

**Laid before the Legislative Assembly on 2 February 2009**

**Record of Proceedings (Hansard 11 February 2009)**

# **Acquisition of Land and Other Legislation Amendment Bill 2008**

## **Erratum to Explanatory Notes**

### **Title of the Bill**

*Acquisition of Land and Other Legislation Amendment Bill 2008*

### **Reasons for Erratum**

The erratum is necessary to ensure the explanatory notes accurately reflect the provisions of the Bill.

## **Notes on Provisions**

### **Amendment of s 38B (Notice of Proposal to add community purpose, amalgamate land or cancel)**

The paragraph reads: “Clause 29 amends section 38B of the Act to enable the chief executive to notify persons required under the section in regards to an action under section 35, 36 or section 38 of the Act.”

Clause 29 does not in fact cause the obligation of notification to shift from the Minister to the chief executive rather the amendment clarifies the wording of section 38B of the Act.

Therefore the paragraph as it presently reads should be omitted from the explanatory notes and replaced with: "Clause 29 amends section 38B of the Act to clarify the wording of the existing provision."

### **Amendment of s 61 (Conditions on trustee leases and trustee permits)**

The first paragraph reads: "Clause 31 amends section 61 of the Act by deleting the word "community" in subsection (3) and introducing the words "construction trustee lease" in subsection (4). As with previous amendments in the Bill, a reserve under the *Land Act 1962* may not have been dedicated for a purpose other than a community purpose under the *Land Act 1994*."

This paragraph incorrectly asserts that a reserve may not have been dedicated for a purpose other than a community purpose under the *Land Act 1994* because a reserve under the *Land Act 1962* may in fact have been dedicated for a purpose other than a community purpose under the *Land Act 1994*.

Therefore, the paragraph as it presently reads should be omitted from the explanatory notes and replaced with: "Clause 31 amends section 61 of the Act by deleting the word "community" in subsection (3) and introducing the words "construction trustee lease" in subsection (4). As with previous amendments in the Bill, a reserve under the *Land Act 1962* may have been dedicated for a purpose other than a community purpose under the *Land Act 1994*."

### **Omission of s 521K (Application made before commencement)**

The last line in the first paragraph reads: "To achieve the above section 521K is omitted and clause 45 also inserts a new part to Chapter 9 and to insert new sections 521P, 521Q and 521."

This does not accurately reflect the provisions as numbered in the Bill. Therefore this sentence should be omitted and replaced with: "To achieve the above section 521K is omitted and clause 45 also inserts new parts to Chapter 9 and new sections 521Q, 521R, 521S and 521T."