



# **Legislation (Declaration) Amendment Bill 2016**





Queensland

# Legislation (Declaration) Amendment Bill 2016

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**2016**

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**A Bill**

for

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

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[s 1]

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**The Parliament of Queensland enacts—** 1

**Part 1 Preliminary** 2

**Clause 1 Short title** 3

This Act may be cited as the *Legislation (Declaration) Amendment Act 2016*. 4  
5

**Part 2 Amendment of Mental Health Act 2016** 6  
7

**Clause 2 Act amended** 8

This part amends the *Mental Health Act 2016*. 9

**Clause 3 Insertion of new ch 20A** 10

After section 864— 11

*insert—* 12

**Chapter 20A Declaration** 13

**864A Declaration about Act's assent** 14

(1) To remove any doubt, it is declared that the 15  
*Mental Health Act 2016* is, and always has been, 16  
valid, and in particular that the assent purportedly 17  
given to the Act on 4 March 2016 is, and always 18  
has been, valid. 19

*Note—* 20

Sections 433(4) and 437(1) of this Act as assented to 21  
differ from sections 433(4) and 437(1) as passed by the 22  
Parliament. Due to an administrative error an incorrect 23

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version of the Act was presented to the Governor for assent.	1 2
(2) To remove any doubt, it is also declared that the <i>Mental Health Act 2016</i> has effect, and has always had effect, as if—	3 4 5
(a) section 433(4) read—	6
If the tribunal receives written notice under section 213(3) of the amendment of the forensic order, the tribunal must review (also a <i>tribunal review</i> ) the order within 21 days after receiving the notice.	7 8 9 10 11 12
(b) section 437(1) read—	13
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.	14 15 16 17 18
(3) The Parliament authorises all publications of the Act in accordance with this section.	19 20
(4) This section is a law to which the <i>Acts Interpretation Act 1954</i> , section 20A applies.	21 22
<b>864B Expiry of chapter</b>	23
This chapter expires on the day after it commences.	24 25
<b>Part 3</b>	<b>Amendment of Racing Act 2002</b> 26
<b>Clause 4</b>	<b>Act amended</b> 27
This part amends the <i>Racing Act 2002</i> .	28

[s 5]

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<b>Clause 5</b>	<b>Amendment of s 9AI (Members)</b>	1
	Section 9AI(1)(b), ‘section 9AJ(2)’—	2
	<i>omit, insert—</i>	3
	section 9AJ(3)	4
<b>Part 4</b>	<b>Amendment of Racing Integrity Act 2016</b>	5
		6
<b>Clause 6</b>	<b>Act amended</b>	7
	This part amends the <i>Racing Integrity Act 2016</i> .	8
<b>Clause 7</b>	<b>Insertion of new ch 8A</b>	9
	After section 293—	10
	<i>insert—</i>	11
	<b>Chapter 8A Declaration</b>	12
	<b>293A Declaration about Act’s assent</b>	13
	(1) To remove any doubt, it is declared that the	14
	<i>Racing Integrity Act 2016</i> is, and always has been,	15
	valid, and in particular that the assent purportedly	16
	given to the Act on 27 April 2016 is, and always	17
	has been, valid.	18
	<i>Note—</i>	19
	Sections 10(1)(e), 116(2)(f) and 244(8) of this Act as	20
	assented to differ from sections 10(1)(e), 116(2)(f) and	21
	244(8) as passed by the Parliament. Due to an	22
	administrative error an incorrect version of the Act was	23
	presented to the Acting Governor for assent.	24
	(2) To remove any doubt, it is also declared that the	25
	<i>Racing Integrity Act 2016</i> has effect, and has	26
	always had effect, as if—	27



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- (a) section 10(1)(e) read— 1  
to conduct investigations into breaches 2  
of this Act or the Racing Act; 3
- (b) section 116(2)(f) read— 4  
an undertaking as to the minimum 5  
number of race meetings, and the 6  
licensed venues for the race meetings, 7  
at which the racing bookmaker will 8  
carry on bookmaking in person if the 9  
offcourse approval applied for is 10  
granted; 11
- (c) section 244(8), definition *relevant body*, 12  
paragraph (a) read— 13  
for an original decision to seize or 14  
forfeit an animal or other thing—the 15  
court; or 16
- (d) section 308, inserted section 9AI(1)(b) 17  
read— 18  
3 members appointed as mentioned in 19  
section 9AJ(3) (each of whom is a 20  
***racings-industry member***). 21
- (3) The Parliament authorises all publications of the 22  
Act in accordance with this section. 23
- (4) This section is a law to which the *Acts* 24  
*Interpretation Act 1954*, section 20A applies. 25
- 293B Expiry of chapter** 26  
This chapter expires on the day after it 27  
commences. 28