

TASMANIA

**OCCUPATIONAL LICENSING NATIONAL LAW
REPEAL BILL 2016**

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OCCUPATIONAL LICENSING NATIONAL LAW REPEAL BILL 2016

This Public Bill originated in the House of Assembly, and, having this day passed, is now ready for presentation to the Legislative Council for its concurrence.

SHANE DONNELLY, *Clerk of the House*
24 May 2016

*(Brought in by the Minister for Building and Construction, the
Honourable Adam Richard Brooks)*

A BILL FOR

An Act to repeal the *Occupational Licensing National Law Act 2011* and to enact savings and transitional provisions consequent on that repeal

Be it enacted by Her 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 *Occupational Licensing National Law Repeal Act 2016*.

2. Commencement

This Act commences on the day on which the *Occupational Licensing National Law Act 2010* of Victoria is repealed, but if this Act does not receive the Royal Assent by that day it is taken to have commenced on that day.

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3. Interpretation

In this Act –

Occupational Licensing National Law (Tasmania) means the provisions applying in this jurisdiction by virtue of section 4 of the *Occupational Licensing National Law Act 2011*;

repeal day means the day on which the *Occupational Licensing National Law Act 2010* of Victoria is repealed.

4. Repeal of Occupational Licensing National Law (Tasmania)

- (1) The Occupational Licensing National Law (Tasmania) is repealed.
- (2) Any records, within the meaning of the *Archives Act 1983*, made under the Occupational Licensing National Law (Tasmania) in respect of this State are, on the repeal day, transferrable to the Department of Treasury and Finance and the *Archives Act 1983* applies to those records as if the records were State records within the meaning of that Act.

5. Regulations

- (1) The Governor may make regulations for the purposes of this Act.
- (2) Regulations may be made so as to apply differently according to matters, limitations or

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restrictions, whether as to time, circumstance or otherwise, specified in the regulations.

- (3) The regulations may –
 - (a) provide for savings or transitional matters necessary or expedient for bringing this Act into operation; and
 - (b) provide for any of those savings or transitional matters to have retrospective effect from the repeal day or from a specified later day, whether the day so specified is before, on or after the day on which the regulations are made.
- (4) A regulation made under subsection (1) may not have retrospective effect if the regulation –
 - (a) affects, in a manner prejudicial to any person (other than the State or an authority of the State), a right of that person that existed at the time the regulation is to take effect; or
 - (b) imposes a liability on any person (other than the State or an authority of the State) in respect of anything validly done or omitted to be done before the regulation takes effect.

6. Administration of Act

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

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- (a) the administration of this Act is assigned to the Minister for Building and Construction; and
- (b) the department responsible to that Minister in relation to the administration of this Act is the Department of Justice.

7. Legislation repealed

The legislation specified in Schedule 1 is repealed.

8. Legislation revoked

The legislation specified in Schedule 2 is revoked.

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sch. 1

SCHEDULE 1 – LEGISLATION REPEALED

Section 7

Occupational Licensing National Law Act 2011 (No. 6 of
2011)

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sch. 2

SCHEDULE 2 – LEGISLATION REVOKED

Section 8

Proclamation under the Occupational Licensing National Law
Act 2011 (No. 137 of 2011)