



Australian Capital Territory

Statute Law Amendment Act 2021

A2021-12

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Australian Capital Territory

Statute Law Amendment Act 2021

A2021-12

An Act to amend legislation for the purpose of statute law revision, and for other purposes

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

1 Name of Act

This Act is the *Statute Law Amendment Act 2021*.

2 Commencement

- (1) This Act (other than schedule 3, part 3.45) commences on the 14th day after its notification day.

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

- (2) Schedule 3, part 3.45 commences on the later of—
- (a) the commencement of the *Planning Legislation Amendment Act 2020*, section 7; and
 - (b) the commencement of this Act, section 3.

3 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.

4 Purpose of Act

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.

5 Legislation amended—schs 1-3

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

Schedule 1 **Minor amendments**

(see s 5)

Part 1.1 **Controlled Sports Act 2019**

[1.1] Section 86 (1)

substitute

- (1) The Minister may establish an advisory committee to inform or advise either or both of the following about controlled sports:
 - (a) the Minister;
 - (b) the registrar.

Explanatory note

This amendment updates a provision to include the controlled sports registrar as someone who may be informed or advised about controlled sports by an advisory committee.

The *Controlled Sports Act 2019*, section 86 (1) gives the Minister power to establish an advisory committee to inform or advise the Minister about controlled sports. Currently, only the Minister may be informed or advised. However, it would be useful for an advisory committee to also be able to inform or advise the controlled sports registrar as the registrar is responsible for exercising many of the functions under the Act. This amendment updates section 86 (1) by inserting the registrar as someone who may be informed or advised about controlled sports issues by an advisory committee.

[1.2] Section 86 (5)

substitute

- (5) In exercising a function under this Act, the Minister and the registrar must consider any relevant information or advice given to the Minister or the registrar by an advisory committee.

Explanatory note

This amendment updates a provision to include the controlled sports registrar as someone who must consider any relevant information or advice given by an advisory committee in exercising a function under the Act. This amendment is consequential on amendment 1.1.

Part 1.2 Mental Health Act 2015

[1.3] Section 190 (1) (h)

substitute

- (h) if the proceeding is on a mental health order, a forensic mental health order, or a review required under section 180 (2) (Review of detention under court order), for which there is a registered affected person for the offence committed or alleged to have been committed by the subject person—
- (i) the registered affected person; and
 - (ii) the victims of crime commissioner;

Explanatory note

This amendment updates a provision to include a *registered affected person* as someone who may appear and give evidence at the hearing of certain proceedings.

The *Mental Health Act 2015*, section 190 lists people who may appear and give evidence at the hearing of certain proceedings before the ACT Civil and Administrative Tribunal (ACAT). Section 190 (1) (h) was recently amended by the *Mental Health Amendment Act 2020* to give the victims of crime commissioner the right to appear and give evidence in proceedings relating to a mental health order, a forensic mental health order, or a review of detention under a court order in respect of which there is a registered affected person. However, the right to appear and give evidence in the same proceedings was not extended to the registered affected person. This was an inadvertent omission from the *Mental Health Amendment Act 2020* and is corrected by this amendment.

Part 1.3 Public Sector Management Act 1994

[1.4] New section 251 (5) and (6)

insert

- (5) The [Legislation Act](#), section 47 (3) and (6) does not apply to a Commonwealth law or an ACT enterprise agreement applied, adopted or incorporated in a management standard.

Note A Commonwealth law or an ACT enterprise agreement does not need to be notified under the [Legislation Act](#) because s 47 (6) does not apply (see [Legislation Act](#), s 47 (7)). Commonwealth laws are accessible at www.legislation.gov.au and ACT enterprise agreements are accessible at www.jobs.act.gov.au.

- (6) In this section:

ACT enterprise agreement means an enterprise agreement, approved by the Fair Work Commission under the [Fair Work Act 2009](#) (Cwlth), to which the Territory is a party.

Commonwealth law means a Commonwealth Act or a disallowable legislative instrument under a Commonwealth Act.

disallowable legislative instrument, for a Commonwealth Act—
see the [Legislation Act](#), section 47 (10).

Explanatory note

This amendment disapplies the *Legislation Act 2001* (the ‘[Legislation Act](#)’), section 47 (3) and (6) in relation to a Commonwealth law or an ACT enterprise agreement applied, adopted or incorporated in a management standard.

As a statutory instrument, a management standard may apply, adopt or incorporate a law of another jurisdiction, such as a Commonwealth law, or an external document, such as an ACT enterprise agreement, as in force only at a particular time (see [Legislation Act](#), section 47 (3)). This is generally the time at which the instrument is made. However, by displacing section 47 (3), a management standard may apply a Commonwealth law or an ACT enterprise agreement as in force from time to time (see [Legislation Act](#), section 47 (4) (a)). The management standards under the *Public Sector Management Standards 2016* incorporate the terms of ACT enterprise agreements in relation to superannuation and other entitlements of certain public servants and statutory office-holders. This amendment ensures that the enterprise agreements and any relevant Commonwealth laws apply as in force from time to time.

The [Legislation Act](#), section 47 (6) provides that if section 47 (3) is displaced and a law of another jurisdiction or an instrument is applied as in force from time to time, the law or instrument, and any later changes to the law or instrument, are taken to be notifiable instruments. A notifiable instrument must be notified on the Legislation Register under the [Legislation Act](#). However, section 47 (6) may be displaced, meaning the law or instrument would not be required to be notified on the Legislation Register (see [Legislation Act](#), section 47 (7)). This amendment displaces section 47 (6) because both Commonwealth laws and ACT enterprise agreements are readily accessible on the internet and there is therefore no need for them to be published on the Legislation Register.

Part 1.4 Workers Compensation Act 1951

[1.5] Section 75 (3)

substitute

- (3) The per kilometre cost for the car is the amount determined by the commissioner of taxation under the *Income Tax Assessment Act 1997* (Cwlth), section 28-25 (4) for the financial year in which the cost was incurred.

Explanatory note

This amendment updates an outdated cross-reference.

The *Workers Compensation Act 1951*, part 4.5 (Compensation for medical treatment, damage and other costs) sets out when compensation for medical treatment, damage and other costs are payable by an employer to, or in relation to, a worker in relation to an injury. Section 75 sets out how to work out the costs of taking an injured worker by private motor vehicle to and from a place to receive medical treatment or rehabilitation services. Section 75 (2) states that ‘the transport cost is the cost worked out by multiplying the number of kilometres travelled to and from the place by the per kilometre cost for the car’. Section 75 (3) establishes the ‘per kilometre cost for the car’, which currently is ‘the amount mentioned in the *Income Tax Assessment Regulations 1997* (Cwlth), schedule 1, part 2 in relation to the size of the car for the financial year in which the cost was incurred’.

The *Income Tax Assessment Regulations 1997* (Cwlth), schedule 1, part 2 set out the number of cents used for calculating a deduction for car expenses for an income year, using the ‘cents per kilometre’ method for the *Income Tax Assessment Act 1997* (Cwlth), section 28-25. However, section 28-25 was amended in 2016 so that the ‘number of cents’ amount was determined by the commissioner of taxation in a legislative instrument rather than being set out in the Regulation.

This amendment updates section 75 (3) by replacing the outdated cross-reference to the Regulation with the correct cross-reference to the legislative instrument determined by the commissioner under the *Income Tax Assessment Act 1997* (Cwlth).

Schedule 2 Legislation Act 2001

(see s 5)

[2.1] Section 6 (7)

omit

subsection (5)

substitute

subsection (6)

Explanatory note

This amendment corrects a cross-reference.

[2.2] Section 19 (4), note

omit

Explanatory note

This amendment omits a note that is no longer necessary.

[2.3] Section 19 (5), examples

substitute

Example

An instrument under the [Self-Government Act](#) notifying the appointment of Ministers is entered in the register as a notifiable instrument even though the instrument is not taken to be a notifiable instrument under s 10 (Meaning of *notifiable instrument*). The instrument is also numbered as a notifiable instrument. The page of the register for the notification mentions that it is made under the [Self-Government Act](#) and is not a notifiable instrument but is included in the register for information.

Explanatory note

This amendment omits an example that is no longer necessary.

[2.4] Section 45 (4), definition of *disallowable instrument*

substitute

disallowable legislative instrument, for a Commonwealth Act, means a legislative instrument that can be disallowed under the [Legislation Act 2003](#) (Cwlth), chapter 3, part 2 (Parliamentary scrutiny of legislative instruments), including that part, or provisions of that part, applied by another Commonwealth law.

Explanatory note

This amendment revises the definition to correct a cross-reference and to more precisely reflect the language of the [Legislation Act 2003](#) (Cwlth).

[2.5] Section 45 (4), definition of *law*, paragraph (b)

omit

disallowable instrument

substitute

disallowable legislative instrument

Explanatory note

This amendment updates language as a result of amendment 2.4.

[2.6] Section 47 (10), definition of *disallowable instrument*

substitute

disallowable legislative instrument, for a Commonwealth Act, means a legislative instrument that can be disallowed under the [Legislation Act 2003](#) (Cwlth), chapter 3, part 2 (Parliamentary scrutiny of legislative instruments), including that part, or provisions of that part, applied by another Commonwealth law.

Explanatory note

This amendment revises the definition to correct a cross-reference and to more precisely reflect the language of the [Legislation Act 2003](#) (Cwlth).

[2.7] Section 47 (10), definition of *law of another jurisdiction*, paragraph (a)

omit

disallowable instrument

substitute

disallowable legislative instrument

Explanatory note

This amendment updates language as a result of amendment 2.6.

[2.8] Section 52 (4), example

omit

Explanatory note

This amendment omits an example that is no longer necessary and is inconsistent with current drafting practice.

[2.9] Section 89, examples 1 to 3

omit

Explanatory note

This amendment omits examples that are no longer necessary.

[2.10] Section 132 (1), examples and notes

omit

Explanatory note

This amendment omits examples and notes that are no longer necessary.

[2.11] Section 255 (3), example and note

omit

Explanatory note

This amendment omits an example and a note that are no longer necessary.

[2.12] Schedule 1, part 1.1, items 9 and 11

omit

Explanatory note

This amendment omits items that are redundant because the Acts mentioned in the items have been repealed or ceased to have effect.

[2.13] Further amendments, examples

omit the examples in

- section 18 (2)
- section 19 (10)
- section 24 (1)
- section 42 (2)
- section 56 (3), (4) and (5)
- section 57 (3) and (4)
- section 59 (2)
- section 60 (1)
- section 73 (2)
- section 75 (1) and (2)
- section 77 (1) and (4)
- section 79 (1)
- section 86 (1) and (2)
- section 89 (12), definition of *amending law*, paragraph (e)
- section 91 (9)
- section 92 (1)

- section 96 (3)
- section 100 (1) and (2)
- section 103
- section 106A (1)
- section 132 (2)
- section 133 (2)
- section 143 (1)
- section 164 (2)
- section 257 (2) (d)

Explanatory note

This amendment omits examples that are no longer necessary.

Schedule 3 Technical amendments

(see s 5)

Part 3.1 Animal Diseases Act 2005

[3.1] Section 11 (1) etc

omit the following notes

- section 11 (1), note
- section 23 (1), note
- section 62C (2), note 2

Explanatory note

This amendment omits standard notes about approved forms that are redundant because approved forms are not used for this Act.

[3.2] Section 89

omit

Explanatory note

This amendment omits a provision that is redundant because approved forms are not used for this Act.

Part 3.2 Animal Welfare Act 1992

[3.3] Section 26 (1) etc

omit the following notes

- section 26 (1), note 1
- section 34 (2), note 1
- section 37 (1), note 1
- section 46 (2), note 1
- section 49A (a), note

- section 54 (1), note 1
- section 59A (2), note 1
- section 63 (1), note 1
- section 71 (2), note 1
- section 95 (1), note 1

Explanatory note

This amendment omits standard notes about approved forms that are redundant because approved forms are not used for this Act.

[3.4] Section 110A

omit

Explanatory note

This amendment omits a provision that is redundant because approved forms are not used for this Act.

**Part 3.3 Building and Construction
Industry (Security of Payment)
Act 2009**

[3.5] Section 15 (1) etc

omit the following notes

- section 15 (1), note 1
- section 16 (1), note 1
- section 17 (2), note
- section 18 (3), note
- section 19 (1), note
- section 21 (1), note
- section 22 (1), note
- section 26 (2), note

- section 26 (3), note
- section 31 (1), note 1

Explanatory note

This amendment omits standard notes about approved forms that are redundant because approved forms are not used for this Act.

[3.6] Section 47

omit

Explanatory note

This amendment omits a provision that is redundant because approved forms are not used for this Act.

Part 3.4 Clinical Waste Act 1990

[3.7] Section 14 (2) (b)

substitute

- (b) must contain a list of waste disposal sites.

Explanatory note

This amendment remakes section 14 (2) (b) to omit a reference to an approved form under section 41, which is omitted by another amendment. Approved forms are not used for this Act.

[3.8] Section 19 (2), note 1

omit

Explanatory note

This amendment omits a standard note about approved forms that is redundant because approved forms are not used for this Act.

[3.9] Section 41

omit

Explanatory note

This amendment omits a provision that is redundant because approved forms are not used for this Act.

Part 3.5 Construction Occupations (Licensing) Act 2004

[3.10] Dictionary, new definitions

insert

entity, for part 4 (Rectification orders, enforceable undertakings and other obligations on licensees)—see section 34 (1) (a).

rectification undertaking, for part 4 (Rectification orders, enforceable undertakings and other obligations on licensees)—see section 47B.

Explanatory note

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

Part 3.6 Crimes (Restorative Justice) Act 2004

**[3.11] Section 22 (2), definition of *victims of crime*
*commissioner***

omit

Explanatory note

This amendment omits a definition that is made redundant as a result of amendment 3.12.

[3.12] Dictionary, note 2

insert

- victims of crime commissioner.

Explanatory note

Dictionary, note 2 lists examples of terms used in the Act that are defined in the [Legislation Act](#), dictionary, part 1. This amendment updates the note to insert a term used in the Act and defined in the [Legislation Act](#), dictionary, part 1.

Part 3.7 Crimes (Sentence Administration) Act 2005

[3.13] Section 320B (2), definition of *CYP young offender*, paragraph (b) (ii)

omit

CYP director-general

substitute

director-general responsible for administering the [Children and Young People Act 2008](#)

Explanatory note

This amendment omits a term that is defined in the dictionary but only used in this section, and replaces the term with the substance of the definition. The definition is omitted from the dictionary by amendment 3.14.

[3.14] Dictionary, definition of *CYP director-general*

omit

Explanatory note

This amendment omits a definition that is made redundant as a result of amendment 3.13.

Part 3.8 Crimes (Sentencing) Act 2005

[3.15] Section 8 (1), definition of *offender*, new paragraph (b) (iv)

insert

- (iv) part 4.6 (Sentencing—schedule offence with criminal group)—see section 61B.

Explanatory note

This amendment revises a definition to be consistent with current legislative drafting practice.

[3.16] Dictionary, definitions of *court*

omit the 2 definitions, substitute

court—

- (a) for this Act generally, if a *court* has sentenced an offender, made an order or given a direction—means the same court, however constituted; and
- (b) for part 4.2B (Drug and alcohol treatment assessments) and part 5.4A (Drug and alcohol treatment orders)—means the Supreme Court; and
- (c) for part 4.6 (Sentencing—schedule offence with criminal group)—see section 61B.

Explanatory note

This amendment revises a definition to be consistent with current legislative drafting practice. The dictionary contains 2 definitions of *court*, this amendment combines the definitions into one.

[3.17] Dictionary, definition of *offender*, for part 4.6

omit

Explanatory note

This amendment omits a definition that is made redundant as a result of amendment 3.15.

Part 3.9 Dangerous Substances (Explosives) Regulation 2004

[3.18] Table 259, item 6, column 2

omit

in writing

Explanatory note

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

[3.19] Dictionary, note 2

insert

- AS (see s 164 (1))

Explanatory note

Dictionary, note 2 lists examples of terms used in the regulation that are defined in the [Legislation Act](#), dictionary, part 1. This amendment updates the note to insert a term used in the regulation and defined in the [Legislation Act](#).

Part 3.10 Drugs of Dependence Act 1989

[3.20] Section 193B (1)

omit

, in writing,

Explanatory note

This amendment omits words that are redundant because of the [Legislation Act](#), section 42 (2), which requires disallowable instruments to be in writing.

[3.21] Section 204 (1)

omit

, in writing,

Explanatory note

This amendment omits words that are redundant because of the [Legislation Act](#), section 42 (2), which requires disallowable instruments to be in writing.

[3.22] Section 205

omit

Explanatory note

This amendment omits a provision that is redundant because approved forms are not used for this Act.

Part 3.11 Duties Act 1999

[3.23] Section 14 (1), note

omit

Explanatory note

This amendment omits a standard note about approved forms that is redundant because approved forms are not used for this Act. The [Taxation Administration Act 1999](#), section 139C, which provides that forms may be approved for this Act, is omitted by another amendment.

[3.24] Section 15 (2) (a)

omit

(Registrar-general may give information about certain dutiable transactions and instruments to revenue commissioner)

substitute

(Registrar-general must give information about certain transactions and instruments to revenue commissioner)

Explanatory note

This amendment corrects a cross-reference.

[3.25] Section 75AB (1) etc

omit the following notes

- section 75AB (1), note
- section 87 (3), note
- section 106 (1), note
- section 115B (2), note 1

Explanatory note

This amendment omits standard notes about approved forms that are redundant because approved forms are not used for this Act. The *Taxation Administration Act 1999*, section 139C, which provides that forms may be approved for this Act, is omitted by another amendment.

[3.26] Section 115B (3) (e)

omit

Explanatory note

This amendment omits a reference to an approved form that is redundant because approved forms are not used for this Act. The *Taxation Administration Act 1999*, section 139C, which provides that forms may be approved for this Act, is omitted by another amendment.

[3.27] Section 239 (1) etc

omit the following notes

- section 239 (1), note
- section 244 (1), notes 1 and 2

Explanatory note

This amendment omits standard notes about approved forms that are redundant because approved forms are not used for this Act. The [Taxation Administration Act 1999](#), section 139C, which provides that forms may be approved for this Act, is omitted by another amendment.

Part 3.12 Education and Care Services National Law (ACT) Act 2011

[3.28] Section 10

omit

chief executive

substitute

director-general

Explanatory note

This amendment replaces a reference to ‘chief executive’ with ‘director-general’ as a consequence of amendments made to the [Public Sector Management Act 1994](#) by the [Public Sector Management \(One ACT Public Service\) Amendment Act 2011](#), which recast chief executives as directors-general.

[3.29] Dictionary, note 2

omit

- chief executive (s 163)

Explanatory note

Dictionary, note 2 lists examples of terms used in the Act that are defined in the [Legislation Act](#), dictionary, part 1. This amendment updates the note to omit a term made redundant as a consequence of amendment 3.28.

[3.30] Dictionary, note 2

insert

- director-general (see s 163)

Explanatory note

Dictionary, note 2 lists examples of terms used in the Act that are defined in the [Legislation Act](#), dictionary, part 1. This amendment updates the note to insert a term as a consequence of amendment 3.28.

Part 3.13 Electricity Feed-in (Large-scale Renewable Energy Generation) Act 2011

[3.31] Section 24

omit

Explanatory note

This amendment omits a provision that is redundant because approved forms are not used for this Act.

Part 3.14 Energy Efficiency (Cost of Living) Improvement Act 2012

[3.32] Section 17 (2) etc

omit the following notes

- section 17 (2), note
- section 17A (1), note 1

- section 17B (2), note
- section 19 (2), note 1

Explanatory note

This amendment omits standard notes about approved forms that are redundant because approved forms are not used for this Act.

[3.33] Section 56

omit

Explanatory note

This amendment omits a provision that is redundant because approved forms are not used for this Act.

Part 3.15 Environment Protection Act 1997

[3.34] Section 76A (2) etc

omit the note in

- section 76A (2)
- section 76B
- section 92 (1)
- section 159A (1)

Explanatory note

This amendment omits standard notes about approved forms that are redundant because approved forms are not used for this Act.

[3.35] Section 165A

omit

Explanatory note

This amendment omits a provision that is redundant because approved forms are not used for this Act.

Part 3.16 **Environment Protection Regulation 2005**

[3.36] Section 14 (2) (h), note

omit

Explanatory note

This amendment omits a standard note about approved forms that is redundant because approved forms are not used for the Act.

Part 3.17 **First Home Owner Grant Act 2000**

[3.37] Section 14 (1), note 1 and section 28 (4), note

omit

Explanatory note

This amendment omits standard notes about approved forms that are redundant because approved forms are not used for this Act.

[3.38] Section 55

omit

Explanatory note

This amendment omits a provision that is redundant because approved forms are not used for this Act.

Part 3.18 **Fisheries Act 2000**

[3.39] Section 36B (1), note and section 38, note 2

omit

Explanatory note

This amendment omits standard notes about approved forms that are redundant because approved forms are not used for this Act.

[3.40] Section 115

omit

Explanatory note

This amendment omits a provision that is redundant because approved forms are not used for this Act.

Part 3.19 Food Act 2001

[3.41] Section 78 (2) etc

omit the following notes

- section 78 (2), note 1
- section 92 (1), note 2
- section 97 (2), note 1

Explanatory note

This amendment omits standard notes about approved forms that are redundant because approved forms are not used for this Act.

[3.42] Section 151

omit

Explanatory note

This amendment omits a provision that is redundant because approved forms are not used for this Act.

Part 3.20 Food Regulation 2002

[3.43] Section 20 (2), note 1 and section 21 (3), note 1

omit

Explanatory note

This amendment omits standard notes about approved forms that are redundant because approved forms are not used for the Act.

Part 3.21 Gas Safety Act 2000

[3.44] Section 9, note 2

omit

Explanatory note

This amendment omits a standard note about approved forms that is redundant because approved forms are not used for this Act.

[3.45] Section 65 (5)

omit

(or provision of an instrument)

Explanatory note

This amendment omits words that are redundant because of the [Legislation Act](#), section 14 (2), which provides that a reference to an instrument includes a reference to a provision of an instrument.

[3.46] Section 68

omit

Explanatory note

This amendment omits a provision that is redundant because approved forms are not used for this Act.

Part 3.22 Health Act 1993

[3.47] Section 120, definition of *protected information*, except note

omit

Explanatory note

This amendment omits a definition that is made redundant as a result of amendment 3.49.

[3.48] Section 120, note

substitute

Note **Protected information** and **sensitive information** are defined for the Act
(see s 123 and s 124).

Explanatory note

This amendment inserts a note to assist legislative users and is consequential on amendment 3.49.

[3.49] Section 123 (1)

omit

For this part,

substitute

For this Act,

Explanatory note

This amendment updates a definition to be for the Act as the definition is used in other parts of the Act.

[3.50] Section 192 (5), definition of *Commonwealth law*

omit

disallowable instrument

substitute

disallowable legislative instrument

Explanatory note

This amendment updates language as a result of amendment 3.51.

[3.51] Section 192 (5), definition of *disallowable instrument*

substitute

disallowable legislative instrument, for a Commonwealth Act, means a legislative instrument that can be disallowed under the [Legislation Act 2003](#) (Cwlth), chapter 3, part 2 (Parliamentary scrutiny of legislative instruments), including that part, or provisions of that part, applied by another Commonwealth law.

Explanatory note

This amendment revises the definition to correct a cross-reference and to more precisely reflect the language of the [Legislation Act 2003](#) (Cwlth).

[3.52] Dictionary, definition of *protected information*

substitute

protected information—see section 123.

Explanatory note

This amendment revises the definition to be consistent with current legislative drafting practice and is consequential on amendment 3.48.

Part 3.23 Health Records (Privacy and Access) Act 1997

[3.53] Section 7 (4), note

omit

Explanatory note

This amendment omits a standard note about approved forms that is redundant because approved forms are not used for this Act.

[3.54] Section 35

omit

Explanatory note

This amendment omits a provision that is redundant because approved forms are not used for this Act.

[3.55] Schedule 1, principle 10, clause 7, note

omit

Explanatory note

This amendment omits a standard note about approved forms that is redundant because approved forms are not used for this Act.

[3.56] Schedule 1, principle 11, clause 4, note 1

omit

Explanatory note

This amendment omits a standard note about approved forms that is redundant because approved forms are not used for this Act.

Part 3.24 Hemp Fibre Industry Facilitation Act 2004

[3.57] Section 13 (2) etc

omit note 2 in

- section 13 (2)
- section 24 (1)
- section 28 (1)

Explanatory note

This amendment omits standard notes about approved forms that are redundant because approved forms are not used for this Act.

[3.58] Section 61

omit

Explanatory note

This amendment omits a provision that is redundant because approved forms are not used for this Act.

Part 3.25 Human Cloning and Embryo Research Act 2004

[3.59] Section 43 (2)

substitute

- (2) The identity card must contain a recent photograph of the inspector.

Explanatory note

This amendment remakes section 43 (2) to omit a reference to an approved form. Section 53, which provides that forms may be approved for this Act, is omitted by another amendment because approved forms are not used for this Act.

[3.60] Section 53

omit

Explanatory note

This amendment omits a provision that is redundant because approved forms are not used for this Act.

Part 3.26 Information Privacy Act 2014

[3.61] Section 25 (2), definition of *Commonwealth enforcement or intelligence body*, paragraph (b)

substitute

- (b) the Office of National Intelligence established under the *Office of National Intelligence Act 2018* (Cwlth), section 6;

Explanatory note

This amendment corrects an outdated cross-reference. The *Office of National Assessments Act 1977* (Cwlth), was repealed by the *Office of National Intelligence (Consequential and Transitional Provisions) Act 2018* (Cwlth), schedule 1, and replaced by the *Office of National Intelligence Act 2018* (Cwlth). Under the new Act, section 6, the Office of National Assessments ‘continues in existence, by force of this subsection, under and subject to the provisions of this Act, under the name Office of National Intelligence’.

[3.62] Section 25 (2), definition of *Commonwealth enforcement or intelligence body*, paragraph (d)

omit

Defence Imagery and Geospatial Organisation

substitute

Australian Geospatial-Intelligence Organisation

Explanatory note

This amendment corrects an outdated cross-reference. The ‘Defence Imagery and Geospatial Organisation’ was renamed the ‘Australian Geospatial-Intelligence Organisation’ by amendments to the *Intelligence Services Act 2001* (Cwlth) made under the *National Security Legislation Amendment Act (No. 1) 2014* (Cwlth), schedule 7, part 1.

Part 3.27 Integrity Commission Act 2018

[3.63] Dictionary, definition of *inspector of correctional services*

omit

Explanatory note

This amendment omits a definition of a term that is no longer used in the Act.

Part 3.28 Intoxicated People (Care and Protection) Act 1994

[3.64] Section 38

omit

Explanatory note

This amendment omits a provision that is redundant because approved forms are not used for this Act.

Part 3.29 Lakes Act 1976

[3.65] Section 18 (1)

omit

him or her

substitute

the Minister

Explanatory note

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

[3.66] Section 18 (1) and section 22 (5)

omit

he or she

substitute

the Minister

Explanatory note

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

[3.67] Section 26 (1), note 2

omit

Explanatory note

This amendment omits a standard note about approved forms that is redundant because approved forms are not used for this Act.

[3.68] Section 29 (1), except note

substitute

- (1) The Minister may, on any conditions that the Minister considers appropriate, authorise, by written notice, the use of a power boat in or on a lake—
 - (a) by a sports club in relation to the training of people for, or the conduct of, a competition in an aquatic sport; or
 - (b) by other people for the purposes the Minister approves.

Explanatory note

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

[3.69] Section 31 (1)

omit

subject to such conditions (if any) as he or she thinks fit

substitute

on any conditions that the Minister considers appropriate

Explanatory note

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

[3.70] Section 32 (2)

omit

he or she

substitute

the inspector

Explanatory note

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

[3.71] Section 32 (3)

omit

his or her

substitute

the inspector's

Explanatory note

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

[3.72] Section 32 (4)

substitute

- (4) An inspector is not liable for any damage to a vehicle or boat caused by them when exercising their powers under this section.

Explanatory note

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

[3.73] Section 37 (1)

omit

when he or she is so authorised, the delegate for lakes may

substitute

if authorised, the delegate may

Explanatory note

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

[3.74] Section 121

omit

Explanatory note

This amendment omits a provision that is redundant because approved forms are not used for this Act.

Part 3.30 Land Rent Act 2008

[3.75] Section 10 (1) etc

omit the following notes

- section 10 (1), note
- section 16C (2), note 2
- section 31 (1), notes 2 and 3

Explanatory note

This amendment omits standard notes about approved forms that are redundant because approved forms are not used for this Act. The *Taxation Administration Act 1999*, section 139C, which provides that forms may be approved for this Act, is omitted by another amendment.

Part 3.31 Land Tax Act 2004

[3.76] Section 14 (2) etc

omit the following notes

- section 14 (2), note 1
- section 41 (1), notes 2 and 3
- section 42 (1), notes 2 and 3

Explanatory note

This amendment omits standard notes about approved forms that are redundant because approved forms are not used for this Act. The *Taxation Administration Act 1999*, section 139C, which provides that forms may be approved for this Act, is omitted by another amendment.

Part 3.32 Long Service Leave Act 1976

[3.77] Section 13D (1), note and section 13F (2), note

omit

Explanatory note

This amendment omits standard notes about approved forms that are redundant because approved forms are not used for this Act.

[3.78] Section 17

omit

Explanatory note

This amendment omits a provision that is redundant because approved forms are not used for this Act.

Part 3.33 Long Service Leave (Portable Schemes) Act 2009

[3.79] Section 31 (1) etc

omit the following notes

- section 31 (1), note 2
- section 35 (1), note 3
- section 37 (2), note
- section 40, note
- section 41 (2), note
- section 45 (2), note

- section 54 (1), note
- section 89A (1), note

Explanatory note

This amendment omits standard notes about approved forms that are redundant because approved forms are not used for this Act.

[3.80] Section 92

omit

Explanatory note

This amendment omits a provision that is redundant because approved forms are not used for this Act.

[3.81] Schedule 1, section 1.9 (1) etc

omit the note in

- schedule 1, section 1.9 (1)
- schedule 1, section 1.10 (1)
- schedule 1, section 1.14 (2)
- schedule 2, section 2.9 (1)
- schedule 2, section 2.10 (1)
- schedule 2, section 2.14 (2)
- schedule 3, section 3.10 (1)
- schedule 3, section 3.11 (1)
- schedule 3, section 3.15 (2)
- schedule 4, section 4.10 (1)
- schedule 4, section 4.11 (1)
- schedule 4, section 4.15 (2)

Explanatory note

This amendment omits standard notes about approved forms that are redundant because approved forms are not used for this Act.

Part 3.34 Machinery Act 1949

[3.82] Section 6

omit

Explanatory note

This amendment omits a provision that is redundant because approved forms are not used for this Act.

Part 3.35 Medicines, Poisons and Therapeutic Goods Act 2008

[3.83] Section 84 (1), note 1

omit

Explanatory note

This amendment omits a standard note about approved forms that is redundant because approved forms are not used for this Act.

[3.84] Section 85 (3)

substitute

- (3) However, the chief health officer need not decide the application if the chief health officer has asked for something under section 83 and the request has not been complied with.

Explanatory note

This amendment remakes section 85 (3) to omit a reference to an approved form that is redundant because approved forms are not used for this Act.

[3.85] Section 92 (1) etc

omit note 1 in

- section 92 (1)
- section 97G (1)
- section 137 (2)

Explanatory note

This amendment omits standard notes about approved forms that are redundant because approved forms are not used for this Act.

[3.86] Section 198

omit

Explanatory note

This amendment omits a provision that is redundant because approved forms are not used for this Act.

Part 3.36 Medicines, Poisons and Therapeutic Goods Regulation 2008

[3.87] Section 172 (1) etc

omit the following notes

- section 172 (1), note
- section 173 (1), note
- section 560 (2), note
- section 581 (2), note
- section 592 (2), note
- section 605 (1), note 1
- section 610 (1), note 1
- section 615 (1), note 1

- section 620, note 1
- section 625, note 1
- section 705 (1), note 1
- section 710 (1), note 1
- section 715 (1), note 1
- section 765 (1), note 1

Explanatory note

This amendment omits standard notes about approved forms that are redundant because approved forms are not used for the Act.

Part 3.37 Mental Health Act 2015

[3.88] Section 22 (2) etc

omit the following notes

- section 19 (1), note 2
- section 22 (2), note
- section 22 (5) (b), note
- section 22 (6), note
- section 26 (3), note
- section 27 (3), note
- section 27 (4), note
- section 27 (5), note
- section 62 (2), note 2
- section 62 (3), note
- section 64 (3), note
- section 70 (2), note
- section 72 (3), note
- section 77 (2) (b), note
- section 87 (2), note

- section 103 (2), note 2
- section 103 (3), note
- section 105 (3), note
- section 106 (3), note 2
- section 110 (2), note
- section 112 (3), note 2
- section 113 (3), note
- section 124 (2) (b), note
- section 131 (3), note 1
- section 225 (2) (e), note 1
- section 227 (2), note 1
- section 228 (2), note 1
- section 230 (1), note 1
- section 231 (1), note
- section 266 (2), note

Explanatory note

This amendment omits standard notes about approved forms that are redundant because approved forms are not used for this Act.

[3.89] Section 273

omit

Explanatory note

This amendment omits a provision that is redundant because approved forms are not used for this Act.

Part 3.38 Mental Health (Secure Facilities) Act 2016

[3.90] Section 35 (1), note

omit

Explanatory note

This amendment omits a standard note about approved forms that is redundant because approved forms are not used for this Act.

[3.91] Section 77

omit

Explanatory note

This amendment omits a provision that is redundant because approved forms are not used for this Act.

Part 3.39 Nature Conservation Act 2014

[3.92] Section 81 (2) etc

omit the following notes

- section 81 (2), note
- section 208 (2), note
- section 264 (2), note 3
- section 287 (3), note 3
- section 289 (2), note 3
- section 291 (1), note 1
- section 294 (1), note

Explanatory note

This amendment omits standard notes about approved forms that are redundant because approved forms are not used for this Act.

[3.93] Section 369

omit

Explanatory note

This amendment omits a provision that is redundant because approved forms are not used for this Act.

Part 3.40 Pawnbrokers Act 1902

[3.94] Section 8 (2)

omit

his or her

substitute

the pawnbroker's

Explanatory note

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

[3.95] Section 20

omit

him or her

substitute

the person

Explanatory note

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

[3.96] Dictionary, definition of *duplicate*

substitute

duplicate, for a pawned article, means a duplicate mentioned in section 10 (1) of a record mentioned in section 9 (2).

Explanatory note

This amendment updates the definition to more precisely reflect the language of sections 9 and 10.

Part 3.41 Payroll Tax Act 2011

[3.97] Section 16 (3) etc

omit the note in

- section 16 (3)
- section 86 (2)
- section 87 (2)
- schedule 2, section 2.16 (3)

Explanatory note

This amendment omits standard notes about approved forms that are redundant because approved forms are not used for this Act. The *Taxation Administration Act 1999*, section 139C, which provides that forms may be approved for this Act, is omitted by another amendment.

Part 3.42 Pest Plants and Animals Act 2005

[3.98] Section 14 (3), note 1 and section 23 (3), note 1

omit

Explanatory note

This amendment omits standard notes about approved forms that are redundant because approved forms are not used for this Act.

[3.99] Section 52

omit

Explanatory note

This amendment omits a provision that is redundant because approved forms are not used for this Act.

Part 3.43 Planning and Development Act 2007

[3.100] Section 147AA (2), definition of *concurrent extension period*, paragraph (b)

omit

section 211D (2)

substitute

section 219 (3)

Explanatory note

This amendment corrects a cross-reference.

[3.101] Section 147AA (2), definition of *concurrent extension period*, paragraph (c)

omit

section 219 (3)

substitute

section 211D (2)

Explanatory note

This amendment corrects a cross-reference.

Part 3.44 **Planning and Development Regulation 2008**

[3.102] Section 25 heading

25 **When survey certificate not required for development applications—Act, s 139 (2) (n)**

Explanatory note

This amendment corrects a cross-reference in a heading.

[3.103] Schedule 1, section 1.100AA (4), definition of *preliminary block*, paragraph (b), note

omit

s 139 (2) (n)

substitute

s 139 (2) (s)

Explanatory note

This amendment corrects a cross-reference.

Part 3.45 Planning Legislation Amendment Act 2020

[3.104] Section 7

substitute

7 Form of development applications New section 139 (2) (u)

before the notes, insert

- (u) if the annual amount of the expected greenhouse gas emissions from operating the development is more than the amount prescribed by regulation—be accompanied by an expected greenhouse gas emissions statement for the development.

Explanatory note

This amendment updates a paragraph number and corrects a minor typographical error by inserting missing words. The *Planning Legislation Amendment Act 2020*, section 7 will insert new section 139 (2) (t) into the *Planning and Development Act 2007*. However, the paragraphs in the *Planning and Development Act 2007*, section 139 (2) were renumbered during republication, meaning the new paragraph should be inserted as paragraph (u) rather than (t). The words ‘be accompanied by’ are also inserted to correct a minor typographical error.

Part 3.46 Plant Diseases Act 2002

[3.105] Section 11 (1), note

omit

Explanatory note

This amendment omits a standard note about approved forms that is redundant because approved forms are not used for this Act.

[3.106] Section 40

omit

Explanatory note

This amendment omits a provision that is redundant because approved forms are not used for this Act.

Part 3.47 Public Health Act 1997

[3.107] Section 16 (2)

omit

his or her

substitute

the person's

Explanatory note

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

[3.108] Section 23 (1) etc

omit the following notes

- section 23 (1), note 2
- section 25 (1), note 2
- section 29 (2), note 2
- section 31, note
- section 36 (2), note 2
- section 42E (1), note 2
- section 42G (1), note 2
- section 43 (2), note 2

Explanatory note

This amendment omits standard notes about approved forms that are redundant because approved forms are not used for this Act.

[3.109] Section 45 (2)

omit

he or she is

Explanatory note

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

[3.110] Section 46, note

omit

Explanatory note

This amendment omits a standard note about approved forms that is redundant because approved forms are not used for this Act.

[3.111] Section 48 (4)

omit

he or she

substitute

the Minister

Explanatory note

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

[3.112] Section 53 (5)

omit

his or her

substitute

the Minister's

Explanatory note

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

[3.113] Section 56F (1) etc

omit the following notes

- section 56F (1), note 2
- section 56H, note
- section 56M (2), note 2

Explanatory note

This amendment omits standard notes about approved forms that are redundant because approved forms are not used for this Act.

[3.114] Section 63 (1)

omit

persons

substitute

people

Explanatory note

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

[3.115] Section 64 (3)

omit

his or her identity card, and, unless the authorised officer is the chief health officer, his or her authorisation

substitute

the authorised officer's identity card, and, unless the authorised officer is the chief health officer, the officer's authorisation

Explanatory note

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

[3.116] Section 66C (2) (b)

omit

the full name of the applicant and his or her

substitute

the applicant's full name and

Explanatory note

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

[3.117] Section 66C (3) (a) (ii)

omit

persons

substitute

people

Explanatory note

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

[3.118] Section 66J (2)

omit

approved persons

substitute

an approved person

Explanatory note

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

[3.119] Section 66M, note

omit

Explanatory note

This amendment omits a standard note about approved forms that is redundant because approved forms are not used for this Act.

[3.120] Section 66Q (1)

omit

his or her

substitute

the person's

Explanatory note

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

[3.121] Section 68 (3)

omit

him or her

substitute

the complainant

Explanatory note

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

[3.122] Section 69 (2) (a)

omit

persons

substitute

people

Explanatory note

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

[3.123] Section 69 (2) (d)

omit

his or her

substitute

the person's

Explanatory note

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

[3.124] Section 71 (4)

omit

his or her

substitute

the officer's

Explanatory note

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

[3.125] Section 74 (1) (b) (i)

omit

persons

substitute

people

Explanatory note

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

[3.126] Section 74 (1) (b) (ii)

substitute

- (ii) if the person causing the condition cannot be identified—
2 or more people occupy the place at which the condition exists, or from which the condition originates.

Explanatory note

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

[3.127] Section 74 (2)

omit

Each of the persons

substitute

Each person

Explanatory note

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

[3.128] Section 76 (3)

omit

his or her

substitute

the officer's

Explanatory note

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

[3.129] Section 77 (1) (a) and (b)

omit

his or her

substitute

the officer's

Explanatory note

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

[3.130] Section 77 (1) (c)

omit

he or she

substitute

they

Explanatory note

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

[3.131] Section 78

omit

he or she may, if he or she considers

substitute

the officer may, if they consider

Explanatory note

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

[3.132] Section 78 (k)

omit

his or her

substitute

their

Explanatory note

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

[3.133] Section 79 (3)

omit

his or her

substitute

the officer's

Explanatory note

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

[3.134] Section 86 (3)

omit

he or she

substitute

the defendant

Explanatory note

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

[3.135] Section 87

omit

his or her

substitute

the person's

Explanatory note

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

[3.136] Section 89 (4)

omit

on its own motion

substitute

on its own initiative

Explanatory note

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

[3.137] Section 91 (3)

omit

persons

substitute

people

Explanatory note

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

[3.138] Section 93 (2) and (3)

omit

his or her

substitute

the analyst's

Explanatory note

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

[3.139] Section 94

omit

his or her

substitute

the officer's

Explanatory note

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

[3.140] Section 94 (b) (i)

omit

persons

substitute

people

Explanatory note

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

[3.141] Section 102 (3) and section 102A (4)

omit

he or she

substitute

they

Explanatory note

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

[3.142] Section 103 (2)

omit

persons

substitute

people

Explanatory note

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

[3.143] Section 103 (2) (c)

omit

his or her

substitute

the pathologist's

Explanatory note

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

[3.144] Section 106 heading

substitute

106 Notification by affected person—notifiable conditions

Explanatory note

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

[3.145] Section 106 (4) and (6)

omit

his or her

substitute

the officer's

Explanatory note

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

[3.146] Section 108 (3) and (4)

omit

his or her

substitute

the contact's

Explanatory note

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

[3.147] Section 110 heading

substitute

110 Disclosure of information—person with notifiable condition

Explanatory note

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

[3.148] Section 113 (1)

omit

he or she

substitute

the chief health officer

Explanatory note

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

[3.149] Section 113 (1) (j)

omit

or persons

Explanatory note

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

[3.150] Section 113 (4) (a)

omit

persons

substitute

people

Explanatory note

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

[3.151] Section 116 (4)

omit

his or her

substitute

the officer's

Explanatory note

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

[3.152] Section 120 (1)

omit

he or she

substitute

the chief health officer

Explanatory note

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

[3.153] Section 120 (1) (b) and (c)

omit

persons

substitute

person

Explanatory note

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

[3.154] Section 137A

omit

Explanatory note

This amendment omits a provision that is redundant because approved forms are not used for this Act.

[3.155] Further amendments, mentions of *he or she*

omit

he or she

substitute

the person

in

- section 42A
- section 56A
- section 56T
- section 77 (2) (a)

Explanatory note

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

[3.156] Further amendments, mentions of *he or she*

omit

he or she

substitute

the officer

in

- section 59 (3)
- section 60 (4)
- section 62 (3)
- section 64 (1)
- section 65 (4)
- section 69 (1) and (2)
- section 70 (3)
- section 71 (1) and (2)

- section 72 (4)
- section 76 (1) and (2)
- section 115 (3)
- section 116
- section 117 (4)

Explanatory note

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

Part 3.48 Public Health Regulation 2000

[3.157] Section 42 (1), note 1 and section 43 (1), note

omit

Explanatory note

This amendment omits standard notes about approved forms that are redundant because approved forms are not used for the Act.

[3.158] Section 44 (1) (b)

omit

does not properly comply with the approved form, or

Explanatory note

This amendment remakes section 44 (1) (b) to omit a reference to an approved form that is redundant because approved forms are not used for the Act.

[3.159] Section 70 (2), note

omit

Explanatory note

This amendment omits a standard note about approved forms that is redundant because approved forms are not used for the Act.

Part 3.49 Public Pools Act 2015

[3.160] Section 57

omit

Explanatory note

This amendment omits a provision that is redundant because approved forms are not used for this Act.

Part 3.50 Rates Act 2004

[3.161] Section 31 (1) etc

omit the following notes

- section 31 (1), note 1
- section 33 (2), note
- section 46 (1), note
- section 61 (2), note
- section 76 (1), notes 2 and 3
- section 77 (1), notes 2 and 3

Explanatory note

This amendment omits standard notes about approved forms that are redundant because approved forms are not used for this Act. The *Taxation Administration Act 1999*, section 139C, which provides that forms may be approved for this Act, is omitted by another amendment.

Part 3.51 **Road Transport (General) Act 1999**

[3.162] Section 21A (1), definition of *infringement notice*

substitute

infringement notice—see section 24 (6).

Explanatory note

This amendment corrects a cross-reference.

Part 3.52 **Royal Commissions Act 1991**

[3.163] Section 51

omit

Explanatory note

This amendment omits a provision that is redundant because approved forms are not used for this Act.

Part 3.53 **Scaffolding and Lifts Act 1912**

[3.164] Section 20

omit

Explanatory note

This amendment omits a provision that is redundant because approved forms are not used for this Act.

Part 3.54 Smoke-Free Public Places Act 2003

[3.165] Section 9G (1), note

omit

Explanatory note

This amendment omits a standard note about approved forms that is redundant because approved forms are not used for this Act.

[3.166] Section 21

omit

Explanatory note

This amendment omits a provision that is redundant because approved forms are not used for this Act.

Part 3.55 Spent Convictions Act 2000

[3.167] Section 3 (3), note

substitute

Note See the [Discrimination Act 1991](#), s 7 (1) (k) for discrimination on the ground of irrelevant criminal record. **Irrelevant criminal record** includes a record relating to a spent or an extinguished conviction (see that [Act](#), dict).

Explanatory note

This amendment revises the note to correct a cross-reference and to more precisely reflect the language of the [Discrimination Act 1991](#).

Part 3.56 Taxation Administration Act 1999

[3.168] Section 19A (1) etc

omit the note in

- section 19A (1)
- section 39
- section 43 (3)
- section 80 (1)
- section 90D (2)
- section 95 (3)

Explanatory note

This amendment omits standard notes about approved forms that are redundant because approved forms are not used for this Act.

[3.169] Section 139C

omit

Explanatory note

This amendment omits a provision that is redundant because approved forms are not used for this Act or any other tax law.

Part 3.57 Territory Records Act 2002

[3.170] Section 56

omit

Explanatory note

This amendment omits a provision that is redundant because approved forms are not used for this Act.

Part 3.58 Tobacco and Other Smoking Products Act 1927

[3.171] Section 47 (1) etc

omit the following notes

- section 47 (1), note 2
- section 47 (4), note
- section 47 (6), note 2
- section 51 (1), note 2

Explanatory note

This amendment omits standard notes about approved forms that are redundant because approved forms are not used for this Act.

[3.172] Section 72A

omit

Explanatory note

This amendment omits a provision that is redundant because approved forms are not used for this Act.

Part 3.59 Tree Protection Act 2005

[3.173] Section 22 etc

omit the following notes

- section 22, note 1
- section 32 (3), note 1
- section 46 (1), note 1
- section 55 (1), note 1

- section 66 (4), note 1
- section 67 (1), note 1
- section 106 (3), note

Explanatory note

This amendment omits standard notes about approved forms that are redundant because approved forms are not used for this Act.

[3.174] Section 110

omit

Explanatory note

This amendment omits a provision that is redundant because approved forms are not used for this Act.

Part 3.60 Utilities Act 2000

[3.175] Section 54M (2), note 1

omit

Explanatory note

This amendment omits a standard note about approved forms that is redundant because approved forms are not used for this Act. The [Taxation Administration Act 1999](#), section 139C, which provides that forms may be approved for this Act, is omitted by another amendment.

Part 3.61 Utilities (Network Facilities Tax) Act 2006

[3.176] Section 12 (2), note

omit

Explanatory note

This amendment omits a standard note about approved forms that is redundant because approved forms are not used for this Act. The [Taxation Administration Act 1999](#), section 139C, which provides that forms may be approved for this Act, is omitted by another amendment.

Part 3.62 Veterinary Practice Act 2018

[3.177] Section 104 (1)

omit

, in writing,

Explanatory note

This amendment omits words that are redundant because of the [Legislation Act](#), section 206 (1), which requires appointments to be made or evidenced by writing.

[3.178] Sections 142 (1), 144 (1) and 145 (1)

omit

, in writing,

Explanatory note

This amendment omits words that are redundant because of the [Legislation Act](#), section 42 (2), which requires disallowable instruments to be in writing.

Part 3.63 Waste Management and Resource Recovery Act 2016

[3.179] Section 19 (2) etc

omit the following notes

- section 19 (2), note 2
- section 31 (2), note 2
- section 64K (1), note 1
- section 64O (1), note 1
- section 64V (2), note
- section 65 (1), note

- section 67 (1), note 1
- section 96 (4), note
- section 115 (2), note

Explanatory note

This amendment omits standard notes about approved forms that are redundant because approved forms are not used for this Act.

[3.180] Section 127

omit

Explanatory note

This amendment omits a provision that is redundant because approved forms are not used for this Act.

Part 3.64 Water and Sewerage Act 2000

[3.181] Section 8 (3) etc

omit the following notes

- section 8 (3), note
- section 8 (5), note
- section 9A (1), note
- section 9A (3), note 1
- section 16 (4), note
- section 16 (8), definition of *minor works notice*, note

Explanatory note

This amendment omits standard notes about approved forms that are redundant because approved forms are not used for this Act.

[3.182] Section 48

omit

Explanatory note

This amendment omits a provision that is redundant because approved forms are not used for this Act.

Part 3.65 Water Resources Act 2007

[3.183] Section 20 (1) etc

omit note 1 in

- section 20 (1)
- section 29 (1)
- section 34 (1)
- section 38 (1)
- section 43 (1)
- section 48 (1)
- section 53 (1)

Explanatory note

This amendment omits standard notes about approved forms that are redundant because approved forms are not used for this Act.

[3.184] Section 108

omit

Explanatory note

This amendment omits a provision that is redundant because approved forms are not used for this Act.

Part 3.66 **Workplace Privacy Act 2011**

[3.185] Section 46

omit

Explanatory note

This amendment omits a provision that is redundant because approved forms are not used for this Act.

Endnotes

1 Presentation speech

Presentation speech made in the Legislative Assembly on 20 April 2021.

2 Notification

Notified under the [Legislation Act](#) on 9 June 2021.

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 2021, which was passed by the Legislative Assembly on 2 June 2021.

Clerk of the Legislative Assembly

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