



Australian Capital Territory

Statute Law Amendment Act 2009

A2009-20

Contents

	Page
1 Name of Act	2
2 Commencement	2
3 Purpose	2
4 Notes	2
5 Legislation amended—schs 1–3	2
6 Legislation repealed—sch 4	2
Schedule 1	
Minor amendments	3
Part 1.1	
Environment Protection Act 1997	3
Part 1.2	
Mental Health (Treatment and Care) Act 1994	4

		Page
Schedule 2	Legislation Act 2001	6
Schedule 3	Technical amendments	12
Part 3.1	Agents Act 2003	12
Part 3.2	Animal Diseases Act 2005	13
Part 3.3	Animal Welfare Regulation 2001	14
Part 3.4	Architects Act 2004	15
Part 3.5	Architects Regulation 2004	16
Part 3.6	Associations Incorporation Act 1991	17
Part 3.7	Board of Senior Secondary Studies Act 1997	18
Part 3.8	Building Act 2004	19
Part 3.9	Building and Construction Industry Training Levy Act 1999	21
Part 3.10	Building (General) Regulation 2008	21
Part 3.11	Casino Control Act 2006	22
Part 3.12	Children and Young People Act 2008	23
Part 3.13	Civil Law (Wrongs) Act 2002	24
Part 3.14	Clinical Waste Act 1990	24
Part 3.15	Commissioner for the Environment Act 1993	25
Part 3.16	Common Boundaries Act 1981	26
Part 3.17	Construction Occupations (Licensing) Act 2004	27
Part 3.18	Consumer Credit (Administration) Act 1996	29
Part 3.19	Coroners Act 1997	30
Part 3.20	Court Procedures Act 2004	30
Part 3.21	Credit Act 1985	31
Part 3.22	Dangerous Substances (Explosives) Regulation 2004	32
Part 3.23	Domestic Animals Act 2000	33

		Page
Part 3.24	Duties Act 1999	34
Part 3.25	Education Act 2004	37
Part 3.26	Electricity Safety Act 1971	37
Part 3.27	Emergencies Act 2004	38
Part 3.28	Environment Protection Act 1997	39
Part 3.29	Environment Protection Regulation 2005	39
Part 3.30	Fair Trading (Consumer Affairs) Act 1973	40
Part 3.31	Firearms Act 1996	41
Part 3.32	Firearms Regulation 2008	42
Part 3.33	First Home Owner Grant Act 2000	42
Part 3.34	Gas Safety Act 2000	43
Part 3.35	Gene Technology Act 2003	43
Part 3.36	Guardianship and Management of Property Act 1991	44
Part 3.37	Guardianship and Management of Property Regulation 1991	45
Part 3.38	Health Professionals Act 2004	46
Part 3.39	Health Professionals Regulation 2004	48
Part 3.40	Health Records (Privacy and Access) Act 1997	51
Part 3.41	Heritage Act 2004	51
Part 3.42	Housing Assistance Act 2007	52
Part 3.43	Independent Competition and Regulatory Commission Act 1997	53
Part 3.44	Intoxicated People (Care and Protection) Act 1994	54
Part 3.45	Lakes Act 1976	55
Part 3.46	Land Rent Act 2008	56
Part 3.47	Lands Acquisition Act 1994	57
Part 3.48	Land Titles Act 1925	58
Part 3.49	Legal Profession Act 2006	59

Contents

		Page
Part 3.50	Liquor Act 1975	62
Part 3.51	Major Events Security Act 2000	64
Part 3.52	Medicines, Poisons and Therapeutic Goods Act 2008	65
Part 3.53	Mental Health (Treatment and Care) Act 1994	69
Part 3.54	Mercantile Law Act 1962	70
Part 3.55	Notaries Public Act 1984	70
Part 3.56	Partnership Act 1963	71
Part 3.57	Payroll Tax Act 1987	73
Part 3.58	Planning and Development Act 2007	75
Part 3.59	Plant Diseases Act 2002	76
Part 3.60	Prohibited Weapons Act 1996	77
Part 3.61	Public Health Act 1997	78
Part 3.62	Racing Act 1999	79
Part 3.63	Rates Act 2004	81
Part 3.64	Roads and Public Places Act 1937	84
Part 3.65	Road Transport (Driver Licensing) Regulation 2000	88
Part 3.66	Road Transport (Public Passenger Services) Regulation 2002	89
Part 3.67	Sale of Motor Vehicles Act 1977	90
Part 3.68	Second-hand Dealers Regulation 2002	91
Part 3.69	Taxation Administration Act 1999	92
Part 3.70	Transplantation and Anatomy Act 1978	94
Part 3.71	Tree Protection Act 2005	97
Part 3.72	Trustee Companies Act 1947	97
Part 3.73	Uncollected Goods Act 1996	98
Part 3.74	Utilities Act 2000	99
Part 3.75	Utilities (Electricity Restrictions) Regulation 2004	99

		Page
Part 3.76	Utilities (Gas Restrictions) Regulation 2005	100
Part 3.77	Waste Minimisation Act 2001	101
Part 3.78	Waste Minimisation Regulation 2001	103
Part 3.79	Water Resources Act 2007	104
Part 3.80	Wills Act 1968	105
Schedule 4	Repeal of redundant notifiable instruments	106
Part 4.1	Environment Protection Act 1997	106



Australian Capital Territory

Statute Law Amendment Act 2009

A2009-20

An Act to amend legislation for the purpose of statute law revision

The Legislative Assembly for the Australian Capital Territory enacts as follows:

1 Name of Act

This Act is the *Statute Law Amendment Act 2009*.

2 Commencement

This Act commences on the 21st day after its notification day.

Note The naming and commencement provisions automatically commence on the notification day (see Legislation Act, s 75 (1)).

3 Purpose

The purpose of this Act is to improve the quality of the statute law of the Territory by amending legislation for the purpose of statute law revision.

4 Notes

A note included in this Act is explanatory and is not part of this Act.

Note See the Legislation Act, s 127 (1), (4) and (5) for the legal status of notes.

5 Legislation amended—schs 1–3

This Act amends the legislation mentioned in schedules 1 to 3.

6 Legislation repealed—sch 4

This Act repeals the legislation mentioned in schedule 4.

Schedule 1 Minor amendments

(see s 5)

Part 1.1 Environment Protection Act 1997

[1.1] New section 164A

insert

164A Expiry of notifiable instruments

- (1) This section applies to a notifiable instrument under any of the following provisions:
 - section 25 (Consultation on draft environment protection policy);
 - section 41 (Notification of environmental protection agreements);
 - section 48 (Consultation on application for environmental authorisation);
 - section 50 (Notification of grant);
 - section 59 (Notification of review of environmental authorisations).
- (2) If the notifiable instrument does not state when the instrument expires, the instrument expires 6 months after the day it is notified.

Explanatory note

The Act requires public notice (by way of notification on the ACT legislation register) of the making of applications for environmental authorisations and the granting or review of environmental authorisations. Environmental authorisations can cover things as diverse as holding outdoor concerts to running pest control operations. Once a notice has been notified or, in the case of applications for authorisations, the period for public consultation has ended, there is little value in the notifications remaining current.

While future notices may include expiry clauses, this amendment includes a provision in the Act that automatically expires notices once they have served their purpose. The expired notices will still be available on the legislation register, but will appear under the 'repealed' heading. This will ensure that only truly current instruments are included under the 'current' heading on the register, making it easier to access them.

Part 1.2 Mental Health (Treatment and Care) Act 1994

[1.2] New section 140A

insert

140A Protection of officials from liability

- (1) An official is not civilly liable for conduct engaged in honestly and without recklessness—
 - (a) in the exercise of a function under this Act; or
 - (b) in the reasonable belief that the conduct was in the exercise of a function under this Act.
- (2) Any civil liability that would, apart from this section, attach to the official attaches instead to the Territory.
- (3) In this section:

conduct means an act or omission to do an act.

official means—

- (a) the chief psychiatrist; or
- (b) the care coordinator; or
- (c) a mental health officer; or
- (d) an official visitor; or

(e) anyone else exercising a function under this Act.

Note A reference to an Act includes a reference to the statutory instruments made or in force under the Act, including any regulation (see Legislation Act, s 104).

Explanatory note

This amendment inserts a standard provision to make it clear that officials exercising functions under the Act are protected from any civil liability that may arise in the proper exercise of those functions.

Schedule 2 Legislation Act 2001

(see s 5)

[2.1] Section 60 (1)

omit everything before paragraph (a), insert

60 Correction etc of name of instrument

- (1) This section applies if a legislative instrument, or a statutory instrument entered on the register under section 19 (3), is unnamed or the name it gives to itself—

Explanatory note

Section 60 ensures that legislative instruments notified on the legislation register are named correctly, in line with current legislative drafting practice. It provides for names to be added to unnamed instruments and sets out the limited circumstances in which the name of an instrument may be corrected to bring it into line with current legislative drafting practice. Consistent naming of instruments makes them easier for users to find, therefore enhancing access to legislation.

The amendment will extend the section to statutory instruments added to the register under section 19 (3) (Contents of register). That section includes provision for certain statutory instruments to be added to the register as ‘additional material’ if the parliamentary counsel considers it is likely to be helpful to users of the register. For example, appointments of public servants to various statutory bodies are generally not notifiable but can be included on the register for public information, where appropriate. The amendment will ensure that the naming conventions for legislative instruments apply also to this additional material.

[2.2] Section 60 (1) (b)

omit

another legislative instrument

insert

another instrument

Explanatory note

This amendment is consequential on the extension of the application of section 60 to certain statutory instruments by another amendment.

[2.3] Section 60 (1) (c)

omit

other legislative instruments

insert

other instruments

Explanatory note

This amendment is consequential on the extension of the application of section 60 to certain statutory instruments by another amendment.

[2.4] Section 60 (2)

omit

the legislative instrument

insert

the instrument

Explanatory note

This amendment is consequential on the extension of the application of section 60 to certain statutory instruments by another amendment.

[2.5] Section 60 (3) and (4)

omit

a legislative instrument

insert

an instrument

Explanatory note

This amendment is consequential on the extension of the application of section 60 to certain statutory instruments by another amendment.

[2.6] Section 91 (9) (b)

substitute

- (b) the heading of the relevant amending provision of the amending law;

Explanatory note

The existing paragraph refers to the ‘heading of the relevant amending provision of the amending Act’. This amendment remakes the paragraph so that it is consistent with the rest of section 91 (9), which refers to ‘the amending law’.

[2.7] Section 131 (1)

substitute

- (1) In an Act or statutory instrument, a definition of a term that includes the word ‘see’ followed by a reference to a law or instrument (a ***signpost definition***) means the term has the same meaning as the term (or, if the reference includes a reference to the definition of another term, that term) has in the law or instrument, as in force from time to time.

Examples

- 1 A signpost definition ‘***food***—see section 10.’ in the dictionary to an Act means that the word ‘food’ when used in the Act has the same meaning as it has in section 10, as in force from time to time.

- 2 A signpost definition '*injury*—see the *XYZ Act 2001*, dictionary.' in the dictionary to another Act means that the word '*injury*', when used in the other Act, has the same meaning as it has in the definition of *injury* in the *XYZ Act 2001*, dictionary, as in force from time to time.
- 3 A signpost definition '*OH&S Council*—see the *XYZ Act 2000*, dictionary, definition of *council*.' means that the expression '*OH&S Council*' has the same meaning as the word '*council*' has in the definition of *council* in the *XYZ Act 2000*, dictionary, as in force from time to time.

Note An example is part of the Act, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see s 126 and s 132).

Explanatory note

The term 'signpost definition' is not currently defined in the Act, dictionary, part 1. However, it is used in the heading to section 131 and in notes, and in provisions and notes in other Acts. This amendment remakes the subsection to include the words in brackets to make clear that the definition described is a signpost definition.

[2.8] Section 160 (1)

substitute

- (1) In an Act or statutory instrument, a reference to a *person* generally includes a reference to a corporation as well as an individual.

Explanatory note

This amendment revises section 160 (1) to make clear that the provision is giving meaning to the term 'person' and to enable a signpost definition for the term to be inserted in the dictionary.

[2.9] Dictionary, part 1, new definitions

insert

AS—see section 164 (1) (References to Australian Standards etc).

AS/NZS—see section 164 (2) (References to Australian Standards etc).

Australian/New Zealand Standard—see section 164 (2) (References to Australian Standards etc).

Australian Standard—see section 164 (1) (References to Australian Standards etc).

Explanatory note

This amendment inserts signpost definitions for terms given meaning by section 164.

[2.10] Dictionary, part 1, new definition of *daily newspaper*

insert

daily newspaper means a daily newspaper circulating generally in the ACT.

Explanatory note

This amendment inserts a definition of *daily newspaper* into the Legislation Act, dictionary, part 1 (Meaning of commonly-used terms). Including the term in the Legislation Act will simplify the statute book, as the term is currently used in over 50 Acts and regulations.

[2.11] Dictionary, part 1, definition of *person* and note

substitute

person—see section 160 (References to people generally).

Explanatory note

This amendment is consequential on changes made to section 160 (1) by another amendment.

[2.12] Dictionary, part 1, definition of *registrar of liquor licences*

omit

Explanatory note

This amendment is consequential on an amendment of the *Liquor Act 1975* made by the *ACT Civil and Administrative Tribunal Legislation Amendment Act 2008*, schedule 1, amendment 1.417 omitting divisions 2.1 and 2.2 of that Act. Division 2.2 established the positions of Registrar and Deputy Registrar of Liquor Licences. The amendment replaced those positions with the commissioner for fair trading.

[2.13] Dictionary, part 1, definition of *see*

omit

Explanatory note

This amendment is consequential on changes made to section 131 (1) by another amendment.

[2.14] Dictionary, part 1, new definition of *signpost definition*

insert

signpost definition—see section 131 (Signpost definition).

Explanatory note

This amendment inserts a definition of ‘signpost definition’ to make clear that section 131 is giving meaning to the term ‘signpost definition’.

[2.15] Dictionary, part 1, definition of *sitting day*

substitute

sitting day, of the Legislative Assembly, means a period that commences on a day the Assembly meets and continues until the Assembly next adjourns.

Note A sitting day may continue for 1 or more days.

Explanatory note

This amendment makes the Legislation Act definition of ***sitting day*** consistent with the practice of the Legislative Assembly.

Schedule 3 Technical amendments

(see s 5)

Part 3.1 Agents Act 2003

[3.1] Sections 28 (1), 52 (1), 123 (3) and 150 (2)

omit

daily ACT newspaper

substitute

daily newspaper

Explanatory note

This amendment is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment.

[3.2] Dictionary, note 2

insert

- daily newspaper

Explanatory note

This amendment inserts a new term to assist users and is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment. Dictionary, note 2 is an aid to users which lists examples of terms used in the Act that are defined in the Legislation Act, dictionary, part 1.

[3.3] Dictionary, definition of *daily ACT newspaper*

omit

Explanatory note

This amendment is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment.

Part 3.2 Animal Diseases Act 2005

[3.4] Sections 15 (4) and 19 (3)

omit

daily newspaper published and circulating in the ACT

substitute

daily newspaper

Explanatory note

This amendment is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment.

[3.5] Dictionary, note 2

insert

- daily newspaper

Explanatory note

This amendment inserts a new term to assist users and is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment. Dictionary, note 2 is an aid to users which lists examples of terms used in the Act that are defined in the Legislation Act, dictionary, part 1.

[3.6] Dictionary, definition of *required media*, paragraph (a)

omit

daily newspaper circulating generally in the ACT

substitute

daily newspaper

Explanatory note

This amendment is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment.

Part 3.3 Animal Welfare Regulation 2001

[3.7] Section 6B

omit

authorised person

substitute

authorisation holder

Explanatory note

This amendment is consequential on the replacement of *authorised person* with *authorisation holder* in the Act.

[3.8] Section 6B (a)

omit

Authorised people

substitute

Authorisation holders

Explanatory note

This amendment is consequential on the replacement of *authorised person* with *authorisation holder* in the Act.

Part 3.4 Architects Act 2004

[3.9] Sections 7 (2), 11 (2), 88 and 93 (2)

omit

The regulations

substitute

A regulation

Explanatory note

These amendments update language in line with current legislative drafting practice.

[3.10] Sections 8 (2) (a) (i) and 67 (2)

omit

prescribed under the regulations

substitute

prescribed by regulation

Explanatory note

These amendments update language in line with current legislative drafting practice.

[3.11] Section 57 (2)

omit

the regulations

substitute

a regulation

Explanatory note

This amendment updates language in line with current legislative drafting practice.

[3.12] Dictionary, definition of *daily ACT newspaper*

omit

Explanatory note

This amendment omits the definition of a term that is not used in the Act.

[3.13] Further amendments, mentions of *in writing*

omit

, in writing,

in

- section 8 (4)
- section 87 (2)
- section 91 (1)

Explanatory note

This amendment omits words that are now redundant because of the effect of the Legislation Act, section 42 (2), which requires disallowable and notifiable instruments to be in writing.

Part 3.5 Architects Regulation 2004

[3.14] Section 10 (1)

omit

daily ACT newspaper

substitute

daily newspaper

Explanatory note

This amendment is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment.

[3.15] Dictionary, note 2

insert

- daily newspaper

Explanatory note

This amendment inserts a new term to assist users and is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment. Dictionary, note 2 is an aid to users which lists examples of terms used in the Act that are defined in the Legislation Act, dictionary, part 1.

[3.16] Dictionary, note 3, 1st dot point

omit

Explanatory note

This amendment is consequential on the omission of the definition of *daily ACT newspaper* from the Act, by another amendment.

Part 3.6 Associations Incorporation Act 1991

[3.17] Section 92 (1) (b)

substitute

- (b) vest in a fund, authority or institution in Australia mentioned in the *Income Tax Assessment Act 1997* (Cwlth), subdivision 30-B that—
- (i) has been nominated for this paragraph in the rules of the former association; or

- (ii) if a fund, authority or institution in Australia is not nominated in the rules—has been nominated by special resolution of the former association; or

Explanatory note

This amendment is consequential on the repeal of the *Income Tax Assessment Act 1936* (Cwlth), section 78 (the *repealed provision*) by the *Tax Laws Amendment (Repeal of Inoperative Provisions) Act 2006* (Cwlth). The *Income Tax Assessment Act 1997* (Cwlth), subdivision 30-B replaces the repealed provision.

Part 3.7 Board of Senior Secondary Studies Act 1997

[3.18] Section 8 (1) (i)

omit

Secondary College Principals' Association

substitute

ACT Principals' Association Inc.

Explanatory note

This amendment is consequential on the amalgamation of the Secondary College Principals' Association with other principals' associations for college, high school and primary school to become the ACT Principals' Association Inc.

Part 3.8 Building Act 2004

[3.19] Sections 42A (1)

omit

specialist building work

substitute

building work

Explanatory note

Under the Act, section 9, *specialist building work* is defined to include building work prescribed by regulation as specialist building work. The *Building Regulation 2004* (the *old Regulation*) prescribed specialist building work to include building work that involves handling asbestos, other than bonded asbestos that forms part of a residential building, or disturbing friable asbestos. The old Regulation also prescribed, for the Act, section 6, definition of *building work*, building work that involves handling asbestos or disturbing friable asbestos. The *Building (General) Regulation 2008* (which replaces the old Regulation) contains a similar provision for the Act, section 6, definition of *building work*, however, it no longer prescribes anything for the Act, section 9, definition of *specialist building work*. Consequently, the reference to ‘specialist building work’ in section 42A (1) has been amended to reflect that change.

[3.20] Section 137 (1)

omit

daily ACT newspaper

substitute

daily newspaper

Explanatory note

This amendment is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment.

[3.21] Section 137 (3)

omit

Explanatory note

This amendment is consequential on the omission of the defined term by another amendment.

[3.22] Dictionary, note 2

insert

- daily newspaper

Explanatory note

This amendment inserts a new term to assist users and is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment. Dictionary, note 2 is an aid to users which lists examples of terms used in the Act that are defined in the Legislation Act, dictionary, part 1.

Part 3.9 Building and Construction Industry Training Levy Act 1999

[3.23] Section 15, definition of *exempt work*, paragraph (e), note

substitute

Note The *Building (General) Regulation 2008*, s 6 prescribes building work that is exempt from the application of the *Building Act 2004*, pt 3 (and pt 5 and pt 6).

Explanatory note

This amendment is consequential on the replacement of the *Building Regulation 2004* with the *Building (General) Regulation 2008*.

Part 3.10 Building (General) Regulation 2008

[3.24] Section 22 (2) (b)

omit

registrar of liquor licences

substitute

commissioner for fair trading

Explanatory note

This amendment is consequential on an amendment of the *Liquor Act 1975* made by the *ACT Civil and Administrative Tribunal Legislation Amendment Act 2008*, schedule 1, amendment 1.417 omitting divisions 2.1 and 2.2 of that Act. Division 2.2 established the positions of Registrar and Deputy Registrar of Liquor Licences. The amendment replaced those positions with the commissioner for fair trading.

[3.25] Dictionary, note 2

insert

- commissioner for fair trading

Explanatory note

This amendment is consequential on another amendment in this part. Dictionary, note 2 is an aid to users which lists examples of terms used in the Act that are defined in the Legislation Act, dictionary, part 1.

Part 3.11 Casino Control Act 2006

[3.26] Section 69 (2) (b)

omit

newspaper published daily and circulating in the ACT

substitute

daily newspaper

Explanatory note

This amendment is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment.

[3.27] Dictionary, note 2

insert

- daily newspaper

Explanatory note

This amendment inserts a new term to assist users and is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment. Dictionary, note 2 is an aid to users which lists examples of terms used in the Act that are defined in the Legislation Act, dictionary, part 1.

Part 3.12 Children and Young People Act 2008

[3.28] Section 545 (2) (b)

omit

tribunal

substitute

ACAT

Explanatory note

This amendment is consequential on an amendment of the *Mental Health (Treatment and Care) Act 1994* made by the *ACT Civil and Administrative Tribunal Legislation Amendment Act 2008*, schedule 1, amendment 1.497, which omitted part 3. Part 3 established the Mental Health Tribunal. This amendment replaces the tribunal with the ACAT.

[3.29] Section 816 (5), definition of *operating entity*

omit

Explanatory note

This amendment is consequential on the inclusion in the Act, dictionary of a revised definition of *operating entity* made by another amendment.

[3.30] Dictionary, definition of *operating entity*

substitute

operating entity, for a detention place, therapeutic protection place or place of care, means—

- (a) if the Territory operates the place—the chief executive; or
- (b) in any other case—the entity that operates the place.

Explanatory note

This amendment revises the definition of *operating entity* to clarify that the term is defined in relation to a detention place, as well as a therapeutic protection place or place of care, because the term is used in relation to a detention place in the Act, part 2.3 (Official visitors).

Part 3.13 Civil Law (Wrongs) Act 2002

[3.31] Schedule 4, section 4.5 (1)

omit

daily newspaper circulating in the ACT

substitute

daily newspaper

Explanatory note

This amendment is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment.

[3.32] Dictionary, note 2

insert

- daily newspaper

Explanatory note

This amendment inserts a new term to assist users and is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment. Dictionary, note 2 is an aid to users which lists examples of terms used in the Act that are defined in the Legislation Act, dictionary, part 1.

Part 3.14 Clinical Waste Act 1990

[3.33] Section 15 (2)

omit

daily newspaper circulating in the ACT

substitute

daily newspaper

Explanatory note

This amendment is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment.

[3.34] Dictionary, note 2

insert

- daily newspaper

Explanatory note

This amendment inserts a new term to assist users and is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment. Dictionary, note 2 is an aid to users which lists examples of terms used in the Act that are defined in the Legislation Act, dictionary, part 1.

Part 3.15 Commissioner for the Environment Act 1993

[3.35] Section 12 (1), note

substitute

Note 1 **Function** includes authority, duty and power (see Legislation Act, dict, pt 1).

Note 2 A provision of a law that gives an entity (including a person) a function also gives the entity powers necessary and convenient to exercise the function (see Legislation Act, s 196 and dict, pt 1, def *entity*).

Explanatory note

This amendment inserts standard notes about functions of an entity.

[3.36] Section 12 (3)

omit

Explanatory note

Under the existing provision, the commissioner is given the powers necessary and convenient for the performance of the commissioner's functions. This amendment omits the provision because this is dealt with by the note following section 12 (1), inserted by another amendment.

[3.37] Section 19 (7)

substitute

(7) In this section:

reporting day, for a reporting period, means the day determined by the Minister under subsection (5) for that period.

reporting period means the period determined by the Minister under subsection (5).

Explanatory note

The existing definition of ***reporting period*** includes a reporting period ending on 30 June 2000, and the existing definition of ***reporting day*** provides that the reporting day for that period is 30 November 2000. Under the Act, section 19 (1) the commissioner is required to give the Minister a state of the environment report for each reporting period, not later than the reporting day for the period. This amendment revises the definitions of ***reporting day*** and ***reporting period*** to omit references to a reporting day and period that are no longer needed.

Part 3.16 Common Boundaries Act 1981

[3.38] Section 2, definitions

omit the definitions of

conference notice

inquiry

inquiry notice

Explanatory note

This amendment omits definitions of terms no longer used in the Act as a consequence of amendments of the Act made by the *ACT Civil and Administrative Tribunal Legislation Amendment Act 2008 (No 2)*, schedule 1, part 1.22. Part 1.22 replaced the Small Claims Court with the ACAT and made related amendments.

[3.39] Section 2, definition of *rules*

substitute

rules means the rules under the *ACT Civil and Administrative Tribunal Act 2008*.

Explanatory note

This amendment updates the definition of *rules* as a consequence of amendments of the Act made by the *ACT Civil and Administrative Tribunal Legislation Amendment Act 2008 (No 2)*, schedule 1, part 1.22. Part 1.22 replaced the Small Claims Court with the ACAT and made related amendments. Rules for the Act are now made under the *ACT Civil and Administrative Tribunal Act 2008*.

[3.40] Dictionary, definitions

omit the definitions of

conference notice

inquiry

inquiry notice

Explanatory note

This amendment omits signpost definitions of terms no longer used in the Act as a consequence of amendments of the Act made by the *ACT Civil and Administrative Tribunal Legislation Amendment Act 2008 (No 2)*, schedule 1, part 1.22. Part 1.22 replaced the Small Claims Court with the ACAT and made related amendments.

Part 3.17 Construction Occupations (Licensing) Act 2004

[3.41] Section 8 (3), definition of *specialist building work*

omit

Explanatory note

This amendment omits a redundant definition.

[3.42] Dictionary, new definitions

insert

building certification service—see section 9 (2).

building service—see section 8 (2).

construction service—see section 6 (2).

Explanatory note

This amendment inserts signpost definitions in the dictionary for definitions that appear elsewhere in the Act.

[3.43] Dictionary, definition of *daily ACT newspaper*

omit

Explanatory note

This amendment omits the definition of a term that is not used in the Act.

[3.44] Dictionary, new definitions

insert

electrical wiring service—see section 11 (2).

gasfitting service—see section 12 (2).

plumbing plan certification service—see section 14 (2).

plumbing service—see section 13 (2).

sanitary drainage service—see section 10 (2).

Explanatory note

This amendment inserts signpost definitions in the dictionary for definitions that appear elsewhere in the Act.

Part 3.18 **Consumer Credit (Administration) Act 1996**

[3.45] Sections 100 (5) and 101 (4)

omit

daily newspaper circulating in the ACT

substitute

daily newspaper

Explanatory note

This amendment is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment.

[3.46] Dictionary, note 2

insert

- daily newspaper

Explanatory note

This amendment inserts a new term to assist users and is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment. Dictionary, note 2 is an aid to users which lists examples of terms used in the Act that are defined in the Legislation Act, dictionary, part 1.

Part 3.19 Coroners Act 1997

[3.47] Section 38

omit

daily newspaper published and circulating in the Territory

substitute

daily newspaper

Explanatory note

This amendment is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment.

[3.48] Dictionary, note 2

insert

- daily newspaper

Explanatory note

This amendment inserts a new term to assist users and is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment. Dictionary, note 2 is an aid to users which lists examples of terms used in the Act that are defined in the Legislation Act, dictionary, part 1.

Part 3.20 Court Procedures Act 2004

[3.49] Section 12, definition of *energy and water consumer council*

omit

Explanatory note

This amendment omits the definition of an entity that no longer exists as a consequence of an amendment of the *Utilities Act 2000* made by the *ACT Civil and Administrative Tribunal Legislation Amendment Act 2008 (No 2)*, schedule 1, amendment 1.522. That amendment substituted parts 11 and 12 of the *Utilities Act 2000*. Former part 11 established the Energy and Water Consumer Council.

[3.50] Dictionary, definition of *tribunal*

omit

Explanatory note

This amendment omits a signpost definition as a consequence of an amendment of the Act made by the *ACT Civil and Administrative Tribunal Legislation Amendment Act 2008*, schedule 1, amendment 1.194, which omitted the definition of *tribunal*.

Part 3.21 Credit Act 1985

[3.51] Section 86 (3)

omit

daily newspaper published and circulating in the ACT

substitute

daily newspaper

Explanatory note

This amendment is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment.

[3.52] Dictionary, note 2

omit

- credit tribunal

Explanatory note

This amendment is consequential on an amendment of the Legislation Act, dictionary, part 1 made by the *ACT Civil and Administrative Tribunal Legislation Amendment Act 2008*, schedule 1, amendment 1.410, which omits the definition of *credit tribunal*. That definition was omitted because the *ACT Civil and Administrative Tribunal Legislation Amendment Act 2008*, schedule 1, amendment 1.168 also amended the *Consumer Credit (Administration) Act 1996* by substituting part 4 and part 5 of that Act. Former part 4 established the credit tribunal. The functions of the tribunal were taken over by the ACAT.

[3.53] Dictionary, note 2

insert

- daily newspaper

Explanatory note

This amendment inserts a new term to assist users and is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment. Dictionary, note 2 is an aid to users which lists examples of terms used in the Act that are defined in the Legislation Act, dictionary, part 1.

Part 3.22 Dangerous Substances (Explosives) Regulation 2004

[3.54] Section 316 (1)

omit

daily newspaper circulating in the ACT

substitute

daily newspaper

Explanatory note

This amendment is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment.

[3.55] Dictionary, note 2

insert

- daily newspaper

Explanatory note

This amendment inserts a new term to assist users and is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment. Dictionary, note 2 is an aid to users which lists examples of terms used in the Act that are defined in the Legislation Act, dictionary, part 1.

Part 3.23 Domestic Animals Act 2000

[3.56] Section 81 (4)

omit

daily newspaper published and circulating in the ACT

substitute

daily newspaper

Explanatory note

This amendment is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment.

[3.57] Dictionary, note 2

insert

- daily newspaper

Explanatory note

This amendment inserts a new term to assist users and is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment. Dictionary, note 2 is an aid to users which lists examples of terms used in the Act that are defined in the Legislation Act, dictionary, part 1.

Part 3.24 Duties Act 1999

[3.58] Section 201 (1) (d)

substitute

- (d) medical benefits insurance effected by a contract of insurance that is issued by a private health insurer registered under the *Private Health Insurance Act 2007* (Cwlth), part 4.3 and that provides hospital benefits or medical benefits (or both), whether or not other benefits are also provided;

Explanatory note

This amendment is consequential on the replacement of the *National Health Act 1953* (Cwlth), part 6 with the *Private Health Insurance Act 2007* (Cwlth), part 4.3.

[3.59] Section 208 (2)

substitute

- (2) Duty payable on an application to register a passenger motor vehicle that has a dutiable value of \$45 000 or more and is constructed primarily for the carriage of not more than 9 occupants is payable on the dutiable value of the vehicle at the determined rate.

Explanatory note

This amendment updates language in line with current drafting practice.

[3.60] New section 208 (4)

after the notes, insert

- (4) In this section:
passenger motor vehicle—
(a) includes any of the following:
 (i) sedan;
 (ii) station wagon;
 (iii) coupe;

- (iv) convertible;
 - (v) 4-wheel drive vehicle with seats for 4 or more people;
 - (vi) 2-wheel drive panel van with seats for 4 or more people;
 - (vii) 3-wheel car;
 - (viii) forward-control passenger vehicle;
 - (ix) small bus (seating not more than 9 people, including the driver);
 - (x) motor home;
 - (xi) snow vehicle; but
- (b) does not include any of the following:
- (i) motorcycle (with or without a sidecar);
 - (ii) large bus (seating 10 or more people, including the driver);
 - (iii) hearse;
 - (iv) invalid conveyance.

Explanatory note

This amendment inserts a new definition consequential on the revision of section 208 (2) by another amendment.

[3.61] Section 211 (a)

substitute

- (a) both the following paragraphs apply:
- (i) the applicant has served in the Defence Force or in any other armed forces of Her Majesty and who, because of that service—
 - (A) has lost a leg or both arms or has had a leg, or both arms, rendered permanently and wholly useless; or

- (B) receives a pension under the *Veterans' Entitlements Act 1986* (Cwlth), part 2 and is a veteran (within the meaning of that part) to whom that Act, section 24 applies; or
 - (C) receives a special rate disability pension under the *Military Rehabilitation and Compensation Act 2004* (Cwlth) or is eligible to make a choice under that Act, section 199;
- (ii) the vehicle is for the applicant's own transportation; or

Explanatory note

This amendment is consequential on the enactment of the *Military Rehabilitation and Compensation Act 2004* (Cwlth) which applies to injury, disease or death occurring as a result of service in the Defence Force on or after 1 July 2004. The *Veterans' Entitlements Act 1986* (Cwlth) continues to apply to injuries or illness from eligible service in the Defence Force before 1 July 2004.

[3.62] Dictionary, definition of *Crown lease*

substitute

Crown lease includes a lease of land granted by or in the name of the Commonwealth or by the Federal Capital Commission.

Note The Federal Capital Commission was appointed under the *Seat of Government (Administration) Act 1924* (Cwlth) (repealed).

Explanatory note

This amendment updates the definition of ***Crown lease*** to include a reference to the repeal of the *Seat of Government (Administration) Act 1924* (Cwlth). That Act was repealed by the *Seat of Government (Administration) Act 1930* (Cwlth).

Part 3.25 Education Act 2004

[3.63] Sections 83 (5), 85 (4), 87 (3), 88A (3) and 89 (3)

omit

daily newspaper printed and published in the ACT

substitute

daily newspaper

Explanatory note

This amendment is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment.

[3.64] Dictionary, note 2

insert

- daily newspaper

Explanatory note

This amendment inserts a new term to assist users and is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment. Dictionary, note 2 is an aid to users which lists examples of terms used in the Act that are defined in the Legislation Act, dictionary, part 1.

Part 3.26 Electricity Safety Act 1971

[3.65] Section 28 (4)

omit

daily newspaper circulating generally in the ACT

substitute

daily newspaper

Explanatory note

This amendment is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment.

[3.66] Dictionary, note 2

insert

- daily newspaper

Explanatory note

This amendment inserts a new term to assist users and is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment. Dictionary, note 2 is an aid to users which lists examples of terms used in the Act that are defined in the Legislation Act, dictionary, part 1.

Part 3.27 Emergencies Act 2004

[3.67] Sections 75 (3) and 115 (1) (b)

omit

daily newspaper circulating generally in the ACT

substitute

daily newspaper

Explanatory note

This amendment is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment.

[3.68] Dictionary, note 2

insert

- daily newspaper

Explanatory note

This amendment inserts a new term to assist users and is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment. Dictionary, note 2 is an aid to users which lists examples of terms used in the Act that are defined in the Legislation Act, dictionary, part 1.

Part 3.28 Environment Protection Act 1997

[3.69] Dictionary, note 2

insert

- daily newspaper

Explanatory note

This amendment inserts a new term to assist users and is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment. Dictionary, note 2 is an aid to users which lists examples of terms used in the Act that are defined in the Legislation Act, dictionary, part 1.

[3.70] Dictionary, definition of *newspaper*

omit

Explanatory note

This amendment omits a definition made redundant by the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment.

Part 3.29 Environment Protection Regulation 2005

[3.71] Section 11 (7), note

omit

Explanatory note

This amendment is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment.

[3.72] Dictionary, note 2

insert

- daily newspaper

Explanatory note

This amendment inserts a new term to assist users and is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment. Dictionary, note 2 is an aid to users which lists examples of terms used in the Act that are defined in the Legislation Act, dictionary, part 1.

Part 3.30 Fair Trading (Consumer Affairs) Act 1973

[3.73] Section 38 (4) (b)

omit

daily newspaper published and circulating in the ACT

substitute

daily newspaper

Explanatory note

This amendment is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment.

[3.74] Dictionary, note 2

insert

- daily newspaper

Explanatory note

This amendment inserts a new term to assist users and is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment. Dictionary, note 2 is an aid to users which lists examples of terms used in the Act that are defined in the Legislation Act, dictionary, part 1.

Part 3.31 Firearms Act 1996

[3.75] Section 31 (4)

omit

daily newspaper circulating in the ACT

substitute

daily newspaper

Explanatory note

This amendment is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment.

[3.76] Sections 38 (3) and 52 (7)

omit

daily newspaper published and circulating in the ACT

substitute

daily newspaper

Explanatory note

This amendment is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment.

[3.77] Dictionary, note 2

insert

- daily newspaper

Explanatory note

This amendment inserts a new term to assist users and is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment. Dictionary, note 2 is an aid to users which lists examples of terms used in the Act that are defined in the Legislation Act, dictionary, part 1.

Part 3.32 Firearms Regulation 2008

[3.78] Section 73 (3) (c)

omit

tranquiliser firearm

substitute

powerhead

Explanatory note

Section 73 deals with permits for the acquisition, possession and use of a powerhead. This amendment corrects an incorrect reference to tranquiliser firearm. Permits for tranquiliser firearms are dealt with under section 72.

[3.79] Dictionary, new definition of *reviewable decision*

insert

reviewable decision, for part 16 (Notification and review of decisions)—see section 74.

Explanatory note

This amendment inserts a signpost definition into the dictionary for a term defined for part 16 of the Act.

Part 3.33 First Home Owner Grant Act 2000

[3.80] Dictionary, definition of *Australian citizen*

substitute

Australian citizen means a person who is an Australian citizen under the *Australian Citizenship Act 2007* (Cwlth).

Explanatory note

This amendment is consequential on the repeal of the *Australian Citizenship Act 1948* (Cwlth) and the enactment of the *Australian Citizenship Act 2007* (Cwlth).

Part 3.34 Gas Safety Act 2000

[3.81] Dictionary, note 2

insert

- daily newspaper

Explanatory note

This amendment inserts a new term to assist users and is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment. Dictionary, note 2 is an aid to users which lists examples of terms used in the Act that are defined in the Legislation Act, dictionary, part 1.

[3.82] Dictionary, definition of *daily newspaper*

omit

Explanatory note

This amendment is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment.

Part 3.35 Gene Technology Act 2003

[3.83] Divisions 5A.3 and 5A.4 headings

omit

Explanatory note

This amendment omits redundant headings.

Part 3.36 Guardianship and Management of Property Act 1991

[3.84] Section 32A, definition of *protected person*, paragraph (c)

omit

tribunal

substitute

ACAT

Explanatory note

This amendment is consequential on an amendment of the Act made by the *ACT Civil and Administrative Tribunal Legislation Amendment Act 2008*, schedule 1, amendment 1.292, which omitted part 4. Part 4 established the Guardianship and Management of Property Tribunal. The functions of the tribunal were taken over by the ACAT.

[3.85] Section 32H (3) (b)

omit

tribunal

substitute

ACAT

Explanatory note

This amendment is consequential on an amendment of the Act made by the *ACT Civil and Administrative Tribunal Legislation Amendment Act 2008*, schedule 1, amendment 1.292, which omitted part 4. Part 4 established the Guardianship and Management of Property Tribunal. The functions of the tribunal were taken over by the ACAT.

[3.86] Section 32I (3) (b)

omit

tribunal

substitute

ACAT

Explanatory note

This amendment is consequential on an amendment of the Act made by the *ACT Civil and Administrative Tribunal Legislation Amendment Act 2008*, schedule 1, amendment 1.292, which omitted part 4. Part 4 established the Guardianship and Management of Property Tribunal. The functions of the tribunal were taken over by the ACAT.

Part 3.37 Guardianship and Management of Property Regulation 1991

[3.87] Section 6 (3), definition of *relevant day*, paragraph (c)

omit

tribunal

substitute

ACAT

Explanatory note

This amendment is consequential on an amendment of the Act made by the *ACT Civil and Administrative Tribunal Legislation Amendment Act 2008*, schedule 1, amendment 1.292, which omitted part 4. Part 4 established the Guardianship and Management of Property Tribunal. The functions of the tribunal were taken over by the ACAT.

Part 3.38 Health Professionals Act 2004

[3.88] Section 100 (3) (b)

omit

tribunal

substitute

ACAT

Explanatory note

This amendment is consequential on an amendment of the Act made by the *ACT Civil and Administrative Tribunal Legislation Amendment Act 2008*, schedule 1, amendment 1.319, which substituted part 7. Former part 7 established the Health Professionals Tribunal. The functions of the tribunal were taken over by the ACAT.

[3.89] Section 109 heading

substitute

109 Referral of application by ACAT

Explanatory note

This amendment is consequential on an amendment of the Act made by the *ACT Civil and Administrative Tribunal Legislation Amendment Act 2008*, schedule 1, amendment 1.319, which substituted part 7. Former part 7 established the Health Professionals Tribunal. The functions of the tribunal were taken over by the ACAT.

[3.90] Section 122 (2) (i) (i)

omit

health professions tribunal

substitute

ACAT

Explanatory note

This amendment is consequential on an amendment of the Act made by the *ACT Civil and Administrative Tribunal Legislation Amendment Act 2008*, schedule 1, amendment 1.319, which substituted part 7. Former part 7 established the Health Professions Tribunal. The functions of the tribunal were taken over by the ACAT.

[3.91] Dictionary, new definition of *ground for occupational discipline*

insert

ground for occupational discipline, in relation to a health professional—see section 41.

[3.92] Dictionary, definition of *health professional*

substitute

health professional—

- (a) for this Act generally—see section 14; and
- (b) for part 7 (Occupational discipline—health professionals)—see section 40.

Explanatory note

This amendment inserts signpost definitions for terms that are defined elsewhere in the Act.

Part 3.39 Health Professionals Regulation 2004

[3.93] Dictionary, new definitions

insert

AVBC, for schedule 12 (Veterinary Surgeons)—see schedule 12, section 12.1.

chiropractor—

- (a) for schedule 13 (Chiropractors)—see schedule 13, section 13.1; and
- (b) for schedule 14 (Osteopaths)—see schedule 14, section 14.1.

close relative, of a pharmacist, for schedule 5 (Pharmacists)—see schedule 5, section 5.1.

community pharmacy, for schedule 5 (Pharmacists)—see the *Medicines, Poisons and Therapeutic Goods Act 2008*, dictionary.

dental care provider, for schedule 6 (Dentists, dental hygienists and dental therapists)—see schedule 6, section 6.1.

dental hygienist, for schedule 6 (Dentists, dental hygienists and dental therapists)—see schedule 6, section 6.1.

dental procedure, for schedule 6 (Dentists, dental hygienists and dental therapists)— see schedule 6, section 6.1.

dental therapist, for schedule 6 (Dentists, dental hygienists and dental therapists)—see schedule 6, section 6.1.

dentist, for schedule 6 (Dentists, dental hygienists and dental therapists)—see schedule 6, section 6.1.

dentist procedure, for schedule 6 (Dentists, dental hygienists and dental therapists)—see schedule 6, section 6.1.

general dental procedure, for schedule 6 (Dentists, dental hygienists and dental therapists)—see schedule 6, section 6.1.

medical practitioner, for schedule 2 (Medical practitioners)—see schedule 2, section 2.1A.

midwife, for schedule 4 (Midwives)—see schedule 4, section 4.1.

optometrist, for schedule 11 (Optometrists)—see schedule 11, section 11.1.

osteopath—

(a) for schedule 13 (Chiropractors)—see schedule 13, section 13.1; and

(b) for schedule 14 (Osteopaths)—see schedule 14, section 14.1.

pharmacist, for schedule 5 (Pharmacists)—see schedule 5, section 5.1.

pharmacy, for schedule 5 (Pharmacists)—see schedule 5, section 5.1.

physiotherapist, for schedule 10 (Physiotherapists)—see schedule 10, section 10.1.

podiatric surgeon, for schedule 9 (Podiatrists)—see schedule 9, section 9.1.

podiatrist, for schedule 9 (Podiatrists)—see schedule 9, section 9.1.

prescribed election voter, for an election of a prescribed member of a health profession board, for part 2.3 (Elections)—see section 23.

prescribed member, of a health profession board, for part 2.3 (Elections)—see section 23.

psychologist, for schedule 7 (Psychologists)—see schedule 7, section 7.1.

Explanatory note

This amendment inserts signpost definitions in the dictionary for definitions that appear elsewhere in the regulation.

[3.94] Dictionary, definition of *regulatory authority*

substitute

regulatory authority, for a schedule, means the regulatory authority, as defined in the first section of the schedule.

Explanatory note

This amendment replaces a signpost definition in the dictionary for a definition that appears in the schedules.

[3.95] Dictionary, new definitions

insert

under the supervision of a dentist, for a procedure carried out by a dental hygienist or dental therapist, for schedule 6 (Dentists, dental hygienists and dental therapists)—see schedule 6, section 6.1.

veterinary surgeon, for schedule 12 (Veterinary Surgeons)—see schedule 12, section 12.1.

Explanatory note

This amendment inserts signpost definitions in the dictionary for definitions that appear elsewhere in the regulation.

Part 3.40 Health Records (Privacy and Access) Act 1997

[3.96] Section 32 (3), definition of *excluded provision*, 2nd dot point

omit

Explanatory note

This amendment omits a reference to the *Magistrates Court Act 1930*, section 275 which was repealed by the *ACT Civil and Administrative Tribunal Legislation Amendment Act 2008*, schedule 1, amendment 1.484.

Part 3.41 Heritage Act 2004

[3.97] Dictionary, note 2

insert

- daily newspaper

Explanatory note

This amendment inserts a new term to assist users and is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment. Dictionary, note 2 is an aid to users which lists examples of terms used in the Act that are defined in the Legislation Act, dictionary, part 1.

[3.98] Dictionary, definition of *daily newspaper*

omit

Explanatory note

This amendment is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment.

Part 3.42 Housing Assistance Act 2007

[3.99] Schedule 1, new item 2A

insert

2A	25A (2)	register entity as housing provider on conditions	entity
----	---------	---	--------

Explanatory note

This amendment is consequential on amendments by the *Housing Assistance Amendment Act 2008* that inserted new reviewable decisions.

[3.100] Schedule 1, new item 6

insert

6	25T	remove housing provider from register	housing provider
---	-----	---------------------------------------	------------------

Explanatory note

This amendment is consequential on amendments by the *Housing Assistance Amendment Act 2008* that inserted new reviewable decisions.

Part 3.43 **Independent Competition and Regulatory Commission Act 1997**

[3.101] Sections 18 (3) and 24K (3) (b)

omit

daily newspaper published and circulating in the ACT

substitute

daily newspaper

Explanatory note

This amendment is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment.

[3.102] Dictionary, note 2

insert

- daily newspaper

Explanatory note

This amendment inserts a new term to assist users and is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment. Dictionary, note 2 is an aid to users which lists examples of terms used in the Act that are defined in the Legislation Act, dictionary, part 1.

Part 3.44 Intoxicated People (Care and Protection) Act 1994

[3.103] Section 33 (1)

omit

daily newspaper circulating in the ACT

substitute

daily newspaper

Explanatory note

This amendment is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment.

[3.104] Dictionary, note 2

insert

- daily newspaper

Explanatory note

This amendment inserts a new term to assist users and is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment. Dictionary, note 2 is an aid to users which lists examples of terms used in the Act that are defined in the Legislation Act, dictionary, part 1.

Part 3.45 Lakes Act 1976

[3.105] Section 22 (1)

omit

daily newspaper circulating in the ACT

substitute

daily newspaper

Explanatory note

This amendment is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment.

[3.106] Dictionary, note 2

insert

- daily newspaper

Explanatory note

This amendment inserts a new term to assist users and is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment. Dictionary, note 2 is an aid to users which lists examples of terms used in the Act that are defined in the Legislation Act, dictionary, part 1.

[3.107] Dictionary, definition of *dairy bridge*

omit

Explanatory note

This amendment omits a definition that is made unnecessary because of a change to the definition of *Lake Burley Griffin* by another amendment.

[3.108] Dictionary, definition of *Lake Burley Griffin*

substitute

Lake Burley Griffin means the waters of the Molonglo River between Scrivener Dam and Sylvia Curley bridge.

Explanatory note

This amendment is consequential on the change in name of dairy bridge to Sylvia Curley Bridge.

[3.109] Dictionary, new definition of *Sylvia Curley bridge*

insert

Sylvia Curley bridge means the bridge by which Dairy Road is carried across the Molonglo River.

Explanatory note

This amendment inserts a new definition consequential on the change to the definition of *Lake Burley Griffin* by another amendment.

Part 3.46 Land Rent Act 2008

[3.110] Section 12 (2)

substitute

- (2) The commissioner must give the applicant written notice of—
- (a) the decision under subsection (1); and
 - (b) if the discount is refused—the reasons for the refusal.

Explanatory note

This amendment revises the provision to omit an unnecessary reference to a written statement and to make it clear that the commissioner must give written notice of the decision under subsection (1) and, if a discount is refused, the reasons for the refusal.

[3.111] Section 32 (1) and note

substitute

- (1) The Minister may determine fees for this Act.

Note The Legislation Act contains provisions about the making of determinations and regulations relating to fees (see pt 6.3).

Explanatory note

This amendment remakes the subsection and removes the existing reference to the determination being in writing. The reference is unnecessary because Ministerial fee determinations are disallowable instruments, which must be in writing (see Legislation Act, s 42 (2)).

[3.112] Dictionary, new definition of *lessee*

insert

lessee, in relation to a proposed land rent lease, for part 3 (Land rent—discount)—see section 9.

Explanatory note

This amendment inserts a signpost definition in the dictionary for a part 3 definition.

Part 3.47 Lands Acquisition Act 1994

[3.113] Dictionary, note 2

insert

- daily newspaper

Explanatory note

This amendment inserts a new term to assist users and is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment. Dictionary, note 2 is an aid to users which lists examples of terms used in the Act that are defined in the Legislation Act, dictionary, part 1.

[3.114] Dictionary, definition of *newspaper*

omit

Explanatory note

This amendment is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment.

Part 3.48 Land Titles Act 1925

[3.115] Section 62 (5)

omit

daily newspaper circulating in the ACT

substitute

daily newspaper

Explanatory note

This amendment is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment.

[3.116] Dictionary, note 2

insert

- daily newspaper

Explanatory note

This amendment inserts a new term to assist users and is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment. Dictionary, note 2 is an aid to users which lists examples of terms used in the Act that are defined in the Legislation Act, dictionary, part 1.

Part 3.49 Legal Profession Act 2006

[3.117] Section 423 (3) (b)

omit

disciplinary tribunal

substitute

ACAT

Explanatory note

This amendment is consequential on an amendment of the Act made by the *ACT Civil and Administrative Tribunal Legislation Amendment Act 2008*, schedule 1, amendment 1.403, which omitted part 7.2. Part 7.2 established the Legal Practitioners Disciplinary Tribunal. The functions of the tribunal were taken over by the ACAT.

[3.118] Section 425

omit

tribunal

substitute

ACAT

Explanatory note

This amendment is consequential on an amendment of the Act made by the *ACT Civil and Administrative Tribunal Legislation Amendment Act 2008*, schedule 1, amendment 1.403, which omitted part 7.2. Part 7.2 established the Legal Practitioners Disciplinary Tribunal. The functions of the tribunal were taken over by the ACAT.

[3.119] Section 433 (1)

substitute

- (1) If the ACAT finds an Australian legal practitioner guilty of unsatisfactory professional conduct or professional misconduct, the ACAT must order the practitioner to pay costs (including costs of the relevant council and the complainant), unless the ACAT is satisfied that exceptional circumstances exist.

Explanatory note

This amendment is consequential on an amendment of the Act made by the *ACT Civil and Administrative Tribunal Legislation Amendment Act 2008*, schedule 1, amendment 1.403, which omitted part 7.2. Part 7.2 established the Legal Practitioners Disciplinary Tribunal. The functions of the tribunal were taken over by the ACAT.

[3.120] Section 433 (4)

omit

tribunal

substitute

ACAT

Explanatory note

This amendment is consequential on an amendment of the Act made by the *ACT Civil and Administrative Tribunal Legislation Amendment Act 2008*, schedule 1, amendment 1.403, which omitted part 7.2. Part 7.2 established the Legal Practitioners Disciplinary Tribunal. The functions of the tribunal were taken over by the ACAT.

[3.121] Chapter 7 heading

substitute

Chapter 7 Admissions board

Explanatory note

This amendment is consequential on another amendment which omits the heading to the Act, part 7.1.

[3.122] Part 7.1 heading

omit

Explanatory note

This amendment is consequential on an amendment of the Act made by the *ACT Civil and Administrative Tribunal Legislation Amendment Act 2008*, schedule 1, amendment 1.403, which omitted part 7.2. The only remaining part in chapter 7 is part 7.1 (Admissions board). This amendment omits the heading to part 7.1 because it is no longer needed.

[3.123] Section 583 (1)

omit

daily newspaper circulating in the ACT

substitute

daily newspaper

Explanatory note

This amendment is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment.

[3.124] Dictionary, note 2

insert

- daily newspaper

Explanatory note

This amendment inserts a new term to assist users and is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment. Dictionary, note 2 is an aid to users which lists examples of terms used in the Act that are defined in the Legislation Act, dictionary, part 1.

Part 3.50 Liquor Act 1975

[3.125] Sections 32 (2) (c) and 62 (3) (b)

omit

registrar

substitute

commissioner

Explanatory note

This amendment is consequential on an amendment of the *Liquor Act 1975* made by the *ACT Civil and Administrative Tribunal Legislation Amendment Act 2008*, schedule 1, amendment 1.417 omitting divisions 2.1 and 2.2 of that Act. Division 2.2 established the positions of Registrar and Deputy Registrar of Liquor Licences. The amendment replaced those positions with the commissioner for fair trading.

[3.126] Dictionary, new definitions

insert

document of identification, of a person, for division 10.2 (Under-age drinking)—see section 151.

driver licence, for division 10.2 (Under-age drinking)—see section 151.

Explanatory note

This amendment updates the dictionary by including signpost definitions for terms defined for division 10.2.

[3.127] Dictionary, definition of *liquor*

substitute

liquor—

- (a) for this Act generally, means a beverage that contains more than 1.15% by volume of ethyl alcohol; and
- (b) for division 10.2 (Under-age drinking)—see section 151.

Explanatory note

This amendment adds a signpost definition for the term in division 10.2.

[3.128] Dictionary, definition of *proof of age card*

substitute

proof of age card—

- (a) for this Act generally, means a card issued under section 175 (1); and
- (b) for division 10.2 (Under-age drinking)—see section 151.

Explanatory note

This amendment adds a signpost definition for the term in division 10.2.

[3.129] Dictionary, new definition of *responsible adult*

insert

responsible adult, for another person, for division 10.2 (Under-age drinking)—see section 151.

Explanatory note

This amendment updates the dictionary by including a signpost definition for the term defined for division 10.2.

Part 3.51 Major Events Security Act 2000

[3.130] Section 6 (1) and (3)

omit

daily newspaper published and circulating in the ACT

substitute

daily newspaper

Explanatory note

This amendment is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment.

[3.131] Dictionary, note 2

insert

- daily newspaper

Explanatory note

This amendment inserts a new term to assist users and is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment. Dictionary, note 2 is an aid to users which lists examples of terms used in the Act that are defined in the Legislation Act, dictionary, part 1.

Part 3.52 **Medicines, Poisons and Therapeutic Goods Act 2008**

[3.132] Section 81 (1) (b)

substitute

- (b) the dealings with regulated substances or regulated therapeutic goods to which the licence relates;

Explanatory note

The existing paragraph provides that in deciding whether an individual is a suitable person to hold a licence, the chief health officer must have regard to ‘the dealings to which the licence relates’. However, the term ‘deals’ is defined in section 19 and section 21 in the context of regulated substances or regulated therapeutic goods and most uses of the term ‘dealings’ in the Act are to dealings with a regulated substance or therapeutic good (eg s 81 (3) (a) and s 152 (1) (b)). This amendment brings the reference to ‘dealings’ in the paragraph into line with other uses of the term in the Act by providing the context for the use of the term.

[3.133] Section 83 (2), example 2 for paragraph (a)

omit

section 93 (Changes affecting suitability to hold licence)

substitute

section 93 (Licensee to keep chief health officer informed)

Explanatory note

This amendment is consequential on the amendment of the heading to section 93 by an amendment in schedule 1.

[3.134] Section 85 (3) (a)

substitute

- (a) if a form is approved under section 198 for an application under section 84 (1)—the application does not include the information and any documents required by the application form; or

Explanatory note

This provision refers to a failure to provide information and any documents required by ‘the application form’ for a licence. However, the use of an application form is not otherwise required under the Act unless a form for the application is approved under section 198. This amendment amends the paragraph to add the qualification of ‘if a form is approved under section 198 for an application under section 84 (1)’.

[3.135] Section 88 (1) (a)

substitute

- (a) what licence it is or the dealings with regulated substances or regulated therapeutic goods authorised by the licence;

Explanatory note

The existing paragraph provides that a licence must include ‘what licence it is or the dealings authorised by the licence’. However, the term ‘deals’ is defined in section 19 and section 21 in the context of regulated substances or regulated therapeutic goods and most uses of the term ‘dealings’ in the Act are to dealings with a regulated substance or therapeutic good (eg s 81 (3) (a) and s 152 (1) (b)). This amendment brings the reference to ‘dealings’ in the paragraph into line with other uses of the term in the Act by providing the context for the use of the term.

[3.136] Section 89 (b)

omit

section 93 (Changes affecting suitability to hold licence)

substitute

section 93 (Licensee to keep chief health officer informed)

Explanatory note

This amendment is consequential on the amendment of the heading to section 93 by an amendment in schedule 1.

[3.137] Section 90 (2) (a)

substitute

(a) a condition about—

- (i) the supervision of the dealings; and
- (ii) the security of regulated substances and regulated therapeutic goods and of premises where regulated substances and regulated therapeutic goods are stored; and
- (iii) the keeping of records about the dealings; and

Explanatory note

The references to ‘dealings’ in existing section 90 (2) (a) (i) and (iii) are amended to refer to ‘the dealings’ to provide a context for the use of the term. The headwords to existing section 90 (2) provide that the chief health officer may include a condition in a licence to ensure that regulated substances and regulated therapeutic goods are properly dealt with under the licence. The revised references to ‘the dealings’ will refer back to the reference to ‘dealt’ in the subsection’s headwords.

[3.138] Section 102 (1) (b)

omit

Explanatory note

This amendment omits a redundant provision. The paragraph effectively duplicates section 102 (1) (a).

[3.139] Section 135 (3)

substitute

- (3) If a sample of a substance taken by a medicines and poisons inspector is in the form of separate or severable objects, the inspector—
- (a) may take a number of the objects; and
 - (b) if the inspector takes a number of the objects, must—
 - (i) divide them into 3 parts each consisting of 1 or more of the objects, or of the severable parts of the objects, and mark and either seal or fasten each part; and
 - (ii) deal with the sample under subsection (2) (b) to (d).

Explanatory note

Under the existing provision the word ‘may’ qualifies an inspector’s actions about dividing and dealing with the samples. Once a sample is taken, the procedure for dividing and dealing with the sample should be mandatory. This amendment brings the provision into line with the *Work Safety Act 2008*, section 113 (3) which provides that if a sample is taken, it ‘must’ be divided and dealt with in the stated way.

[3.140] Section 186 (1) (e) and (f)

substitute

- (e) the suitability of premises (including vehicles) in relation to dealings with regulated things; and
- (f) the supervision of dealings with regulated things; and

Explanatory note

The existing paragraphs relate to ‘dealings’. However, the term ‘deals’ is defined in section 19 and section 21 in the context of regulated substances or regulated therapeutic goods and most uses of the term ‘dealings’ in the Act are to dealings with a regulated substance or therapeutic good (eg s 81 (3) (a) and s 152 (1) (b)). This amendment brings the reference to ‘dealings’ in the paragraph into line with other uses of the term in the Act by providing the context for the use of the term.

[3.141] Sections 520 (5) and 522 (5)

omit

section 93 (Changes affecting suitability to hold licence)

substitute

section 93 (Licensee to keep chief health officer informed)

Explanatory note

This amendment is consequential on the amendment of the heading to section 93 by an amendment in schedule 1.

Part 3.53 Mental Health (Treatment and Care) Act 1994

[3.142] Sections 24 and 26 (n)

omit

tribunal

substitute

ACAT

Explanatory note

This amendment is consequential on an amendment of the Act made by the *ACT Civil and Administrative Tribunal Legislation Amendment Act 2008*, schedule 1, amendment 1.497, which omitted part 3. Part 3 established the Mental Health Tribunal. The functions of the tribunal were taken over by the ACAT.

Part 3.54 Mercantile Law Act 1962

[3.143] Section 28 (1)

omit

daily newspaper published in the ACT

substitute

daily newspaper

Explanatory note

This amendment is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment.

[3.144] Dictionary, note 2

insert

- daily newspaper

Explanatory note

This amendment inserts a new term to assist users and is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment. Dictionary, note 2 is an aid to users which lists examples of terms used in the Act that are defined in the Legislation Act, dictionary, part 1.

Part 3.55 Notaries Public Act 1984

[3.145] Section 5 (5)

omit

newspaper circulating daily in the ACT

substitute

daily newspaper

Explanatory note

This amendment is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment.

[3.146] Dictionary, note 2

insert

- daily newspaper

Explanatory note

This amendment inserts a new term to assist users and is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment. Dictionary, note 2 is an aid to users which lists examples of terms used in the Act that are defined in the Legislation Act, dictionary, part 1.

Part 3.56 Partnership Act 1963

[3.147] Section 43

omit

daily newspaper published in the ACT

substitute

daily newspaper

Explanatory note

This amendment is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment.

[3.148] Section 101 (2), (3) and (4)

omit

The regulations

substitute

A regulation

Explanatory note

This amendment updates language in line with current legislative drafting practice.

[3.149] Section 101 (5)

omit

the regulations

substitute

a regulation

Explanatory note

This amendment updates language in line with current legislative drafting practice.

[3.150] Section 101 (6)

substitute

- (6) A regulation may prescribe—
- (a) offences for contraventions of a regulation; and
 - (b) maximum penalties of not more than 10 penalty units for offences against a regulation.

Explanatory note

This amendment updates language in line with current legislative drafting practice.

[3.151] Dictionary, note 2

insert

- daily newspaper

Explanatory note

This amendment inserts a new term to assist users and is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment. Dictionary, note 2 is an aid to users which lists examples of terms used in the Act that are defined in the Legislation Act, dictionary, part 1.

[3.152] Dictionary, new definition of registered *information*

insert

registered information, for part 6 (Incorporated limited partnerships)—see section 59 (4) (Registration of incorporated limited partnership).

Explanatory note

This amendment inserts a signpost definition in the dictionary for a part 6 definition.

Part 3.57 Payroll Tax Act 1987

[3.153] Section 2 (2)

omit

eligible termination payment

substitute

employment termination payment

Explanatory note

This amendment updates language as a consequence of changes made to Commonwealth legislation (see *Income Tax Assessment Act 1997* (Cwlth), s 82-130).

[3.154] Section 2 (2) (i) (ii)

substitute

(ii) an unused long service leave payment;

Explanatory note

This amendment updates language as a consequence of changes made to Commonwealth legislation (see *Income Tax Assessment Act 1997* (Cwlth), s 83-75).

[3.155] Section 2 (2) (i) (iii)

omit

Income Tax Assessment Act 1936 (Cwlth), part 3 (Liability to taxation), division 2 (Income), subdivision AA (Superannuation, termination of employment and kindred payments)

substitute

Income Tax Assessment Act 1936 (Cwlth), part 3 (Liability to taxation), division 2 (Income), subdivision AA (Non-superannuation entities etc)

Explanatory note

This amendment updates the name of subdivision AA as a consequence of a change in name of the subdivision (see *Superannuation Legislation Amendment (Simplification) Act 2007* (Cwlth), sch 1, pt 2, item 59).

[3.156] Section 2 (4), definition of *annual leave*

substitute

annual leave—see the *Income Tax Assessment Act 1997* (Cwlth), section 83-10 (1) (Unused annual leave payment is assessable).

Explanatory note

This amendment is consequential on the omission of the definition of *annual leave* from the *Income Tax Assessment Act 1936* (Cwlth), and its insertion in the *Income Tax Assessment Act 1997* (Cwlth).

[3.157] Section 2 (4), definition of *eligible termination payment*

substitute

employment termination payment—see the *Income Tax Assessment Act 1997* (Cwlth), section 82-130 (What is an *employment termination payment*?).

Explanatory note

This amendment is consequential on the substitution of *employment termination payment* for *eligible termination payment* by another amendment.

[3.158] Section 2 (4), definition of *long service leave*

substitute

unused long service leave payment—see the *Income Tax Assessment Act 1997* (Cwlth), section 83-75 (Meaning of *unused long service leave payment*).

Explanatory note

This amendment is consequential on the amendment of section 2 (2) (i) (ii) by another amendment.

[3.159] Dictionary, note 2

omit

- administrative appeals tribunal

Explanatory note

This amendment is consequential on the repeal of the *Administrative Appeals Tribunal Act 1989* by the *ACT Civil and Administrative Tribunal Act 2008*, section 119. The *Administrative Appeals Act 1989* established the Administrative Appeals Tribunal. This amendment omits reference to that tribunal.

Part 3.58 Planning and Development Act 2007

[3.160] Dictionary, note 2

insert

- daily newspaper

Explanatory note

This amendment inserts a new term to assist users and is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment. Dictionary, note 2 is an aid to users which lists examples of terms used in the Act that are defined in the Legislation Act, dictionary, part 1.

[3.161] Dictionary, definition of *completed*

substitute

completed—

- (a) for an EIS—see section 209; and
- (b) for a s 125-related EIS—see section 209A.

Explanatory note

This amendment amends the definition to insert a signpost definition for the additional meaning of *completed* in section 209A.

[3.162] Dictionary, new definitions

insert

single dwelling house lease, for chapter 9 (Leases and licences)—see section 234.

technical variation, of a plan of management, for part 10.4 (Plans of management for public land)—see section 318.

Explanatory note

This amendment inserts new signpost definitions in the dictionary for the Act.

Part 3.59 Plant Diseases Act 2002

[3.163] Dictionary, note 2

insert

- daily newspaper

Explanatory note

This amendment inserts a new term to assist users and is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment. Dictionary, note 2 is an aid to users which lists examples of terms used in the Act that are defined in the Legislation Act, dictionary, part 1.

[3.164] Dictionary, definition of *required media*, paragraph (a)

substitute

(a) a daily newspaper; and

Explanatory note

This amendment is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment.

Part 3.60 Prohibited Weapons Act 1996

[3.165] Section 4L (4)

omit

daily newspaper circulating in the ACT

substitute

daily newspaper

Explanatory note

This amendment is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment.

[3.166] Section 4L (4), new note

insert

Note *Daily newspaper*—see the Legislation Act, dictionary, pt 1.

Explanatory note

This amendment inserts a new note to assist users and is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment.

Part 3.61 Public Health Act 1997

[3.167] Section 118D (4) (a), 118J (4) (a) and 119 (6)

omit

daily newspaper published and circulating in the ACT

substitute

daily newspaper

Explanatory note

This amendment is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment.

[3.168] Dictionary, note 2

insert

- daily newspaper

Explanatory note

This amendment inserts a new term to assist users and is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment. Dictionary, note 2 is an aid to users which lists examples of terms used in the Act that are defined in the Legislation Act, dictionary, part 1.

Part 3.62 Racing Act 1999

[3.169] Section 20 (2)

substitute

- (2) If the Minister acts under subsection (1), the Minister must ensure that, not later than 7 sitting days after the day the Minister takes the action—
- (a) the Legislative Assembly is told of the action; and
 - (b) a copy of the commission's advice is presented to the Assembly.

Explanatory note

This amendment updates language in line with current legislative drafting practice.

[3.170] Section 48

substitute

48 Appeals—filing

An appeal mentioned in section 47 must be filed with the registrar not later than—

- (a) 7 days after the day the appellant is told of the decision from which the appeal is made; or
- (b) if the tribunal allows the appeal to be filed by a later time—that time.

Explanatory note

This amendment updates language in accordance with current legislative drafting style.

[3.171] Dictionary, new definitions

insert

1987 NSW Act, for part 5A (Jockeys accident insurance)—see section 61A.

1998 NSW Act, for part 5A (Jockeys accident insurance)—see section 61A.

ACT jockey, for part 5A (Jockeys accident insurance)—see section 61A.

applied NSW Acts, for part 5A (Jockeys accident insurance)—see section 61A.

injury, for part 5A (Jockeys accident insurance)—see section 61A.

NSW Acts, for part 5A (Jockeys accident insurance)—see section 61A.

NSW jockey, for part 5A (Jockeys accident insurance)—see section 61A.

Racing NSW, for part 5A (Jockeys accident insurance)—see the *Thoroughbred Racing Act 1996* (NSW), section 3.

special insurance scheme, for NSW jockeys, for part 5A (Jockeys accident insurance)—see section 61A.

Explanatory note

This amendment inserts signpost definitions in the dictionary for part 5A definitions.

Part 3.63 **Rates Act 2004**

[3.172] Section 45, definition of *pensioner*, paragraph (c)

substitute

- (c) a person who has been given a card or other written authority by the Commonwealth that evidences the person's eligibility under the *Veterans' Entitlements Act 1986* (Cwlth) or the *Military Rehabilitation and Compensation Act 2004* (Cwlth) to be given treatment for all injuries suffered, and all diseases contracted, by the person; or

Explanatory note

This amendment is consequential on the enactment of the *Military Rehabilitation and Compensation Act 2004* (Cwlth) which applies to injury, disease or death occurring as a result of service in the Defence Force on or after 1 July 2004. The *Veterans' Entitlements Act 1986* (Cwlth) continues to apply to injuries or illness from eligible service in the Defence Force before 1 July 2004.

[3.173] Section 45, definition of *pensioner*, paragraph (f)

substitute

- (f) a person who—
 - (i) was in a partnership until the death of the person's partner; and
 - (ii) would be eligible under the *Veterans' Entitlements Act 1986* (Cwlth), section 86 to be given treatment mentioned in paragraph (c) because of the partner's death if the person were the partner's dependant within the meaning of that Act, section 11; or
- (g) a person who—
 - (i) was in a partnership until the death of the person's partner; and

- (ii) would be eligible under the *Military Rehabilitation and Compensation Act 2004* (Cwlth), section 284 (1) to be given treatment mentioned in paragraph (c) because of the partner's death if the person were the partner's wholly dependant partner within the meaning of that Act, section 5.

Explanatory note

This amendment is consequential on the enactment of the *Military Rehabilitation and Compensation Act 2004* (Cwlth) which applies to injury, disease or death occurring as a result of service in the Defence Force on or after 1 July 2004. The *Veterans' Entitlements Act 1986* (Cwlth) continues to apply to injuries or illness from eligible service in the Defence Force before 1 July 2004.

[3.174] Section 45, definition of *pensioner*, note for par (d), (e) and (f)

substitute

Note for par (d), (e), (f) and (g)

This Act, def *partner* and def *partnership* apply to spouses and civil partners, but also extend to unmarried partners (irrespective of their sex) in *domestic relationships* within the meaning of the *Domestic Relationships Act 1994*, s 3. From 1 July 2009, the *Military Rehabilitation and Compensation Act 2004* (Cwlth), s 5, def *partner* and def *wholly dependent partner*, the *Social Security Act 1991* (Cwlth), s 4, def *partner* and the *Veterans' Entitlements Act 1986* (Cwlth), s 5E, def *partner* and s 11, def *dependant* apply to partners (or former partners) irrespective of their sex.

Explanatory note

This amendment is consequential on the enactment of the *Same-Sex Relationships (Equal Treatment in Commonwealth Laws—General Law Reform) Act 2008* (Cwlth), schedule 6, part 2 and schedule 15, which amend the definitions of *partner* in the *Military Rehabilitation and Compensation Act 2004* (Cwlth), the *Social Security Act 1991* (Cwlth) and the *Veterans' Entitlement Act 1986* (Cwlth) to include same-sex partners in married or marriage-like relationships.

[3.175] Section 45, definition of *special rate pensioner*

substitute

special rate pensioner means a pensioner—

- (a) who is being paid a pension under the *Veterans' Entitlements Act 1986* (Cwlth), part 2 and to whom that Act, section 24 applies; or
- (b) who—
 - (i) is being paid a special rate disability pension under the *Military Rehabilitation and Compensation Act 2004* (Cwlth), chapter 4, part 6; or
 - (ii) is eligible, under that Act, section 199, to make a choice under that Act, chapter 4, part 6.

Explanatory note

This amendment is consequential on the enactment of the *Military Rehabilitation and Compensation Act 2004* (Cwlth) which applies to injury, disease or death occurring as a result of service in the Defence Force on or after 1 July 2004. The *Veterans' Entitlements Act 1986* (Cwlth) continues to apply to injuries or illness from eligible service in the Defence Force before 1 July 2004.

Part 3.64 Roads and Public Places Act 1937

[3.176] Section 12G (2) (d)

omit

within 7 days after

substitute

7 days after the day

Explanatory note

This amendment clarifies a time limit and updates language in line with current legislative drafting practice.

[3.177] Section 12G (3) (b)

substitute

- (b) within 7 days after the day the notice is given, the owner applies for a permit to allow the object to remain in, over or across the public place and that application is refused;

Explanatory note

This amendment clarifies a time limit and updates language in line with current legislative drafting practice.

[3.178] Section 13 (5)

omit

has effect in relation

substitute

applies

Explanatory note

This amendment updates language in line with current legislative drafting practice.

[3.179] Section 15C (2) (d)

substitute

- (d) the interests of people carrying on business near the place and, in particular, the interests of a person carrying on a business near the place similar to the business carried on by the applicant (if any); and

Explanatory note

This amendment updates language in line with current legislative drafting practice.

[3.180] Section 15D

omit everything before paragraph (a), substitute

15D Grant of permit—conditions

The Minister may approve the grant of a permit under section 15C subject to any of the following conditions:

Explanatory note

This amendment updates language in line with current legislative drafting practice.

[3.181] Section 15D (h)

substitute

- (h) the applicant must be insured against the risk of liability that may be incurred because of the object for—
- (i) death, bodily injury or illness; and
 - (ii) loss of, or damage to, property.

Explanatory note

This amendment updates language in line with current legislative drafting practice.

[3.182] Section 15H (1)

substitute

- (1) To ensure that an object a permit relates to is used for the purpose stated in the permit, the permit holder may decide who may use the object and any equipment or services provided for the object.

Explanatory note

This amendment updates language in line with current legislative drafting practice.

[3.183] Section 15M (1) and note

substitute

- (1) This section applies if—
 - (a) a permit authorising a person to place an object in, over or across a public place expires or is surrendered or cancelled; and
 - (b) the object is still in, over or across the public place.
- (1A) The Minister must give the person who held the permit written notice requiring the person to remove the object from the public place within the period stated in the notice.

Note For the giving of documents, see the Legislation Act, pt 19.5.

- (1B) For subsection (1A), the period must be at least 14 days after the notice is given.

Explanatory note

This amendment updates language in line with current legislative drafting practice.

[3.184] Section 15M (2)

omit

subsection (1)

substitute

subsection (1A)

Explanatory note

This amendment updates a cross-reference as a consequence of another amendment updating language.

[3.185] Sections 15N (1), 15N (2) and 15P (2) (b)

omit

section 15M (1)

substitute

section 15M (1A)

Explanatory note

This amendment updates a cross-reference as a consequence of another amendment updating language.

[3.186] Dictionary, definition of *public place*

omit

, and includes every public road

Explanatory note

This amendment updates language in line with current legislative drafting practice.

Part 3.65 Road Transport (Driver Licensing) Regulation 2000

[3.187] Section 138B (2)

omit

registrar of liquor licences and to public servants assisting the registrar

substitute

commissioner for fair trading and to public servants assisting the commissioner

Explanatory note

This amendment is consequential on an amendment of the *Liquor Act 1975* made by the *ACT Civil and Administrative Tribunal Legislation Amendment Act 2008*, schedule 1, amendment 1.417 omitting divisions 2.1 and 2.2 of that Act. Division 2.2 established the positions of Registrar and Deputy Registrar of Liquor Licences. The amendment replaced those positions with the commissioner for fair trading.

[3.188] Dictionary, note 2

insert

- commissioner for fair trading

Explanatory note

This amendment is consequential on another amendment in this part. Dictionary, note 2 is an aid to users which lists examples of terms used in the Act that are defined in the *Legislation Act*, dictionary, part 1.

Part 3.66 **Road Transport (Public Passenger Services) Regulation 2002**

[3.189] Section 84F (3)

omit

daily newspaper published and circulating in the ACT

substitute

daily newspaper

Explanatory note

This amendment is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment.

[3.190] Dictionary, note 2

insert

- daily newspaper

Explanatory note

This amendment inserts a new term to assist users and is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment. Dictionary, note 2 is an aid to users which lists examples of terms used in the Act that are defined in the Legislation Act, dictionary, part 1.

Part 3.67 Sale of Motor Vehicles Act 1977

[3.191] Sections 11B (2) and 45 (1)

omit

daily newspaper circulating in the ACT

substitute

daily newspaper

Explanatory note

This amendment is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment.

[3.192] Dictionary, note 2

insert

- daily newspaper

Explanatory note

This amendment inserts a new term to assist users and is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment. Dictionary, note 2 is an aid to users which lists examples of terms used in the Act that are defined in the Legislation Act, dictionary, part 1.

Part 3.68 **Second-hand Dealers Regulation 2002**

[3.193] Sections 11 (4) and 12 (3)

omit

daily newspaper published and circulating in the ACT

substitute

daily newspaper

Explanatory note

This amendment is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment.

[3.194] Dictionary, note 2

insert

- daily newspaper

Explanatory note

This amendment inserts a new term to assist users and is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment. Dictionary, note 2 is an aid to users which lists examples of terms used in the Act that are defined in the Legislation Act, dictionary, part 1.

Part 3.69 Taxation Administration Act 1999

[3.195] Section 49

omit

Territory

substitute

commissioner

Explanatory note

This amendment corrects a reference to make it clear that costs associated with recovering unpaid tax are payable to the commissioner.

[3.196] Section 70 (2), definition of *related offence*, paragraph (b) (v)

substitute

- (v) the Criminal Code (Cwlth), section 135.1 that relates to a tax liability.

Explanatory note

This amendment updates a cross-reference to the *Crimes Act 1914* (Cwlth), section 29D (which dealt with fraud against the Commonwealth or a Commonwealth public authority). That section was repealed by the *Criminal Code Amendment (Theft, Bribery and Related Offences) Act 2000* (Cwlth).

[3.197] Section 97 (d) (vii)

substitute

- (vii) the commissioner for fair trading;

Explanatory note

This amendment is consequential on an amendment of the *Liquor Act 1975* made by the *ACT Civil and Administrative Tribunal Legislation Amendment Act 2008*, schedule 1, amendment 1.417 omitting divisions 2.1 and 2.2 of that Act. Division 2.2 established the positions of Registrar and Deputy Registrar of Liquor Licences. The amendment replaced those positions with the commissioner for fair trading.

[3.198] Section 100 (1), note

substitute

Note Decisions are prescribed for this section under the following Acts:

- *Duties Act 1999*, s 252
- *Land Rent Act 2008*, s 33
- *Land Tax Act 2004*, s 38
- *Rates Act 2004*, s 70.

Explanatory note

This amendment updates cross-references.

[3.199] Section 139 (1) (d) to (j)

omit

Explanatory note

This amendment omits paragraphs that are redundant because the substance of those paragraphs are dealt with in section 139 (1) (a) and (b).

[3.200] Dictionary, note 2

insert

- commissioner for fair trading

Explanatory note

This amendment is consequential on another amendment in this part. Dictionary, note 2 is an aid to users which lists examples of terms used in the Act that are defined in the Legislation Act, dictionary, part 1.

Part 3.70 **Transplantation and Anatomy Act 1978**

[3.201] Section 5

omit

, in writing,

Explanatory note

This amendment omits the requirement for appointments to be in writing. This requirement is now in the Legislation Act, section 206 (1).

[3.202] Section 5, new notes

insert

Note 1 For the making of appointments (including acting appointments), see the Legislation Act, pt 19.3.

Note 2 In particular, a person may be appointed for a particular provision of a law (see Legislation Act, s 7 (3)) and an appointment may be made by naming a person or nominating the occupant of a position (see Legislation Act, s 207).

Note 3 Certain Ministerial appointments require consultation with an Assembly committee and are disallowable (see Legislation Act, div 19.3.3).

Explanatory note

This amendment inserts standard notes about appointments.

[3.203] Section 14 (5)

substitute

(5) The Minister must appoint the following to be a committee for this section:

- (a) a judge of the Supreme Court;
- (b) a medical practitioner;

(c) a social worker or psychologist.

Note 1 For the making of appointments (including acting appointments), see the Legislation Act, pt 19.3.

Note 2 In particular, a person may be appointed for a particular provision of a law (see Legislation Act, s 7 (3)) and an appointment may be made by naming a person or nominating the occupant of a position (see Legislation Act, s 207).

Note 3 Certain Ministerial appointments require consultation with an Assembly committee and are disallowable (see Legislation Act, div 19.3.3).

Explanatory note

This amendment remakes the subsection to—

- remove unnecessary reference to appointments being in writing;
- update language in line with current legislative drafting practice; and
- insert standard notes about appointments.

[3.204] Section 42 (3)

omit

, in writing,

Explanatory note

This amendment omits the requirement for an authorisation to be in writing. Section 42 (5) provides that an authorisation is a notifiable instrument. Under the Legislation Act, section 14, an instrument is a document so must be in writing.

[3.205] Section 51 (2)

substitute

- (2) A regulation may prescribe—
- (a) offences for contraventions of a regulation; and
 - (b) maximum penalties of not more than 10 penalty units for offences against a regulation.

Explanatory note

This amendment updates language in accordance with current legislative drafting style.

[3.206] Dictionary, new definition of *parent*

insert

parent, for division 2.3 (Donations from children)—see section 12.

Explanatory note

This amendment inserts a signpost definition for division 2.3.

[3.207] Dictionary, definitions of *tissue*

substitute

tissue—

- (a) for this Act generally—includes an organ, or part, of a human body or a substance extracted from, or from a part of, the human body; and
- (b) for part 2 (Donations of tissue by living persons)—see section 6.

Explanatory note

This amendment combines 2 existing definitions of *tissue* in the dictionary in line with current legislative drafting practice.

Part 3.71 Tree Protection Act 2005

[3.208] Sections 49 (4), 49 (6), 53 (4), 56 (4), 56 (6) and 59 (4)

omit

daily newspaper circulating generally in the ACT

substitute

daily newspaper

Explanatory note

This amendment is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment.

[3.209] Dictionary, note 2

insert

- daily newspaper

Explanatory note

This amendment inserts a new term to assist users and is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment. Dictionary, note 2 is an aid to users which lists examples of terms used in the Act that are defined in the Legislation Act, dictionary, part 1.

Part 3.72 Trustee Companies Act 1947

[3.210] Section 15 (1)

omit

daily newspaper circulating generally in the ACT

substitute

daily newspaper

Explanatory note

This amendment is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment.

[3.211] Dictionary, note 2

insert

- daily newspaper

Explanatory note

This amendment inserts a new term to assist users and is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment. Dictionary, note 2 is an aid to users which lists examples of terms used in the Act that are defined in the Legislation Act, dictionary, part 1.

Part 3.73 Uncollected Goods Act 1996

[3.212] Sections 7 (3) (b) and 25 (1)

omit

daily newspaper printed and circulating in the ACT

substitute

daily newspaper

Explanatory note

This amendment is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment.

[3.213] Dictionary, note 2

insert

- daily newspaper

Explanatory note

This amendment inserts a new term to assist users and is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment. Dictionary, note 2 is an aid to users which lists examples of terms used in the Act that are defined in the Legislation Act, dictionary, part 1.

Part 3.74 Utilities Act 2000

[3.214] Dictionary, note 2

insert

- daily newspaper

Explanatory note

This amendment inserts a new term to assist users and is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment. Dictionary, note 2 is an aid to users which lists examples of terms used in the Act that are defined in the Legislation Act, dictionary, part 1.

[3.215] Dictionary, definition of *daily newspaper*

omit

Explanatory note

This amendment is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment.

Part 3.75 Utilities (Electricity Restrictions) Regulation 2004

[3.216] Dictionary, note 2

insert

- daily newspaper

Explanatory note

This amendment inserts a new term to assist users and is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment. Dictionary, note 2 is an aid to users which lists examples of terms used in the Act that are defined in the Legislation Act, dictionary, part 1.

[3.219] Dictionary, note 2

insert

- daily newspaper

Explanatory note

This amendment inserts a new term to assist users and is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment. Dictionary, note 2 is an aid to users which lists examples of terms used in the Act that are defined in the Legislation Act, dictionary, part 1.

[3.220] Further amendments, mentions of *in writing*

omit

, in writing,

in

- section 6 (1)
- section 8 (1)
- section 9 (1)

Explanatory note

This amendment omits words that are now redundant because of the effect of the Legislation Act, section 42 (2), which requires disallowable and notifiable instruments to be in writing.

Part 3.77 Waste Minimisation Act 2001

[3.221] Sections 10 (1)

omit

daily newspaper published and circulating in the ACT

substitute

daily newspaper

Explanatory note

This amendment is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment.

[3.222] Section 17 (3)

omit

daily newspaper circulating in the ACT

substitute

daily newspaper

Explanatory note

This amendment is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment.

[3.223] Dictionary, note 2

insert

- daily newspaper

Explanatory note

This amendment inserts a new term to assist users and is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment. Dictionary, note 2 is an aid to users which lists examples of terms used in the Act that are defined in the Legislation Act, dictionary, part 1.

[3.224] Dictionary, note 2

omit

- environment protection authority

Explanatory note

This amendment omits a term that is no longer used in the Act. Dictionary, note 2 is an aid to users which lists examples of terms used in the Act that are defined in the Legislation Act, dictionary, part 1.

Part 3.78 **Waste Minimisation Regulation** **2001**

[3.225] Section 6 (3)

omit

daily newspaper published and circulating in the ACT

substitute

daily newspaper

Explanatory note

This amendment is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment.

[3.226] Dictionary, note 2

insert

- daily newspaper

Explanatory note

This amendment inserts a new term to assist users and is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment. Dictionary, note 2 is an aid to users which lists examples of terms used in the Act that are defined in the Legislation Act, dictionary, part 1.

Part 3.79 Water Resources Act 2007

[3.227] Section 14 (3) (b)

omit

daily newspaper circulating generally in the ACT

substitute

daily newspaper

Explanatory note

This amendment is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment.

[3.228] Schedule 1, item 16

omit

Explanatory note

The amendment omits an item that incorrectly lists a decision under the Act, section 72 (Direction to modify or remove water structure) as being a reviewable decision made by the authority. A decision under section 72 is a decision by the Minister and therefore should not be included in schedule 1.

[3.229] Dictionary, note 2

insert

- daily newspaper

Explanatory note

This amendment inserts a new term to assist users and is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment. Dictionary, note 2 is an aid to users which lists examples of terms used in the Act that are defined in the Legislation Act, dictionary, part 1.

Part 3.80 **Wills Act 1968**

[3.230] Section 12A (4)

omit

daily newspaper circulating in the ACT

substitute

daily newspaper

Explanatory note

This amendment is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment.

[3.231] Dictionary, note 2

insert

- daily newspaper

Explanatory note

This amendment inserts a new term to assist users and is consequential on the insertion of a definition of *daily newspaper* in the Legislation Act, dictionary, part 1 by another amendment. Dictionary, note 2 is an aid to users which lists examples of terms used in the Act that are defined in the Legislation Act, dictionary, part 1.

Schedule 4 Repeal of redundant notifiable instruments

(see s 6)

Part 4.1 Environment Protection Act 1997

Explanatory note for sch 4

The Act requires public notice (by way of notification on the ACT legislation register) of the making of applications for environmental authorisations and the granting or review of environmental authorisations. Environmental authorisations can cover things as diverse as holding outdoor concerts to running pest control operations. Once a notice has been notified or, in the case of applications for authorisations, the period for public consultation has ended, there is little value in the notifications remaining current.

This schedule repeals notifiable instruments that still appear on the legislation register under the ‘current’ heading but have served their purpose and are no longer needed. The repealed notices will still be available on the legislation register, but will appear under the ‘repealed’ heading. This will ensure that only truly current instruments are included under the ‘current’ heading on the register, making it easier to access them.

Environment Protection Notice of Approval of Implementation Plan No 47 for Tidbinbilla Nature Reserve (NI1998-21)

Environment Protection Environmental Authorisations (NI1998-25)

Environment Protection Environmental Authorisation (NI1998-91)

Environment Protection Environmental Authorisation and Application for Authorisation (NI1998-161)

Environment Protection Environmental Authorisation (NI1998-189)

Environment Protection Environmental Authorisation (NI1998-198)

Environment Protection Environmental Authorisation (NI1998-229)

Environment Protection Environmental Authorisation (NI1998-277)

Environment Protection Environmental Authorisation (NI1998-297)
Environment Protection Environmental Authorisations (NI1999-7)
Environment Protection Environmental Authorisation (NI1999-11)
Environment Protection Environmental Authorisation (NI1999-36)
Environment Protection Environmental Authorisation (NI1999-41)
Environment Protection Environmental Authorisations (NI1999-64)
Environment Protection Environmental Authorisation (NI1999-68)
Environment Protection Environmental Authorisation (NI1999-87)
Environment Protection Environmental Authorisation (NI1999-88)
Environment Protection Environmental Authorisation (NI1999-95)
Environment Protection Environmental Authorisation (NI1999-110)
*Environment Protection Environmental Authorisations and Annual
Review of Environmental Authorisations (NI1999-146)*
Environment Protection Environmental Authorisation (NI1999-155)
*Environment Protection Environmental Authorisations and Annual
Review of Environmental Authorisations (NI1999-166)*
*Environment Protection Environmental Authorisations and Annual
Review of Environmental Authorisations (NI1999-197)*
*Environment Protection Annual Review of Environmental
Authorisations (NI1999-208)*
*Environment Protection Environmental Authorisations and Annual
Review of Environmental Authorisations (NI1999-245)*
*Environment Protection Environmental Authorisations and Annual
Review of Environmental Authorisations (NI1999-250)*

Environment Protection Application for an Environmental Authorisation, Environmental Authorisation and Annual Review of Environmental Authorisations (NI1999-263)

Environment Protection Variation of an Environmental Authorisation and Annual Review of Environmental Authorisations (NI1999-265)

Environment Protection Environmental Authorisations and Annual Review of Environmental Authorisations (NI1999-273)

Environment Protection Notice (NI2000-17)

Environment Protection Environmental Authorisations (NI2000-35)

Environment Protection Environmental Authorisations (NI2000-65)

Environment Protection Environmental Authorisations (NI2000-71)

Environment Protection Environmental Authorisations (NI2000-82)

Environment Protection Instrument under subsection 67A (1) (NI2000-83)

Environment Protection Environmental Authorisations (NI2000-87)

Environment Protection Annual Review of Environmental Authorisations (NI2000-107)

Environment Protection Environmental Authorisations (NI2000-112)

Environment Protection Environmental Authorisations (NI2000-120)

Environment Protection Environmental Authorisations (NI2000-125)

Environment Protection Annual Review of Environmental Authorisations (NI2000-136)

Environment Protection Environmental Authorisations (NI2000-154)

Environment Protection Environmental Authorisations
(NI2000-170)

Environment Protection Environmental Authorisations
(NI2000-202)

Environment Protection Environmental Authorisations
(NI2000-214)

Environment Protection Environmental Authorisations
(NI2000-228)

Environment Protection Application for Environmental Authorisations and Annual Review of Environmental Authorisations
(NI2000-239)

Environment Protection Release of Sustainable Water Action Management Project (SWAMP) Strategy and Action Plan
(NI2000-244)

Environment Protection Application for Environmental Authorisation and Granting of an Environmental Authorisation
(NI2000-251)

Environment Protection Granting of Environmental Authorisation
(NI2000-253)

Environment Protection Annual Review of Environmental Authorisations and Environmental Authorisations (NI2000-260)

Environment Protection Environmental Authorisations and Annual Review of Environmental Authorisations (NI2000-276)

Environment Protection Application for Environmental Authorisation and Annual Review of Environmental Authorisations
(NI2000-281)

Environment Protection Application for Environmental Authorisation, Annual Review of Environmental Authorisations and Variation of Environmental Authorisation (NI2000-292)

Environment Protection Annual Review of Environmental Authorisations (NI2000-295)

Environment Protection Application for Environmental Authorisation (NI2000-307)

Environment Protection Annual Review of Environmental Authorisations (NI2000-315)

Environment Protection Notice of Review of Environmental Authorisation 2001 (NI2001-37)

Environment Protection (Environmental Authorisation Application and Review) Notice 2001 (NI2001-91)

Environment Protection (Environmental Authorisation Grant) Notice 2001 (No 1) (NI2001-88)

Environment Protection (Environmental Authorisation Grant) Notice 2001 (NI2001-127)

Environment Protection (Environmental Authorisation Application and Environmental Authorisation Grant) Notice 2001 (NI2001-135)

Environmental Protection (Environmental Authorisation Grant) Notice 2001 (NI2001-137)

Environment Protection (Environmental Authorisation Applications, Authorisations and Reviews) Notice 2001 (NI2001-145)

Environment Protection (Environmental Authorisation Grant) Notice 2001 (NI2001-148)

Environment Protection (Environmental Authorisation Application, Authorisation and Review) Notice 2001 (NI2001-151)

Environment Protection (Environmental Authorisation Application, Authorisation and Review) Notice 2001 (NI2001-152)

Environment Protection (Environmental Authorisation Grant and Environmental Authorisation Review) Notice 2001 (NI2001-153)

Environment Protection (Environmental Authorisation Application and Environmental Authorisation Grant) Notice 2001 (NI2001-165)

Environment Protection (Environmental Authorisation Application and Environmental Authorisation Grant) Notice 2001 (NI2001-171)

Environment Protection (Environmental Authorisation Application, Environmental Authorisation Grant and Environmental Authorisation Review) Notice 2001 (NI2001-176)

Environment Protection (Environmental Authorisation Grant) Notice 2001 (NI2001-187)

Environment Protection (Environmental Authorisation Grant) Notice 2001 (NI2001-192)

Environment Protection (Environmental Authorisation Grant) Notice 2001 (NI2001-193)

Environment Protection (Environmental Authorisation Grant) Notice 2001 (NI2001-212)

Environment Protection (Environmental Authorisation Application and Environmental Authorisation Grant) Notice 2001 (NI2001-216)

Environment Protection Application for an Environmental Authorisation and Annual Review of Authorisations (NI2001-228)

Environment Protection Agreements and Annual Review of Authorisations (NI2001-232)

Environment Protection—Environmental Authorisations and Annual Review of Authorisations (NI2001-248)

Environment Protection Agreements, Environmental Authorisations and Annual Review of Authorisations (NI2001-261)

Environment Protection Application for an Environmental Authorisation, Environmental Authorisations and Annual Review of Authorisations (NI2001-295)

Schedule 4
Part 4.1

Repeal of redundant notifiable instruments
Environment Protection Act 1997

*Environment Protection Application for an Environmental
Authorisation and Environmental Authorisation (NI2001-298)*

*Environment Protection Agreements and Annual Review of
Authorisations (NI2001-308)*

*Environmental Authorisations, Notification of Outcomes of Review
of Environmental Authorisation and Annual Review of
Environmental Authorisations (NI2001-316)*

*Environmental Authorisations and Environment Protection
Agreements (NI2001-344)*

Endnotes

1 Presentation speech

Presentation speech made in the Legislative Assembly on 7 May 2009.

2 Notification

Notified under the Legislation Act on 1 September 2009.

3 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.

I certify that the above is a true copy of the Statute Law Amendment Bill 2009, which was passed by the Legislative Assembly on 18 August 2009.

Clerk of the Legislative Assembly

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