
8	Offences	1
(1)	This section applies if a person is alleged to have committed an offence against either of the repealed Acts before the commencement.	2 3 4
(2)	Despite the Criminal Code, section 11, proceedings for the offence may be started or continued, and the court may hear and decide the proceedings, as if this Act had not commenced.	5 6 7
9	Infringement notices	8
(1)	This section applies if—	9
(a)	a person is alleged to have committed an infringement notice offence before the commencement; and	10 11
(b)	at the commencement, an infringement notice for the offence had not been served on the person.	12 13
(2)	Despite the Criminal Code, section 11, an infringement notice for the offence may be served on the person and the <i>State Penalties Enforcement Act 1999</i> applies as if this Act had not commenced.	14 15 16 17
(3)	In this section—	18
	<i>infringement notice</i> means an infringement notice under the <i>State Penalties Enforcement Act 1999</i> , section 15.	19 20
	<i>infringement notice offence</i> means an offence mentioned in the <i>State Penalties Enforcement Regulation 2000</i> , schedule 1, as in force before the commencement, entry for <i>Trade Measurement Act 1990</i> , <i>Trade Measurement (Measuring Instruments) Regulation 1991</i> , <i>Trade Measurement (Miscellaneous) Regulation 1991</i> or <i>Trade Measurement (Weighbridges) Regulation 1991</i> .	21 22 23 24 25 26 27
10	Disciplinary actions	28
(1)	This section applies if—	29

[s 11]

- (a) the licensing authority had served a written notice on a licensee under the repealed TMA, section 57 before the commencement; and
 - (b) at the commencement, the licensing authority had not taken disciplinary action under the repealed TMA, section 58 against the licensee.
- (2) The licensing authority may take disciplinary action under the repealed TMA, section 58 against the licensee as if this Act had not commenced.

11 Reviews 10

- (1) Subsection (2) applies if— 11
- (a) immediately before the commencement a person could have applied to QCAT under the repealed TMA, section 59 for the review of a decision of the licensing authority; and 12
13
14
15
 - (b) the person has not made the application before the commencement. 16
17
- (2) The person may apply to QCAT for the review, and QCAT may review the decision under the repealed TMA, as if this Act had not commenced. 18
19
20
- (3) Subsection (4) applies if— 21
- (a) a person has applied to QCAT under the repealed TMA, section 59 before the commencement for the review of a decision of the licensing authority; and 22
23
24
 - (b) the review has not been finally decided before the commencement. 25
26
- (4) QCAT may review, or continue to review, the decision under the repealed TMA as if this Act had not commenced. 27
28

12 Seized measuring instruments and other things 29

- (1) This section applies if, before the commencement, an inspector seized— 30
31

-
- (a) a measuring instrument, or records concerning a measuring instrument or its use, under the repealed TMA, section 61(1); or
- (b) an article or other thing under the repealed TMA, section 62(2).
- (2) The inspector may retain, return, or dispose of the instrument, records, article or other thing under the repealed TMA as if this Act had not commenced.
- (3) Subsection (2) is subject to section 14(3).
- 13 Unpaid fees**
- (1) This section applies if, immediately before the commencement, a fee payable under either of the repealed Acts has not been paid within the period prescribed under either of the repealed Acts for payment of the fee.
- (2) The fee may be recovered by the State as a debt.
- (3) In this section—
fee includes charge or expense.
- 14 Disclosure of information about continuing matters**
- (1) This section applies to information obtained by the chief inspector about a continuing matter.
- (2) The chief inspector may disclose the information to the National Measurement Institute for the purpose of the administration or enforcement of the Commonwealth law.
- (3) If the information relates to a seized thing mentioned in section 12, the chief inspector may allow the National Measurement Institute to inspect the thing for the purpose of the administration or enforcement of the Commonwealth law.
- (4) This section applies despite any other Act.

[s 15]

15	Reference to a repealed Act	1
	A reference in another Act or document to either of the repealed Acts may, if the context permits, be taken as a reference to the Commonwealth law.	2 3 4
Part 4	Miscellaneous	5
16	Transfer of registers and other information	6
	(1) This section applies to—	7
	(a) the register of the prescribed particulars relating to licences mentioned in the <i>Trade Measurement Act 1990</i> , section 47; and	8 9 10
	(b) information obtained by the chief inspector as the administering authority or licensing authority.	11 12
	(2) The chief inspector may transfer the register and the information to the National Measurement Institute for the purpose of the administration or enforcement of the Commonwealth law.	13 14 15 16
	(3) This section applies despite any other Act.	17
17	Expiry of Act	18
	This Act expires on 1 July 2011.	19

Part 5	Amendment of Acts and subordinate legislation	1
		2
18	Amendment of Acts and subordinate legislation	3
	The schedule amends the Acts and subordinate legislation mentioned in it.	4
		5

Schedule	Consequential amendments	1
	section 18	2
	Agricultural Standards Act 1994	3
1	After part 8—	4
	<i>insert—</i>	5
‘Part 9	Transitional provision for Trade Measurement Legislation Repeal Act 2009	6
		7
		8
‘75	Amendment of regulation by Trade Measurement Legislation Repeal Act 2009 does not affect powers of Governor in Council	9
		10
		11
	<i>‘The amendment of the Agricultural Standards Regulation 1997 by the Trade Measurement Legislation Repeal Act 2009 does not affect the power of the Governor in Council to further amend the regulation or to repeal it.’.</i>	12
		13
		14
		15
	Agricultural Standards Regulation 1997	16
1	Section 49, second footnote, ‘Trade Measurement Act 1990’—	17
		18
	<i>omit, insert—</i>	19
	<i>‘National Measurement Act 1960 (Cwlth)’.</i>	20

Fair Trading Act 1989	1
1 Section 5, definition <i>inspector</i>, paragraph (c)—	2
<i>omit.</i>	3
Fisheries Act 1994	4
1 Part 12—	5
<i>insert—</i>	6
‘Division 7 Transitional provision for Trade	7
Measurement Legislation Repeal	8
Act 2009	9
‘258 Amendment of fisheries management plan by Trade	10
 Measurement Legislation Repeal Act 2009 does not affect	11
 powers of chief executive or Governor in Council	12
‘The amendment of the <i>Fisheries (Coral Reef Fin Fish)</i>	13
<i>Management Plan 2003</i> by the <i>Trade Measurement</i>	14
<i>Legislation Repeal Act 2009</i> does not affect—	15
(a) the power of the chief executive to further amend the	16
management plan or to repeal it; or	17
(b) the power of the Governor in Council to approve a	18
matter mentioned in paragraph (a).’	19
Fisheries (Coral Reef Fin Fish) Management Plan 2003	20
1 Section 121(3), ‘<i>Trade Measurement Act 1990</i>’—	21
<i>omit, insert—</i>	22
‘ <i>National Measurement Act 1960</i> (Cwlth).’	23

Petroleum and Gas (Production and Safety) Act 2004	1
1 Section 630—	2
<i>omit.</i>	3
State Penalties Enforcement Act 1999	4
1 Part 10—	5
<i>insert—</i>	6
‘Division 4 Transitional provision for Trade Measurement Legislation Repeal Act 2009	7
	8
	9
‘180 Amendment of regulation by Trade Measurement Legislation Repeal Act 2009 does not affect powers of Governor in Council	10
	11
	12
‘The amendment of the <i>State Penalties Enforcement Regulation 2000</i> by the <i>Trade Measurement Legislation Repeal Act 2009</i> does not affect the power of the Governor in Council to further amend the regulation or to repeal it.’	13
	14
	15
	16
State Penalties Enforcement Regulation 2000	17
1 Schedule 1, entries for <i>Trade Measurement Act 1990, Trade Measurement (Measuring Instruments) Regulation 1991, Trade Measurement (Miscellaneous) Regulation 1991</i> and <i>Trade Measurement (Weighbridges) Regulation 1991—</i>	18
	19
	20
	21
	22
<i>omit.</i>	23

Statutory Instruments Act 1992		1
1	Part 10—	2
	<i>insert—</i>	3
‘Division 3	Transitional provision for Trade Measurement Legislation Repeal Act 2009	4
		5
		6
‘63	Amendment of regulation by Trade Measurement Legislation Repeal Act 2009 does not affect powers of Governor in Council	7
		8
		9
	<i>‘The amendment of the <i>Statutory Instruments Regulation 2002</i> by the <i>Trade Measurement Legislation Repeal Act 2009</i> does not affect the power of the Governor in Council to further amend the regulation or to repeal it.’.</i>	10
		11
		12
		13
 Statutory Instruments Regulation 2002		 14
1	Schedule 3, entries for <i>Trade Measurement Administration Regulation 1991, Trade Measurement (Measuring Instruments) Regulation 1991, Trade Measurement (Miscellaneous) Regulation 1991, Trade Measurement (Prepacked Articles) Regulation 1991 and Trade Measurement (Weighbridges) Regulation 1991—</i>	15
		16
		17
		18
		19
		20
	<i>omit.</i>	21
 Transport Operations (Road Use Management) Act 1995		 22
		23
1	Chapter 7—	24
	<i>insert—</i>	25

‘Part 14	Transitional provision for Trade Measurement Legislation Repeal Act 2009	1 2 3
‘220	Amendment of regulation by Trade Measurement Legislation Repeal Act 2009 does not affect powers of Governor in Council	4 5 6
	‘The amendment of the <i>Transport Operations (Road Use Management—Mass, Dimensions and Loading) Regulation 2005</i> by the <i>Trade Measurement Legislation Repeal Act 2009</i> does not affect the power of the Governor in Council to further amend the regulation or to repeal it.’.	7 8 9 10 11
	Transport Operations (Road Use Management—Mass, Dimensions and Loading) Regulation 2005	12 13
1	Section 20(2), definition <i>servicing licensee</i>, ‘<i>Trade Measurement Act 1990</i>’—	14 15
	<i>omit, insert—</i>	16
	‘ <i>National Measurement Act 1960</i> (Cwlth)’.	17
2	Section 20(2), definition <i>trade measurement inspector</i>—	18
	<i>omit, insert—</i>	19
	‘ <i>trade measurement inspector</i> means a trade measurement inspector under the <i>National Measurement Act 1960</i> (Cwlth).’.	20 21