

# TASMANIA

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## LEGISLATION REPEAL BILL 2009

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# LEGISLATION REPEAL BILL 2009

*(Brought in by the Premier, the Honourable David John Bartlett)*

## A BILL FOR

**An Act to repeal certain Acts and spent enactments and for related purposes**

Be it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:

### 1. Short title

This Act may be cited as the *Legislation Repeal Act 2009*.

### 2. Commencement

This Act commences on the day on which this Act receives the Royal Assent.

### 3. Effect of repeal of *Substandard Housing Control Act 1973*

- (1) A notice of intention, or a notice of declaration, that has not been withdrawn, quashed or cancelled under the *Substandard Housing Control Act 1973* before the commencement of this Act is taken to have been cancelled on the day this Act commences.

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(2) If a notice of intention, or notice of declaration, is taken to be cancelled under subsection (1), the Recorder is to record on the affected folio that the notice of intention, or notice of declaration, in respect of the land referred to in that folio is cancelled.

(3) In this section –

**“affected folio”** means a folio of the Register, within the meaning of the *Land Titles Act 1980*, upon which a notice of intention, or a notice of declaration, is registered or recorded, and which constitutes the title of land in respect of which a notice of intention, or notice of declaration respectively, is taken to be cancelled under subsection (1);

**“notice of declaration”** means a notice, declaring a house to be substandard under section 4(6) of the *Substandard Housing Control Act 1973*, that has been registered under section 8A of that Act;

**“notice of intention”** has the same meaning as in the *Substandard Housing Control Act 1973*;

**“Recorder”** has the same meaning as in the *Land Titles Act 1980*.

**4. Consequential amendments**

The legislation specified in Schedule 1 is amended as specified in that Schedule.

**5. Legislation repealed**

The legislation specified in Schedule 2 is repealed.

**6. Legislation revoked**

The legislation specified in Schedule 3 is revoked.

**7. Repeal of Act**

This Act is repealed on the first anniversary of the day on which it commences.

**8. Administration of Act**

Until provision is made in relation to this Act by order under section 4 of the *Administrative Arrangements Act 1990* –

- (a) the administration of this Act is assigned to the Treasurer; and
- (b) the department responsible to the Treasurer in relation to the administration

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of this Act is the Department of Treasury  
and Finance.

**SCHEDULE 1 – CONSEQUENTIAL AMENDMENTS**

Section 4

***Acts Interpretation Act 1931***

1. Section 45A is repealed.

***Hospitals Act 1918***

1. Section 5 is amended by omitting subsection (2).
2. Section 87 is amended by omitting subsection (2).

***Private Forests Act 1994***

1. Section 27 is amended by omitting subsection (2).

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**SCHEDULE 2 – LEGISLATION REPEALED**

Section 5

*Tamar Improvement Act (No. 2) 1913* (No. 56 of 1913)

*Servants' Home Trustees Enabling Act 1914* (No. 25 of 1914)

*Tamar Improvement Act (No. 4) 1918* (No. 46 of 1918)

*Commonwealth Bank (Interpretation) Act 1954* (No. 34 of 1954)

*Health Services Act 1960* (No. 23 of 1960)

*Substandard Housing Control Act 1973* (No. 99 of 1973)

*Midway Point Improvement Act 1975* (No. 86 of 1975)

*Tourism and Recreational Development Act 1977* (No. 13 of 1977)

*Cascade Brewery Co. Ltd (Shareholders Trust) Act 1981* (No. 14 of 1981)

*Midway Point Improvement (Doubts Removal) Act 1983* (No. 17 of 1983)

*Tasmanian Symphony Orchestra (Financial Assistance) Act 1987* (No. 36 of 1987)

*Legislative Council (Division of Hobart) By-election Validation Act 1992* (No. 1 of 1992)

*Consolidated Fund Supply Act 1994-1995* (No. 27 of 1994)

*Consolidated Fund Supply Act 1995-1996* (No. 9 of 1995)

*Land Tax Act 1995* (No. 62 of 1995)



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- Consolidated Fund Supply Act 1996-1997* (No. 3 of 1996)
- Constitution (Legislative Council) Special Provisions Act 1997*  
(No. 8 of 1997)
- Consolidated Fund Supply Act 1997-1998* (No. 10 of 1997)
- Trustee Companies (Merger) Act 2001* (No. 84 of 2001)
- Justices of the Peace (Validation) Act 2002* (No. 39 of 2002)
- Tasmanian International Velodrome Management Authority*  
*(Winding-up) Act 2006* (No. 37 of 2006)
- Mental Health (Miscellaneous Amendments) Act 2007* (No. 1  
of 2007)
- Health Practitioners Registration (Miscellaneous*  
*Amendments) Act 2007* (No. 2 of 2007)
- Weed Management Amendment Act 2007* (No. 3 of 2007)
- Marine Farming Planning Amendment Act 2007* (No. 8 of  
2007)
- Consolidated Fund Appropriation (Supplementary*  
*Appropriation for 2006-2007) Act 2007* (No. 9 of 2007)
- Health Amendment (Quality Assurance Committees) Act 2007*  
(No. 33 of 2007)
- Agricultural and Veterinary Chemicals (Control of Use)*  
*Amendment Act 2007* (No. 34 of 2007)
- Genetically Modified Organisms Control Amendment Act 2007*  
(No. 44 of 2007)

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*Environmental Management and Pollution Control  
Amendment Act 2007 (No. 45 of 2007)*

*Environmental Management and Pollution Control  
Amendment (Contaminated Sites) Act 2007 (No. 46 of 2007)*

*Adoption Amendment Act 2007 (No. 47 of 2007)*

*Human Cloning and Other Prohibited Practices Amendment  
Act 2007 (No. 48 of 2007)*

*Youth Justice Amendment Act 2007 (No. 49 of 2007)*

*Mental Health Amendment Act 2007 (No. 52 of 2007)*

*Plant Quarantine Amendment Act 2007 (No. 54 of 2007)*

*Inland Fisheries Amendment Act 2007 (No. 64 of 2007)*

*Public Health Amendment Act 2007 (No. 69 of 2007)*

*Living Marine Resources Management Amendment  
(Biosecurity) Act 2007 (No. 74 of 2007)*

*Environmental Management and Pollution Control  
Amendment (Environment Protection Authority) Act 2007  
(No. 75 of 2007)*

*Environmental Management and Pollution Control  
(Environment Protection Authority) (Consequential  
Amendments) Act 2007 (No. 76 of 2007)*

*Poisons Amendment (Nurse Practitioners) Act 2007 (No. 78 of  
2007)*

*Health Professionals Registration (Miscellaneous  
Amendments) Act 2008 (No. 2 of 2008)*

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*Human Tissue Amendment Act 2008 (No. 3 of 2008)*

*Legislation Repeal Act 2008 (No. 5 of 2008)*

*Powers of Attorney Amendment Act 2008 (No. 14 of 2008)*

*Animal Welfare Amendment Act 2008 (No. 26 of 2008)*

*Poisons Amendment (Poppy Advisory and Control Board) Act  
2008 (No. 35 of 2008)*

*Food Amendment Act 2008 (No. 47 of 2008)*

*Water and Sewerage Industry Amendment Act 2008 (No. 51 of  
2008)*

*National Parks and Reserves Management Amendment Act  
2008 (No. 54 of 2008)*

*Public Health Amendment Act 2008 (No. 55 of 2008)*

*Inland Fisheries Amendment Act 2009 (No. 7 of 2009)*

*Genetically Modified Organisms Control Amendment Act 2009  
(No. 10 of 2009)*

*Self's Point Land Amendment Act 2009 (No. 11 of 2009)*

*Water and Sewerage Industry (Consequential and  
Transitional) Amendment Act 2009 (No. 20 of 2009)*

*Living Marine Resources Management Amendment  
(Licensing) Act 2009 (No. 31 of 2009)*

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**SCHEDULE 3 – LEGISLATION REVOKED**

Section 6

*Decimal Currency Order 1966* (No. 47 of 1966)

*Proclamation under the Trans-Tasman Mutual Recognition  
(Tasmania) Act 1998* (No. 79 of 1998)

*Proclamation under the Tasmanian International Velodrome  
Management Authority (Winding-up) Act 2006* (No. 14 of  
2007)

*Proclamation under the Weed Management Amendment Act  
2007* (No. 137 of 2007)

*Proclamation under the Environmental Management and  
Pollution Control Amendment (Environment Protection  
Authority) Act 2007* (No. 48 of 2008)

*Proclamation under the Poisons Amendment (Nurse  
Practitioners) Act 2007* (No. 65 of 2008)

*Proclamation under the Poisons Amendment (Poppy Advisory  
and Control Board) Act 2008* (No. 2 of 2009)

*Proclamation under the Water and Sewerage Industry  
Amendment Act 2008* (No. 39 of 2009)