



Queensland

# Legislation (Declaration) Amendment Act 2016

Act No. 35 of 2016

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An Act to amend the Mental Health Act 2016, the Racing Act 2002 and the Racing Integrity Act 2016 for particular purposes

[Assented to 20 June 2016]





Queensland

# Legislation (Declaration) Amendment Act 2016

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The Parliament of Queensland enacts—

## Part 1 Preliminary

### 1 Short title

This Act may be cited as the *Legislation (Declaration) Amendment Act 2016*.

## Part 2 Amendment of Mental Health Act 2016

### 2 Act amended

This part amends the *Mental Health Act 2016*.

### 3 Insertion of new ch 20A

After section 864—

*insert—*

## Chapter 20A Declaration

### 864A Declaration about Act's assent

- (1) To remove any doubt, it is declared that the *Mental Health Act 2016* is, and always has been, valid, and in particular that the assent purportedly given to the Act on 4 March 2016 is, and always has been, valid.

*Note—*

Sections 433(4) and 437(1) of this Act as assented to differ from sections 433(4) and 437(1) as passed by the

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Parliament. Due to an administrative error an incorrect version of the Act was presented to the Governor for assent.

- (2) To remove any doubt, it is also declared that the *Mental Health Act 2016* has effect, and has always had effect, as if—
  - (a) section 433(4) read—

If the tribunal receives written notice under section 213(3) of the amendment of the forensic order, the tribunal must review (also a *tribunal review*) the order within 21 days after receiving the notice.
  - (b) section 437(1) read—

This section applies to a tribunal review of the forensic order mentioned in section 433(4), if the tribunal receives written notice under section 213(5) of the amendment of the order.
- (3) The Parliament authorises all publications of the Act in accordance with this section.
- (4) This section is a law to which the *Acts Interpretation Act 1954*, section 20A applies.

### **864B Expiry of chapter**

This chapter expires on the day after it commences.

## **Part 3    Amendment of Racing Act 2002**

### **4                          Act amended**

This part amends the *Racing Act 2002*.

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**5 Amendment of s 9AI (Members)**

Section 9AI(1)(b), ‘section 9AJ(2)’—  
*omit, insert—*  
section 9AJ(3)

**Part 4 Amendment of Racing Integrity Act 2016**

**6 Act amended**

This part amends the *Racing Integrity Act 2016*.

**7 Insertion of new ch 8A**

After section 293—  
*insert—*

**Chapter 8A Declaration**

**293A Declaration about Act’s assent**

- (1) To remove any doubt, it is declared that the *Racing Integrity Act 2016* is, and always has been, valid, and in particular that the assent purportedly given to the Act on 27 April 2016 is, and always has been, valid.

*Note—*

Sections 10(1)(e), 116(2)(f) and 244(8) of this Act as assented to differ from sections 10(1)(e), 116(2)(f) and 244(8) as passed by the Parliament. Due to an administrative error an incorrect version of the Act was presented to the Acting Governor for assent.

- (2) To remove any doubt, it is also declared that the *Racing Integrity Act 2016* has effect, and has always had effect, as if—

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- (a) section 10(1)(e) read—
    - to conduct investigations into breaches of this Act or the Racing Act;
  - (b) section 116(2)(f) read—
    - an undertaking as to the minimum number of race meetings, and the licensed venues for the race meetings, at which the racing bookmaker will carry on bookmaking in person if the offcourse approval applied for is granted;
  - (c) section 244(8), definition *relevant body*, paragraph (a) read—
    - for an original decision to seize or forfeit an animal or other thing—the court; or
  - (d) section 308, inserted section 9AI(1)(b) read—
    - 3 members appointed as mentioned in section 9AJ(3) (each of whom is a ***racing-industry member***).
- (3) The Parliament authorises all publications of the Act in accordance with this section.
- (4) This section is a law to which the *Acts Interpretation Act 1954*, section 20A applies.

### **293B Expiry of chapter**

This chapter expires on the day after it commences.

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