

Queensland



REPRINTS ACT 1992

**Reprinted as in force on 1 June 1992
(Act not amended up to this date)**

Reprint No. 1

**This reprint is prepared by
the Office of the Queensland Parliamentary Counsel
Warning—This reprint is not an authorised copy**

Information about this reprint

This Act is reprinted as at 1 June 1992. The opportunity has been taken, under section 7, to do the following—

- omit the enacting words as permitted by section 7(1)(a);
- omit provisions that are no longer required as permitted by section 40.

Also see Endnotes for—

- **details about when provisions commenced; and**
- **any provisions that have not commenced and are not incorporated in the reprint.**

Queensland



REPRINTS ACT 1992

TABLE OF PROVISIONS

| Section | | Page |
|---|---|------|
| PART 1—PRELIMINARY | | |
| 1 | Short title | 5 |
| 2 | Object of Act | 5 |
| 3 | Definitions | 5 |
| PART 2—REPRINTS TO WHICH ACT APPLIES | | |
| 4 | Application of Act | 7 |
| PART 3—AMENDMENTS MUST BE INCLUDED IN REPRINTS | | |
| 5 | Amendments | 7 |
| 6 | Reference to amending law | 8 |
| PART 4—EDITORIAL CHANGES MAY BE INCLUDED IN REPRINTS | | |
| <i>Division 1—General</i> | | |
| 7 | Editorial changes | 9 |
| 8 | Editorial changes not to change effect | 10 |
| 9 | Effect of editorial changes | 10 |
| <i>Division 2—Updated citations and references to law</i> | | |
| 10 | Omission of comma | 10 |
| 11 | Omission of inverted commas | 10 |
| 12 | Omission of ‘of’ | 10 |
| 13 | Omission of ‘to’ | 10 |
| 14 | Omission of ‘The’—general | 11 |
| 15 | Omission of ‘The’—Criminal Code | 11 |
| 16 | Year law made not included in citation | 11 |
| 17 | Word ‘Act’ not included in citation etc. | 11 |

| | | |
|----|---|----|
| 18 | Substitution of single-year citation for double-year citation | 11 |
| 19 | Substitution of singular form for plural form of citation for amended laws etc. | 12 |
| 20 | Citation indicating type of statutory instrument in plural | 12 |
| 21 | Other changes consistent with current legislative drafting practice | 13 |
| | <i>Division 3—Updated references within law</i> | |
| 22 | Substituted law or provision | 13 |
| 23 | Changed name or title | 13 |
| | <i>Division 4—Updated way of expression</i> | |
| 24 | Gender | 14 |
| 25 | References to gender specific offices | 14 |
| 26 | Spelling | 15 |
| 27 | Punctuation | 15 |
| 28 | Conjunctives and disjunctives | 16 |
| 29 | Expression of number, year, date, time, amount of money, quantity etc. | 17 |
| 30 | Order of definitions | 19 |
| | <i>Division 5—Updated naming conventions within statutory instruments</i> | |
| 31 | Reference to type of statutory instrument | 20 |
| 32 | Name of provision units in statutory instruments | 20 |
| 33 | Reference to authorising Act | 21 |
| | <i>Division 6—Updated form of law</i> | |
| 34 | Relocation of marginal or cite notes | 21 |
| 35 | Format and printing style | 21 |
| 36 | Omission of arrangement provisions | 22 |
| 37 | Omission of expired provisions etc. | 22 |
| 38 | Omission of old saving, transitional and validation provisions | 22 |
| 39 | Omission of obsolete and redundant provisions | 22 |
| 40 | Omission of amending and repealing provisions | 23 |
| 41 | Omission of unnecessary referential words | 23 |
| 42 | Omission of historical notes etc. | 23 |
| 43 | Numbering and renumbering of provisions | 23 |

Division 7—Correction of minor errors

| | | |
|----|--------------------------------------|----|
| 44 | Correction of minor errors | 26 |
|----|--------------------------------------|----|

PART 5—NOT REPRINTED AND RELOCATED PROVISIONS

| | | |
|----|------------------------------------|----|
| 45 | Not reprinted provisions | 26 |
|----|------------------------------------|----|

| | | |
|----|--------------------------------|----|
| 46 | Relocated provisions | 26 |
|----|--------------------------------|----|

PART 6—AUTHORISATION OF REPRINTS

| | | |
|----|---|----|
| 47 | Parliamentary Counsel to authorise reprints | 27 |
|----|---|----|

PART 7—EFFECT OF REPRINTS

| | | |
|----|---------------------------------------|----|
| 48 | Reprint taken as correct etc. | 27 |
|----|---------------------------------------|----|

| | | |
|----|--|----|
| 49 | Amendment of law may be made in accordance with reprint etc. | 28 |
|----|--|----|

PART 8—MISCELLANEOUS

| | | |
|----|-----------------------|----|
| 50 | Regulations | 28 |
|----|-----------------------|----|

ENDNOTES

| | | |
|---|-----------------------------|----|
| 1 | Index to Endnotes | 29 |
|---|-----------------------------|----|

| | | |
|---|---|----|
| 2 | Date to which amendments incorporated | 29 |
|---|---|----|

| | | |
|---|-------------------------------|----|
| 3 | List of legislation | 29 |
|---|-------------------------------|----|

| | | |
|---|-------------------------------|----|
| 4 | List of annotations | 29 |
|---|-------------------------------|----|

REPRINTS ACT 1992

[reprinted as in force on 1 June 1992²]

An Act relating to reprints of legislation and for other purposes related to legislation

PART 1—PRELIMINARY

Short title

1. This Act may be cited as the *Reprints Act 1992–4*.

Object of Act

2.(1) The object of this Act is to facilitate the updating and ready availability of Queensland legislation.

(2) The object is to be achieved by modernising the law relating to reprints of Queensland legislation.

Definitions

3. In this Act—

“current legislative drafting practice” means current Queensland legislative drafting practice;

“law” means—

- (a) an Act; or
- (b) subordinate legislation;

“make” includes enact;

“minor error” includes—

- (a) a typographical error; or
- (b) a grammatical error; or
- (c) an error of punctuation; or
- (d) an error in cross-referencing to a provision of a law;

“referential words” means the words—

- (a) ‘of this Act’, ‘of this regulation’, ‘of this order in council’, ‘of this rule’, ‘of this by-law’, ‘of this ordinance’ or ‘of this proclamation’; or
- (b) ‘to this Act’, ‘to this regulation’, ‘to this order in council’, ‘to this rule’, ‘to this by-law’, ‘to this ordinance’ or ‘to this proclamation’; or
- (c) ‘of this Schedule’; or
- (d) ‘of this Chapter’; or
- (e) ‘of this Part’; or
- (f) ‘of this Division’; or
- (g) ‘of this Subdivision’; or
- (h) ‘of this section’; or
- (i) ‘of this subsection’, ‘of this subregulation’ or ‘of this subrule’; or
- (j) ‘of this paragraph’; or
- (k) ‘of this subparagraph’; or
- (l) ‘of this sub-subparagraph’; or
- (m) ‘of this clause’; or
- (n) ‘of this subclause’; or
- (o) ‘of this sub-subclause’; or
- (p) ‘of this item’; or
- (q) ‘of this subitem’; or
- (r) ‘before-mentioned’ or ‘afore-mentioned’; or
- (s) ‘hereof’ or ‘hereto’; or
- (t) ‘thereof’ or ‘thereto’; or

(u) ‘said’ or ‘aforesaid’;

or words to that or similar effect, occurring in conjunction with a number to designate a provision of the law in which the words appear;

“**reprint**” of a law includes a reproduction of the law in electronic form;

“**reprint date**” of a reprint means the day specified in the reprint under section 5(c) as the reprint date;

“**subordinate legislation**” has the meaning given by the *Statutory Instruments Act 1992*.

PART 2—REPRINTS TO WHICH ACT APPLIES

Application of Act

4. This Act applies to a reprint of a law (including a law that has not been amended) that is—

- (a) authorised by the Parliamentary Counsel; and
- (b) in the case of a reprint in printed form—printed by the Government Printer.

PART 3—AMENDMENTS MUST BE INCLUDED IN REPRINTS

Amendments

5. If a law has been amended by—

- (a) the omission of provisions; or
- (b) the insertion of provisions (whether or not in substitution for omitted provisions);

a reprint of the law must—

- (c) show the law as amended by all amendments that commenced before the day specified in the reprint as the reprint date; and
- (d) incorporate all necessary consequential amendments, whether of punctuation, numbering or another kind.

Example 1—If the following provision were to be amended by the omission of paragraph (c), the bracketed punctuation mark would replace the bolded punctuation mark and the word ‘and’ at the end of paragraph (b) would be omitted—

5. A notice is to—

- (a) be signed by the chairperson; and
- (b) specify the time within which it is to be complied with; (.)
and
- (c) specify the place at which it is to be complied with.’.

Example 2—If a section that is not divided into subsections is amended by the insertion of a subsection at the end, the existing provision is numbered as subsection (1).

Example 3—If a section that is divided into subsections is amended by the insertion of another subsection that is given a new number (for example, a subsection (1A) to be inserted after subsection (1)), section 5(d) does not require the renumbering of subsections after the inserted subsection.

Reference to amending law

6. A reprint of a law that shows the law as amended by amendments must include, in a suitable place, a reference to the law by which each amendment was made.

PART 4—EDITORIAL CHANGES MAY BE INCLUDED IN REPRINTS

Division 1—General

Editorial changes

7.(1) In a reprint of a law, the text of the law may be given—

- (a) omitting any enacting words (unless the law has a preamble) or words of notification; and
- (b) using citations and references permitted by Division 2; and
- (c) using references permitted by Division 3; and
- (d) using words and references, and otherwise expressed as, permitted by Division 4; and
- (e) making the omissions and insertions permitted by sections 31 and 33; and
- (f) using the names permitted by section 32; and
- (g) using headings, format and printing style permitted by sections 34 and 35; and
- (h) omitting provisions as permitted by sections 36 to 42; and
- (i) using the numbering and renumbering of provisions and the references permitted by section 43; and
- (j) correcting minor errors as permitted by Division 7; and
- (k) doing anything else permitted to be done by this Act or a regulation; and
- (l) making all necessary consequential amendments.

(2) If the text of a law is given as permitted by subsection (1), the reprint—

- (a) must indicate that fact in a suitable place; and
- (b) must outline in general terms, and in a suitable place, the way in which the permission was used.

Editorial changes not to change effect

8. Section 7 does not permit changes to the text of a provision of a law that would change the effect of the provision.

Effect of editorial changes

9. If in a reprint of a law the text of the law is given as permitted by section 7, the law has effect as if the changes made under that section had been made expressly by another law that amended the law immediately before the reprint date.

Division 2—Updated citations and references to law**Omission of comma**

10. If a law or group of laws has a citation that includes a comma before or after a year in the citation, the citation or a reference to the law or laws may be given omitting the comma.

Omission of inverted commas

11. If a law or group of laws has a citation that begins and ends with inverted commas, the citation or a reference to the law or laws may be given omitting the inverted commas.

Omission of ‘of’

12. If a law or group of laws has a citation that includes the word ‘of’ before the first year in the citation, the citation or a reference to the law or laws may be given omitting the word.

Omission of ‘to’

13. If a law or group of laws has a citation that includes the word ‘to’ between the 2 years in the citation, the citation or a reference to the law or laws may be given omitting the word and substituting a hyphen.

Omission of ‘The’—general

14. If a law or group of laws has a citation that begins with the word ‘The’—

- (a) the citation or a reference to the law or laws may be given omitting the word; and
- (b) if the context requires, the word ‘The’ or ‘the’, as appropriate, may be inserted immediately before the citation or reference.

Omission of ‘The’—Criminal Code

15. The citation of, and a reference to, The Criminal Code may be given omitting the word ‘The’ and inserting, if the context requires, the word ‘The’ or ‘the’, as appropriate, immediately before the citation or reference.

Year law made not included in citation

16. If a law has a citation that does not include a year, the citation or a reference to the law may be given including the year the law was made.

Example—‘The Judicature Act’ may be cited as the ‘Judicature Act 1876’.

Word ‘Act’ not included in citation etc.

17.(1) If an Act has a citation that does not include the word ‘Act’, the citation or a reference to the Act may be given including the word ‘Act’, and any necessary consequential amendments made to the citation or reference.

Example—‘The Defamation Law of Queensland’ may be cited as the ‘Defamation Act 1889’.

(2) If subordinate legislation has a citation that does not indicate the type of instrument, the citation or a reference to the legislation may be given including the type of instrument, and any necessary consequential amendments made to the citation or reference.

Substitution of single-year citation for double-year citation

18.(1) The citation of a law that has been amended, or a group of laws, may be given by omitting from the citation any words after the first year in

the citation.

(2) In a provision of a law, a reference to another law or a group of laws may be given by omitting from the reference any words after the first year.

Example—In the following reference, the bolded words may be omitted—

‘Liquor Act 1912–1990’.

(3) In subsection (2)—

“law” includes a law of the Commonwealth, another State, a Territory or a foreign country.

Substitution of singular form for plural form of citation for amended laws etc.

19.(1) The citation of a law that has been amended, or a group of laws, that is in the plural form may be given by changing the citation to the singular form.

(2) In a provision of a law, a reference in the plural form to a law as amended may be given by changing the reference to the singular form.

Example— *‘Land Act 1910’* may replace *‘Land Acts 1910–1958’*.¹

Citation indicating type of statutory instrument in plural

20. If a statutory instrument has a citation or is otherwise called by a name indicating the type of instrument in the plural, the instrument may be given a citation, or referred to by a name, indicating the type of instrument in the singular.

Example—A statutory instrument that is called by a name in column 1 of the Table may be called by the corresponding name in column 2.

¹ Section 18 has also been applied to this example.

TABLE

| Column 1 | Column 2 |
|-----------------|-----------------|
| Regulations | Regulation |
| By-laws | By-law |
| Rules | Rule |

Thus, the *Traffic Regulations 1962* may now be called the *Traffic Regulation 1962*.

Other changes consistent with current legislative drafting practice

21.(1) If a law does not have a citation, it may be given a citation that is consistent with current legislative drafting practice.

(2) If a law or group of laws has a citation that is inconsistent with current legislative drafting practice in a way that is not mentioned in sections 10 to 20, the citation or a reference to the law or laws may be given in a way that is consistent with current legislative drafting practice.

Division 3—Updated references within law**Substituted law or provision**

22.(1) A reference to a law or a provision of a law for which another law or provision has been substituted may be given using the substituted law or provision.

(2) In this section—

“**law**” includes a law of the Commonwealth, another State, a Territory or a foreign country.

Changed name or title

23.(1) A reference to the name or title of the Sovereign or a body, office, person, place or other thing that has been changed may be given using the name or title as changed.

(2) Subsection (1) has effect according to its tenor, and has that effect despite section 35 of the *Acts Interpretation Act 1954*.

Division 4—Updated way of expression

Gender

24. If a provision of a law uses a word indicating a gender or that could be taken to indicate a gender, the provision may be expressed in a different way that is consistent with current legislative drafting practice.

Examples—In the following provisions, the bolded words may be omitted and the bracketed words (if any) inserted—

1. ‘The commissioner may, by **writing signed by him** (written notice), delegate any of **his** (the commissioner’s) powers.’.
2. ‘If a member dies before reaching the age of 55 years, the Superannuation Board is to pay the death benefit to **his wife** (the member’s spouse).’.
3. ‘If an employee dies before **his** retirement, **his widow** (the employee’s surviving spouse) is entitled **until her re-marriage** to a pension (until remarriage).’.
4. ‘If requested by **his servant** (an employee), the **master** (employer) must complete the application.’.
5. ‘If a notice under section 5 is not received by the auctioneer, real estate agent, commercial agent, motor dealer or person named in it within 30 days after **he receives** (receiving) notice of the dispute, **he** (he or she) must ...’.

References to gender specific offices

25.(1) If the name of an office established by a law uses a word indicating a gender or that could be taken to indicate a gender, the name of the office may be changed, and any reference in a law to the office may be changed or given, in a way that is consistent with current legislative drafting

practice.

Example 1—‘chairperson’ may replace ‘chairman’.

Example 2—‘deputy chairperson’ may replace ‘deputy chairman’.

Example 3—‘councillor’ or a similar word may replace ‘alderman’.

(2) A change in the name of an office does not otherwise affect the office or the holding of the office by the office holder.

Spelling

26.(1) If a provision of a law uses a word that is spelt incorrectly, the word may be spelt correctly.

Example 1—‘accommodation’ may replace ‘accomodation’.

Example 2—‘similar’ may replace ‘similiar’.

(2) If a provision of a law uses a word that is spelt in a way that is inconsistent with current legislative drafting practice, the word may be spelt in a different way that is consistent with current legislative drafting practice.

Example 1—‘authorise’ may replace ‘authorize’, and ‘organisation’ may replace ‘organization’.

Example 2—‘connection’ may replace ‘connexion’.

Example 3—‘program’ may replace ‘programme’.

Example 4—‘lodgment’ may replace ‘lodgement’.

Punctuation

27. If a provision of a law uses punctuation that is inconsistent with current legislative drafting practice, the provision may be expressed using punctuation that is consistent with current legislative drafting practice.

Example 1—In the following provision, the bracketed punctuation marks may replace the bolded punctuation marks—

‘**5.** The Commissioner may grant leave of absence to a person for any of the following purposes:— (—)

(a) to engage in employment;

(b) any other purpose approved by the Commission, (;)
unless Part 5 applies.’.

Example 2—In the following provision, the bracketed comma may be inserted—

‘5. If the occupier of premises cannot be found(,) a notice to quit may be served on the occupier by fixing a copy of the notice to a conspicuous part of the premises.’.

Example 3—‘sublet’ may replace ‘sub-let’.

Example 4—In the following provision, the bolded comma may be omitted—

‘5. In this Act,—’.

Conjunctives and disjunctives

28.(1) A provision of a law may be expressed using a conjunctive or disjunctive at the end if the use of the conjunctive or disjunctive is consistent with current legislative drafting practice.

Example 1—In the following provision, the bracketed disjunctive may be inserted—

‘5. A statutory rule may—

- (a) apply generally; (or)
- (b) apply differently according to different factors; or
- (c) authorise anything to be determined.’.

Example 2—In the following provision, the bracketed conjunctive may be inserted—

‘5. The trust fund consists of—

- (a) all amounts paid to the Council by way of deposit or in trust for any person; (and)
- (b) all amounts required by law to be paid to the trust fund.’.

(2) If—

- (a) a provision of a law has a conjunctive or disjunctive (or both) at

the end; and

- (b) the usage is not consistent with current legislative drafting practice;

the provision may be expressed in a way that is consistent with current legislative drafting practice.

Example—In the following provision, the bracketed disjunctive may replace the bolded conjunctive—

‘ “**domestic animal**” means—

- (a) a cat; **and** (or)
(b) a dog;’.

Expression of number, year, date, time, amount of money, quantity etc.

29. If a provision of a law expresses a number, year, date, time, amount of money, quantity or measurement of a thing, or other matter or idea, (the “**item**”) in a particular way, the item may be expressed in a different way that is consistent with current legislative drafting practice.

Example 1— ‘25’ may replace ‘twenty-five’.

Example 2— ‘Part 1’ may replace ‘Part I’.

Example 3— ‘Schedule 1’ may replace ‘the First Schedule’.

Example 4— ‘1 January 1952’ may replace ‘the first day of January, one thousand nine hundred and fifty-two’.

Example 5— ‘8 a.m.’ may replace ‘8 o’clock in the forenoon’.

Example 6— ‘\$25 000’ may replace ‘twenty-five thousand dollars’.

Example 7— ‘%’ may replace ‘per centum’ or ‘percent’.

Example 8— ‘ “**Commission**” means the Licensing Commission;’
may replace

‘ “Commission”—The Licensing Commission;’.

Example 9— ‘ “**land**” includes land covered by water;’
may replace

‘“Land”—Includes land covered by water;’.

Example 10—‘“A” means the allocated amount;’

may replace

‘“A” represents the allocated amount;’.

Example 11—‘the Licensing Commission’

may replace

‘The Licensing Commission’

even though ‘The’ forms part of the Commission’s given name.

Example 12—‘1.61 km’ may replace ‘1 mile’.

Example 13—‘any land (the **“dominant land”**)’

may replace

‘any land (herein in this section referred to as “the dominant land”)’.

Example 14— ‘(3) All persons shall have the same remedies for recovering such apportioned parts as they would have had for recovering such entire portions if so entitled.’

may replace

‘(3) All persons shall have the same remedies for recovering such apportioned parts as aforesaid as they would have had for recovering such entire portions as aforesaid if entitled thereto.’.

Example 15—‘Maximum penalty—

(a) in the case of an individual—35 penalty units; or

(b) in the case of a corporation—170 penalty units.’

may replace

‘Penalty: 35 penalty units in the case of an individual;

170 penalty units in the case of a corporation.’.

Example 16—‘This section does not affect the priority of a lien that is

renewed or further renewed under section 13.’²

may replace

‘Provided that nothing in this section shall affect the priority of any lien which shall be renewed or further renewed under the provisions of section thirteen of this Act.’

Example 17—‘anything’ may replace ‘any thing’.

Example 18—‘**“registrar”** means the Registrar of Auctioneers and Agents appointed under this Act, and includes a deputy registrar;’

may replace

‘**“registrar”** means the Registrar of Auctioneers and Agents appointed under this Act. The term includes a deputy registrar;’.

Order of definitions

30.(1) If a definition provision of a law contains definitions that are not in their appropriate alphabetical position (determined on a letter-by-letter basis), the definition provision may be expressed so that the definitions are in their appropriate alphabetical position determined on a letter-by-letter basis.

(2) If a definition provision of a law contains definitions in a particular order, the definition provision may be expressed so that the definitions are in an order that is consistent with current legislative drafting practice.

(3) In this section—

“definition provision” of a law means a provision containing a number of definitions.

² Various other provisions of this Act have also been applied to this example.

Division 5—Updated naming conventions within statutory instruments**Reference to type of statutory instrument****31. If—**

- (a) a statutory instrument has, or could be given, a citation indicating the type of instrument in the singular; and
- (b) the instrument contains referential words that refer to the instrument in the plural;

the referential words may be omitted and, if referential words are necessary, replaced by appropriate referential words in the singular.

Name of provision units in statutory instruments

32. If a provision of a statutory instrument is called a regulation, subregulation, sub-subregulation, rule, subrule, by-law, sub-by-law, clause, subclause, sub-subclause, paragraph, subparagraphs, sub-subparagraph, item, subitem, or any other name, the provision may be called—

- (a) if the provision is a provision unit equivalent to a section of an Act—a section; or
- (b) if the provision is a provision unit equivalent to a subsection of an Act—a subsection; or
- (c) if the provision is a provision unit equivalent to a paragraph of an Act—a paragraph; or
- (d) if the provision is a provision unit equivalent to a subparagraph of an Act—a subparagraph; or
- (e) if the provision is a provision unit equivalent to a sub-subparagraph of an Act—a sub-subparagraph.

Example 1—Regulation 2 may be called section 2.

Example 2—By-law 5(2)(a) may be called section 5(2)(a), that is, paragraph (a) of subsection (2) of section 5.

Reference to authorising Act**33.** If—

- (a) there is a reference in an instrument to a provision of the Act under which a statutory instrument is made or in force; and
- (b) the words ‘of the Act’, or words of similar effect, do not appear at the end of the reference;

the words ‘of the Act’ may be inserted at the end of the reference.

Division 6—Updated form of law**Relocation of marginal or cite notes**

34. A marginal note to a provision of a law, or a note to a provision of a law appearing in and at the beginning of the provision, may be treated as the heading to the provision.

Format and printing style

35. The format and printing style of a law (including, for example, the setting out of the provisions, the placement of conjunctives and disjunctives and the use of capital letters, punctuation, hyphens, italics, bolding and quotation marks) may be brought into line with current legislative drafting practice.

Example 1— ‘**(2)** In this section—

“**person**” includes an unincorporated body.’

may replace

‘**(2)** In this section, the term “person” includes an unincorporated body.’.

Example 2— ‘“**variation**”, in relation to a permit, includes a variation of conditions of the permit;’

may replace

‘“**variation**” in relation to a permit includes a variation of conditions of the permit;’.

Example 3—‘*Petroleum (Submerged Lands) Act 1967*’

may replace

‘*Petroleum (Submerged Lands) Act 1967*’.

Example 4—In the following provision heading, the bracketed words may be omitted—

‘(SECTION 2.2 INDUSTRIAL MATTER)

2.2 Industrial matter’.³

Omission of arrangement provisions

36. A provision of a law setting out the arrangement of the law, or provisions of the law, may be omitted.

Omission of expired provisions etc.

37. A provision of a law that is spent, has expired, or otherwise ceased to have effect, may be omitted.

Omission of old saving, transitional and validation provisions

38. A saving, transitional or validation provision of a law may be omitted if the provision applies only to a time or event that has passed.

Omission of obsolete and redundant provisions

39. If a provision of a law is obsolete or redundant because of the making of any law, the provision may be omitted.

Example—In the following provisions, the bolded words may be omitted—

1. ‘In this Act, **unless the context otherwise indicates, the following terms have the meanings respectively assigned to them, that is to say,—**’.
2. ‘In this Act, **unless the contrary intention appears—**’.

³ Section 34 could also be applied to this example.

Omission of amending and repealing provisions

40. If—

- (a) a provision of a law merely repeals or amends another law or a provision of another law; and
- (b) the provision has commenced;

the provision may be omitted.

Omission of unnecessary referential words

41. Unnecessary referential words in a provision of a law may be omitted.

Omission of historical notes etc.

42. Notes in a provision of a law indicating the legislative history, the source of the provision or corresponding provisions in other jurisdictions, and similar notes in a provision of a law, may be omitted from the law.

Numbering and renumbering of provisions

43.(1) An unnumbered provision of a law may be numbered in a way that is consistent with current legislative drafting practice, and all necessary consequential numbering amendments made.

Example—In the following provision, the sentences may be numbered (1), (2), (3) and (4) respectively—

‘5. A tenant is not to be entitled to compensation, unless 2 months at least before the determination of the tenancy the tenant gives the landlord written notice claiming compensation.

If a tenant gives such a notice, the landlord may, within 1 month, give the tenant written notice claiming any set-off.

Every notice under this section must state the particulars and amount of the intended claim.

Provided that non-compliance by either party with any of the provisions of this section does not deprive such party of any rights under this Division if the arbitrator is of opinion that there

was reasonable excuse for the non-compliance.’.

(2) If a provision of a law is numbered in a way that is inconsistent with current legislative drafting practice—

- (a) the provision may be renumbered in a way that is consistent with current legislative drafting practice; and
- (b) all necessary consequential numbering amendments may be made.

Example 1— ‘(3) A notice to terminate is sufficiently given if—

- (a) it is delivered to a person apparently over the age of 18 years who apparently resides on the premises; or
- (b) it is advertised in a daily newspaper circulating in the district in which the premises are situated.

(3A) Where a proceeding for the recovery of the possession of land or premises is taken in reliance on a notice to terminate given in a manner provided in subsection (3)(a)⁴, any occupier of the land or other person claiming an interest in the land or premises shall be entitled to be heard in the proceeding.

(4) Nothing in this section shall affect the right of a landlord to give notice to terminate otherwise than as provided in this section.’.

may replace

‘(3)—

- (a) A notice to terminate is sufficiently given if—
 - (i) it is delivered to a person apparently over the age of 18 years who apparently resides on the premises; or
 - (ii) it is advertised in a daily newspaper circulating in the district in which the premises are situated;

⁴ Section 43(4) has also been applied to this example.

- (b) where a proceeding for the recovery of the possession of land or premises is taken in reliance on a notice to terminate given in a manner provided in paragraph (a)(i), any occupier of the land or premises or other person claiming an interest in the land or premises shall be entitled to be heard in the proceeding.

(4) Nothing in this section shall affect the right of a landlord to give notice to terminate otherwise than as provided in this section.’

Example 2— ‘**10.(1)** The office of councillor shall be vacated if the councillor—

- (a) is ousted from office by the Supreme Court; or
- (b) is or has become disqualified under this Act.’

may replace

‘**10.(1)** The office of councillor shall be vacated if the councillor—

- (i) is ousted from office by the Supreme Court;
or
- (ii) is or has become disqualified under this Act.’

(3) If a law has been amended so that the numbering of provisions of the law is significantly different to the way in which the provisions would have been numbered if the law had not been amended—

- (a) the law may be renumbered in a way that is consistent with current legislative drafting practice; and
- (b) all necessary consequential numbering amendments may be made.

(4) If a provision of a law is numbered or renumbered under this section—

- (a) a reference in any instrument to the provision is a reference to the provision as numbered or renumbered; and
- (b) a reference in the law or another law to the provision may be changed to a reference to the provision as numbered or

renumbered.

Division 7—Correction of minor errors

Correction of minor errors

44. If a provision of a law contains a minor error, the provision may be expressed in a different way so as to correct the error.

Example 1—‘licence’ may replace ‘license’ if used as a noun.

Example 2—In the following provision, the bolded word may be omitted—

‘The chairperson is to be the executive officer of the
the Board.’.

Example 3—In the following provision, the bracketed word may be inserted where indicated—

‘The chairperson is to be the executive officer of (the)
Board.’.

PART 5—NOT REPRINTED AND RELOCATED PROVISIONS

Not reprinted provisions

45.(1) Nothing in this Act requires every provision of a law to be shown in a reprint of the law.

(2) If a provision of a law is not shown in a reprint, the reprint is to indicate that fact in a suitable place.

Relocated provisions

46.(1) Nothing in this Act requires each provision of a law to be shown in the location within the law in which the provision was located when the provision was made.

Example—A table or diagram originally located within the body of a law may be relocated to the end of the law.

(2) If a provision of a law is not shown in the location within the law in which the provision would otherwise be located, the reprint is to indicate that fact in a suitable place.

PART 6—AUTHORISATION OF REPRINTS

Parliamentary Counsel to authorise reprints

47.(1) The reprint of a law printed by the Government Printer must be authorised by the Parliamentary Counsel.

(2) The Parliamentary Counsel may authorise the reprint of a law that is not in printed form.

(3) A note that the Parliamentary Counsel has authorised a reprint must appear in the reprint in a suitable place.

(4) A reprint purporting to have been authorised by the Parliamentary Counsel is taken to have been authorised by the Parliamentary Counsel unless the contrary is established.

PART 7—EFFECT OF REPRINTS

Reprint taken as correct etc.

48.(1) If—

- (a) a reprint of a law (including a law that has not been amended) is authorised by the Parliamentary Counsel; and
- (b) in the case of a reprint in printed form—the reprint is printed by the Government Printer;

then—

- (c) the text of the law as at the reprint date is, in the absence of evidence to the contrary, taken to be shown correctly in the reprint; and
- (d) a court or person acting judicially must take judicial notice of a document or matter purporting to be such a reprint.

(2) A reprint in printed form purporting to have been printed by the Government Printer is taken to have been printed by the Government Printer unless the contrary is established.

Amendment of law may be made in accordance with reprint etc.

49. An amendment of a law may be made having regard to—

- (a) if a reprint of the law has been produced and no amendments of the law have commenced on or after the reprint date specified in the latest reprint—the text of the law as shown in that reprint; or
- (b) if a reprint of the law has been produced and amendments of the law have commenced on or after the reprint date specified in the latest reprint—the text of the law as shown in that reprint and as that text would be required to be shown in a subsequent reprint incorporating the effect of the amendments; or
- (c) if a reprint of the law has not been produced—the text of the law as it would be required to be shown in a reprint.

PART 8—MISCELLANEOUS

Regulations

50. The Governor in Council may make regulations for the purposes of this Act.

ENDNOTES

1 Index to Endnotes

| | Page |
|---|------|
| 2 Date to which amendments incorporated | 29 |
| 3 List of legislation | 29 |
| 4 List of annotations | 29 |

2 Date to which amendments incorporated

This is the day mentioned in section 5(c). However, no amendments have commenced operation before that day. Future amendments of the *Reprints Act 1992* may be made in accordance with this reprint because of section 49.

3 List of legislation

Reprints Act 1992 No 27
 date of assent 1 June 1992
 commenced on date of assent

4 List of annotations

Key to abbreviations in list of annotations

| | | |
|----------|---|--------------------------|
| RA | = | <i>Reprints Act 1992</i> |
| amd | = | amended |
| ins | = | inserted |
| om | = | omitted |
| renum | = | renumbered |
| sub | = | substituted |
| Pt hdg | = | Part heading |
| Div hdg | = | Division heading |
| Sdiv hdg | = | Subdivision heading |
| hdg prec | = | heading preceding |
| prov hdg | = | provision heading |
| cl | = | clause |
| pres | = | present |
| orig | = | original |

Provisions not included in reprint, or amended by amendments not included in reprint, are underlined

PART 9—AMENDMENT OF ACTS INTERPRETATION ACT 1954

Pt 9 (ss 51–57) om (see s 40 RA)

PART 10—REPEALS

Pt 10 (s 58) om (see s 40 RA)