealed Act to be updated in reprints (see *Reprints Act 1922*, s 22(4)).

SCHEDULE 2 (continued)

**ASSOCIATIONS INCORPORATION AMENDMENT
ACT 1995**

Amendment

1. Schedule, amendment 48—

omit.

Commencement

This amendment is taken to have commenced on 5 April 1995.

Explanatory note

This amendment omits a redundant provision.

BUILDING ACT 1975

Amendments

1. Section 6(1), ‘made’

omit, insert—

‘make’.

2. Section 22(a), ‘Department of Housing and Local Government’—

omit, insert—

‘department in which this Act is administered’.

3. Section 22(a), words after ‘Minister’—

omit.

SCHEDULE 2 (continued)

4. Section 22(j), ‘Australia’—

omit, insert—

‘Queensland’.

5. Section 30BG(1), ‘section 11’—

omit, insert—

‘section 6’.

6. Sections 71 and 75—

omit.

Explanatory note

Amendment 1 corrects a typographical error.

Amendment 2 replaces an outdated specific reference to a department with a general reference.

Amendment 3 omits redundant wording consequentially on amendment 2.

Amendment 4 updates the title of an entity.

Amendment 5 corrects a cross-reference.

Amendment 6 omits redundant provisions.

**BUILDING AND CONSTRUCTION INDUSTRY
(PORTABLE LONG SERVICE LEAVE) ACT 1991****Amendments****1. Section 29, ‘Manager’s’—**

omit, insert—

‘General Manager’s’.

SCHEDULE 2 (continued)

2. Section 46, ‘section 39’—

omit, insert—

‘this division’.

Explanatory Note

Amendment 1 updates references to a previous office.

Amendment 2 updates a cross-reference.

BUSINESS NAMES ACT 1962**Amendment****1. Section 25, words before ‘registrar may’—**

omit, insert—

‘The’.

2. Section 25—

insert—

‘(2) Subsection (1) is subject to the *Libraries and Archives Act 1988*.’.

Explanatory note

These amendments update a reference and make minor changes of a drafting nature.

SCHEDULE 2 (continued)

CASINO CONTROL ACT 1982**Amendment****1. Section 39(4), ‘Minister’—**

omit, insert—

‘chief executive’.

Explanatory note

The amendment updates a reference to devolve responsibility from the Minister to the chief executive consistently with other provisions of the Act.

DEBITS TAX ACT 1990**Amendment****1. Section 1.3(2)—**

omit.

2. After section 6.1—

insert—

‘Numbering and renumbering of Act

‘**6.2** In the first reprint of this Act produced under the *Reprints Act 1992*, the provisions of this Act must be numbered and renumbered as permitted by the *Reprints Act 1992*, section 43.’.

Explanatory note

Amendment 1 omits an obsolete provision.

Amendment 2 inserts a renumbering provision to require the Act to be renumbered when next reprinted under the *Reprints Act 1992*.

SCHEDULE 2 (continued)

FAMILY SERVICES ACT 1987**Amendment****1. Section 68—**

omit, insert—

‘PART 7—TRANSITIONAL PROVISION**‘Family and Youth Services Act 1987 references**

‘**68.** In an Act or document, a reference to the *Family and Youth Services Act 1987* is a reference to this Act.’.

Explanatory note

The amendment omits a redundant provision and inserts a provision to deal with references to the Act by its previous short title. The provision will ensure that references to the Act by the previous short title can be updated in reprints.

**FOREIGN OWNERSHIP OF LAND REGISTER ACT
1988****Amendment****1. Section 4(1), definition “last accounting date”—**

omit, insert—

‘**“last accounting date”** means—

- (a) for a corporation—the last day of the accounting period mentioned in the Corporations Law, section 292; and
- (b) for a trust—the last day of the most recent year of income for the trust.’.

SCHEDULE 2 (continued)

Explanatory note

The amendment updates a reference and also updates language in accordance with current drafting practice.

FORESTRY ACT 1959**Amendment****1. Section 5(1), definition “freeholding lease”, ‘section 24’—**

omit, insert—

‘section 22’.

Explanatory note

This amendment corrects a provision reference.

FOSSICKING ACT 1994**Amendment****1. Section 47, heading, after ‘alienation of’—**

insert—

‘unallocated’.

2. Section 47(1), ‘State land under the *Land Act 1962* or the *Miners’ Homestead Leases Act 1913*’—

omit, insert—

‘unallocated State land under the *Land Act 1994*’.

SCHEDULE 2 (continued)

3. Section 47(2), ‘State’—*omit, insert—*

‘Unallocated State’.

4. Section 67(1)(b) and (1)(d)(i), ‘licence’—*omit, insert—*

‘permit’.

5. Section 67(1)(c), ‘fossicking licence’—*omit, insert—*

‘permit’.

Explanatory note

Amendment 1 is consequential on amendments 2 and 3.

Amendments 2 and 3 update references.

Amendments 4 and 5 correct minor errors.

LAND TITLE ACT 1994**Amendment****1. After section 207—***insert—***‘References to registrar of dealings**

‘208. In an Act or document, a reference to the registrar of dealings may, if the context permits, be taken to be a reference to the registrar of titles.’.

SCHEDULE 2 (continued)

Explanatory note

The amendment inserts a section to deal with references to the registrar of dealings. This office has been abolished. The section will enable references to be updated in reprints (see *Reprints Act 1992*, section 23A(3)).

LIQUOR ACT 1992**Amendment****1. Section 141(1)(a)(ii), ‘section 129 or 131’—**

omit, insert—

‘section 131A’.

2. Section 205(4) and (5), ‘or (3)’—

omit.

3. Section 242, ‘the column 1 of the following Table’—

omit, insert—

‘the following table, column 1’.

4. Sections 251 (second occurring) and 252—

renumber as sections 252 and 253.

Explanatory note

Amendments 1 and 2 correct cross-references.

Amendments 3 and 4 correct minor errors.

SCHEDULE 2 (continued)

LOAN FUND COMPANIES ACT 1982**Amendment****1. Section 44(1), ‘until the expiration of’—**

omit, insert—

‘until’.

2. Section 44(1)(c) to (e), ‘a period of’—

omit.

3. Section 44(1)(f), ‘until’—

omit.

Explanatory note

These amendments correct a minor paragraphing error.

**LOCAL GOVERNMENT (HARBOUR TOWN
ZONING) ACT 1990****Amendment****1. After section 17—**

insert—

‘City of Gold Coast (Harbour Town Zoning) Act 1990 references

‘**17A.** In an Act or document, a reference to the *City of Gold Coast (Harbour Town Zoning) Act 1990* is a reference to this Act.’.

SCHEDULE 2 (continued)

Explanatory note

The amendment inserts a provision to deal with references to the Act by its previous short title. The provision will ensure that references to the Act by the previous short title can be updated in reprints.

LOCAL GOVERNMENT (PLANNING AND ENVIRONMENT) AMENDMENT ACT (No. 2) 1991**Amendment****1. Section 10(2), ‘8(6)(a)’—**

omit, insert—

‘8.2(6)(a)’.

Commencement

The amendment is taken to have commenced on 11 December 1991.

Explanatory note

The amendment corrects a reference.

MEDICAL ACT 1939**Amendment****1. Section 41A(1), ‘subsequently erased from the Register pursuant to section 25’—**

omit, insert—

‘later removed from the register under section 27A’.

SCHEDULE 2 (continued)

- 2. Section 41A(2) and (3), ‘erased pursuant to section 25’—**
omit, insert—
‘removed under section 27A’.

Explanatory note

The amendments effect previously overlooked consequential amendments.

MINERAL RESOURCES ACT 1989**Amendment**

- 1. Section 8(3)(a), ‘Crown Lands Alienation Act 1860’—**
omit, insert—
‘Alienation of Crown Lands Act 1860’.
- 2. Section 299(9), ‘312(7)’—**
omit, insert—
‘312(3)’.
- 3. Schedule, section 2(7) ‘that is submitted in compliance with subsection (7)’—**
omit.

Explanatory note

Amendment 1 corrects a reference.

Amendment 2 corrects a cross-reference.

Amendment 3 omits an obsolete cross-reference.

SCHEDULE 2 (continued)

MOTOR ACCIDENT INSURANCE ACT 1994**Amendment****1. Before section 104, in part 7—**

insert—

‘Insurance Act 1960 references

‘**102.** In an Act or document, a reference to the *Insurance Act 1960* may, if the context permits, be taken to be a reference to this Act.’

‘Motor Vehicles Insurance Act 1936 references

‘**103.** In an Act or document, a reference to the *Motor Vehicles Insurance Act 1936* may, if the context permits, be taken to be a reference to this Act.’

Explanatory note

The amendment inserts provisions to deal with references to earlier repealed Acts that provided for substantially the same matters as this Act. The provisions will enable references to the repealed Acts to be updated in reprints (see *Reprints Act 1992*, section 22(4)).

MOTOR VEHICLES SECURITIES ACT 1986**Amendment****1. Section 7A(4), ‘Registrar’—**

omit, insert—

‘chief executive’.

SCHEDULE 2 (continued)

2. Section 17, ‘Maximum penalty—5 penalty units.’—

omit.

3. Section 30, definition “accountable officer”—

omit, insert—

‘(4) In this section—

“**accountable officer**” means the accountable officer of the department under the *Financial Administration and Audit Act 1977*.’.

4. Section 40—

omit.

Explanatory note

Amendment 1 updates a reference to devolve responsibility from the registrar to the chief executive consistently with other provisions of the Act.

Amendment 2 corrects a minor error.

Amendment 3 updates a definition in accordance with current drafting practice.

Amendment 4 omits a transitional provision.

**NATIVE TITLE (QUEENSLAND) AMENDMENT ACT
1994****Amendment****1. Schedule 2, amendment 25, ‘section 122(1)’—**

omit, insert—

‘**section 122**’.

SCHEDULE 2 (continued)

Commencement

The amendment is taken to have commenced on 24 November 1994.

Explanatory note

The amendment corrects a typographical error.

RACING AND BETTING ACT 1980**Amendment****1. Part 8—**

insert—

‘References to previous principal clubs

‘257A.(1) In an Act or document, a reference to a previous principal club may, if the context permits, be taken to be a reference to the Queensland Principal Club.

‘(2) In this section—

“previous principal club” means a club that was a principal club immediately before the commencement of the *Racing and Betting Amendment Act (No. 2) 1991*, part 3.⁴⁰.

Explanatory note

The amendment inserts a section to deal with references to previous principal clubs. The section will enable references to be updated in reprints (see *Reprints Act 1992*, section 23A(3)).

⁴⁰ The following are previous principal clubs—

- Queensland Turf Club
- Downs and South-Western Queensland Racing Association
- Rockhampton Jockey Club
- Central Queensland Racing Association
- North Queensland Racing Association

SCHEDULE 2 (continued)

RESIDENTIAL TENANCIES ACT 1994**Amendment****1. Section 223(6), ‘to reclaim’—**

omit, insert—

‘reclaim’.

Explanatory note

The amendment corrects a minor error.

RETAIL SHOP LEASES ACT 1994**Amendment****1. After section 122—**

insert—

‘PART 12—TRANSITIONAL PROVISION**‘Retail Shop Leases Act 1984 references**

‘**123.** In an Act, a reference to the *Retail Shop Leases Act 1984* may, if the context permits, be taken to be a reference to this Act.’.

Explanatory note

The amendment inserts a provision to deal with references to an earlier repealed Act that provided for substantially the same matters as this Act. The provision will enable references to the repealed Act to be updated in reprints (see *Reprints Act 1922*, s 22(4)).

SCHEDULE 2 (continued)

RETIREMENT VILLAGES ACT 1988

Amendment

1. Section 6(1), definition “existing retirement village”, ‘section 15’—

omit, insert—

‘this Act’.

2. Section 61—

omit.

Explanatory note

Amendment 1 amends a reference to an omitted section to assist the reader of the Act.

Amendment 2 omits a redundant transitional provision.

**ROMAN CATHOLIC CHURCH (INCORPORATION
OF CHURCH ENTITIES) ACT 1994**

Amendment

1. Section 33(4)(d), after ‘church’—

insert—

‘entity’.

Explanatory note

The amendment corrects a minor error.

SCHEDULE 2 (continued)

**SOUTH EAST QUEENSLAND WATER BOARD ACT
1979****Amendment****1. After part 10—***insert—***‘PART 11—TRANSITIONAL PROVISIONS****‘Brisbane and Area Water Board Act 1979 references**

‘147. In an Act or document, a reference to the *Brisbane and Area Water Board Act 1979* is a reference to this Act.

‘Brisbane and Area Water Board references

‘148. In an Act or document, a reference to the Brisbane and Area Water Board may, if the context permits, be taken to be a reference to the South East Queensland Water Board.’

Explanatory note

The amendment inserts a provision (new section 147) to deal with references to the Act by its previous short title. The provision will ensure that references to the Act by the previous short title can be updated in reprints.

The amendment also inserts a provision (new section 148) to deal with references to an entity by its previous name. The provision will ensure that references to the entity by its old name can be updated in reprints.

SCHEDULE 2 (continued)

STATE TRANSPORT (PEOPLE-MOVERS) ACT 1989**Amendment****1. Section 1, ‘*State Transport (People-movers) Act 1989*’—**

omit, insert—

‘State Transport (People Movers) Act 1989’.

2. After section 40—

insert—

‘PART 6—TRANSITIONAL PROVISION**‘State Transport (People-movers) Act 1989 references**

‘41. In an Act or document, a reference to the *State Transport (People-movers) Act 1989* is a reference to this Act.’.

Explanatory note

Amendment 1 amends the short title to update the spelling of ‘people mover’.

Amendment 2 inserts a provision to deal with references to the Act by its previous short title. The provision will ensure that references to the Act by the previous short title can be updated in reprints.

SCHEDULE 2 (continued)

**STATUTE LAW (MISCELLANEOUS PROVISIONS)
ACT (NO. 2) 1992****Amendment****1. Schedule 2, amendments of Local Government (Planning and Environment) Act 1990, amendment 1, ‘7.1(4)’—**

omit, insert—

‘7.1A(4)’.

Commencement

The amendment is taken to have commenced on 7 December 1992.

Explanatory note

The amendment corrects a reference.

**STATUTE LAW (MISCELLANEOUS PROVISIONS)
ACT (No. 2) 1994****Amendment****1. Schedule 2, amendments of Health Act 1937, amendments 4 and 8—**

omit.

Explanatory note

These amendments, which have not commenced, have been overtaken by other amendments of the *Health Act 1937* made by this Act.

SCHEDULE 2 (continued)

**TRANSPORT OPERATIONS (ROAD USE
MANAGEMENT) ACT 1995****Amendment****1. Section 53(4), ‘statement made’—**

omit, insert—

‘information given’.

2. Schedule 2, part 2, ‘Traffic Amendment Act 1994 No. 8’—

omit, insert—

‘Traffic Amendment Act 1994 No. 7’.

Commencement

Amendment 2 is taken to have commenced on 5 April 1995.

Explanatory note

The amendments correct minor errors.

SCHEDULE 3**REPEAL OF UNCOMMENCED PROVISIONS AND
AMENDING ACTS WITH UNCOMMENCED
PROVISIONS**

sections 4 and 5(1)

**PART 1—OMISSION OF UNCOMMENCED
PROVISIONS****RECREATION AREAS MANAGEMENT ACT 1988****Amendment****1. Sections 69 to 77—***omit.***2. Schedule 2—***omit.***PART 2—REPEAL OF AMENDING ACTS WITH
UNCOMMENCED PROVISIONS****Repeals**

Health Legislation Amendment Act 1992 No. 66

Local Government (Planning and Environment) Amendment Act 1992
No. 37Primary Producers' Co-operative Associations Act Amendment Act 1989
No. 108

 SCHEDULE 3 (continued)
Explanatory note

The amendments made by part 1 of this schedule, and the repeals made by part 2 of this schedule, have the effect of omitting from the Queensland statute book provisions that have not been commenced. The provisions are no longer required and the amendments and repeals will clarify the status of the provisions of the affected Acts.

The amendments and repeals are part of the Office of the Queensland Parliamentary Counsel's ongoing review of the Queensland statute book. The success of this review to date can be gauged by the number of Acts enacted before 1 January 1995 ("**pre-1 January 1995 Acts**") that are uncommenced or contain provisions whose commencement has not been fixed. According to the Office's records there were 26 of these Acts at 1 July 1995.

Year	Number of Acts⁴¹
1985	1
1988	1
1989	1
1990	1
1991	2
1992	6
1993	3
1994	<u>11</u>
Total	26

Because of the amendments and repeals made by this Bill, the number of these Acts will fall to 21. There will be no pre-1990 Acts that are uncommenced or contain uncommenced provisions. It is expected that the number will fall further in the near future with the commencement of additional uncommenced provisions.

⁴¹ Some of these Acts contain amendments to a number of Acts that have not commenced.

SCHEDULE 3 (continued)

Once the uncommenced provisions in pre-1 January 1995 Acts are either commenced or repealed, no future difficulty should be experienced because unproclaimed provisions will commence automatically under the *Acts Interpretation Act 1954*, section 15DA.⁴²

⁴² Section 15DA (Automatic commencement of postponed law)

SCHEDULE 4**REPEAL OF AMENDING ACTS WITH
SUBSTANTIVE PROVISIONS THAT ARE NO
LONGER NEEDED**

section 5(1)

Repeals

Adoption of Children Act Amendment Act 1990 No. 8 (s 4)

Auctioneers and Agents Amendment Act 1991 No. 41 (s 13)

Beach Protection Act Amendment Act 1970 No. 41 (s 11)

Brigalow and Other Lands Development Act Amendment Act 1965 No. 62
(s 10)Brigalow and Other Lands Development Act Amendment Act 1978 No. 4
(s 4)Brigalow and Other Lands Development Acts Amendment Act 1967
No. 47 (ss 14–15)

Building Act Amendment Act 1991 No. 52 (ss 2.15(2), 3.1–3.15)

Children's Services Act Amendment Act 1973 No. 3 (s 7(2))

City of Brisbane Act Amendment Act 1969 No. 26 (s 5(2)–(3))

City of Brisbane Act Amendment Act 1973 No. 59 (s 4)

City of Brisbane Acts Amendment Act 1966 No. 31 (s 5)

City of Brisbane Market Acts Amendment Act 1967 No. 30 (s 10)

Coal Mining Act Amendment Act 1969 No. 31 (ss 2–6)

Coal Mining Acts Amendment Act 1964 No. 8 (ss 48–49)

Coal Mining Acts Amendment Act 1967 No. 57 (s 5(2))

SCHEDULE 4 (continued)

Commonwealth and State Housing Agreement and State Housing Act and Another Act Amendment Act 1978 No. 58 (ss **4–5**)

Community Services (Aborigines) Act Amendment Act 1990 No. 104 (s **19**)

Community Services (Torres Strait) Act Amendment Act 1990 No. 105 (s **16**)

Co-operative Housing Societies Acts Amendment Act 1967 No. 6 (s **9(2)**)

Corrective Services Act Amendment Act 1990 No. 38 (ss **4(2), 5(2), 6(2), 11(2), 12(2), 27(2)**)

Greenvale Agreement Act Amendment Act 1974 No. 50 (ss **5–6**)

Greenvale Agreement Act Amendment Act 1975 No. 28 (s **3**)

Industrial Development Act Amendment Act 1970 No. 40 (s **14**)

Land Act (Aboriginal and Islander Land Grants) Amendment Act 1982 No. 17 (ss **18–22**)

Land Tax Acts Amendment Act 1959 8 Eliz 2 No. 41 (s **5(2)**)

Medical Act Amendment Act 1969 No. 3 (s **19**)

Medical Act and Other Acts (Administration) Act Amendment Act 1969 No. 14 (s **4**)

Mining Act and Another Act Amendment Act 1974 No. 49 (ss **4, 13(2)**)

Mining Act and Petroleum Act Amendment Act 1983 No. 13 (ss **7(2)–(3), 12(2)**)

Petroleum Acts Amendment Act 1967 No. 37 (s **15**)

Police Superannuation Acts Amendment Act 1975 No. 47 (s **5**)

SCHEDULE 4 (continued)

Primary Producers' Organisation and Marketing Acts and Another Act Amendment Act 1965 No. 12 (**ss 8, 9**)

Public Sector (Appeals) Amendment Act 1991 No. 61 (**ss 7–8**)

Public Service Superannuation Act Amendment Act 1968 No. 59 (**s 2(2)**)

Public Service Superannuation Acts Amendment Act 1962 No. 31 (**s 2(2)–(3)**)

Public Service Superannuation Acts Amendment Act 1964 (No. 2) No. 57 (**s 2(2)–(3)**)

Public Service Superannuation Acts Amendment Act 1966 No. 32 (**s 2(2)–(3)**)

Racing and Betting Amendment Act (No. 2) 1991 No. 81 (**ss 40–50**)

Registration of Births, Deaths and Marriages Act Amendment Act 1982 No. 30 (**s 6(2)**)

Sanctuary Cove Resort Act Amendment Act 1989 No. 114 (**s 18**)

Sawmills Licensing Act Amendment Act 1965 No. 11 (**s 2**)

Sewerage, Water Supply, and Gasfitting Acts Amendment Act 1967 No. 50 (**s 3**)

Sewerage, Water Supply, and Gasfitting Acts Amendment Act 1974 No. 73 (**s 10(2)–(3)**)

Stamp Act Amendment Act 1918 9 Geo 5 No. 11 (**ss 37, 40**)

Stamp Act Amendment Act 1970 No. 15 (**s 12**)

Stamp Act Amendment Act 1970 (No. 2) No. 30 (**s 12**)

Stamp Act Amendment Act 1971 No. 15 (**s 2(2)**)

Stamp Act Amendment Act 1971 (No. 2) No. 51 (**s 7**)

Stamp Act Amendment Act 1974 No. 16 (**s 3**)

Stamp Act Amendment Act 1975 No. 65 (**ss 17, 18**)

SCHEDULE 4 (continued)

- Stamp Act Amendment Act 1976 No. 30 (**s 2**)
- Stamp Act Amendment Act 1979 (No. 2) No. 66 (**ss 3(2), 4(2), 5(2), 9(2)**)
- Stamp Act Amendment Act 1982 No. 18 (**s 4**)
- Stamp Act Amendment Act 1984 No. 17 (**ss 3(2), 27**)
- Stamp Act Amendment Act 1984 (No. 2) No. 109 (**s 7(2)**)
- Stamp Act and Another Act Amendment Act 1973 No. 64 (**s 11**)
- Stamp Act and Another Act Amendment Act 1982 No. 65 (**s 15**)
- Stamp Act and Another Act Amendment Act 1985 No. 90 (**s 19(2)**)
- State Government Insurance Office (Queensland) Act and Another Act Amendment Act 1965 No. 29 (**ss 15–16**)
- State Housing Act Amendment Act 1972 No. 27 (**s 6(1)**)
- State Transport Facilities Acts and Another Act Amendment Act 1959 7 Eliz 2 No. 21 (**s 28**)
- Succession and Probate Duties Act Amendment Act 1972 No. 23 (**s 5**)
- Succession and Probate Duties Acts Amendment Act 1969 No. 13 (**ss 7, 12**)
- Succession and Probate Duties Acts Amendment Act 1973 No. 67 (**s 3**)
- Superannuation Acts Amendment Act 1974 (No. 2) No. 66 (**s 5(2)**)
- Superannuation Acts Amendment Act 1984 No. 14 (**ss 10(2), 49(2), 75(2), 100(2)**)
- Superannuation Acts Amendment Act 1987 No. 27 (**s 71**)
- Superannuation Acts Amendment Act 1988 No. 45 (**s 7**)

Explanatory note

The Acts repealed by this schedule are amending Acts enacted before 1 July 1994 (“**pre-1 July 1994 Acts**”) that contain substantive provisions, usually of a transitional or savings nature. The substantive provisions are given in brackets at the end of each Act reference. Substantive provisions have not been included in amending Acts since 1 July 1994 and new amending Acts are automatically repealed

SCHEDULE 4 (continued)

under the *Acts Interpretation Act 1954*, section 22C⁴³ when they have completely commenced.

The substantive provisions contained in Acts repealed by this schedule are exhausted. However, in cases of doubt any residual effect of the provisions has been saved by the application of the *Acts Interpretation Act 1954*, section 20A⁴⁴ (see section 4(3) and schedule 9).

Further explanation about the repeal of these Acts is given in schedule 5.

⁴³ Section 22C (Automatic repeal of amending Act)

⁴⁴ Section 20A (Repeal does not end saving, transitional or validating effect etc.)

SCHEDULE 5**REPEAL OF OTHER AMENDING ACTS**

section 5(1)

Repeals

Aborigines Act and Torres Strait Islanders Act Amendment Act 1974
No. 80

Agricultural Chemicals Distribution Control Act Amendment Act 1968 No.
38

Agricultural Chemicals Distribution Control Act Amendment Act 1970 No.
18

Air Navigation Act Amendment Act 1947 12 Geo 6 No. 5

Animals Protection Act Amendment Act 1952 1 Eliz 2 No. 44

Animals Protection Act Amendment Act 1971 No. 29

Animals Protection Acts Amendment Act 1954 3 Eliz 2 No. 23

Animals Protection Acts Amendment Act 1957 6 Eliz 2 No. 21

Auctioneers and Commission Agents Act Amendment Act 1924 15 Geo 5
No. 9

Auctioneers and Commission Agents Acts Amendment Act 1936 1 Geo 6
No. 2

Auctioneers and Commission Agents Acts Amendment Act 1940 4 Geo 6
No. 16

Auctioneers and Commission Agents Acts Amendment Act 1946
10 Geo 6 No. 15

Auctioneers and Commission Agents Acts Amendment Act 1951
15 Geo 6 No. 16

Auctioneers and Commission Agents Acts Amendment Act 1953 2 Eliz 2
No. 22

SCHEDULE 5 (continued)

Auctioneers, Real Estate Agents, Debt Collectors and Motor Dealers Acts
Amendment Act 1960 9 Eliz 2 No. 34

Auctioneers, Real Estate Agents, Debt Collectors and Motor Dealers Acts
Amendment Act 1961 10 Eliz 2 No. 34

Brisbane Cricket Ground Act Amendment Act 1961 10 Eliz 2 No. 43

Canals Act Amendment Act 1959 8 Eliz 2 No. 76

Canals Act Amendment Act 1960 9 Eliz 2 No. 30

Charitable Funds Act Amendment Act 1962 No. 4

Charitable Funds Acts Amendment Act 1964 No. 40

Children's Services Act Amendment Act 1970 No. 17

Children's Services Act Amendment Act 1971 No. 72

Chillagoe and Etheridge Railways Act Amendment Act 1920 11 Geo 5
No. 7

Chiropodists Act Amendment Act 1975 No. 37

City of Brisbane Act Amendment Act 1930 21 Geo 5 No. 45

City of Brisbane Act Amendment Act 1972 No. 3

City of Brisbane Act Amendment Act 1974 No. 62

City of Brisbane Acts Amendment Act 1933 23 Geo 5 No. 13

City of Brisbane Acts Amendment Act 1936 1 Edw 8 No. 5

City of Brisbane Acts Amendment Act 1940 4 Geo 6 No. 19

City of Brisbane Acts Amendment Act 1943 7 Geo 6 No. 30

City of Brisbane Acts Amendment Act 1944 8 Geo 6 No. 15

City of Brisbane Acts Amendment Act 1949 13 Geo 6 No. 21

City of Brisbane Acts Amendment Act 1950 14 Geo 6 No. 19

City of Brisbane Acts Amendment Act 1954 3 Eliz 2 No. 26

SCHEDULE 5 (continued)

City of Brisbane Acts Amendment Act 1960 9 Eliz 2 No. 23

City of Brisbane Acts Amendment Act 1967 No. 52

City of Brisbane Acts and Another Act Amendment Act 1948 12 Geo 6
No. 45

City of Brisbane Acts and Another Act Amendment Act 1959 8 Eliz 2
No. 70

City of Brisbane Acts and Other Acts Amendment Act 1953 2 Eliz 2
No. 19

City of Brisbane (Flood Mitigation Works Approval) Act Amendment Act
1974 No. 38

City of Brisbane Market Act Amendment Act 1961 10 Eliz 2 No. 18

City of Brisbane Market Acts Amendment Act 1962 11 Eliz 2 No. 21

Coal and Oil Shale Mine Workers (Pensions) Act Amendment Act 1973
No. 69

Coal and Oil Shale Mine Workers (Pensions) Act Amendment Act 1975
No. 4

Coal and Oil Shale Mine Workers (Pensions) Act Amendment Act 1977
No. 7

Coal and Oil Shale Mine Workers (Pensions) Act Amendment Act 1981
No. 114

Coal and Oil Shale Mine Workers (Pensions) Act Amendment Act 1983
No. 54

Coal and Oil Shale Mine Workers (Pensions) Act Amendment Act 1985
No. 66

Coal and Oil Shale Mine Workers (Pensions) Act Amendment Act 1989
No. 35

Coal Industry (Control) Act Amendment Act 1952 1 Eliz 2 No. 9

Coal Industry (Control) Act Amendment Act 1978 No. 2

Coal Industry (Control) Acts Amendment Act 1954 3 Eliz 2 No. 8

SCHEDULE 5 (continued)

- Coal Mining Acts Amendment Act 1938 2 Geo 6 No. 9
Coal Mining Acts Amendment Act 1947 11 Geo 6 No. 38
Coal Mining Acts Amendment Act 1948 12 Geo 6 No. 39
Coal Mining Acts Amendment Act 1949 13 Geo 6 No. 52
Coal Mining Acts Amendment Act 1950 14 Geo 6 No. 7
Coal Mining Acts Amendment Act 1951 15 Geo 6 No. 37
Coal Mining Acts Amendment Act 1952 1 Eliz 2 No. 8
Co-operative Housing Societies Act Amendment Act 1961 10 Eliz 2 No. 1
Co-operative Housing Societies Acts Amendment Act 1962 No. 6
Co-operative Housing Societies Acts Amendment Act 1964 No. 22
Cremation Acts Amendment Act 1961 10 Eliz 2 No. 37
- Diseases in Stock Act Amendment Act 1930 21 Geo 5 No. 35
Diseases in Stock Acts Amendment Act 1936 1 Edw 8 No. 12
Diseases in Stock Acts Amendment Act 1946 11 Geo 6 No. 10
Diseases in Stock Acts Amendment Act 1948 (No. 2) 13 Geo 6 No. 1
Diseases in Stock Acts Amendment Act 1949 13 Geo 6 No. 40
Diseases in Stock Acts Amendment Act 1950 14 Geo 6 No. 13
- Explosives Act Amendment Act 1961 10 Eliz 2 No. 32
Explosives Act Amendment Act 1990 No. 44
Explosives Acts and Another Act Amendment Act 1963 No. 33
- Farm Water Supplies Assistance Act Amendment Act 1963 No. 45
Farm Water Supplies Assistance Act Amendment Act 1979 No. 62

SCHEDULE 5 (continued)

Farm Water Supplies Assistance Act and Another Act Amendment Act 1984 No. 37

Farm Water Supplies Assistance Acts Amendment Act 1965 No. 5

Farm Water Supplies Assistance Acts Amendment Act 1975 No. 8

Finance Act 1930 21 Geo 5 No. 19

Fruit and Vegetables Act Amendment Act 1959 8 Eliz 2 No. 9

Fruit Marketing Organisation Act Amendment Act 1925 16 Geo 5 No. 23

Fruit Marketing Organisation Acts Amendment Act 1934 25 Geo 5 No. 23

Fruit Marketing Organisation Acts Amendment Act 1945 10 Geo 6 No. 9

Fruit Marketing Organisation Acts Amendment Act 1956 5 Eliz 2 No. 10

Fruit Marketing Organisation Acts Amendment Act 1964 No. 16

Fruit Marketing Organisation Acts Amendment Act 1964 (No. 2) No. 52

Gas Act Amendment Act 1966 No. 34

Gas Act Amendment Act 1971 No. 5

Gas Act Amendment Act 1974 No. 10

Gas Acts Amendment Act 1967 No. 33

Gift Duty Act Amendment Act 1969 No. 12

Gift Duty Act Amendment Act 1973 No. 63

Gift Duty Acts Amendment Act 1948 12 Geo 6 No. 24

Gift Duty Acts Amendment Act 1958 7 Eliz 2 No. 43

Gift Duty Acts Amendment Act 1960 9 Eliz 2 No. 31

Gift Duty Acts and Other Acts Amendment Act 1952 1 Eliz 2 No. 15

Government Inscribed Stock Act Amendment Act 1921 12 Geo 5 No. 10

Greenvale Agreement Act Amendment Act 1971 No. 19

SCHEDULE 5 (continued)

Industrial Development Act Amendment Act 1964 No. 5

Industrial Development Act Amendment Act 1973 No. 36

Industries Assistance and Other Acts Amendment Act 1933 24 Geo 5
No. 16

Land Tax Act Amendment Act 1918 9 Geo 5 No. 3

Land Tax Act Amendment Act 1920 10 Geo 5 No. 25

Land Tax Act Amendment Act 1922 13 Geo 5 No. 3

Land Tax Act Amendment Act 1923 14 Geo 5 No. 38

Land Tax Act Amendment Act 1930 21 Geo 5 No. 7

Land Tax Act Amendment Act 1968 No. 27

Land Tax Act Amendment Act 1969 No. 11

Land Tax Act Amendment Act 1973 No. 66

Land Tax Act Amendment Act 1974 No. 68

Land Tax Acts Amendment Act 1935 26 Geo 5 No. 40

Land Tax Acts Amendment Act 1936 1 Edw 8 No. 15

Land Tax Acts Amendment Act 1951 15 Geo 6 No. 48

Land Tax Acts Amendment Act 1952 1 Eliz 2 No. 47

Land Tax Acts Amendment Act 1954 3 Eliz 2 No. 41

Land Tax Acts Amendment Act 1958 7 Eliz 2 No. 55

Land Tax Acts Amendment Act 1962 11 Eliz 2 No. 10

Land Tax Acts Amendment Act 1962 (No. 2) No. 17

Land Tax Acts Amendment Act 1963 No. 11

Land Tax Acts Amendment Act 1964 No. 44

Land Tax Acts Amendment Act 1965 No. 49

Land Tax Acts Amendment Act 1966 No. 16

SCHEDULE 5 (continued)

Liens on Crops of Sugar Cane Act Amendment Act 1933 24 Geo 5 No. 4

Liens on Crops of Sugar Cane Acts Amendment Act 1951 15 Geo 6
No. 29

Life Assurance Companies Acts Amendment Act 1933 24 Geo 5 No. 24

Life Assurance Companies Acts Amendment Act 1962 No. 36

Local Authorities Act Amendment Act 1905 5 Edw 7 No. 31

Local Authorities Act Amendment Act 1910 1 Geo 5 No. 22

Local Authorities Acts Amendment Act 1912 3 Geo 5 No. 16

Local Authorities Acts Amendment Act 1923 14 Geo 5 No. 25

Medical Act Amendment Act 1971 No. 70

Medical Act Amendment Act 1973 No. 30

Medical Act and Other Acts (Administration) Act Amendment Act 1973
No. 2

Medical Act and Other Acts (Administration) Act Amendment Act 1974
No. 74

Medical Acts Amendment Act 1946 10 Geo 6 No. 27

Medical Acts Amendment Act 1948 12 Geo 6 No. 52

Medical Acts Amendment Act 1955 4 Eliz 2 No. 27

Medical Acts Amendment Act 1963 No. 9

Medical Acts Amendment Act 1966 No. 23

Medical Acts Amendment Act 1968 No. 53

Metropolitan and Ipswich Water Supply and Sewerage Acts Amendment
Act 1921 12 Geo 5 No. 2

Metropolitan Water Supply and Sewerage Act Amendment Act 1915 6
Geo 5 No. 32

SCHEDULE 5 (continued)

Metropolitan Water Supply and Sewerage Acts Amendment Act 1923 14
Geo 5 No. 17

Metropolitan Water Supply and Sewerage Acts Amendment Act 1924 15
Geo 5 No. 27

Mineral Resources Act Amendment Act 1990 No. 30

Mines Regulation Act Amendment Act 1964 No. 35

Mines Regulation Act Amendment Act 1968 No. 52

Mines Regulation Acts and Another Act Amendment Act 1945 9 Geo 6
No. 15

National Trust of Queensland Act Amendment Act 1964 No. 46

Pay-roll Tax Act Amendment Act 1973 No. 45

Pay-roll Tax Act Amendment Act 1974 No. 59

Petroleum Act Amendment Act 1927 18 Geo 5 No. 13

Petroleum Acts Amendment Act 1929 20 Geo 5 No. 17

Petroleum Acts Amendment Act 1939 3 Geo 6 No. 19

Petroleum Acts Amendment Act 1950 14 Geo 6 No. 20

Petroleum Acts Amendment Act 1955 4 Eliz 2 No. 25

Petroleum Acts Amendment Act 1958 7 Eliz 2 No. 25

Petroleum Acts Amendment Act 1962 No. 30

Physiotherapists Act Amendment Act 1965 No. 18

Police Superannuation Act Amendment Act 1970 No. 37

Primary Producers' Co-operative Associations Act Amendment Act 1926
17 Geo 5 No. 4

Primary Producers' Co-operative Associations Act Amendment Act 1974
No. 55

SCHEDULE 5 (continued)

Primary Producers' Co-operative Associations Acts Amendment Act 1934
25 Geo 5 No. 5

Primary Producers' Co-operative Associations Acts Amendment Act 1962
No. 13

Primary Producers' Co-operative Associations Acts Amendment Act 1965
No. 64

Primary Producers' Organisation and Marketing Act Amendment Act 1928
19 Geo 5 No. 8

Primary Producers' Organisation and Marketing Act Amendment Act 1973
No. 17

Primary Producers' Organisation and Marketing Acts Amendment Act
1932 23 Geo 5 No. 31

Primary Producers' Organisation and Marketing Acts Amendment Act
1935 26 Geo 5 No. 35

Primary Producers' Organisation and Marketing Acts Amendment Act
1939 3 Geo 6 No. 21

Primary Producers' Organisation and Marketing Acts Amendment Act
1951 15 Geo 6 No. 25

Primary Producers' Organisation and Marketing Acts Amendment Act
1955 4 Eliz 2 No. 42

Primary Producers' Organisation and Marketing Acts Amendment Act
1957 6 Eliz 2 No. 9

Primary Producers' Organisation and Marketing Acts Amendment Act
1962 No. 15

Primary Producers' Organisation and Marketing Acts Amendment Act
1966 No. 18

Profiteering Prevention Act Amendment Act 1954 3 Eliz 2 No. 31

Profiteering Prevention Acts Amendment Act 1957 6 Eliz 2 No. 27

Profiteering Prevention Acts Amendment Act 1959 8 Eliz 2 No. 48

SCHEDULE 5 (continued)

Public Service Acts Amendment Act 1950 15 Geo 6 No. 3

Public Service Superannuation Act Amendment Act 1960 9 Eliz 2 No. 39

Public Service Superannuation Act Amendment Act 1969 No. 19

Public Service Superannuation Acts Amendment Act 1964 No. 21

Public Service Superannuation Acts Amendment Act 1965 No. 53

Queensland Institute of Medical Research Act Amendment Act 1963 No. 8

Queensland Institute of Medical Research Act Amendment Act 1969
No. 29

Racecourses Acts and Other Acts Amendment Act 1936 1 Edw 8 No. 24

Racing and Betting Acts and Another Act Amendment Act 1962 No. 40

Racing and Betting Acts and Another Act Amendment Act 1964 No. 63

Radioactive Substances Act Amendment Act 1967 No. 18

Radioactive Substances Act Amendment Act 1970 No. 13

Registration of Births, Deaths and Marriages Act Amendment Act 1974
No. 9

Religious Educational and Charitable Institutions Act and Other Acts
Amendment Act 1977 No. 38

Returned Servicemen's Badges Act Amendment Act 1957 6 Eliz 2 No. 6

Returned Servicemen's Badges Acts Amendment Act 1958 7 Eliz 2 No. 40

River Improvement Trust Act Amendment Act 1968 No. 29

River Improvement Trust Act Amendment Act 1968 (No. 2) No. 40

River Improvement Trust Act Amendment Act 1971 No. 21

River Improvement Trust Acts Amendment Act 1959 8 Eliz 2 No. 27

River Improvement Trust Acts Amendment Act 1959 (No. 2) 8 Eliz 2
No. 71

SCHEDULE 5 (continued)

River Improvement Trust Acts Amendment Act 1965 No. 34

Roads (Contribution to Maintenance) Act Amendment Act 1958 7 Eliz 2
No. 15

Second-hand Fruit Cases Act Continuation Act 1951 15 Geo 6 No. 51

Second-hand Fruit Cases Acts Amendment Act 1952 1 Eliz 2 No. 40

Sewerage, Water Supply, and Gasfitting Act Amendment Act 1951 15 Geo
6 No. 42

Sewerage, Water Supply, and Gasfitting Acts Amendment Act 1960 9 Eliz
2 No. 32

Stamp Act Amendment Act 1904 4 Edw 7 No. 14

Stamp Act Amendment Act 1979 No. 12

Stamp Act Amendment Act 1980 No. 21

Stamp Act Amendment Act 1981 No. 91

Stamp Act Amendment Act 1981 (No. 2) No. 102

Stamp Act Amendment Act 1982 (No. 2) No. 53

Stamp Act Amendment Act 1985 No. 40

Stamp Act Amendment Act 1986 No. 8

Stamp Act Amendment Act 1987 No. 4

Stamp Act Amendment Act 1988 No. 34

Stamp Act Amendment Act 1988 (No. 2) No. 100

Stamp Act Amendment Act 1989 No. 32

Stamp Act Amendment Act 1990 No. 40

Stamp Acts Amendment Act 1926 17 Geo 5 No. 10

Stamp Acts Amendment Act 1928 19 Geo 5 No. 13

Stamp Acts Amendment Act 1929 20 Geo 5 No. 21

Stamp Acts Amendment Act 1930 21 Geo 5 No. 49

SCHEDULE 5 (continued)

- Stamp Acts Amendment Act 1940 4 Geo 6 No. 23
Stamp Acts Amendment Act 1950 14 Geo 6 No. 10
Stamp Acts Amendment Act 1954 3 Eliz 2 No. 44
Stamp Acts Amendment Act 1955 4 Eliz 2 No. 44
Stamp Acts Amendment Act 1958 7 Eliz 2 No. 44
Stamp Acts Amendment Act 1959 8 Eliz 2 No. 42
Stamp Acts Amendment Act 1961 10 Eliz 2 No. 21
Stamp Acts Amendment Act 1962 No. 28
Stamp Acts Amendment Act 1963 No. 35
Stamp Acts Amendment Act 1965 No. 46
Stamp Acts Amendment Act 1968 No. 11
Stamp Acts and Another Act Amendment Act 1966 No. 15
Stamp Amendment Act 1991 No. 99
State Children Acts and Another Act Amendment Act 1952 1 Eliz 2 No. 3
State Housing Act Amendment Act 1946 10 Geo 6 No. 38
State Housing Act Amendment Act 1971 No. 76
State Housing Acts Amendment Act 1950 14 Geo 6 No. 26
State Housing Acts Amendment Act 1955 4 Eliz 2 No. 14
State Housing Acts Amendment Act 1966 No. 5
State Housing Acts and Another Act Amendment Act 1949 13 Geo 6
No. 39
State Housing Acts and Another Act Amendment Act 1953 2 Eliz 2 No. 25
State Housing Acts and Another Act Amendment Act 1962 11 Eliz 2 No. 9
Stock Acts Amendment Act 1953 2 Eliz 2 No. 17
Stock Acts Amendment Act 1954 3 Eliz 2 No. 22
Stock Acts Amendment Act 1958 7 Eliz 2 No. 19

SCHEDULE 5 (continued)

Stock Acts Amendment Act 1959 8 Eliz 2 No. 12

Stock Acts Amendment Act 1960 9 Eliz 2 No. 42

Succession and Probate Duties Act Amendment Act 1968 No. 26

Succession and Probate Duties Act Amendment Act 1971 No. 52

Succession and Probate Duties Acts Amendment Act 1906 6 Edw 7
No. 13

Succession and Probate Duties Acts Amendment Act 1918 9 Geo 5 No. 16

Succession and Probate Duties Acts Amendment Act 1920 10 Geo 5
No. 29

Succession and Probate Duties Acts Amendment Act 1931 22 Geo 5
No. 49

Succession and Probate Duties Acts Amendment Act 1948 12 Geo 6
No. 23

Succession and Probate Duties Acts Amendment Act 1952 1 Eliz 2 No. 37

Succession and Probate Duties Acts Amendment Act 1955 4 Eliz 2 No. 33

Succession and Probate Duties Acts Amendment Act 1958 7 Eliz 2 No. 45

Succession and Probate Duties Acts Amendment Act 1962 No. 34

Succession and Probate Duties Acts and Another Act Amendment Act
1961 10 Eliz 2 No. 50

Succession and Probate Duties Acts and Another Act Amendment Act
1963 No. 29

Superannuation Acts Amendment Act 1974 No. 20

Superannuation Acts (Miscellaneous Amendments) Act 1990 No. 23

Suppression of Gambling Acts Amendment Act 1956 5 Eliz 2 No. 17

Traffic Act Amendment Act 1968 (No. 2) No. 36

Traffic Act Amendment Act 1969 No. 22

SCHEDULE 5 (continued)

Traffic Act and Another Act Amendment Act 1971 No. 33

Traffic Act and Another Act Amendment Act 1990 No. 103

Traffic Acts Amendment Act 1958 7 Eliz 2 No. 41

Traffic Acts Amendment Act 1961 10 Eliz 2 No. 27

Traffic Acts Amendment Act 1962 No. 23

Traffic Acts Amendment Act 1967 No. 44

Traffic Acts Amendment Act 1968 No. 22

Traffic Acts and Another Act Amendment Act 1956 5 Eliz 2 No. 26

Traffic Acts and Another Act Amendment Act 1957 6 Eliz 2 No. 13

Traffic Acts and Another Act Amendment Act 1957 (No. 2) 6 Eliz 2
No. 34

Vagrants, Gaming, and Other Offences Act Amendment Act 1933
24 Geo 5 No. 28

Vagrants, Gaming, and Other Offences Act Amendment Act 1970 No. 16

Vagrants, Gaming, and Other Offences Act Amendment Act 1971 No. 17

Vagrants, Gaming, and Other Offences Act Amendment Act 1971 (No. 2)
No. 69

Vagrants, Gaming, and Other Offences Acts Amendment Act 1938
2 Geo 6 No. 18

Vagrants, Gaming, and Other Offences Acts Amendment Act 1946
10 Geo 6 No. 28

Vagrants, Gaming, and Other Offences Acts Amendment Act 1949
13 Geo 6 No. 54

Vagrants, Gaming, and Other Offences Acts Amendment Act 1955
4 Eliz 2 No. 2

Vagrants, Gaming, and Other Offences Acts Amendment Act 1958
7 Eliz 2 No. 62

SCHEDULE 5 (continued)

Vagrants, Gaming, and Other Offences Acts Amendment Act 1961
10 Eliz 2 No. 39

Vagrants, Gaming, and Other Offences Acts Amendment Act 1963 No. 27

Veterinary Surgeons Act Amendment Act 1946 10 Geo 6 No. 52

Veterinary Surgeons Act Amendment Act 1973 No. 86

Veterinary Surgeons Acts Amendment Act 1964 No. 64

Wheat Industry Stabilisation Act and Another Act Amendment Act 1957
6 Eliz 2 No. 26

Wheat Marketing Act Amendment Act 1984 No. 85

Wivenhoe Dam and Hydro-electric Works Act Amendment Act 1984
No. 19

Wivenhoe Dam and Hydro-electric Works Act Amendment Act 1989
No. 113

Explanatory note

The Acts repealed by this schedule are amending Acts enacted before 1 July 1994 (“**pre-1 July 1994 Acts**”) that do not include substantive provisions. The purpose of these Acts ended when the last of the amending provisions commenced. The effect of repealed amending Acts are preserved by the *Acts Interpretation Act 1954*, section 19.⁴⁵

Unlike amending Acts enacted after 1 July 1994, they are not automatically repealed by the *Acts Interpretation Act 1954*, section 22C.⁴⁶

Pre-1 July 1994 Acts are being repealed as part of the Office of Queensland Parliamentary Counsel’s continuing review of the Queensland statute book.

It is proposed to complete the repeal of all commenced amending Acts as soon as possible.

⁴⁵ Section 19 (Repealed Acts etc. not revived)

⁴⁶ Section 22C (Automatic repeal of amending Act)

SCHEDULE 5 (continued)

The repeal will make it easier for users of legislation to be completely certain all provisions have become part of the amended Act. At the present time, substantive provisions can still be found in some pre-1 July 1994 Acts. As part of the review, substantive provisions will, if necessary, be relocated into the amended Acts.

SCHEDULE 6**REPEAL OF NON-AMENDING EXHAUSTED ACTS**

section 5(1)

Repeals

Acacia Ridge Shopping-centre Freeholding Act 1987 No. 66

Appropriation Act 1937–1938 (No. 1) 1 Geo 6 No. 6

Appropriation Act 1937–1938 (No. 2) 1 Geo 6 No. 13

Appropriation Act 1938–1939 (No. 1) 2 Geo 6 No. 1

Appropriation Act 1938–1939 (No. 2) 2 Geo 6 No. 14

Appropriation Act 1939–1940 (No. 1) 3 Geo 6 No. 1

Appropriation Act 1939–1940 (No. 2) 3 Geo 6 No. 13

Appropriation Act 1940–1941 (No. 1) 4 Geo 6 No. 1

Appropriation Act 1940–1941 (No. 2) 4 Geo 6 No. 14

Appropriation Act 1941–1942 (No. 1) 5 Geo 6 No. 1

Appropriation Act 1941–1942 (No. 2) 5 Geo 6 No. 22

Appropriation Act 1942–1943 (No. 1) 6 Geo 6 No. 12

Appropriation Act 1942–1943 (No. 2) 6 Geo 6 No. 34

Appropriation Act 1943–1944 (No. 1) 7 Geo 6 No. 18

Appropriation Act 1943–1944 (No. 2) 7 Geo 6 No. 29

Appropriation Act 1944–1945 (No. 1) 8 Geo 6 No. 2

Appropriation Act 1944–1945 (No. 2) 8 Geo 6 No. 5

Appropriation Act 1945–1946 (No. 1) 9 Geo 6 No. 17

Appropriation Act 1945–1946 (No. 2) 9 Geo 6 No. 23

Appropriation Act 1946–1947 (No. 1) 10 Geo 6 No. 34

SCHEDULE 6 (continued)

Appropriation Act 1946–1947 (No. 2) 10 Geo 6 No. 42

Appropriation Act 1947–1948 (No. 1) 11 Geo 6 No. 24

Appropriation Act 1947–1948 (No. 2) 11 Geo 6 No. 36

Appropriation Act 1948–1949 (No. 1) 12 Geo 6 No. 30

Appropriation Act 1948–1949 (No. 2) 12 Geo 6 No. 44

Appropriation Act 1949–1950 (No. 1) 13 Geo 6 No. 35

Appropriation Act 1949–1950 (No. 2) 13 Geo 6 No. 49

Appropriation Act 1950–1951 (No. 1) 14 Geo 6 No. 1

Appropriation Act 1950–1951 (No. 2) 14 Geo 6 No. 24

Appropriation Act 1951–1952 (No. 1) 15 Geo 6 No. 22

Appropriation Act 1951–1952 (No. 2) 15 Geo 6 No. 52

Appropriation Act 1953–1954 (No. 2) 2 Eliz 2 No. 18

Bishopsbourne Estate Act 1900 64 Vic No. 33

Bowen to Townsville Railway Act 1886 50 Vic No. 26

Brigalow and Other Lands Development Act 1962 No. 44

City of Brisbane (Flood Mitigation Works Approval) Act 1952 1 Eliz 2
No. 29

City of Brisbane (North Pine River Dam) Act 1962 11 Eliz 2 No. 23

City of Brisbane (Water Supply) Act 1959 8 Eliz 2 No. 29

Crown Appointments Declaratory Act 1976 No. 92

Currumbin Minerals Pty Ltd (Transfer of Treatment Plant) Act 1973
No. 80

Department of Employment and Labour Relations Annual Reporting Act
1982 No. 74

SCHEDULE 6 (continued)

Farm Water Supplies Assistance Act 1958 7 Eliz 2 No. 8

Gift Duty Act 1926 17 Geo 5 No. 23

Land (Mt Coot-tha Television Stations) Sales Act 1986 No. 11

Mannings Retirement Act 1869 33 Vic No. 5

*Methodist Church Property Acts Amendment Act 1964

*Methodist Union Act 1905 5 Edw 7

Mossman Tramway Act 1960 9 Eliz 2 No. 25

*Presbyterian and Methodist Schools Association Property Trust Act 1933
24 Geo 5

Presbyterian Church Property Act 1909 9 Edw 7 No. 8

Rural Adjustment Agreement Act 1977 No. 42

Succession and Gift Duties Abolition Act 1976 No. 93

Succession Duties Act 1892 56 Vic No. 13

Succession Duties Act 1892 Amendment Act 1895 59 Vic No. 28

Succession Duties Act 1904 4 Edw 7 No. 17

*Toowoomba Showgrounds Act 1982

Wivenhoe Dam and Hydro-electric Works Act 1979 No. 32

SCHEDULE 6 (continued)

Explanatory note

These Acts have been identified as Acts whose operation is exhausted.

Acts marked with an asterisk are private Acts.

SCHEDULE 7**REPEAL OF OTHER NON-AMENDING ACTS**

section 5(1)

Repeals

Barron River Hydro-Electric Extension Project Act 1958 7 Eliz 2 No. 50

Commonwealth Oil Refineries Tramway and Works Act 1950 15 Geo 6
No. 5

Government Printing Office (Employees' Appeal) Act 1945 10 Geo 6
No. 1

Group Sales Act 1942 6 Geo 6 No. 18

Queensland Marine (Sea Dumping) Act 1985 No. 110

Somerset Dam Catchment Area Declaratory Act 1974 No. 51

Tully Falls Hydro-Electric Project Act 1950 14 Geo 6 No. 25

Explanatory note

These Acts have been identified as obsolete.

SCHEDULE 8**REPEAL OF IMPERIAL AND NEW SOUTH WALES
ACTS**

section 5(2)

PART 1—IMPERIAL ACTS**Repeals**

Territorial Waters Jurisdiction Act 1878 41 & 42 Vic c 73

PART 2—NEW SOUTH WALES ACTS**Repeals**

(Boundary Commissioners) Act 1848 11 Vic No. 61

(Constabulary Powers) Act 1853 17 Vic No. 14

(Pastoral Runs Survey) Act 1852 16 Vic No. 29

(Police Regulation) Act 1852 16 Vic No. 33

Explanatory note

These Imperial and New South Wales Acts that may still apply in Queensland have been identified as obsolete.

SCHEDULE 9**DECLARED LAWS WHOSE REPEAL DOES NOT END
THEIR EFFECT**

section 5(3)

Acacia Ridge Shopping-centre Freeholding Act 1987

Adoption of Children Act Amendment Act 1990, section 4

Bishopsbourne Estate Act 1900

Brigalow and Other Lands Development Act Amendment Act 1965,
section 10

Brigalow and Other Lands Development Act Amendment Act 1978,
section 4

Brigalow and Other Lands Development Acts Amendment Act 1967,
sections 14 and 15

City of Brisbane (Flood Mitigation Works) Approval Act 1952

City of Brisbane Market Acts Amendment Act 1967, section 10

City of Brisbane (North Pine River Dam) Act 1962

City of Brisbane (Water Supply) Act 1959

Coal Mining Act Amendment Act 1969, sections 2 to 6

Coal Mining Acts Amendment Act 1964, sections 48 and 49

Coal Mining Acts Amendment Act 1967, section 5(2)

Commonwealth Oil Refineries Tramway and Works Act 1950

Community Services (Aborigines) Act Amendment Act 1990, section 19

Community Services (Torres Strait) Act Amendment Act 1990, section 16

Co-operative Housing Societies Acts Amendment Act 1967, section 9(2)

SCHEDULE 9 (continued)

Corrective Services Act Amendment Act 1990, sections 4(2), 5(2), 6(2), 11(2), 12(2) and 27(2)

Cultural Record (Landscapes Queensland and Queensland Estate) Act 1987, section 6(3)

Currumbin Minerals Pty Ltd (Transfer of Treatment Plant) Act 1973

Funeral Benefit Business Act 1982, sections 7, 8 and 10

Gift Duty Act 1926

Greenvale Agreement Act Amendment Act 1974, sections 5 and 6

Greenvale Agreement Act Amendment Act 1975, section 3

Industrial Development Act Amendment Act 1970, section 14

Land Tax Acts Amendment Act 1959, section 5(2)

Medical Act Amendment Act 1969, section 19

Medical Act and Other Acts (Administration) Act Amendment Act 1969, section 4

*Methodist Church Property Acts Amendment Act 1964

Mining Act and Another Act Amendment Act 1974, sections 4 and 13(2)

Mossman Tramway Act 1960

Nursing Act 1992, sections 158 and 159

Petroleum Acts Amendment Act 1967, section 15

Police Superannuation Acts Amendment Act 1975, section 5

SCHEDULE 9 (continued)

Public Service Superannuation Act Amendment Act 1968, section 2(2)

Public Service Superannuation Acts Amendment Act 1962, sections 2(2) and (3)

Public Service Superannuation Acts Amendment Act 1964 (No. 2), sections 2(2) and (3)

Public Service Superannuation Acts Amendment Act 1966, sections 2(2) and (3)

Racing and Betting Amendment Act (No. 2) 1991, sections 40 to 50

Registration of Births, Deaths and Marriages Act Amendment Act 1982, section 6(2)

Rural Adjustment Agreement Act 1977

Sanctuary Cove Resort Act Amendment Act 1989, section 18

Stamp Act Amendment Act 1918, sections 37 and 40

Stamp Act Amendment Act 1970, section 12

Stamp Act Amendment Act 1970 (No. 2), section 12

Stamp Act Amendment Act 1971, section 2(2)

Stamp Act Amendment Act 1971 (No. 2), section 7

Stamp Act Amendment Act 1974, section 3

Stamp Act Amendment Act 1975, sections 17 and 18

Stamp Act Amendment Act 1979 (No. 2), sections 3(2), 4(2), 5(2) and 9(2)

Stamp Act Amendment Act 1982, section 4

Stamp Act Amendment Act 1984, sections 3(2) and 27

Stamp Act and Another Act Amendment Act 1973, section 11

Stamp Act and Another Act Amendment Act 1982, section 15

SCHEDULE 9 (continued)

Stamp Act and Another Act Amendment Act 1985, section 19(2)

Succession and Gift Duties Abolition Act 1976

Succession and Probate Duties Act Amendment Act 1972

Succession and Probate Duties Acts Amendment Act 1969

Succession and Probate Duties Acts Amendment Act 1973

Succession Duties Act 1892

Succession Duties Act 1892 Amendment Act 1895

Succession Duties Act 1904

Superannuation Acts Amendment Act 1984, sections 10(2), 49(2), 75(2)
and 100(2)

Superannuation Acts Amendment Act 1987, section 71

Superannuation Acts Amendment Act 1988, section 7

Territorial Waters Jurisdiction Act 1878 (Imp.)

Toowoomba Showgrounds Act 1982

Water Resources Act 1989, sections 252 and 253

Weapons Act 1990, part 7

*Wesleyan Methodist Church Property Trust Act 1893

Wivenhoe Dam and Hydro-electric Works Act 1979

Explanatory note

These are laws to which the *Acts Interpretation Act 1954*, section 20A applies. Accordingly, the effect of these laws does not end merely because of their repeal.

Acts marked with an asterisk are private Acts.

SCHEDULE 10**ADDITIONAL TRANSITIONAL PROVISIONS
CONNECTED WITH REPEAL OF CERTAIN ACTS**

section 5(4)

Repeal of Acacia Ridge Shopping-centre Freeholding Act 1987

1.(1) The *Acacia Ridge Shopping-centre Freeholding Act 1987* continues to apply to a purchase price under that Act if the purchase price has not been paid in full before the commencement of this section.

(2) This section has effect despite the repeal of that Act.

(3) This section is in addition to, and does not limit, the *Acts Interpretation Act 1954*.

(4) This section is a law to which the *Acts Interpretation Act 1954*, section 20A⁴⁷ applies.

(5) This section is enacted to avoid any doubt.

Repeal of Commonwealth Oil Refineries Tramway and Works Act 1950

2.(1) The *Commonwealth Oil Refineries Tramway and Works Act 1950* continues to apply to the tramway mentioned in that Act.

(2) This section has effect despite the repeal of that Act.

(3) This section is in addition to, and does not limit, the *Acts Interpretation Act 1954*.

(4) This section is a law to which the *Acts Interpretation Act 1954*, section 20A applies.

(5) This section is enacted to avoid any doubt.

⁴⁷ Section 20A (Repeal does not end saving, transitional or validating effect etc.)

SCHEDULE 10 (continued)

Repeal of Succession and Gift Duties Acts

3.(1) The following Acts (the “**Succession Duties Acts**”) continue to apply to a succession conferred on a successor if the entitlement or interest of the successor vested in the successor in possession before 1 January 1977—

- *Succession Duties Act 1892*
- *Succession Duties Act 1892 Amendment Act 1895*
- *Succession Duties Act 1904.*

(2) The *Gift Duty Act 1926* (the “**Gift Duty Act**”) continues to apply to a gift made before 1 January 1977.

(3) Words and expressions used in subsection (1) or (2) and the *Succession and Gift Duties Abolition Act 1976* have the same meanings in the subsection as in that Act.

(4) This section has effect despite the repeal of the Succession Duties Acts and the Gift Duties Act.

(5) This section is in addition to, and does not limit, the *Acts Interpretation Act 1954*.

(6) This section is a law to which the *Acts Interpretation Act 1954*, section 20A applies.

(7) This section is enacted to remove any doubt.

Expiry of schedule

4. This schedule expires on the day of its commencement.