

TASMANIA

STATUTE LAW REVISION BILL 2003

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STATUTE LAW REVISION BILL 2003

(Brought in by the Minister for Justice and Industrial Relations, the Honourable Judith Louise Jackson)

A BILL FOR

An Act to revise the statute law of the State by altering certain references and penalties

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:

Short title

1. This Act may be cited as the *Statute Law Revision Act 2003*.

Commencement

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

Consequential amendments

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

SCHEDULE 1 – CONSEQUENTIAL AMENDMENTS

Section 3

Adoption Act 1988

1. Section 3(1) is amended by omitting paragraph (c) from the definition of “natural parent”.

2. Section 29(3) is amended as follows:

- (a) by omitting from paragraph (b) “paternity” and substituting “parentage”;
- (b) by omitting paragraph (c);
- (c) by omitting subparagraph (i) from paragraph (e) and substituting the following subparagraph:
 - (i) he is conclusively presumed to be a parent of the child under section 8B(1) of the *Status of Children Act 1974*; or

Anzac Day Observance Act 1929

1. Section 3 is amended by inserting “as in force immediately before the repeal of that Part by a proclamation made under section 197 of the *Public Health Act 1997*” after “Part V of the *Public Health Act 1962*” in the definition of “place of public entertainment”.

Boundary Fences Act 1908

1. Section 6 is amended by omitting “Commissioner of Crown Lands” and substituting “Director-General of Lands”.

2. Section 48 is amended as follows:

- (a) by omitting from subsection (1)(b) “noxious weed” and substituting “declared weed, within the meaning of the *Weed Management Act 1999*”;
- (b) by omitting subsection (3).

Building and Construction Industry Training Fund Act 1990

1. Section 5(1) is amended as follows:

- (a) by omitting from paragraph (b) “*Industrial and Commercial Training Act 1985*” and substituting “*Vocational Education and Training Act 1994*”;
- (b) by omitting from paragraph (c) “an employee, within the meaning of the *Tasmanian State Service Act 1984*” and substituting “a State Service officer or State Service employee”;
- (c) by omitting from paragraph (c) “*Education Act 1932*” and substituting “*Education Act 1994*”.

2. Section 34(4) is amended by omitting “Training Authority of Tasmania” and substituting “Tasmanian State Training Authority”.

3. Clause 2(c) of Schedule 2 is amended by omitting “Commission” and substituting “Corporation”.

***Children, Young Persons and Their Families Act
1997***

1. Section 14(1) is amended as follows:

- (a) by omitting “*Psychologists Registration Act 1976*” from paragraph (d) of the definition of “prescribed person” and substituting “*Psychologists Registration Act 2000*”;
- (b) by omitting “under section 4 of the *Probation of Offenders Act 1973*” from paragraph (g) of the definition of “prescribed person” and substituting “or employed under section 5 of the *Corrections Act 1997*”.

2. Section 74(7) is amended by omitting “court of requests” and substituting “Magistrates Court (Civil Division)”.

3. Schedule 3 is amended by omitting “*Tasmanian State Service Act 1984*” from clause 18(4) of Part 3 and substituting “*State Service Act 2000*”.

***Chiropractors and Osteopaths Registration Act
1997***

1. Section 67(1) is amended by omitting paragraphs (a) and (b) from the definition of “prescribed instrument” and substituting:

- (a) an initial order, a continuing care order or a community treatment order under the *Mental Health Act 1996*; or

Christ College Act 1926

1. Section 44 is amended by omitting “as public schools under the *Education Act 1932*” and substituting “under Part 5 of the *Education Act 1994*”.

Commissions of Inquiry Act 1995

1. Section 22(5) is amended by omitting “*Prison Act 1977*” and substituting “*Corrections Act 1997*”.

Constitution Act 1934

1. Section 32(4) is amended by omitting the definition of “Public Account” and substituting the following definition:

“Public Account” means the Public Account as defined in the *Public Account Act 1986*;

2. Section 33 is amended as follows:

- (a) by omitting from subsection (3)(f)(ii) “Investment Trust” and substituting “Board”;
- (b) by omitting “Investment Trust” from paragraph (fb) of the definition of “State instrumentality” in subsection (6) and substituting “Board”;

- (c) by omitting paragraph (h) from the definition of “State instrumentality” in subsection (6) and substituting the following paragraph:

- (h) the Hobart Regional Water Authority.

Cooperatives Act 1999

1. Section 330(2) is amended as follows:

- (a) by omitting from paragraph (a) “person appointed or employed under the *Tasmanian State Service Act 1984*” and substituting “State Service officer or State Service employee”;
- (b) by omitting from paragraph (b) “person appointed or employed under the *Tasmanian State Service Act 1984*” and substituting “State Service officer or State Service employee”.

2. Section 430(3)(b) is amended by omitting “person appointed or employed under the *Tasmanian State Service Act 1984*” and substituting “State Service officer or State Service employee”.

Coroners Act 1995

1. Section 3 is amended as follows:

- (a) by inserting the following definition after the definition of “coroner's associate”:

“correctional officer” means a
correctional officer within the

meaning of the *Corrections Act 1997*;

- (b) by omitting subparagraph (ii) from paragraph (a) of the definition of “person held in custody” and substituting the following subparagraph:

- (ii) a correctional officer; or

- (c) by omitting “*Prison Act 1977*” from paragraph (b)(i) of the definition of “person held in custody” and substituting “*Corrections Act 1997*”;
- (d) by omitting the definition of “prison officer”;
- (e) by omitting “prison officer” from paragraph (d) of the definition of “reportable death” and substituting “correctional officer”.

2. Section 19(4) is amended as follows:

- (a) by omitting from paragraph (c) “prison officer” and substituting “correctional officer”;
- (b) by omitting “prison officer” second occurring and substituting “correctional officer”.

3. Section 24(1)(e) is amended by omitting “prison officers” and substituting “correctional officers”.

Criminal Code Act 1924

1. Schedule 1 is amended as follows:

- (a) by omitting from section 195 “within the meaning of the *Mental Health Act 1963*”;

- (b) by omitting from section 388A(7) “under Part IV of the *Public Account Act 1957*” and substituting “established under section 13(2) of the *Public Account Act 1986*”;
- (c) by omitting subparagraph (i) from section 401(3)(a);
- (d) by omitting from section 401(3)(a)(ii) “section 7 (2) of the *Probation of Offenders Act 1973*” and substituting “the *Sentencing Act 1997*”;
- (e) by omitting from section 401(3)(b) “section 7 (2) of the *Probation of Offenders Act 1973*” and substituting “the *Sentencing Act 1997*”.

Crown Lands Act 1976

1. Section 2 is amended as follows:

- (a) by omitting “*Mining Act 1929*” from the definition of “mining operations” and substituting “*Mineral Resources Development Act 1995*”;
- (b) by omitting the definition of “mining right” and substituting the following definition:

“mining right” means any right accruing –

- (a) under the *Mineral Resources Development Act 1995* to the holder of a mineral tenement within the meaning of that Act; and

- (b) to any person who has made an application under section 70 or 96 of the *Mineral Resources Development Act 1995*;
 - (c) by omitting “*Tasmanian State Service Act 1984*” from paragraph (a) of the definition of “State instrumentality” and substituting “*State Service Act 2000*”;
 - (d) by omitting “*Tasmanian State Service Act 1984*” from paragraph (b) of the definition of “State instrumentality” and substituting “*State Service Act 2000*”.
- 2. Section 38(1) is amended by omitting “*Mining Act 1929*” and substituting “*Mineral Resources Development Act 1995*”.
- 3. Section 54 is amended as follows:
 - (a) by omitting from subsection (1) “*Mining Act 1929*” and substituting “*Mineral Resources Development Act 1995*”;
 - (b) by omitting from subsection (2) “*Groundwater Act 1985*” and substituting “*Water Management Act 1999*”;
 - (c) by omitting subsection (3).
- 4. Section 56(5) is amended by omitting “*Mining Act 1929*” and substituting “*Mineral Resources Development Act 1995*”.

Dental Prosthetists Registration Act 1996

1. Section 68(1) is amended by omitting paragraphs (a) and (b) and substituting the following paragraph:

- (a) an initial order, a continuing care order or a community treatment order under the *Mental Health Act 1996*; or

Elderly Citizens' Clubs and Youth Centres Act 1966

1. Section 2(1) is amended by omitting "*Public Health Act 1962*" from the definition of "Minister for Health" and substituting "*Public Health Act 1997*".

Employment Incentive Assistance Act 1984

1. Section 3(1) is amended by omitting the definition of "Authority" and substituting the following definition:

"Authority" means the Tasmanian State Training Authority constituted under the *Vocational Education and Training Act 1994*;

2. Section 4(1)(a)(iii) is amended by omitting "a declared vocation, within the meaning of the *Industrial and Commercial Training Act 1985* or a scheme of training or scheme of pre-vocational training as mentioned in that Act" and substituting "an accredited training program required under a training agreement as defined in the *Vocational Education and Training Act 1994*".

Fire Damage Relief Act 1967

1. Section 9(3)(a)(iv) is amended as follows:

- (a) by omitting “, a bailiff” and substituting “or a bailiff”;
- (b) by omitting “or the *Mining Act 1929*”;
- (c) by omitting “or a person authorized to seize and sell under section forty-nine of the *Maintenance Act 1967*,”.

2. Section 11(1) is amended by omitting “*Crown Lands Act 1935*” and substituting “*Crown Lands Act 1976*”.

Fire Service Act 1979

1. Section 29(10)(e)(ii) is amended by omitting “Part V of the *Public Health Act 1962*” and substituting “the *Public Health Act 1997*”.

2. Section 50 is amended as follows:

- (a) by omitting from subsection (1)(a) “Part V of the *Public Health Act 1962*” and substituting “the *Public Health Act 1997*”;
- (b) by omitting subparagraph (i) from subsection (2) and substituting the following subparagraph:
 - (i) *Public Health Act 1997*;
- (c) by omitting subparagraph (v) from subsection (2) and substituting the following subparagraph:

(v) *Education Act 1994*;

3. Section 133(3) is amended by omitting paragraph (d) and substituting the following paragraph:

(d) the *Public Health Act 1997*;

Fire Service (Miscellaneous) Regulations 1996

1. Clause 3 of Schedule 2 is amended by omitting “section 54 of the *Public Health Act 1962*” and substituting “the *Public Health Act 1997*”.

Florentine Valley Paper Industry Act 1935

1. Section 3(1) is amended by omitting “*Mining Act 1929*” from the definition of “private land” and substituting “*Mineral Resources Development Act 1995*”.

2. Section 18(1) is amended as follows:

- (a) by omitting “Commissioner of Crown” and substituting “Director-General of”;
- (b) by omitting “*Crown Lands Act 1935*” and substituting “*Crown Lands Act 1976*”;
- (c) by omitting “said Commissioner” and substituting “Director-General of Lands”.

3. Section 19 is amended as follows:

- (a) by omitting from subsection (2) “Commissioner of Crown” and substituting “Director-General of”;

- (b) by omitting from subsection (3) “said Commissioner” and substituting “Director-General of Lands”.

4. Section 20 is repealed and the following section is substituted:

Application of Mineral Resources Development Act 1995

20. (1) Parts 4 and 8 of the *Mineral Resources Development Act 1995* apply to the exercise by the Promoter of the powers conferred by section 19(1) in relation to private land as if the Promoter were engaged in mining operations and as if the powers exercisable under that subsection were exercisable under Part 4 of that Act.

(2) Part 4 of the *Mineral Resources Development Act 1995* applies to the said lands, any private land and any other land used or occupied by the Promoter in connection with the industry as if that land were used or occupied for mining purposes.

Forestry Act 1920

- 1. Section 4(1) is amended by omitting the definition of “forest offence”.
- 2. Section 29(1)(a) is amended by omitting “against this Act”.

Gaming Control Act 1993

- 1. Section 8 is amended by omitting subsection (5).

2. Section 9 is amended by omitting subsection (4).
3. Section 76ZZJ is amended by omitting subsection (3).

Gas Act 2000

1. Section 93(2) is amended by omitting “an employee within the meaning of the *Tasmanian State Service Act 1984*” and substituting “a State Service officer or State Service employee”.

Guardianship and Administration Act 1995

1. Section 4(2) is amended by omitting “a ward of the State, the Director for Community Welfare” and substituting “under the guardianship of the Secretary of the department administering the *Children, Young Persons and Their Families Act 1997* pursuant to a care and protection order made under that Act, the Secretary of that department”.
2. Section 53(1) is amended by inserting “or under section 30 of the *Powers of Attorney Act 2000*” after “section 11A of the *Powers of Attorney Act 1934*”.
3. Section 78(3) is amended by omitting “section 72 of the *Public Trust Office Act 1930*” and substituting “section 72 of the *Public Trustee Act 1930*”.

Health Services Act 1960

1. Section 2 is amended by omitting “*Public Health Act 1962*” and substituting “*Public Health Act 1997*”.

2. Section 3(1)(b) is amended by omitting “*Public Health Act 1962*” and substituting “*Public Health Act 1997*”.

Inland Fisheries Act 1995

1. Section 10 is amended by omitting “*Water Act 1957*” and substituting “*Water Management Act 1999*”.

2. Section 126(2) is amended as follows:

- (a) by omitting paragraph (a);
- (b) by omitting from paragraph (d) “*Mining Act 1929*” and substituting “*Mineral Resources Development Act 1995*”.

Irrigation Clauses Act 1973

1. Section 14(1) is amended by omitting “sum not exceeding \$15 for every such offence, and an additional sum of \$15” and substituting “fine not exceeding 0.15 penalty unit for each offence and an additional fine not exceeding 0.15 penalty unit”.

2. Section 62 is amended as follows:

- (a) by omitting from subsection (1) “*Mining Act 1929*” and substituting “*Mineral Resources Development Act 1995*”;
- (b) by omitting from subsection (2)(a) “*Mining Act 1929*” and substituting “*Mineral Resources Development Act 1995*”;

- (c) by omitting from subsection (2) “*Mining Act 1929*” second occurring and substituting “*Mineral Resources Development Act 1995*”;
- (d) by omitting from subsection (2) “*Crown Lands Act 1935*” and substituting “*Crown Lands Act 1976*”;
- (e) by omitting from subsection (3) “*Mining Act 1929*” and substituting “*Mineral Resources Development Act 1995*”;
- (f) by omitting from subsection (4) “*Mining Act 1929*” and substituting “*Mineral Resources Development Act 1995*”.

Jury Act 1899

1. Section 61(2) is amended by omitting “Revenue” and substituting “Fund”.

2. Schedule I is amended as follows:

- (a) by omitting paragraph (d) from clause 1;
- (b) by omitting from clause 1(l)(iii) “*Prison Act 1977*” and substituting “*Corrections Act 1997*”;
- (c) by omitting from clause 5(b) “Part IV of the *Education Act 1932*” and substituting “Part 5 of the *Education Act 1994*”.

Justices Act 1959

1. Section 3(1) is amended as follows:

- (a) by omitting "*Prison Act 1977*" from the definition of "gaol" and substituting "*Corrections Act 1997*";
- (b) by omitting the definition of "gaoler" and substituting the following definition:

"gaoler" means –

- (a) in relation to a prisoner or detainee, as defined in the *Corrections Act 1997*, in a place declared under section 9(1) of the *Corrections Act 1997* to be a prison, the Director of Corrective Services; or
- (b) in relation to a person in a place declared to be a prison under the *Corrections Act 1997* that is available for use for the detention in lawful custody of persons other than prisoners or detainees under section 9(2) of the *Corrections Act 1997*, a police officer;
- (c) by omitting "*Probation of Offenders Act 1973*" from the definition of "probation officer" and substituting "*Corrections Act 1997*".

2. Section 16(1) is amended by omitting "*Magistrates Act 1987*" and substituting "*Magistrates Court Act 1987*".

3. Section 106GC is amended by omitting "interstate" and substituting "external".

4. Section 129 is amended as follows:

- (a) by omitting “a court of requests” and substituting “Magistrates Court (Civil Division)”;
- (b) by omitting “commissioner” and substituting “magistrate”;
- (c) by omitting “court of requests” second occurring and substituting “Magistrates Court (Civil Division)”.

5. Section 131 is amended as follows:

- (a) by omitting from subsection (1) “court of requests of competent jurisdiction” and substituting “Magistrates Court (Civil Division)”;
- (b) by omitting from subsection (2) “court of requests” twice occurring and substituting “Magistrates Court (Civil Division)”.

6. Section 138(2) is amended by omitting “Revenue” and substituting “Fund”.

7. Section 143 is amended as follows:

- (a) by omitting from subsection (1) “Revenue” and substituting “Fund”;
- (b) by omitting from subsection (4) “Revenue” and substituting “Fund”;
- (c) by omitting from subsection (5) “Revenue” and substituting “Fund”.

Land Titles Act 1980

1. Section 50(10) is amended by omitting “Revenue” and substituting “Fund”.
2. Section 157(3) is amended by omitting “Revenue” and substituting “Fund”.
3. Section 169A(1) is amended by omitting “*Powers of Attorney Act 1934*” and substituting “*Powers of Attorney Act 2000*”.

Land Use Planning and Approvals Act 1993

1. Section 20(7)(b) is amended by omitting “under the *Mining Act 1929*” and substituting “issued under the *Mineral Resources Development Act 1995*, provided that any mineral exploration carried out is consistent with the standards specified in the Mineral Exploration Code of Practice”.

Libraries Act 1984

1. Clause 6 of Schedule 1 is amended as follows:
 - (a) by omitting paragraph (d) from subclause (1) and substituting the following paragraph:
 - (d) if he becomes unable to perform competently the duties of the office;
 - (b) by omitting from subclause (3) “Municipal” and substituting “Local Government”;

- (c) by omitting from subclause (4) “Municipal” and substituting “Local Government”.

Local Government Act 1993

1. Section 96 is amended by omitting the definition of “water district” and substituting the following definition:

“**water district**” means a water district created under the *Water Management Act 1999*.

Local Government (Building and Miscellaneous Provisions) Act 1993

1. Section 92(2) is amended by omitting “subsection (2)” and substituting “subsection (1)”.
2. Section 109(3)(k) is amended by omitting “*Mining Act 1929*” and substituting “*Mineral Resources Development Act 1995*”.

Local Government (Highways) Act 1982

1. Section 7(5) is amended by omitting “or under any other Act under the *Roads and Jetties Act 1935*” and substituting “under the *Roads and Jetties Act 1935* or any other Act”.
2. Section 77(6) is amended by omitting “Revenue” twice occurring.

3. Section 81(2) is amended by omitting “penalty not exceeding \$200” and substituting “fine not exceeding 2 penalty units”.
4. Section 101(2) is amended by omitting “penalty not exceeding \$100” and substituting “fine not exceeding 1 penalty unit”.

Long Service Leave Act 1976

1. Section 4(1) is amended by omitting “*Industrial Relations Act 1975*” and substituting “*Industrial Relations Act 1984*”.
2. Section 5(1)(f) is amended by omitting “Training Authority of Tasmania or of any committee established under the *Industrial and Commercial Training Act 1985*” and substituting “Tasmanian State Training Authority or of any committee established under the *Vocational Education and Training Act 1994*”.
3. Section 8(3A) is amended by omitting “section 84 of the *Repatriation Act 1920*” and substituting “the *Veterans’ Entitlements Act 1986*”.
4. Section 8A(3A) is amended by omitting “section 84 of the *Repatriation Act 1920*” and substituting “the *Veterans’ Entitlements Act 1986*”.
5. Section 24(2) is amended by omitting “\$40” and substituting “0.4 penalty unit”.

***Magistrates Court (Small Claims Division) Act
1989***

1. Section 32(2) is amended by omitting “a writ” and substituting “an order”.

Marine Farming Planning Act 1995

1. Section 67(1)(a) is amended by omitting “*Public Health Act 1962*” and substituting “*Public Health Act 1997*”.
2. Section 68(1)(b) is amended by omitting “farm” twice occurring and substituting “farming”.
3. Section 92(1)(a)(ii) is amended by omitting “farm” and substituting “farming”.

Medical Practitioners Registration Act 1996

1. Section 75(1) is amended by omitting paragraphs (a) and (b) and substituting the following paragraph:
 - (a) an initial order, a continuing care order or a community treatment order under the *Mental Health Act 1996*; or
2. Clause 2(2) of Schedule 5 is amended by omitting “section 50 (1) (b)” and substituting “section 50(2)(b)”.

***Medical Radiation Science Professionals
Registration Act 2000***

1. Section 11(4) is amended by omitting “an employee or a person holding or acting in an office under the *Tasmanian State Service Act 1984*, or in an Agency within the meaning of that Act,” and substituting “a State Service officer or State Service employee”.
2. Section 12(3) is amended by omitting “*Tasmanian State Service Act 1984*” and substituting “*State Service Act 2000*”.
3. Section 13(1) is amended by omitting “an Agency within the meaning of the *Tasmanian State Service Act 1984* for the services of persons” and substituting “a State Service Agency for the services of State Service officers and State Service employees”.
4. Section 18(5) is amended by omitting “section 33AB(2) of the *Tasmanian State Service Act 1984*” and substituting “section 36(3) of the *State Service Act 2000*”.

Plumbers and Gas-fitters Registration Act 1951

1. Section 2(1) is amended by omitting the definition of “septic tank”.
2. Section 3(2)(e) is amended by omitting “*Public Health Act 1962*” and substituting “*Public Health Act 1997*”.
3. Section 9(5) is amended as follows:
 - (a) by omitting “the Chief Inspector of Explosives under the regulations made and in force under the *Dangerous Goods Act 1976*” and

substituting “a Competent Authority under the *Dangerous Goods Act 1998*”;

- (b) by omitting “within the meaning of those regulations”.

4. Section 10(14) is amended by omitting “such examination or trade course conducted under the *Education Act 1932*” and substituting “training course in plumbing under the *Vocational Education and Training Act 1994*”.

Poisons Act 1971

1. Section 3(1) is amended as follows:

- (a) by omitting “stipendiary” from the definition of “court”;
- (b) by omitting “*Pharmacy Act 1908*” from paragraph (a) of the definition of “wholesale dealing” and substituting “*Pharmacists Registration Act 2001*”.

2. Section 27(1)(b) is amended as follows:

- (a) by omitting “stipendiary”;
- (b) by omitting “or warden of the municipality” and substituting “of the municipal area”.

3. Section 58(2) is amended by omitting “stipendiary”.

Police Offences Act 1935

1. Section 3(1) is amended by omitting “marine boards and harbour trusts constituted under the *Marine Act 1976*” from the definition of “public authority” and substituting “appropriate companies constituted under the *Port Companies Act 1997*”.
2. Section 13 is amended by omitting subsection (14).
3. Section 44(3) is amended by omitting the definition of “newspaper”.
4. Section 57B(3) is amended by omitting “police magistrate” and substituting “magistrate”.
5. Schedule II is amended by omitting Forms IX and X.

Prisoners (Interstate Transfer) Act 1982

1. Section 3(1) is amended as follows:
 - (a) by omitting “*Prison Act 1977*, is the prison officer or police officer” from the definition of “gaoler” and substituting “*Corrections Act 1997*, is the correctional officer”;
 - (b) by omitting “section 3 of the *Prison Act 1977*” from the definition of “prison” and substituting “section 3 of the *Corrections Act 1997*”;
 - (c) by omitting “prison officer under the *Prison Act 1977*” from the definition of “prison officer” and substituting “correctional officer under the *Corrections Act 1997*”;

- (d) by omitting “*Prison Act 1977*” from the definition of “remission regulations” and substituting “*Corrections Act 1997*”.

2. Section 26(1A) is amended by omitting “section 12A of the *Parole Act 1975*” and substituting “section 68 of the *Corrections Act 1997*”.

Public Bodies Assistance Act 1971

1. Section 2(1) is amended by omitting “*Public Health Act 1962*” from the definition of “Minister for Health” and substituting “*Public Health Act 1997*”.

Registration of Deeds Act 1935

1. Section 4 is amended by omitting “*Powers of Attorney Act 1934*” and substituting “*Powers of Attorney Act 2000*”.

2. Section 41 is amended by omitting subsections (2) and (3).

Roads and Jetties Act 1935

1. Section 17C(5)(c) is amended by omitting subparagraph (ii) and substituting the following subparagraph:

- (ii) the *Public Health Act 1997*;

2. Section 49(2)(d) is amended by omitting “noxious weed within the meaning of the *Noxious Weeds Act 1964*” and substituting “declared weed within the meaning of the *Weed Management Act 1999*”.

3. Section 52D(1) is amended by omitting “section 52C” and substituting “section 52CC”.

Rules Publication Act 1953

1. Section 4(1) is amended by omitting paragraph (d).

Status of Children Act 1974

1. Section 9(3) is amended by omitting “paternity under section 10 or where a court makes an order under section 26 or section 27 of the *Maintenance Act 1967* the Registrar of the Supreme Court or the clerk of the court (as the case requires) shall forward a copy of the declaration or order” and substituting “parentage under section 10 the Registrar of the Supreme Court is to forward a copy of the declaration”.

Teachers Registration Act 2000

1. Section 8(2) is amended by omitting “*Tasmanian State Service Act 1984*” and substituting “*State Service Act 2000*”.

Threatened Species Protection Act 1995

1. Section 8(3) is amended by omitting “employees within the meaning of the *Tasmanian State Service Act 1984*” and substituting “State Service officers or State Service employees”.

2. Section 35(2) is amended as follows:

- (a) by omitting “*Fisheries Act 1959*” and substituting “*Living Marine Resources Management Act 1995*”;
- (b) by omitting “for Primary Industry and Fisheries” and substituting “administering that Act”.

3. Clause 5 of Schedule 2 is amended by omitting “*Tasmanian State Service Act 1984*” and substituting “*State Service Act 2000*”.

Trustee Act 1898

1. Section 25AA(8) is amended by omitting “*Powers of Attorney Act 1934*” and substituting “*Powers of Attorney Act 2000*”.

TT-Line Gaming Act 1993

- 1. Section 4 is amended by omitting subsection (7).
- 2. Section 5(1) is amended by omitting paragraph (b).
- 3. Section 9 is amended by omitting subsection (4).

Waterworks Clauses Act 1952

1. Section 11 is amended as follows:

- (a) by omitting from subsection (1) “police magistrate” and substituting “magistrate”;
- (b) by omitting from subsection (2) “police magistrate” and substituting “magistrate”.

2. Section 20(1)(b) is amended by omitting “*Public Health Act 1962*” and substituting “*Public Health Act 1997*”.

3. Section 32(3) is amended by omitting “penalty of two hundred dollars” and substituting “fine not exceeding 2 penalty units”.

4. Section 42(2) is amended by omitting “penalty of ten dollars” and substituting “fine not exceeding 0.1 penalty unit”.

5. Section 64 is amended as follows:

- (a) by omitting from subsection (1) “*Mining Act 1929*” and substituting “*Mineral Resources Development Act 1995*”;
- (b) by omitting from subsection (2)(a) “*Mining Act 1929*” and substituting “*Mineral Resources Development Act 1995*”;
- (c) by omitting from subsection (2)(b) “*Mining Act 1929* or in the *Crown Lands Act 1935*” and substituting “*Mineral Resources Development Act 1995* or in the *Crown Lands Act 1976*”;
- (d) by omitting from subsection (3) “*Mining Act 1929*” and substituting “*Mineral Resources Development Act 1995*”;
- (e) by omitting from subsection (4) “*Mining Act 1929*” and substituting “*Mineral Resources Development Act 1995*”.

6. Section 72(1) is amended by omitting “penalty of ten dollars for every breach of such a duty, together with a daily penalty of \$2” and substituting “fine not exceeding 0.1 penalty unit for every breach of that duty, together with a daily fine not exceeding 0.02 penalty unit”.

Workplace Health and Safety Act 1995

1. Section 27(7)(a) is amended by omitting “*Industrial Relations Act 1988*” and substituting “*Workplace Relations Act 1996*”.