Daylight Saving for South East Queensland Referendum Bill 2010
**Daylight Saving for South East Queensland Referendum Bill 2010**

Contents

<table>
<thead>
<tr>
<th>Part 1</th>
<th>Preliminary</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Short title</td>
<td>4</td>
</tr>
<tr>
<td>2</td>
<td>Commencement</td>
<td>4</td>
</tr>
<tr>
<td>3</td>
<td>Definitions</td>
<td>4</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Part 2</th>
<th>Referendum on daylight saving in South East Queensland</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>4</td>
<td>Referendum to be held</td>
<td>5</td>
</tr>
<tr>
<td>5</td>
<td>Application of Referendums Act</td>
<td>5</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Part 3</th>
<th>Amendment of Standard Time Act 1894</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>6</td>
<td>Act amended</td>
<td>6</td>
</tr>
<tr>
<td>7</td>
<td>Amendment of long title</td>
<td>6</td>
</tr>
<tr>
<td>8</td>
<td>Insertion of new part hdg</td>
<td>6</td>
</tr>
<tr>
<td>9</td>
<td>Amendment of s 1 (Short title)</td>
<td>6</td>
</tr>
<tr>
<td>10</td>
<td>Insertion of new part hdg</td>
<td>7</td>
</tr>
<tr>
<td>11</td>
<td>Insertion of new pt 3</td>
<td>7</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Part 3</th>
<th>Daylight saving for South East Queensland</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>Application of pt 3</td>
<td>7</td>
</tr>
<tr>
<td>6</td>
<td>Definitions for pt</td>
<td>7</td>
</tr>
<tr>
<td>7</td>
<td>Advance of time each year</td>
<td>7</td>
</tr>
<tr>
<td>8</td>
<td>South East Queensland daylight saving time region</td>
<td>8</td>
</tr>
<tr>
<td>9</td>
<td>Construction of expressions of time</td>
<td>8</td>
</tr>
<tr>
<td>10</td>
<td>Part not to affect use of standard time for certain purposes</td>
<td>9</td>
</tr>
<tr>
<td>11</td>
<td>Regulations as to trading hours, etc</td>
<td>9</td>
</tr>
<tr>
<td>12</td>
<td>Insertion of new part hdg</td>
<td>10</td>
</tr>
<tr>
<td>13</td>
<td>Amendment of s 5 (Transitional provision for Freedom of Information and Other Legislation Amendment Act 2005)</td>
<td>10</td>
</tr>
</tbody>
</table>
A Bill

for

An Act to provide for a referendum on the question of having daylight saving in the South East Queensland daylight saving time region on a permanent basis and to amend the *Standard Time Act 1894* if the majority of electors indicates approval of having daylight saving in that region at the referendum
The Parliament of Queensland enacts—

Part 1 Preliminary

1 Short title
This Act may be cited as the *Daylight Saving for South East Queensland Referendum Act 2010*.

2 Commencement
(1) Subject to subsection (2), part 3 commences on a day to be proclaimed.
(2) Part 3 can not be proclaimed to commence unless the question is approved.
(3) The *Acts Interpretation Act 1954*, section 15DA applies—
   (a) only if the question is approved; and
   (b) with all necessary and convenient changes and as if a reference in section 15DA(2) or (3) to ‘the assent day’ were a reference to ‘the day on which the writ for the referendum at which the question is approved is returned to the Governor under section 43(2)(c) of the Referendums Act’.
(4) In this section—
   *the question is approved* means, subject to any order of a court under pt 5 of the Referendums Act, the question submitted to electors at a referendum under part 2 is approved by a majority of the electors voting at the referendum.

3 Definitions
In this Act unless the contrary intention appears—
Part 2 Referendum on daylight saving in South East Queensland

4 Referendum to be held
(1) The question must be submitted to the electors under the Referendums Act on the same day as the polling day for the next general election under the Electoral Act 1992.

(2) The question is as follows—
‘Are you in favour of daylight saving being introduced into the South East Queensland daylight saving time region only, while the remainder of the State does not change?’.

5 Application of Referendums Act
(1) For section 4, the Referendums Act applies with all necessary and convenient changes.

(2) Without limiting subsection (1), that Act applies with the changes stated in subsection (3).

(3) For the purpose of applying the Referendums Act—
(a) the question is taken to be a question the Legislative Assembly has resolved be submitted to the electors; and
(b) the members who voted for the Bill for this Act are taken to have voted in favour of a ‘yes’ answer to the question; and
(c) the members who voted against the Bill for this Act are taken to have voted against a ‘yes’ answer to the question.

**Part 3 Amendment of Standard Time Act 1894**

6 **Act amended**

This part amends the *Standard Time Act 1894*.

7 **Amendment of long title**

Long title, after ‘time’—

*insert—*

‘and to provide for a period of daylight saving in the South East Queensland daylight saving time region’.

8 **Insertion of new part hdg**

Before section 1—

*insert—*

‘Part 1 Preliminary’.

9 **Amendment of s 1 (Short title)**

Section 1, after ‘Time’—
### 10 Insertion of new part hdg

After section 2—

`insert—`

‘Part 2 Standard time’.

### 11 Insertion of new pt 3

After section 4—

`insert—`

‘Part 3 Daylight saving for South East Queensland’

### 5 Application of pt 3

‘This part applies despite part 2.

### 6 Definitions for pt

‘In this part—

`daylight saving time` means the time to be observed in the South East Queensland daylight saving time region under section 7.

South East Queensland daylight saving time region see section 8.

`standard time` see section 3.

### 7 Advance of time each year

‘(1) From 2 am on the first Sunday in October in each year until 2 am on the first Sunday in April of the following year daylight
saving time in the South East Queensland daylight saving time region only is 1 hour in advance of standard time and is to be observed accordingly.

‘(2) To remove any doubt, it is declared that the time to be observed in every part of the State outside of the South East Queensland daylight saving time region is standard time.

‘(3) In this section—

2 am means 2 am as fixed by standard time in Queensland.

9 South East Queensland daylight saving time region

‘The South East Queensland daylight saving time region is the area of the State that consists of the following local governments—

(a) the cities of Brisbane, Ipswich, Logan, Gold Coast and Redland; and

(b) the regions of Moreton Bay, Scenic Rim and Sunshine Coast.

Note—

1 The areas of the local governments named in this section, other than the City of Brisbane, are defined in the Local Government (Areas) Regulation 2008, schedule 1 by reference to the maps mentioned in that schedule.

2 The area of the City of Brisbane is defined in the Local Government (Areas) Regulation 2008, section 4 by reference to the map mentioned in that section.

9 Construction of expressions of time

‘(1) If—

(a) an expression of time is used in any Act, statutory instrument, order, decision or notice or in any contract or agreement (whether made orally or in writing) or in any deed or other document; or
(b) the doing or not doing of anything at a certain time of
day or night, or during a certain part of the day or night
has an effect in law,
the time, in relation to the South East Queensland daylight
saving time region during the period in which daylight saving
time is being observed under section 7, is to be, and must be
determined by reference to, daylight saving time.

‘(2) Subsection (1) applies subject to any express statement to the
contrary.

‘10 Part not to affect use of standard time for certain
purposes
‘Nothing in this part affects the use of standard time for the
purposes of astronomy, meteorology, or navigation, or the
construction of any document mentioning or referring to a
point of time in connection with any of those purposes.

‘11 Regulations as to trading hours, etc.
‘(1) The Governor in Council may make a regulation declaring—
(a) the trading hours of any organisation (however
described) whose hours of trade are regulated under the
Trading (Allowable Hours) Act 1990; or
(b) the hours of work of any employee (however described)
whose hours of work are regulated under the Industrial
Relations Act 1999; or
(c) the trading hours of any person licensed under the
Liquor Act 1992; or
(d) the hours of operation of any school regulated under the
Education (General Provisions) Act 2006; or
(e) any other matters that are, in the opinion of the
Governor in Council, necessary to be declared to
moderate the effect of daylight saving time.

‘(2) A regulation made under subsection (1) in relation to trading
hours, hours of work or hours of operation must not—
(a) increase or decrease those hours; or
(b) declare those hours to commence or terminate more than one hour after the time of commencement or termination prescribed under the relevant written law.

'(3) A regulation made under subsection (1) has effect —
(a) in the region or area; and
(b) during the period,

stated in the regulation, but has no effect outside the period from 2a.m. on the first Sunday in October in a year to 2a.m. on the first Sunday in April of the following year.

'(4) A regulation made under subsection (1) has effect according to its tenor despite any written law or other law, or any award or agreement, or any order or ruling of any court, tribunal, commission or body.’.

12 Insertion of new part hdg
Before section 5, 2nd occurring—

insert—

‘Part 4 Transitional provision’.

13 Amendment of s 5 (Transitional provision for Freedom of Information and Other Legislation Amendment Act 2005)
Section 5, 2nd occurring—
renumber as section 12.