

TASMANIA

LEGISLATION REPEAL BILL 2010

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LEGISLATION REPEAL BILL 2010

(Brought in by the Deputy Premier, the Honourable Larissa Tahireh Giddings)

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 2010*.

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- (1) A notice of intention, or a notice of declaration, that has not been withdrawn, quashed or cancelled under the *Substandard Housing Control Act 1973* before the commencement of this Act is taken to have been cancelled on the day this Act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 Legislation repealed

The legislation specified in Schedule 2 is repealed.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This Act is repealed on the first anniversary of the day on which it commences.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)

Anzac Memorial Hostel Act 1924 (No. 28 of 1924)

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)

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Land Tax Act 1995 (No. 62 of 1995)

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)

Tasmanian Development Amendment Act 2008 (No. 22 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 Trustee Act 1898 (No. 24 of 1968)

Judges' Contributory Pensions (Appointed Day) Order 1968
(No. 224 of 1968)

Parliamentary Salaries and Allowances Order 1988 (No. 209
of 1988)

Retirement Benefits (Transfer Arrangement) Notice 1994 (No.
67 of 1994)

Retirement Benefits (Transfer Arrangements) Notice 1995
(No. 27 of 1995)

Subordinate Legislation Order 1995 (No. 126 of 1995)

Subordinate Legislation Order (No. 2) 1995 (No. 145 of 1995)

Subordinate Legislation Order (No. 3) 1995 (No. 189 of 1995)

Subordinate Legislation Order (No. 4) 1995 (No. 190 of 1995)

Subordinate Legislation Order 1996 (No. 98 of 1996)

Subordinate Legislation Order (No. 2) 1996 (No. 195 of 1996)

Subordinate Legislation Order (No. 3) 1996 (No. 196 of 1996)

Subordinate Legislation Order (No. 4) 1996 (No. 197 of 1996)

*Government Business Enterprises (Amendment of Act's
Schedules) Order 1997* (No. 75 of 1997)

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Subordinate Legislation Order 1997 (No. 157 of 1997)

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

Subordinate Legislation Order 1998 (No. 175 of 1998)

Subordinate Legislation Order 1999 (No. 174 of 1999)

Subordinate Legislation Order 2000 (No. 233 of 2000)

Subordinate Legislation Order 2001 (No. 165 of 2001)

Subordinate Legislation Order 2002 (No. 154 of 2002)

*Proclamation under the Liquor and Accommodation
Amendment Act 2003* (No. 84 of 2003)

*Proclamation under the Governor of Tasmania Amendment
Act 2003* (No. 114 of 2003)

Subordinate Legislation Order 2003 (No. 176 of 2003)

*Proclamation under the Government Business Enterprises
(Sale) Act 2003* (No. 29 of 2004)

*Proclamation under the Governor of Tasmania Amendment
Act 2004* (No. 112 of 2004)

Subordinate Legislation Order 2004 (No. 149 of 2004)

*Proclamation under the Public Sector Superannuation
(Miscellaneous Amendments) Act (No. 2) 2004* (No. 51 of
2005)

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

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*Proclamation under the Government Business Enterprises
(Sale) Act 2003 (No. 30 of 2008)*

*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 Government Business Enterprises
(Sale) Act 2003 (No. 104 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)*

*Proclamation under the Gaming Control Amendment Act 2009
(No. 57 of 2009)*