
1995

**LEGISLATIVE ASSEMBLY OF THE AUSTRALIAN CAPITAL
TERRITORY**

STATUTE LAW REVISION BILL 1995

EXPLANATORY MEMORANDUM

Circulated by the authority of the Attorney-General

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Outline

The *Statute Law Revision Bill 1995* (the Bill) amends various Acts by making technical corrections and bringing the language of the Acts into accord with current drafting practice. In addition the Bill repeals certain redundant Acts.

Financial implications

There are no financial implications arising from the Bill.

Notes on clauses

Clause 1 provides for the citation of the Bill.

Clause 2 provides for the Bill to commence when it is notified in the *Gazette*.

Clause 3 repeals the following Acts which are redundant:

Canberra Institute of the Arts (Amendment) Act 1988
Mental Health (Amendment) Act 1984
Mental Health (Amendment) Act 1985
Police Arbitral Tribunal Act 1947

Clause 4 provides for the operation of amendments made by the Schedule to the Bill.

The Schedule

The amendments made by the Schedule fall into the following classes.

- **update references to companies legislation.** The Corporations Law regulates the formation and conduct of companies in the ACT. However, ACT legislation contains a number of references to earlier legislation on this matter. In updating the references it is necessary to also make the language of ACT legislation consistent with that of the Corporations Law. During successive changes in companies legislation expressions such as "body corporate", "company", "corporation", "foreign company", "recognized company", "recognized foreign company", "registered foreign company", "related corporation" and "related body corporate" have experienced shifts in meaning or have been replaced by later expressions.

For example, "related corporation" has been replaced by "related body corporate". At one time "foreign company" meant any company that was incorporated outside the ACT. Generally it now means any company incorporated outside Australia.

The following Acts have been amended for this reason:

Agents Act 1968
Betting (Totalizator Administration) Act 1964
Business Names Act 1963
Canberra Institute of Technology Act 1987
Consumer Affairs Act 1973
 Conveyancing Act 1919 of the State of New South Wales as applied and modified in the Territory by the *Conveyancing Act 1951*
 Conveyancing Act 1919 of the State of New South Wales as applied and modified in the Territory by the *Trustee Act 1957*
 Dangerous Goods Act 1975 of the State of New South Wales in its application in the Territory
Egg Industry Act 1975
Financial Institutions Duty Act 1987
Long Service Leave Act 1976
Registration of Interests in Goods Act 1990
Sale of Motor Vehicles Act 1977
Trustee Companies Act 1947
Unclaimed Moneys Act 1950
Weapons Act 1991
Workers' Compensation Act 1951

- **updates cross references to the *Magistrates Court (Civil Jurisdiction) Act 1982*. The *Magistrates Court (Civil Jurisdiction) Act* was renumbered by the *Magistrates Court (Enforcement of Judgments) Act 1994*. As a result cross references to it in other legislation need to be updated.**

The following Acts have been amended for this reason:

Animal Nuisance Control Act 1975
Childrens' Services Act 1986
Credit Act 1985
Domestic Violence Act 1986
Legal Aid Act 1977
Magistrates Court Act 1930
Maintenance Act 1968
Married Persons' Property Act 1986
Motor Traffic Act 1936
Small Claims Act 1974

- miscellaneous amendments to correct minor errors, simplify expression consistent with current drafting practice and remove sexist language.

The following Acts have been amended for these reasons:

Co-operative Societies Act 1939
Credit Act 1985
Discrimination Act 1991
Drugs of Dependence Act 1989
Electoral Act 1992
Electricity Act 1971
Food Act 1992
Health Professions Boards (Procedures) Act 1981
Juries Act 1967
Lakes Act 1976
Machinery Act 1949
Maintenance Act 1968
Milk Authority Act 1971
Motor Omnibus Services Act 1955
Nature Conservation Act 1980
Noise Control Act 1988
Nurses Act 1988
Occupational Health and Safety Act 1989
Ozone Protection Act 1991
Plant Diseases Act 1934
Psychologists Act 1994
Scaffolding and Lifts Act 1912-48 of the State of New South Wales in its application in the Territory
Statute Law Revision (Penalties) Act 1994
Stock Act 1991
Supreme Court Act 1933
Trespass on Territory Land Act 1932
Water Pollution Act 1984
Workers' Compensation Act 1951