

TASMANIA

LEGISLATION REPEAL BILL 2005

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LEGISLATION REPEAL BILL 2005

(Brought in by the Treasurer, the Honourable Paul Anthony Lennon)

A BILL FOR

An Act to repeal certain Acts and spent enactments and to amend the *Survey Co-ordination Act 1944*

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 2005*.

2. Commencement

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

3. 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 that Minister in relation to the administration of this Act is the Department of Treasury and Finance.

4. Consequential and other amendments

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

5. Acts repealed

The Acts specified in Schedule 2 are repealed.

6. Regulations rescinded

The regulations specified in Schedule 3 are rescinded.

7. Further Statutory Rules revoked

The legislation specified in Schedule 4 is revoked.

**SCHEDULE 1 – CONSEQUENTIAL AND OTHER
AMENDMENTS**

Section 4

Statutory Authorities Act 1962

1. Section 12(4) is amended by omitting “the *State Loans to Local Bodies Act 1929* or any other” and substituting “any”.

Survey Co-ordination Act 1944

1. Section 5A is repealed.

Wellington Park Act 1993

1. Section 34 is amended by omitting subsection (2).

SCHEDULE 2 – ACTS REPEALED

Section 5

Defacement of Property Act 1898 (No. 5 of 1898)

Investment in Government Securities Act 1901 (No. 4 of 1901)

Local Bodies Interest Guarantee Act 1902 (No. 7 of 1902)

Emu Bay Municipality Loan Act 1912 (No. 8 of 1912)

Smithton Recreation Ground Loan Act 1927 (No. 31 of 1927)

State Loans to Local Bodies Act 1929 (No. 38 of 1929)

Debt Conversion Agreement Act 1931 (No. 1 of 1931)

Debt Conversion Agreement Act (No. 2) 1931 (No. 54 of 1931)

Springfield Improvement Act 1958 (No. 80 of 1958)

Community Centres Loans Act 1959 (No. 84 of 1959)

*Agricultural Show Societies and Sports Clubs (Guarantees)
Act 1960* (No. 70 of 1960)

Elderly Citizens' Clubs and Youth Centres Act 1966 (No. 63 of 1966)

Loan Guarantees (Electricity Generating Plant) Act 1967 (No. 74 of 1967)

St. John's Hospital Loan Guarantee Act 1968 (No. 1 of 1968)

Tamar Yacht Club Loan Guarantee Act 1970 (No. 55 of 1970)

St. Luke's Hospital Loan Guarantee Act 1973 (No. 5 of 1973)

*King Island Port Facilities (Financial Assistance) Agreement
Act 1973* (No. 12 of 1973)

2005	<i>Legislation Repeal</i>	No.	sch. 2
	<i>King Island Shipping Service (Loan Agreement) Act 1974</i> (No. 15 of 1974)		
	<i>Springfield Improvement Act 1974</i> (No. 80 of 1974)		
	<i>Tasman Bridge Disaster Trust Account Act 1975</i> (No. 21 of 1975)		
	<i>St John's Hospital Loan Guarantee Act 1977</i> (No. 21 of 1977)		
	<i>St. Vincent's Hospital Loan Guarantee Act 1977</i> (No. 111 of 1977)		
	<i>Public Authorities (Overseas Borrowing) Act 1979</i> (No. 13 of 1979)		
	<i>Launceston Gas Company Act 1982</i> (No. 19 of 1982)		
	<i>Police Regulation Amendment Act 1989</i> (No. 59 of 1989)		
	<i>School Dental Therapy Service Amendment Act 1999</i> (No. 24 of 1999)		
	<i>Business Franchise Fee Abolition Act 1999</i> (No. 75 of 1999)		
	<i>Registration and Related Fees Act 2001</i> (No. 98 of 2001)		
	<i>Liquor and Accommodation Amendment Act 2002</i> (No. 9 of 2002)		
	<i>Repeal of Regulations Postponement Act 2002</i> (No. 43 of 2002)		
	<i>Gas Infrastructure (Miscellaneous Amendments) Act 2002</i> (No. 44 of 2002)		
	<i>Water Management Amendment Act 2002</i> (No. 49 of 2002)		
	<i>Inland Fisheries Amendment Act 2002</i> (No. 55 of 2002)		

Taxation Legislation (Miscellaneous Amendments and Repeal)
Act 2002 (No. 60 of 2002)

Fair Trading Amendment (Unconscionable Conduct) Act 2003
(No. 2 of 2003)

Civil Aviation (Carriers' Liability) Amendment Act 2003 (No.
3 of 2003)

Wellington Park Amendment Act 2003 (No. 4 of 2003)

Magistrates Court Amendment Act 2003 (No. 5 of 2003)

Justice (Delegated Legislation) Act 2003 (No. 6 of 2003)

Statute Law Revision Act 2003 (No. 9 of 2003)

Long Service Leave (State Employees) Amendment Act 2003
(No. 10 of 2003)

Ben Lomond Skifield Management Authority Amendment Act
2003 (No. 11 of 2003)

Child Care Amendment Act 2003 (No. 12 of 2003)

National Environment Protection Council (Tasmania)
Amendment Act 2003 (No. 13 of 2003)

Agricultural and Veterinary Chemicals (Control of Use)
Amendment Act 2003 (No. 14 of 2003)

Criminal Code Amendment (Abolition of Defence of
Provocation) Act 2003 (No. 15 of 2003)

Construction Industry (Long Service) Amendment Act 2003
(No. 17 of 2003)

Teachers Registration Amendment Act 2003 (No. 19 of 2003)

Consumer Credit (Tasmania) Amendment Act 2003 (No. 20 of
2003)

2005	<i>Legislation Repeal</i>	No.	sch. 2
	<i>Legislation Repeal Act 2003 (No. 21 of 2003)</i>		
	<i>Local Government (Rates and Charges Remissions) Amendment Act 2003 (No. 22 of 2003)</i>		
	<i>Mineral Resources Development Amendment (New Landslip Zoning Arrangements) Act 2003 (No. 24 of 2003)</i>		
	<i>Building Amendment Act 2003 (No. 25 of 2003)</i>		
	<i>Building (Consequential Amendments) Act 2003 (No. 26 of 2003)</i>		
	<i>Trustee Companies (Miscellaneous Amendments) Act 2003 (No. 27 of 2003)</i>		
	<i>Major Infrastructure Development Approvals Amendment Act 2003 (No. 28 of 2003)</i>		
	<i>Forensic Procedures Amendment Act 2003 (No. 29 of 2003)</i>		
	<i>Firearms Amendment Act 2003 (No. 30 of 2003)</i>		
	<i>Anglican Church of Australia Constitution Amendment Act 2003 (No. 31 of 2003)</i>		
	<i>Gas Legislation Amendment (Land Acquisition) Act 2003 (No. 32 of 2003)</i>		
	<i>Crown Lands Amendment Act 2003 (No. 33 of 2003)</i>		
	<i>Consolidated Fund Appropriation (Supplementary Appropriation for 2002-2003) Act 2003 (No. 35 of 2003)</i>		
	<i>Forestry (Fair Contract Codes) Amendment Act 2003 (No. 38 of 2003)</i>		
	<i>Liquor and Accommodation Amendment Act 2003 (No. 40 of 2003)</i>		
	<i>Civil Liability Amendment Act 2003 (No. 41 of 2003)</i>		

Financial Management and Audit Amendment Act 2003 (No. 42 of 2003)

Relationships (Consequential Amendments) Act 2003 (No. 45 of 2003)

Governor of Tasmania Amendment Act 2003 (No. 47 of 2003)

Residential Tenancy Amendment (Boarding Premises) Act 2003 (No. 49 of 2003)

Seeds Amendment Act 2003 (No. 50 of 2003)

Magistrates Court (Minor Civil Claims) Act 2003 (No. 53 of 2003)

Magistrates Court Amendment Act (No. 2) 2003 (No. 54 of 2003)

Public Sector Superannuation (Splitting of Superannuation Interests) Act 2003 (No. 55 of 2003)

Animal (Brands and Movement) Amendment Act 2003 (No. 56 of 2003)

Gaming Control Amendment Act 2003 (No. 59 of 2003)

Vocational Education and Training Amendment Act 2003 (No. 63 of 2003)

Vehicle and Traffic Amendment Act 2003 (No. 64 of 2003)

State and Local Government Financial Reform Act 2003 (No. 65 of 2003)

Housing Indemnity Amendment Act 2003 (No. 66 of 2003)

Residential Tenancy Amendment Act 2003 (No. 67 of 2003)

Administrative Appeals (Miscellaneous Amendments) Act 2003 (No. 68 of 2003)

2005	<i>Legislation Repeal</i>	No.	sch. 2
	<i>Justice (Miscellaneous Amendments) Act 2003</i> (No. 69 of 2003)		
	<i>Criminal Code (Miscellaneous Amendments) Act 2003</i> (No. 70 of 2003)		
	<i>Traffic Amendment Act 2003</i> (No. 71 of 2003)		
	<i>Education Amendment Act 2003</i> (No. 72 of 2003)		
	<i>Dog Control Amendment Act 2003</i> (No. 74 of 2003)		
	<i>Police Service (Consequential Amendments) Act 2003</i> (No. 76 of 2003)		
	<i>Police Offences Amendment Act 2003</i> (No. 77 of 2003)		
	<i>Pay-roll Tax Amendment Act 2003</i> (No. 81 of 2003)		
	<i>Listening Devices Amendment Act 2004</i> (No. 2 of 2004)		
	<i>Crown Lands (Shack Sites) Amendment Act 2004</i> (No. 3 of 2004)		
	<i>Roads and Jetties Amendment Act 2004</i> (No. 4 of 2004)		
	<i>Public Sector Superannuation (Miscellaneous Amendments) Act 2004</i> (No. 5 of 2004)		
	<i>Environmental Management and Pollution Control Amendment (Hearings) Act 2004</i> (No. 6 of 2004)		
	<i>Fair Trading (Miscellaneous Amendments) Act 2004</i> (No. 7 of 2004)		
	<i>Civil Liability Amendment Act 2004</i> (No. 8 of 2004)		
	<i>Misuse of Drugs Amendment Act 2004</i> (No. 9 of 2004)		
	<i>Animal Health Amendment Act 2004</i> (No. 10 of 2004)		

Gaming Control Amendment Act 2004 (No. 15 of 2004)

Workers Rehabilitation and Compensation Amendment Act 2004 (No. 16 of 2004)

Optometrists Registration Amendment Act 2004 (No. 17 of 2004)

Vehicle and Traffic Amendment (Offence Detection Devices) Act 2004 (No. 19 of 2004)

Duties Amendment (First Home Owners Concession) Act 2004 (No. 20 of 2004)

Public Interest Disclosures Amendment Act 2004 (No. 21 of 2004)

Racing Regulation Amendment (TOTE Tasmania) Act 2004 (No. 23 of 2004)

Liquor and Accommodation Amendment Act 2004 (No. 24 of 2004)

Traffic Amendment (Authorised Officers) Act 2004 (No. 28 of 2004)

Police Offences Amendment Act 2004 (No. 29 of 2004)

Supreme Court Civil Procedure Amendment Act 2004 (No. 30 of 2004)

Criminal Code Amendment (Appeals) Act 2004 (No. 31 of 2004)

Telecommunications (Interception) Tasmania Amendment Act 2004 (No. 32 of 2004)

Retirement Benefits Amendment (Early Release of Benefits) Act 2004 (No. 33 of 2004)

2005	<i>Legislation Repeal</i>	No.	sch. 2
	<i>Government Business Enterprises Amendment Act 2004</i> (No. 35 of 2004)		
	<i>Liquor and Accommodation Amendment (Fees) Act 2004</i> (No. 37 of 2004)		
	<i>Electricity Ombudsman Amendment Act 2004</i> (No. 40 of 2004)		
	<i>Criminal Code Amendment (Stalking) Act 2004</i> (No. 43 of 2004)		
	<i>Pollution of Waters by Oil and Noxious Substances Amendment Act 2004</i> (No. 47 of 2004)		
	<i>Wellington Park Amendment Act 2004</i> (No. 48 of 2004)		
	<i>University of Tasmania Amendment Act 2004</i> (No. 49 of 2004)		
	<i>Long Service Leave (State Employees) Amendment Act 2004</i> (No. 57 of 2004)		
	<i>Gas Amendment Act 2004</i> (No. 58 of 2004)		
	<i>Criminal Code Amendment (Consent) Act 2004</i> (No. 61 of 2004)		
	<i>Workers Rehabilitation and Compensation Amendment (Miscellaneous) Act 2004</i> (No. 65 of 2004)		
	<i>Police Offences Amendment Act (No. 2) 2004</i> (No. 68 of 2004)		
	<i>National Trust of Australia (Tasmania) Amendment Act 2004</i> (No. 71 of 2004)		
	<i>Pharmacists Registration Amendment Act 2004</i> (No. 72 of 2004)		
	<i>Building Amendment (Doubts Removal) Act 2004</i> (No. 73 of 2004)		

SCHEDULE 3 – REGULATIONS RESCINDED

Section 6

Marine and Safety (Collision) Amendment Regulations 1999
(No. 20 of 1999)

Optometrists Registration (Fees) Amendment Regulations
1999 (No. 127 of 1999)

Marine and Safety (Appliances and Equipment) Amendment
Regulations 1999 (No. 163 of 1999)

Marine and Safety (Emergency Procedures) Amendment
Regulations 1999 (No. 164 of 1999)

Transport (Exemptions) Amendment (Public Vehicles Reform)
Regulations 2000 (No. 77 of 2000)

Marine and Safety (Emergency Procedures) Amendment
Regulations 2000 (No. 225 of 2000)

Wellington Park Amendment Regulations 2001 (No. 19 of
2001)

Wellington Park Amendment Regulations (No. 2) 2001 (No.
172 of 2001)

Optometrists Registration (Fees) Amendment Regulations
2002 (No. 36 of 2002)

Marine and Safety (Emergency Procedures) Amendment
Regulations 2002 (No. 170 of 2002)

Wellington Park Amendment Regulations 2003 (No. 47 of
2003)

Teachers Registration Amendment Regulations 2003 (No. 52
of 2003)

2005	<i>Legislation Repeal</i>	No.	sch. 3
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Marine and Safety (Emergency Procedures) Amendment Regulations 2003 (No. 59 of 2003)

Teachers Registration Amendment Regulations 2004 (No. 68 of 2004)

Pharmacists Registration (Fees) Amendment Regulations 2004 (No. 101 of 2004)

Child Care (Fees) Amendment Regulations 2004 (No. 126 of 2004)

**SCHEDULE 4 – FURTHER STATUTORY RULES
REVOKED**

Section 7

Pharmacy Notice 1997 (No. 154 of 1997)

Proclamation under the Trustee Amendment (Investment Powers) Act 1997 (No. 27 of 1998)

Proclamation under the Racing Amendment Act 1997 (No. 37 of 1998)

Poisons List Amendment Order (No. 2) 1998 (No. 55 of 1998)

Proclamation under the Conveyancing and Law of Property Amendment (Parking Easements) Act 1998 (No. 59 of 1998)

Proclamation under the Financial Institutions Duty Amendment Act 1997 (No. 68 of 1998)

Proclamation under the Hydro-Electric Corporation Amendment Act 1997 (No. 70 of 1998)

Proclamation under the Meat Hygiene Act 1985 (No. 71 of 1998)

Proclamation under the Pay-roll Tax Amendment Act 1997 (No. 72 of 1998)

Proclamation under the Taxation (Reciprocal Powers) Amendment Act 1997 (No. 78 of 1998)

Proclamation under the Electricity Supply Industry Amendment Act 1998 (No. 90 of 1998)

Proclamation under the Government Prices Oversight Amendment Act 1998 (No. 91 of 1998)

Proclamation under the Local Government Amendment (Public Health) Act 1998 (No. 107 of 1998)

Proclamation under the Local Government (Building and Miscellaneous Provisions) Amendment Act 1998 (No. 108 of 1998)

Proclamation under the Racing and Gaming Amendment (Telephone Sports Betting) Act 1998 (No. 112 of 1998)

Proclamation under the Irrigation Clauses Amendment Act 1997 (No. 133 of 1998)

Proclamation under the Aboriginal Lands Amendment (Wybalenna) Act 1999 (No. 27 of 1999)

Proclamation under the Cremation Regulations 1999 (No. 48 of 1999)

Proclamation under the Magistrates Court Amendment Act 1998 (No. 50 of 1999)

Proclamation under the Egg Industry Act 1988 (No. 54 of 1999)

Proclamation under the Forest Practices Amendment Act 1999 (No. 68 of 1999)

Proclamation under the Legal Profession (Apprentice at Law) Amendment Act 1999 (No. 74 of 1999)

Proclamation under the Superannuation (Commonwealth Surcharge and Miscellaneous Amendments) Act 1999 (No. 97 of 1999)

Proclamation under the Mental Health (Consequential Amendments) Act 1996 (No. 109 of 1999)

Government Prices Oversight (MAIB Premiums) Amendment Order 1999 (No. 112 of 1999)

Proclamation under the Criminal Code Amendment Act 1995 (No. 122 of 1999)

Pharmacy Notice 1999 (No. 128 of 1999)

Proclamation under the Traffic Amendment (Regulatory Powers and Offences) Act 1999 (No. 138 of 1999)

Proclamation under the Financial Sector Reform (Tasmania)(Miscellaneous Amendments) Act 1999 (No. 154 of 1999)

Proclamation under the Inland Fisheries Amendment Act 1999 (No. 5 of 2000)

Proclamation under the De Facto Relationship Act 1999 (No. 37 of 2000)

Proclamation under the Co-operative Housing Societies Amendment Act 2000 (No. 53 of 2000)

Proclamation under the Tasmanian Government Insurance Office (Sale) Act 1993 (No. 61 of 2000)

Proclamation under the Traffic Amendment (Accreditation and Miscellaneous) Act 1997 (No. 63 of 2000)

Government Prices Oversight (MAIB Premiums) Amendment Order 2000 (No. 79 of 2000)

Proclamation under the Dairy Industry Amendment Act 2000 (No. 87 of 2000)

Proclamation under the Seeds Amendment Act 1999 (No. 93 of 2000)

Government Prices Oversight (MAIB Premiums) Amendment Order (No. 2) 2000 (No. 133 of 2000)

Proclamation under the Local Government Amendment Act 1999 (No. 162 of 2000)

Bank Holidays Declaration 2000 (No. 170 of 2000)

2005	<i>Legislation Repeal</i>	No.	sch. 4
	<i>Proclamation under the Dairy Industry Amendment Act (No. 2) 2000 (No. 228 of 2000)</i>		
	<i>Proclamation under the Industrial Relations Amendment Act 2000 (No. 238 of 2000)</i>		
	<i>Proclamation under the Poisons Amendment (Optometrists) Act 2000 (No. 30 of 2001)</i>		
	<i>Proclamation under the Federal Courts (Consequential Amendments) Act 2001 (No. 49 of 2001)</i>		
	<i>Proclamation under the Legal Profession Amendment Act 2001 (No. 52 of 2001)</i>		
	<i>Government Prices Oversight (MAIB Premiums) Amendment Order 2001 (No. 68 of 2001)</i>		
	<i>Proclamation under the Workers Rehabilitation and Compensation Amendment Act 2000 (No. 75 of 2001)</i>		
	<i>Proclamation under the Workers Rehabilitation and Compensation Amendment Act 2001 (No. 82 of 2001)</i>		
	<i>Proclamation under the Public Health Amendment (Smoke-free Areas) Act 2001 (No. 92 of 2001)</i>		
	<i>Proclamation under the Criminal Injuries Compensation Amendment Act 2001 (No. 128 of 2001)</i>		
	<i>Proclamation under the Traffic Amendment (Red Light Cameras) Act 2001 (No. 141 of 2001)</i>		
	<i>Proclamation under the Vehicle and Traffic Amendment (Heavy Vehicle Charges) Act 2001 (No. 143 of 2001)</i>		
	<i>Proclamation under the Vehicle and Traffic Amendment (Excessive Speeding and Disqualified Drivers) Act 2001 (No. 149 of 2001)</i>		

Government Prices Oversight (MAIB Premiums) Amendment Order (No. 2) 2001 (No. 153 of 2001)

Proclamation under the Births, Deaths and Marriages Registration Amendment Act 2001 (No. 157 of 2001)

Proclamation under the Gaming Control Amendment (Minor Gaming and Miscellaneous Amendments) Act 2001 (No. 160 of 2001)

Proclamation under the Regional Forest Agreement (Land Classification) Amendment Act 2001 (No. 185 of 2001)

Proclamation under the Traffic Control (Miscellaneous Amendments) Act 2001 (No. 189 of 2001)

Proclamation under the Forest Practices Amendment Act 2001 (No. 197 of 2001)

Proclamation under the Forest Practices Amendment (Tree Ferns) Act 2001 (No. 199 of 2001)

Proclamation under the Classification (Publications, Films and Computer Games) Enforcement Amendment Act 2001 (No. 13 of 2002)

Proclamation under the Evidence (Consequential Amendments) Act 2001 (No. 56 of 2002)

Proclamation under the Parliamentary Privilege Amendment Act 2001 (No. 57 of 2002)

Proclamation under the Southern Regional Cemetery Amendment Act 2002 (No. 77 of 2002)

Proclamation under the Veterinary Surgeons Amendment Act 2002 (No. 95 of 2002)

Proclamation under the Forest Practices Amendment (Conservation Covenants) Act 2002 (No. 97 of 2002)

*Proclamation under the Traffic Offence Detection Devices
(New Arrangements) Act 2002 (No. 117 of 2002)*

*Proclamation under the Vehicle and Traffic Amendment
(Written-off Vehicles) Act 2002 (No. 120 of 2002)*

*Proclamation under the Retirement Benefits (Parliamentary
Superannuation Trustee Arrangements and Miscellaneous
Amendments) Act 2002 (No. 175 of 2002)*

*Proclamation under the Water Management Amendment Act
2002 (No. 7 of 2003)*

*Proclamation under the Inland Fisheries Amendment Act 2002
(No. 29 of 2003)*

*Proclamation under the National Environment Protection
Council (Tasmania) Amendment Act 2003 (No. 122 of
2003)*

*Proclamation under the Animal (Brands and Movement)
Amendment Act 2003 (No. 125 of 2003)*