

Queensland



**STATUTE LAW
(MISCELLANEOUS
PROVISIONS) BILL 2000**

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2000

A BILL

FOR

An Act to make various amendments of Queensland statute law

The Parliament of Queensland enacts— 1

Short title 2

Clause **1.** This Act may be cited as the *Statute Law (Miscellaneous Provisions) Act 2000* 3
4

Commencement 5

Clause **2.(1)** Schedule, amendment of the *Queensland Competition Authority Amendment Act 2000*, amendments 1 and 2, are taken to have commenced 6
7
8
9
on the date of assent of the *Queensland Competition Authority Amendment Act 2000*.

(2) Schedule, amendment of the *Radiation Safety Act 1999*, 10
11
12
amendments 7 to 9, are taken to have commenced immediately before
1 January 2000.

Amended Acts—schedule 13

Clause **3.** The schedule amends the Acts mentioned in it. 14

Explanatory notes 15

Clause **4.** An explanatory note to a provision of this Act is not part of the Act. 16

Repeal 17

Clause **5.** The *Gas Suppliers (Shareholdings) Act 1972* is repealed. 18

Explanatory Note 19

The Act has been identified as redundant. 20

21

SCHEDULE	1
AMENDMENTS OF ACTS	2
section 3	3
ACTS INTERPRETATION ACT 1954	4
1. Section 14H, heading, ‘citation of’—	5
<i>omit, insert—</i>	6
‘reference to’.	7
Explanatory note	8
The amendment makes the section heading consistent with the body of the section.	9
ADOPTION OF CHILDREN ACT 1964	10
1. Sections 19(2)(a) and (3)(a), 25(1)(h), 27(1), 27A(1), 38A(2), 41(1)(b) and 59A(1), ‘its’—	11
<i>omit, insert—</i>	12
‘the child’s’.	13
2. Section 26A(5), ‘division 2 of part 9 of the <i>Justices Act 1886</i>—	14
<i>omit, insert—</i>	15
‘the <i>Justices Act 1886</i> , part 9, division 1,’.	16
	17

SCHEDULE (continued)

3. Section 26A(5), from ‘and of section 223’—	1
<i>omit, insert—</i>	2
‘, apply with all necessary adaptations.’	3
4. Sections 27(2) and (2A), ‘its’—	4
<i>omit, insert—</i>	5
‘a child’s’.	6
5. Section 39A, definition “relative”, paragraph (a)(i), ‘half blood;’—	7
<i>omit, insert—</i>	8
‘half blood; or’.	9
6. Section 39AA(8), penalty—	10
<i>omit, insert—</i>	11
‘Maximum penalty for subsection (8)—40 penalty units.’.	12
7. Section 39B(1)(c) ‘chief executive;’—	13
<i>omit, insert—</i>	14
‘chief executive; and’.	15
Explanatory notes	16
Amendments 1 and 4 update the language in accordance with current drafting practice.	17
	18
Amendment 2 updates cross-references to an Act.	19
Amendment 3 updates cross-references to an Act and updates the language in accordance with current drafting practice.	20
	21
Amendment 5 adds a disjunctive in accordance with current drafting practice.	22

SCHEDULE (continued)

Amendment 6 updates a penalty in accordance with current drafting practice.	1
Amendment 7 adds a conjunctive in accordance with current drafting practice.	2

ANTI-DISCRIMINATION ACT 1991 3

1. Section 4, definition “work”, paragraph (e)—	4
<i>omit, insert—</i>	5
‘(e) work under a work experience arrangement within the meaning of the <i>Education (Work Experience) Act 1996</i> , section 4 ¹ ; and’.	6 7
Explanatory note	8
Amendment 1 updates a reference to a repealed Act.	9

ASSOCIATIONS INCORPORATION ACT 1981 10

1. Section 91(2)(b), ‘the’—	11
<i>omit.</i>	12
2. Section 105D(2)(b), ‘for’—	13
<i>omit.</i>	14

¹ Section 4 (Work experience arrangements etc.)

SCHEDULE (continued)

Explanatory note	1
The amendments correct minor errors.	2
CHILD PROTECTION AMENDMENT ACT 2000	3
1. Schedule, heading and sections 1, 2 and 7, ‘7A’—	4
<i>omit, insert—</i>	5
‘7’.	6
2. Schedule, sections 1 and 7, ‘191H’—	7
<i>omit, insert—</i>	8
‘205’.	9
3. Schedule, section 3—	10
<i>omit, insert—</i>	11
‘3. Chapter 9, pt 2, hdg—	12
<i>omit, insert—</i>	13
‘PART 2—SAVINGS AND TRANSITIONAL PROVISIONS FOR ACT No. 10 of 1999’.	14 15
4. Schedule, section 4, ‘204’—	16
<i>omit, insert—</i>	17
‘260’.	18

SCHEDULE (continued)

5. Schedule, section 4, ‘PART 2’—	1
<i>omit, insert—</i>	2
‘PART 3’.	3
6. Schedule, section 4, ‘191ZT’—	4
<i>omit, insert—</i>	5
‘243’.	6
7. Schedule, section 4, ‘204AA’—	7
<i>omit, insert—</i>	8
‘261’.	9
8. Schedule, section 5, ‘191ZV’—	10
<i>omit, insert—</i>	11
‘245’.	12
9. Schedule, sections 6 and 7, ‘Schedule 4’—	13
<i>omit, insert—</i>	14
‘Schedule 3’.	15
Explanatory note	16
The amendments update the numbering of provisions in an amending Act,	17
consequential on the renumbering of the principal Act.	18

SCHEDULE (continued)

CHILDRENS COURT ACT 1992**1. Section 24(2), ‘District Courts Act 1967, section 105’—***omit, insert—**‘District Court Act 1967, section 129’.***Explanatory note**

The amendment updates a reference to a renumbered provision and the Act’s short title.

COAL MINING SAFETY AND HEALTH ACT 1999**1. Section 36, after ‘doubt,’—***insert—**‘it is declared that’.***2. Schedule 1, amendment of Property Law Act 1974, ‘Section 3’—***omit, insert—***‘Schedule 6’.****Explanatory notes**

Amendment 1 updates the provision in accordance with current drafting practice.

Amendment 2 updates a reference to a relocated provision.

SCHEDULE (continued)

COLLECTIONS ACT 1966**1. Section 1, ‘of’—***omit.***Explanatory note**

Amendment 1 updates the Act’s short title in accordance with current drafting practice.

COOPERATIVES ACT 1997**1. Schedule 3, section 29, ‘a further stated’—***omit, insert—*

‘the further period stated’.

Explanatory note

The amendment makes a minor correction.

COURT FUNDS ACT 1973**1. Long title, ‘a District Court’—***omit, insert—*

‘the District Court’.

SCHEDULE (continued)

2. Section 4, definition “registrar”—	1
<i>omit, insert—</i>	2
‘ “registrar” means—	3
(a) for the Supreme Court—a registrar or deputy registrar of the court; or	4
(b) for the District Court—a registrar of the court; or	5
(c) for a Magistrates Court—the registrar of the court.’.	6
Explanatory notes	7
Amendment 1 omits an outdated reference to the District Court.	8
Amendment 2 updates a reference to the District Court.	9
	10

CRIMINAL CODE 11

1. Section 1, definition “Crown Law Officer”, after ‘of’—	12
<i>insert—</i>	13
‘Public’.	14
2. Section 1, definition “public officer”, paragraph (e)(iii), ‘Law Courts and’—	15
<i>omit.</i>	16
	17
3. Section 22(4)(a), ‘40’—	18
<i>omit, insert—</i>	19
‘47’.	20

SCHEDULE (continued)

- | | |
|--|----|
| 4. Section 54A(6), definition “injury or detriment”, paragraph (b)— | 1 |
| <i>omit.</i> | 2 |
| 5. Section 54A(6), definition “injury or detriment”, paragraph (c)— | 3 |
| <i>renumber</i> as paragraph (b). | 4 |
| 6. Section 145A, ‘145’— | 5 |
| <i>omit, insert—</i> | 6 |
| ‘144’. | 7 |
| 7. Section 219(6), ‘(1)’— | 8 |
| <i>omit.</i> | 9 |
| 8. Section 515, ‘and acknowledgment’— | 10 |
| <i>omit, insert—</i> | 11 |
| ‘an acknowledgment’. | 12 |
| 9. Section 534(4), ‘Workplace Relations Act 1997’— | 13 |
| <i>omit, insert—</i> | 14 |
| ‘Industrial Relations Act 1999’. | 15 |
| 10. Section 543A(2), ‘Workplace Relations Act 1997’— | 16 |
| <i>omit, insert—</i> | 17 |
| ‘Industrial Relations Act 1999’. | 18 |

SCHEDULE (continued)

11. Section 652(2) and (4), ‘registrar’, first mention—	1
<i>omit, insert—</i>	2
‘clerk’.	3
12. Section 652(5), ‘registrar’, second mention—	4
<i>omit, insert—</i>	5
‘clerk’.	6
13. Section 671K(3), from ‘Criminal Practice Rules’ to ‘Criminal Practice Rules’—	7
	8
<i>omit, insert—</i>	9
‘ <i>Criminal Practice Rules 1999 and the Criminal Practice Rules 1999</i> ’.	10
14. Section 671K(6), ‘Criminal Practice Rules’—	11
<i>omit, insert—</i>	12
‘ <i>Criminal Practice Rules 1999</i> ’.	13
Explanatory notes	14
Amendment 1 updates a reference to the Director of Public Prosecutions.	15
Amendments 2, 9 and 10 update references to legislation.	16
Amendments 3, 7 and 8 make minor corrections.	17
Amendment 4 omits a reference to a repealed Act.	18
Amendment 5 is consequential on amendment 1.	19
Amendment 6 omits a reference to a repealed section.	20
Amendments 11 and 12 make a technical correction to a court official’s title.	21
Amendments 13 and 14 update references to the <i>Criminal Practice Rules 1999</i> .	22

SCHEDULE (continued)

DISPOSAL OF UNCOLLECTED GOODS ACT 1967	1
1. Section 6(1)(c), ‘notices—the’—	2
<i>omit, insert—</i>	3
‘notices, the’.	4
Explanatory note	5
Amendment 1 corrects a punctuation error.	6
DISTRICT COURT ACT 1967	7
1. Section 21, ‘sections 5(1) and’—	8
<i>omit, insert—</i>	9
‘section’.	10
Explanatory note	11
The amendment omits a redundant reference to a subsection.	12
DOMESTIC VIOLENCE (FAMILY PROTECTION) ACT 1989	13 14
1. Section 23A(5), before ‘Magistrate’—	15
<i>insert—</i>	16
‘court or’.	17

SCHEDULE (continued)

Explanatory note	1
Section 23A(5) refers to a disclosure expressly permitted by a Magistrate under section 82. A court may also expressly permit a disclosure under section 82.	2 3
DRUG REHABILITATION (COURT DIVERSION) ACT 2000	4 5
1. Schedule, definition “offender”, ‘section 20’—	6
<i>omit, insert—</i>	7
‘section 17’.	8
Explanatory note	9
Amendment 1 corrects a minor error.	10
EDUCATION (CAPITAL ASSISTANCE) ACT 1993	11
1. Section 3, definition “eligible non-State school”, paragraph (a), ‘section 72(1)(b)’—	12 13
<i>omit, insert—</i>	14
‘section 141(1)(b)’.	15
2. Section 3, definition “non-State school”, ‘section 3’—	16
<i>omit, insert—</i>	17
‘section 2’.	18

SCHEDULE (continued)

3. Section 3, definition “State school”, ‘section 3’—	1
<i>omit, insert—</i>	2
‘section 2’.	3
4. Section 10(1), ‘section 72(1)(b)’—	4
<i>omit, insert—</i>	5
‘section 141(1)(b)’.	6
Explanatory note	7
The amendments update references to the <i>Education (General Provisions) Act 1989</i> as renumbered.	8 9

ELECTORAL ACT 1992 10

1. Section 158, ‘another right’—	11
<i>omit, insert—</i>	12
‘any right’.	13
Explanatory note	14
Amendment 1 amends a technical anomaly.	15

SCHEDULE (continued)

ELECTRICITY AMENDMENT ACT (NO. 3) 1997**1. Section 2, ‘5 December 2000’—***omit, insert—*

‘1 January 2002’.

Explanatory note

The amendment extends the commencement of certain provisions dealing with the electricity ombudsman because of amendments made to the *Electricity Act 1994* by the *Electricity Amendment Bill 2000* relating to energy arbitrators.

EVIDENCE ACT 1977**1. Section 134A(6), ‘section 5.1 applies’—***omit, insert—*

‘section 63 applies’.

2. Section 134A(6), ‘section 5.1(2)(a)’—*omit, insert—*

‘section 63(2)(a)’.

Explanatory note

Amendments 1 and 2 to update section references to the *Health Services Act 1991* as renumbered.

SCHEDULE (continued)

FINANCIAL ADMINISTRATION AND AUDIT ACT	1
1977	2
1. Section 38(3)(a) and (b) ‘headings amounts’—	3
<i>omit, insert—</i>	4
‘heading amounts’.	5
2. Section 46G(1)(a), ‘her;’—	6
<i>omit, insert—</i>	7
‘her; and’.	8
3. Section 46G(1)(b), ‘respects;’—	9
<i>omit, insert—</i>	10
‘respects; and’.	11
4. Section 46G(1)(c), ‘year;’—	12
<i>omit, insert—</i>	13
‘year; and’.	14
5. Section 107(1)(a), ‘department;’—	15
<i>omit, insert—</i>	16
‘department; or’.	17
Explanatory notes	18
Amendment 1 corrects a typographical error.	19
Amendments 2 to 5 add conjunctives and a disjunctive in accordance with current drafting practice.	20
	21

SCHEDULE (continued)

FIRE AND RESCUE AUTHORITY ACT 1990**1. Section 20(1), from ‘a fund’—***omit, insert—*

‘the QFRA Fund, that is a continuing fund under the *Financial Administration and Audit Act 1977*.’.

2. Section 20—*insert—*

‘**(1A)** Accounts for the fund must be kept as part of the departmental accounts of the department.

‘**(1B)** Amounts received for the fund must be deposited in a departmental financial-institution account of the department but may be deposited in an account used for depositing other amounts of the department.’.

3. Section 20(2), ‘The following must be paid into the fund’—*omit, insert—*

‘Amounts received for the fund include the following received by the authority’.

4. Section 20(3)—*omit, insert—*‘**(3)** In this section—

“**departmental accounts**”, of the department, means the accounts of the department under the *Financial Administration and Audit Act 1977*, section 12.

SCHEDULE (continued)

“departmental financial-institution account”, of the department, means
 an account of the department kept under the *Financial Administration
 and Audit Act 1977*, section 18. 1
 2
 3

“other amounts”, of the department, means amounts received by the
 department other than amounts received for the fund.’. 4
 5

Explanatory notes 6

Amendment 1 updates references to the fund under the Act. The QFRA Fund was
 continued as a continuing fund under the *Financial Administration and Audit Act 1977*
 when that Act was amended by the *Financial Administration Legislation Amendment
 Act 1999*. 7
 8
 9
 10

Amendments 2, 3 and 4 include provisions about the fund in the same way as other
 Acts were amended by the *Financial Administration Legislation Amendment Act 1999*,
 the schedule. 11
 12
 13

GAS ACT 1965 14**1. Section 5B(1), ‘1 December 2000’—** 15

omit, insert— 16

‘1 July 2001’. 17

2. Section 5C(1)(a), ‘30 November 2000’— 18

omit, insert— 19

‘30 June 2001’. 20

3. Section 5C(1)(b), ‘1 December 2000’— 21

omit, insert— 22

‘1 July 2001’. 23

SCHEDULE (continued)

Explanatory note	1
The amendments extend the date for introduction of contestability arrangements into the gas retail market.	2 3
GUARDIANSHIP AND ADMINISTRATION ACT 2000	4
1. Schedule 4, definition “approved form”, ‘section 250’—	5
<i>omit, insert—</i>	6
‘section 251’.	7
Explanatory note	8
Amendment 1 corrects a typographical error.	9
HEALTH ACT 1937	10
1. Section 129E, definition “standard”, ‘appendix P’—	11
<i>omit, insert—</i>	12
‘appendix I’.	13
2. Section 129E, definition “uniform standard”—	14
<i>omit, insert—</i>	15
‘ “uniform standard” means the ‘Standard for the uniform scheduling of drugs and poisons’ prepared by the National Drugs and Poisons Schedule Committee under the <i>Therapeutic Goods Act 1989</i> (Cwlth) and published by the Commonwealth.’.	16 17 18 19

SCHEDULE (continued)

Explanatory note	1
Amendments 1 and 2 update outdated references.	2
HEALTH PRACTITIONERS (PROFESSIONAL STANDARDS) ACT 1999	3 4
1. Section 9(3)(b) and (c), from ‘to the person’ to ‘were’—	5
<i>omit, insert—</i>	6
‘to the person, while the person was a registrant as if the person were’.	7
2. Section 46(a), from ‘and persons’ to ‘registered’—	8
<i>omit.</i>	9
3. Section 48(2), ‘58’—	10
<i>omit, insert—</i>	11
‘57’.	12
4. Section 62(b), ‘71A(7)(b)’—	13
<i>omit, insert—</i>	14
‘74(7)(b)’.	15
5. Section 62(c), ‘71A(2)’—	16
<i>omit, insert—</i>	17
‘74(2)’.	18

SCHEDULE (continued)

- | | |
|--|----|
| 6. Section 64(1)(a), from ‘to conduct’— | 1 |
| <i>omit, insert—</i> | 2 |
| ‘, that consists of some or all of the board’s members, to conduct the investigation; or’. | 3 |
| | 4 |
| 7. Section 66(2)(d), ‘make submissions’— | 5 |
| <i>omit, insert—</i> | 6 |
| ‘make a submission’. | 7 |
| 8. Section 66(2)(d), ‘the submissions’— | 8 |
| <i>omit, insert—</i> | 9 |
| ‘a submission’. | 10 |
| 9. Section 66(2)(e) and (f), ‘the submissions’— | 11 |
| <i>omit, insert—</i> | 12 |
| ‘the submission’. | 13 |
| 10. Section 66(2)(e), ‘oral submissions’— | 14 |
| <i>omit, insert—</i> | 15 |
| ‘an oral submission’. | 16 |
| 11. Section 66(2)(f), ‘written submissions’— | 17 |
| <i>omit, insert—</i> | 18 |
| ‘a written submission’. | 19 |

SCHEDULE (continued)

12. Section 67, ‘submissions’—	1
<i>omit, insert—</i>	2
‘a submission’.	3
13. Sections 110(1) and (2), 274(1) and (2) and 297(1) and (2), ‘written submissions’—	4
<i>omit, insert—</i>	5
‘a written submission’.	6
14. Section 118(8), ‘or (1)(c)(vii)’—	7
<i>omit, insert—</i>	8
‘or (c)(vii)’.	9
15. Section 122(e)—	10
<i>omit.</i>	11
16. Section 126(3)(e), after ‘120(3)’—	12
<i>insert—</i>	13
‘, 133(2) or 155(2)’.	14
17. Sections 149(a), 192(a) and 233(a), ‘appropriate; and’—	15
<i>omit, insert—</i>	16
‘appropriate; or’.	17
	18

SCHEDULE (continued)

- | | |
|---|----|
| 18. Sections 149(b), 192(b) and 233(b), ‘the disciplinary body’— | 1 |
| <i>omit, insert—</i> | 2 |
| ‘a disciplinary body’. | 3 |
|
 | |
| 19. Section 165(2), after ‘must’— | 4 |
| <i>insert—</i> | 5 |
| ‘do one or both of the following’. | 6 |
|
 | |
| 20. Section 165(2)(a), ‘reprimanded; or’— | 7 |
| <i>omit, insert—</i> | 8 |
| ‘reprimanded;’. | 9 |
|
 | |
| 21. Section 168(2)(a)(ii), after ‘take’— | 10 |
| <i>insert—</i> | 11 |
| ‘in relation to the disciplinary proceedings’. | 12 |
|
 | |
| 22. Sections 168(2)(b), 205(2)(b) and 245(2)(b), ‘proposed’— | 13 |
| <i>omit.</i> | 14 |
|
 | |
| 23. Section 185, heading, ‘tribunal’— | 15 |
| <i>omit, insert—</i> | 16 |
| ‘panel’. | 17 |
|
 | |
| 24. Section 196, after ‘195,’— | 18 |
| <i>insert—</i> | 19 |
| ‘it’. | 20 |

SCHEDULE (continued)

25. Sections 205(1)(b) and 245(1)(b), ‘by a person’—	1
<i>omit.</i>	2
26. Section 244(2), after ‘bodies’—	3
<i>insert—</i>	4
‘and the Medical Assessment Tribunal’.	5
27. Section 250(1), ‘to the tribunal that’—	6
<i>omit, insert—</i>	7
‘if the tribunal’.	8
28. Section 256, after ‘the proceedings’—	9
<i>insert—</i>	10
‘or the registrar’.	11
29. Section 257, after ‘member’—	12
<i>insert—</i>	13
‘or the registrar’.	14
30. Part 6, division 7, subdivision 2 heading, after ‘proceedings’—	15
<i>insert—</i>	16
‘ <i>and disciplinary action</i> ’.	17
31. Section 282(1), ‘Subsection (1)’—	18
<i>omit, insert—</i>	19
‘Subsection (2)’.	20

SCHEDULE (continued)

32. Section 288(4)(c), from ‘if’ to ‘assessment—’—	1
<i>omit.</i>	2
33. Section 293(1), ‘288 or’—	3
<i>omit.</i>	4
34. Section 383(1)(b), ‘71A(6) or 72A(3)’—	5
<i>omit, insert—</i>	6
‘74(6) or 77(3)’.	7
35. Section 393(3)(a), ‘to be’—	8
<i>omit.</i>	9
36. Section 393(3)(b), ‘is to be’—	10
<i>omit, insert—</i>	11
‘was’.	12
37. Schedule, definition “foreign regulatory authority”, paragraph (b), after ‘this’—	13
<i>insert—</i>	14
‘Act’.	15
Explanatory notes	17
Amendment 1 ensures the wording of section 9(3)(b) and (c) is consistent with the wording used elsewhere in the section.	18 19
Amendment 2 omits redundant words.	20
Amendments 3, 4, 5 and 34 update cross-references to the <i>Health Rights Commission Act 1991</i> .	21 22

SCHEDULE (continued)

Amendment 6 corrects a structural problem in the paragraph without changing the paragraph's intent.	1 2
Amendments 7 and 8 ensure the wording of the provision is consistent with similar provisions in the Act.	3 4
Amendments 9, 10, 11 and 12 are consequential on amendment 7.	5
Amendment 13 ensures the wording of the provisions is consistent with similar provisions in the Act.	6 7
Amendment 14 omits a redundant reference.	8
Amendment 15 omits a redundant provision.	9
Amendment 16 corrects an error in the cross-reference.	10
Amendment 17 is consequential on amendment 18.	11
Amendment 18 corrects a minor error.	12
Amendment 19 clarifies the intent of the provision.	13
Amendment 20 is consequential on amendment 19.	14
Amendment 21 ensures the wording of the provision is consistent with similar provisions in the Act.	15 16
Amendment 22 omits a redundant word.	17
Amendment 23 corrects a minor error.	18
Amendment 24 inserts a missing word.	19
Amendment 25 ensures the wording of the provisions is consistent with similar provisions in the Act.	20 21
Amendment 26 ensures the wording of the provision is consistent with similar provisions in the Act.	22 23
Amendment 27 corrects a minor drafting error.	24
Amendment 28 allows the registrar of the tribunal to authenticate documents for the tribunal.	25 26
Amendment 29 is consequential on amendment 28.	27
Amendment 30 clarifies that the subdivision applies to notification of disciplinary action.	28 29
Amendment 31 corrects an incorrect cross-reference.	30
Amendment 32 omits redundant words.	31

SCHEDULE (continued)

Amendment 33 omits an incorrect cross-reference.	1
Amendments 35 and 36 correct grammatical errors.	2
Amendment 37 inserts a missing word.	3

HEALTH PRACTITIONERS (SPECIAL EVENTS EXEMPTION) ACT 1998	4
	5

1. Section 15(1), from ‘or a health registration Act’—	6
<i>omit.</i>	7

Explanatory note	8
The amendment omits redundant words.	9

HEALTH RIGHTS COMMISSION ACT 1991	10
--	----

1. Section 67(3), ‘but does not affect the operation of section 80’—	11
<i>omit.</i>	12

2. Section 71(6)(b), ‘its’—	13
<i>omit, insert—</i>	14
‘a’.	15

3. Section 71(6)(b), ‘or other matter’—	16
<i>omit.</i>	17

SCHEDULE (continued)

Explanatory notes	1
Amendment 1 omits an incorrect cross-reference.	2
Amendment 2 corrects a minor error.	3
Amendment 3 omits redundant words.	4

HEALTH SERVICES ACT 1991 5

1. Section 8(2), definition “minor capital works”, ‘section 36A,’—	6
<i>omit, insert—</i>	7
‘section 36B, ² ’.	8

Explanatory note	9
The amendment updates a cross-reference.	10

JUDICIAL REVIEW ACT 1991 11

1. Section 3, definition “corporatised corporation”, ‘chapter 7A, part 6’—	12
<i>omit, insert—</i>	13
‘chapter 8, part 7’.	14
	15

² *Financial Administration and Audit Act 1977*, section 36B (Delegations by accountable officers)

SCHEDULE (continued)

2. Section 18B, ‘793B’—	1
<i>omit, insert—</i>	2
‘1205’.	3
3. Schedule 1, part 1, item 2 and part 2, item 1, ‘District Courts Act 1967’—	4
<i>omit, insert—</i>	5
‘District Court Act 1967’.	6
4. Schedule 1, part 1, items 7 and 8—	7
<i>omit.</i>	8
5. Schedule 1, part 1—	9
<i>insert—</i>	10
‘3A. Industrial Relations Act 1999, section 349’.	11
6. Schedule 1, part 1, items 3A to 6 and 9—	12
<i>renumber</i> as schedule 1, part 1, items 4 to 8.	13
7. Schedule 1, part 1, item 5 as renumbered, ‘, 48(1)’—	14
<i>omit.</i>	15
8. Schedule 6, item 1, ‘s 110A’—	16
<i>omit, insert—</i>	17
‘s 199’.	18
	19

SCHEDULE (continued)

9. Schedule 6, item 1, second mention—	1
<i>omit.</i>	2
10. Schedule 6, item 4—	3
<i>renumber</i> as item 3.	4
Explanatory notes	5
Amendments 1, 2 and 8 update references to provisions.	6
Amendment 3 updates references to the <i>District Court Act 1967</i> .	7
Amendment 4 omits references to repealed Acts.	8
Amendment 5 inserts a reference to the <i>Industrial Relations Act 1999</i> consequential on the repeal of the <i>Workplace Relations Act 1997</i> .	9 10
Amendments 6 and 10 renumber items.	11
Amendment 7 omits a reference to a repealed provision.	12
Amendment 9 omits a redundant item.	13
 JUSTICES ACT 1886	 14
1. Section 56(2)(b), ‘<i>Transport Infrastructure (Roads) Act 1991</i>’—	15
<i>omit, insert—</i>	16
‘ <i>Transport Operations (Road Use Management) Act 1995</i> ’.	17
Explanatory note	18
Amendment 1 updates a reference to a repealed Act.	19

SCHEDULE (continued)

JUVENILE JUSTICE ACT 1992**1. Section 18F(8)—***omit.***2. Section 208(2)(c), from ‘a list’ to ‘contains’—***omit, insert—*

‘a court verdict and judgment records containing’.

Explanatory notes

Amendment 1 omits an outdated provision.

Amendment 2 updates the paragraph including by omitting an outdated reference.

LEGAL PRACTITIONERS ACT 1995**1. Sections 58(2)(a)(viii) and 59(2)(d), ‘a District Court’—***omit, insert—*

‘the District Court’.

Explanatory note

The amendment updates references to the District Court.

SCHEDULE (continued)

LIENS ON CROPS OF SUGAR CANE ACT 1931**1. Section 16(1), ‘Workplace Relations Act 1997, chapter 9, part 2’—***omit, insert—**‘Industrial Relations Act 1999, chapter 11, part 2’.***Explanatory note**

The amendment updates a reference to a repealed Act.

MAGISTRATES COURTS ACT 1921**1. Section 2, definition “referring order”, ‘section 28’—***omit, insert—**‘section 29’.***Explanatory note**

The amendment corrects a cross-reference.

**MINING AND QUARRYING SAFETY AND HEALTH
ACT 1999****1. Section 33, after ‘doubt,’—***insert—**‘it is declared that’.*

SCHEDULE (continued)

Explanatory note	1
The amendment updates the provision in accordance with current drafting practice.	2
 NURSING ACT 1992 	
1. Section 102C(1)(a), ‘71A(6)’—	4
<i>omit, insert—</i>	5
‘74(7)’.	6
2. Section 102C(1)(b), ‘71A’—	7
<i>omit, insert—</i>	8
‘74’.	9
3. Section 118A(1)(b), ‘71A or 72A(3)’—	10
<i>omit, insert—</i>	11
‘74 or 77(3)’.	12
Explanatory note	13
The amendments update cross-references to the <i>Health Rights Commission Act 1991</i> .	14

SCHEDULE (continued)

**PARLIAMENTARY CONTRIBUTORY
SUPERANNUATION ACT 1970**

- | | |
|--|----|
| | 1 |
| PARLIAMENTARY CONTRIBUTORY
SUPERANNUATION ACT 1970 | 2 |
|
 | |
| 1. Section 17(3)(a), ‘section 20, 20B, 21 or 22’— | 3 |
| <i>omit, insert—</i> | 4 |
| ‘section 20, 20B or 21’. | 5 |
|
 | |
| 2. Section 19(1A), ‘Superannuation (Public Employees Portability and Acts Amendment) Act 1985’— | 6 |
| <i>omit, insert—</i> | 7 |
| ‘ <i>Superannuation (Public Employees Portability) Act 1985</i> ’. | 8 |
|
 | |
| 3. Sections 20 and 20A, ‘schedule 2’— | 10 |
| <i>omit, insert—</i> | 11 |
| ‘the schedule’. | 12 |
|
 | |
| 4. Section 23A(1), ‘section 17(2) or (3)’— | 13 |
| <i>omit, insert—</i> | 14 |
| ‘section 17(2) or (3A)’. | 15 |
|
 | |
| 5. Section 23A(1), ‘section 17(3)’— | 16 |
| <i>omit, insert—</i> | 17 |
| ‘section 17(3A)’. | 18 |

SCHEDULE (continued)

6. Section 25(1), ‘section 17, 19, 20 or 22’—	1
<i>omit, insert—</i>	2
‘section 17, 19 or 20’.	3
7. Section 25A(1), definition “basic rate”, ‘section 17, 19, 20A, 20B or 22’—	4
<i>omit, insert—</i>	5
‘section 17, 19, 20A or 20B’.	6
Explanatory notes	7
Amendments 1 and 3 to 7 correct outdated references.	8
Amendment 2 updates a reference to an Act.	9
	10
PENALTIES AND SENTENCES ACT 1992	11
1. Section 176(4), ‘section 62’—	12
<i>omit, insert—</i>	13
‘section 63’.	14
Explanatory note	15
The amendment corrects a cross-reference.	16

SCHEDULE (continued)

POLICE POWERS AND RESPONSIBILITIES ACT	1
2000	2
1. Schedule 4, definition “enforcement act”, paragraph (d), ‘232(4)’—	3
<i>omit, insert—</i>	4
‘269(4)’.	5
2. Schedule 4, definition “relevant act”, ‘36 or 37’—	6
<i>omit, insert—</i>	7
‘37 or 38’.	8
Explanatory note	9
Amendments 1 and 2 correct cross-references.	10
POLICE SERVICE ADMINISTRATION ACT 1990	11
1. Section 9.1, ‘pursuant to the <i>Criminal Justice Act 1989</i>’—	12
<i>omit, insert—</i>	13
‘under the <i>Misconduct Tribunals Act 1997</i> ’.	14
Explanatory note	15
The amendment updates a reference consequential on the repeal of sections 40–49 of	16
the <i>Criminal Justice Act 1989</i> and the inclusion of equivalent provisions in the	17
<i>Misconduct Tribunals Act 1997</i> .	18

SCHEDULE (continued)

PRIVATE HEALTH FACILITIES ACT 1999**1. Schedule 1, items for sections 29 and 55, ‘conditions of’—***omit, insert—*

‘details stated in, or conditions of,’.

Explanatory note

Amendment 1 corrects errors in the identification of decisions for which an information notice must be given under the Act.

PROPERTY LAW ACT 1974**1. Section 234, definition “instrument”, paragraph (b), ‘section 171’—***omit, insert—*

‘an Act’.

2. Schedule 1, section 9—*omit.***3. Schedule 1, section 10, from ‘, the solicitor-general’—***omit, insert—*

‘and the solicitor-general.’

SCHEDULE (continued)

Explanatory notes	1
Amendment 1 updates a reference to registered powers of attorney.	2
Amendment 2 omits an obsolete provision.	3
Amendment 3 omits an obsolete ministerial reference.	4
PROSTITUTION ACT 1999	5
1. Section 33(8), ‘does limit’—	6
<i>omit, insert—</i>	7
‘does not limit’.	8
2. Section 131, ‘and prove’—	9
<i>omit.</i>	10
3. Schedule 2, heading, ‘1985’—	11
<i>omit, insert—</i>	12
‘1958’.	13
4. Schedule 2, item 7, after ‘arrange’—	14
<i>insert—</i>	15
‘pretended’.	16
5. Schedule 2, item 13, ‘representatives’—	17
<i>omit, insert—</i>	18
‘representations’.	19

SCHEDULE (continued)

Explanatory notes	1
Amendment 1 corrects a typographical error.	2
The omitted words in amendment 2 are unnecessary for the purposes of the allegation.	3 4
Amendment 3 to 5 make minor corrections.	5
QUEENSLAND COMPETITION AUTHORITY	6
AMENDMENT ACT 2000	7
1. Section 48(1), after ‘ “responsible person”,’—	8
<i>insert—</i>	9
‘ “revocation recommendation”,’.	10
2. Section 48(1), after ‘ “secondary amendment notice” ’—	11
<i>insert—</i>	12
‘, “significant business activity” ’.	13
Explanatory note	14
Amendments 1 and 2 correct minor drafting errors in the Act. The amendment Act inserted new definitions of “responsible person” and “secondary amendment notice”, but failed to remove the existing definitions. Amendments 1 and 2 retrospectively remove the old definitions to avoid confusion.	15 16 17 18

SCHEDULE (continued)

RADIATION SAFETY ACT 1999

	1
1. Sections 20(5) and (8), ‘contains’—	2
<i>omit, insert—</i>	3
‘states’.	4
2. Section 20(6), ‘contain’—	5
<i>omit, insert—</i>	6
‘state’.	7
3. Section 135(2), ‘possession or possesses’—	8
<i>omit, insert—</i>	9
‘possession of, or possesses,’.	10
4. Section 153, heading—	11
<i>omit, insert—</i>	12
‘False or misleading documents’.	13
5. Sections 209(4), from ‘a department’ to ‘entity of’—	14
<i>omit, insert—</i>	15
‘the Commonwealth or another State, or an entity of the State,’.	16
6. Section 209(6), ‘department, the’—	17
<i>omit.</i>	18

SCHEDULE (continued)

7. Section 233, heading, ‘Fire Rescue and Authority Act 1990’—	1
<i>omit, insert—</i>	2
‘Fire and Rescue Authority Act 1990’.	3
8. Section 233(1), ‘Fire Rescue and Authority Act 1990’—	4
<i>omit, insert—</i>	5
‘ <i>Fire and Rescue Authority Act 1990</i> ’.	6
9. Section 235(2), ‘Section 79A(2)(a)’—	7
<i>omit, insert—</i>	8
‘Section 151(2)(a)’.	9
Explanatory notes	10
Amendments 1 and 2 correct an inconsistent use of terms in the Act.	11
Amendments 3 and 4 make minor corrections.	12
Amendments 5 and 6 clarify that the amended provisions refer to all entities of the State.	13 14
Amendments 7 and 8 correct an Act’s citation retrospectively to avoid confusion.	15
Amendment 9 corrects an outdated reference. Section 235 of the <i>Radiation Safety Act 1999</i> provided for a minor amendment (replacement of an Act reference) of the <i>Transport Operations (Road Use Management) Act 1995</i> , section 79A(2)(a). However,	16 17 18
by the time section 235 commenced on 1 January 2000, section 79A had been	19
renumbered as section 151 under the <i>Road Transport Reform Act 1999</i> . This	20
amendment ensures that section 235 is and always has been effective in the way	21
intended.	22

SCHEDULE (continued)

RESIDENTIAL TENANCIES ACT 1994**1. Schedule 3, definition “spouse”, second mention—***omit.***Explanatory note**

There are 2 conflicting definitions of “spouse” in the dictionary. The amendment omits 1 of the definitions.

ROAD TRANSPORT REFORM ACT 1999**1. Schedule, part 3, amendment of Supreme Court of Queensland Act 1991—***omit.***Explanatory note**

Amendment 1 omits an inoperative provision.

RURAL ADJUSTMENT AUTHORITY ACT 1994**1. Part 7, division 1 heading—***omit.*

SCHEDULE (continued)

2. Section 51(5), ‘section’—	1
<i>omit, insert—</i>	2
‘division’.	3
Explanatory notes	4
Amendment 1 omits the heading to division 1 because the remainder of the division has expired.	5 6
Amendment 2 corrects an incorrect reference.	7
STATE HOUSING ACT 1945	8
1. Section 4, definition “land”, ‘Public Works Land Resumption Act 1906’—	9 10
<i>omit, insert—</i>	11
‘Acquisition of Land Act 1967’.	12
2. Section 4, definition “Land Act”, ‘Land Act 1962’—	13
<i>omit, insert—</i>	14
‘Land Act 1994’.	15
Explanatory note	16
Amendments 1 and 2 update references to Acts.	17

SCHEDULE (continued)

STATE PENALTIES ENFORCEMENT ACT 1999	1
1. Schedule 1, amendments of <i>Penalties and Sentences Act 1992</i>, amendment 4, ‘After section 33’—	2
<i>omit, insert—</i>	3
<i>omit, insert—</i>	4
‘After section 33A’.	5
2. Schedule 1, amendments of <i>Penalties and Sentences Act 1992</i>, amendment 4, new section 33A—	6
<i>renumber as section 33B.</i>	7
<i>renumber as section 33B.</i>	8
3. Schedule 1, amendments of <i>Penalties and Sentences Act 1992</i>, amendment 4, new section 33B—	9
<i>renumber as section 33C.</i>	10
<i>renumber as section 33C.</i>	11
4. Schedule 1, amendments of <i>Penalties and Sentences Act 1992</i>, amendment 4, new section 33C(1) (as renumbered), ‘33A’—	12
<i>omit, insert—</i>	13
<i>omit, insert—</i>	14
‘33B’.	15
Explanatory notes	16
Amendment 1 corrects an incorrect insertion point for the new division.	17
Amendments 2 and 3 correct incorrect numbering.	18
Amendment 4 corrects incorrect cross-referencing.	19

SCHEDULE (continued)

STATUTORY INSTRUMENTS ACT 1992

- | | |
|---|----------------|
| | 1 |
| 1. Section 18, heading, ‘ss 49A–51’— | 2 |
| <i>omit, insert—</i> | 3 |
| ‘49A’. | 4 |
| 2. Section 18, ‘sections 49A to 51’— | 5 |
| <i>omit, insert—</i> | 6 |
| ‘section 49A’. | 7 |
| 3. Part 10, division 2, heading, after ‘Statutory Instruments’— | 8 |
| <i>insert—</i> | 9 |
| ‘ <i>and Another Act</i> ’. | 10 |
| 4. Section 62A(2)(a), ‘schedule 5’— | 11 |
| <i>omit, insert—</i> | 12 |
| ‘schedule 2A’. | 13 |
| 5. Section 63(3), ‘schedules 3 to 5’— | 14 |
| <i>omit, insert—</i> | 15 |
| ‘schedules 2A, 3 and 4’. | 16 |
| 6. Section 63(4)— | 17 |
| <i>omit, insert—</i> | 18 |
| ‘(4) It is declared that the <i>Statutory Instruments Regulation 1992</i> ,
schedule 8 is taken always to have included the entry ‘ <i>Corrective Services
 Regulation 1989</i> ’.’. | 19
20
21 |

SCHEDULE (continued)

7. Schedule 1, ‘sections 48A–51’—	1
<i>omit, insert—</i>	2
‘sections 48A–49A’.	3
8. Schedule 1, ‘section 52(3)’—	4
<i>omit, insert—</i>	5
‘section 52’.	6
Explanatory notes	7
Amendments 1, 2 and 7 are adjustments reflecting the omission of sections 50 and 51 from the <i>Acts Interpretation Act 1954</i> .	8 9
Amendment 3 corrects a reference to an Act.	10
Amendments 4 and 5 are adjustments reflecting the renumbering of the <i>Statutory Instruments Regulation 1992</i> , schedule 5 as schedule 2A.	11 12
Amendment 6 inserts a new section 63(4), replacing the existing section 63(4) which is redundant because of section 62A(2)(a). The new section 63(4) puts beyond doubt that a regulation listed in the <i>Statutory Instruments Regulation 1992</i> , schedule 8 was always included in the schedule, despite its title having been the subject of a minor misdescription when originally included in the schedule.	13 14 15 16 17
Amendment 8 is an adjustment reflecting the renumbering of the <i>Act Interpretation Act 1954</i> , section 52(3) as section 52.	18 19

STIPENDIARY MAGISTRATES ACT 1991 20

1. Section 18(1)(a), ‘Judges’ Salaries and Pensions Act 1967’—	21
<i>omit, insert—</i>	22
‘ <i>Judges (Salaries and Allowances) Act 1967</i> ’.	23

SCHEDULE (continued)

2. Section 23(2), ‘Judges’ Salaries and Pensions Act 1967’—	1
<i>omit, insert—</i>	2
‘ <i>Judges (Salaries and Allowances) Act 1967</i> ’.	3
Explanatory note	4
The amendments reflect a change in an Act’s short title.	5
TRANSPORT INFRASTRUCTURE ACT 1994	6
1. Section 199(1), after ‘Freedom of Information’—	7
<i>insert—</i>	8
‘ <i>Act</i> ’.	9
Explanatory note	10
The amendment makes a minor correction.	11
TRANSPORT OPERATIONS (MARINE SAFETY) ACT 1994	12 13
1. Section 42(1), definition “certificate of compliance”, ‘Commonwealth, another State’—	14 15
<i>omit, insert—</i>	16
‘Commonwealth or another State’.	17

SCHEDULE (continued)

Explanatory note	1
Amendment 1 corrects a minor error.	2
TRANSPORT OPERATIONS (PASSENGER TRANSPORT) ACT 1994	3 4
1. Section 46(1), ‘an holder’s’—	5
<i>omit, insert—</i>	6
‘a holder’s’.	7
2. Section 46(9), ‘an holder’—	8
<i>omit, insert—</i>	9
‘a holder’.	10
Explanatory note	11
Amendments 1 and 2 correct grammatical errors.	12

SCHEDULE (continued)

**TRANSPORT OPERATIONS (ROAD USE
MANAGEMENT) ACT 1995**

- 1. Section 80(7)—** 3
omit. 4

- Explanatory note** 5
 Amendment 1 omits a redundant provision. 6

TRAVEL AGENTS ACT 1988

- 1. Section 26(10), ‘District Courts Act 1967’—** 8
omit, insert— 9
‘District Court Act 1967’. 10

- Explanatory note** 11
 Amendment 1 updates an Act’s citation. 12

TRUSTS ACT 1973

- 1. Section 86(3), from ‘jurisdiction’—** 14
omit, insert— 15
 ‘jurisdiction of the District Court, the District Court or a District Court
 judge.’. 16
 17

SCHEDULE (continued)

Explanatory note	1
The amendment updates reference to the District Court.	2
VAGRANTS, GAMING AND OTHER OFFENCES ACT 1931	3 4
1. Part 2A, heading—	5
<i>omit.</i>	6
Explanatory note	7
Amendment 1 omits a redundant part heading.	8
WORKCOVER QUEENSLAND ACT 1996	9
1. Section 16(1), ‘Fire Service Act 1990’—	10
<i>omit, insert—</i>	11
‘ <i>Fire and Rescue Authority Act 1990</i> ’.	12
2. Section 103(1), ‘101(a) and 102(b)’—	13
<i>omit, insert—</i>	14
‘101(1)(a) and 102(1)(b)’.	15

SCHEDULE (continued)

- 3. Section 293(3)(b)(ii), ‘District Courts Act 1967’—** 1
omit, insert— 2
‘District Court Act 1967’. 3
- 4. Section 328, ‘Jurisdiction of Courts (Cross-Vesting) Act 1978’—** 4
omit, insert— 5
‘Jurisdiction of Courts (Cross-Vesting) Act 1987’. 6
- 5. Section 383(2), ‘section 229’—** 7
omit, insert— 8
‘part 2D.6³’. 9
- 6. Section 439(3)(b)(i), second mention—** 10
renumber as section 439(3)(b)(ii). 11
- 7. Schedule 3, definition “industrial instrument”—** 12
omit, insert— 13
“industrial instrument” means— 14
- (a) any of the following under the *Industrial Relations Act 1999*— 15
- (i) an award; 16
- (ii) a certified agreement; 17
- (iii) an industrial agreement; 18
- (iv) an EFA; 19
- (v) a QWA; 20

³ Corporations Law, part 2D.6 (Disqualification from managing corporations)

SCHEDULE (continued)

(vi) an order under chapter 5, parts 5 and 6 of that Act; or	1
(b) an award or agreement under the <i>Workplace Relations Act 1996</i> (Cwlth).	2 3
8. Schedule 3, definition “Industrial Relations Act”—	4
<i>omit.</i>	5
Explanatory notes	6
Amendments 1 and 3 update citations.	7
Amendments 2 and 4 correct typographical errors.	8
Amendment 5 updates a reference to a provision.	9
Amendment 6 corrects a numbering error.	10
Amendment 7 updates a definition.	11
Amendment 8 omits a redundant definition.	12
WORKERS’ ACCOMMODATION ACT 1952	13
1. Section 15(1), ‘Industrial Relations Acts 1990’—	14
<i>omit, insert—</i>	15
<i>‘Industrial Relations Act 1999’.</i>	16
2. Sections 17(1) and 19(3B) and (4), ‘Industrial Relations Act 1990’—	17
<i>omit, insert—</i>	18
<i>‘Industrial Relations Act 1999’.</i>	19

SCHEDULE (continued)

Explanatory note	1
Amendments 1 and 2 update references to a remade law.	2
WORKPLACE HEALTH AND SAFETY ACT 1995	3
1. Part 4, division 2 heading, after ‘standards’—	4
<i>insert—</i>	5
‘ <i>and industry codes of practice</i> ’.	6
2. Section 41, heading, after ‘standards’—	7
<i>insert—</i>	8
‘ and industry codes of practice ’.	9
3. Section 42, heading, after ‘standards’—	10
<i>insert—</i>	11
‘ and industry codes of practice ’.	12
4. Section 48(1), ‘council’—	13
<i>omit, insert—</i>	14
‘board’.	15
5. Section 49(3), ‘council’—	16
<i>omit, insert—</i>	17
‘board’.	18

SCHEDULE (continued)

Explanatory notes

Amendments 1 to 3 correct headings to reflect recent amendments providing for industry codes of practice.

Amendments 4 and 5 make minor corrections.

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4
5