

PUBLIC SERVICE (ADMINISTRATIVE ARRANGEMENTS) ACT

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Queensland



ANNO TRICESIMO NONO

ELIZABETHAE SECUNDAE REGINAE

No. 73 of 1990

An Act to amend various Acts to make provisions for and in relation to administrative arrangements consequent upon the restructuring of the public service and for related purposes

[ASSENTED TO 10TH OCTOBER, 1990]

BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

1. Short title. This Act may be cited as the *Public Service (Administrative Arrangements) Act 1990*.

2. Commencement. (1) Section 1 and this section shall commence on the day on which this Act is assented to for and on behalf of Her Majesty.

(2) Except as provided by subsection (1), the provisions of this Act or such of those provisions as are specified in the Proclamation shall commence on a day or days to be appointed by Proclamation.

3. Amendment of Acts. Each Act specified in the First to the Fifth Schedules (inclusive) is amended in the manner set forth in the relevant Schedule and the Act as so amended may be cited as specified in that Schedule.

4. Savings, transitional and validation. The savings, transitional and validation provisions as set out in the Sixth Schedule shall have effect as therein provided.

FIRST SCHEDULE

[s. 3]
(Department of Administrative Services)

Architects Act 1985

Section 5

Omit the definition "Minister" and substitute the following definition:—

““Minister” includes any Minister of the Crown for the time being performing the duties of the Minister;”.

Amended citation: *Architects Act 1985-1990*

Law Courts and State Buildings Protective Security Act 1983-1989

Section 4

Omit the definition "Minister" and substitute the following definition:—

““Minister” includes any Minister of the Crown for the time being performing the duties of the Minister;”.

Amended citation: *Law Courts and State Buildings Protective Security Act 1983-1990*

SECOND SCHEDULE

[s. 3]

(Department of Employment,
Vocational Education,
Training and Industrial
Relations)

**Department of Employment and Labour Relations Annual Reporting
Act 1982-1989**

Section 3 (1)

In paragraph (b), omit provision (ii).

Amended citation: *Department of Employment and Labour Relations
Annual Reporting Act 1982-1990*

Employment, Vocational Education and Training Act 1988

Section 4 (1)

Omit the definition "chief executive" and substitute the following
definition:—

"“chief executive” means the chief executive of the department
of government of Queensland within which this Act is
administered and includes any officer temporarily discharging
the responsibilities of the chief executive;”.

Amended citation: *Employment, Vocational Education and Training
Act 1988-1990*

Private Employment Agencies Act 1983-1985

Section 5

(a) Insert after the definition "award" the following definition:—

"“Director-General” means the chief executive by whatever title
of office the chief executive is known, of the department of
government of Queensland within which this Act is
administered and includes any officer temporarily discharging
the responsibilities of the chief executive;”;

(b) Omit the definition "the Under Secretary".

Section 6

Omit "Under Secretary" and substitute "Director-General".

Amended citation: *Private Employment Agencies Act 1983-1990*

Rural Training Schools Act 1965-1984

Section 3

Insert after the definition "Chairman" the following definition:—

"“Director-General” means the chief executive by whatever title
of office the chief executive is known, of the department of
government of Queensland within which this Act is

administered and includes any officer temporarily discharging the responsibilities of the chief executive;”.

Amended citation: *Rural Training Schools Act 1965-1990*

THIRD SCHEDULE

[s. 3]
(Department of Lands)

Land Act 1962-1990

Section 19

Omit subsection (4).

Section 20

Omit “and shall control, manage, supervise and carry on the administration of the Department”.

Section 24

In subsection (6), omit “Department” where it first occurs and substitute “Commission”.

Section 283

(a) In subsection (2), omit “in the Department” and substitute “by the Registrar of Dealings”;

(b) in subsection (3), omit “Department” occurring twice and substitute “Registrar of Dealings” in each case.

Section 285

In subsection (1), omit “Department” and substitute “appropriate register maintained by the Registrar of Dealings”.

Section 293

In subsection (2), omit “in the office in Brisbane of the Department” and substitute “with the Registrar of Dealings”.

Amended citation: *Land Act 1962-1990*

FOURTH SCHEDULE

[s. 3]

(Department of the Premier,
Economic and Trade Development)

**Queensland International Tourist Centre Agreement Act Repeal Act
1989**

Section 3

Omit the definition “Minister” and substitute the following definition:—

“ “Minister” includes any Minister of the Crown for the time being performing the duties of the Minister;”.

Amended citation: *Queensland International Tourist Centre Agreement Act Repeal Act 1989-1990.*

FIFTH SCHEDULE

[s. 3]

(Department of Transport)

Cairns Airport Act 1981-1987

Section 2 (1)

Omit the definition “Minister” and substitute the following definition:—

“ “Minister” includes any Minister of the Crown for the time being performing the duties of the Minister;”.

Amended citation: *Cairns Airport Act 1981-1990*

Canals Act 1958-1989

Section 2 (1)

(a) Omit the definition “Director” and substitute the following definition:—

“ “Director-General” means the chief executive by whatever title of office the chief executive is known, of the department of government of Queensland within which this Act is administered and includes any officer temporarily discharging the responsibilities of the chief executive;”;

(b) omit the definition “Minister” and substitute the following definition:—

“ “Minister”—includes any Minister of the Crown for the time being performing the duties of the Minister;”.

Section 5

(a) In subsection (1), omit “Director” and substitute “Director-General”;

(b) in subsection (2), omit "Director" and substitute "Director-General".

Section 6

(a) In subsection (1), omit "Director" and substitute "Director-General";

(b) in subsection (3), omit "Director" and substitute "Director-General";

(c) in subsection (4) in paragraph (d), omit "Director" and substitute "Director-General".

Section 7 (1)

Omit "Director" occurring three times and substitute "Director-General" in each case.

Section 8 (1)

Omit "Director" occurring three times and substitute "Director-General" in each case.

Section 14

Omit "Director" and substitute "Director-General".

Section 17 (1)

In provision (d), omit "Director" and substitute "Director-General".
Amended citation: *Canals Act 1958-1990*

Carriage of Dangerous Goods by Road Act 1984-1988

Section 5 (1)

(a) Insert after the definition "dangerous goods" the following definition:—

““Director-General” means the chief executive by whatever title of office the chief executive is known, of the department of government of Queensland within which this Act is administered and includes any officer temporarily discharging the responsibilities of the chief executive;”;

(b) omit the definition "Commissioner".

Section 6 (1)

Omit "Commissioner" occurring twice and substitute "Director-General" in each case.

Section 7

Omit "Commissioner" occurring twice and substitute "Director-General" in each case.

Section 8

Omit "Commissioner" and substitute "Director-General".

Section 10

(a) In subsection (1), omit "Commissioner" occurring three times and substitute "Director-General" in each case;

(b) in subsection (2), omit "Commissioner" occurring twice and substitute "Director-General" in each case;

(c) in subsection (3), omit "Commissioner" and substitute "Director-General";

(d) in subsection (4), omit "Commissioner" and substitute "Director-General";

(e) in subsection (5), omit "Commissioner" occurring three times and substitute "Director-General" in each case.

Section 11

(a) In subsection (1), omit "Commissioner" occurring twice and substitute "Director-General" in each case;

(b) in subsection (5), omit "Commissioner" and substitute "Director-General".

Section 12

(a) In subsection (1), omit "Commissioner's" and substitute "Director-General's";

(b) in subsection (2), omit "Commissioner" and substitute "Director-General";

Section 13

(a) In subsection (1), omit "Commissioner" and substitute "Director-General";

(b) in subsection (4), omit "Commissioner" and substitute "Director-General".

Section 14

(a) Omit "Commissioner's" and substitute "Director-General's";

(b) omit "Commissioner" occurring twice and substitute "Director-General" in each case.

Section 15 (2)

Omit “Commissioner” and substitute “Director-General”.

Section 18

In provision (c), omit “Commissioner for Transport” and substitute “Director-General”.

Section 22A

(a) In subsection (1), omit “Commissioner” and substitute “Director-General”;

(b) In subsection (3), omit “Commissioner” and substitute “Director-General”;

(c) In subsection (4), omit “Commissioner” and substitute “Director-General”;

(d) In subsection (5), omit “Commissioner” and substitute “Director-General”;

Section 24 (1)

Omit “Commissioner” occurring four times and substitute “Director-General” in each case.

Section 30A (1)

Omit “Commissioner” occurring six times and substitute “Director-General” in each case.

Section 31

Omit “Commissioner” and substitute “Director-General”.

Amended citation: *Carriage of Dangerous Goods by Road Act 1984-1990*.

Groyne Construction (Palm Beach) Act 1980

Section 2

Omit the definition “Minister” and substitute the following definition:—

““Minister” includes any Minister of the Crown for the time being performing the duties of the Minister;”.

Amended citation: *Groyne Construction (Palm Beach) Act 1980-1990*

Harbours Act 1955-1989

Section 8

(a) Insert after the definition “Dangerous goods” the following definition:—

“ “Department”—The department of government of Queensland within which this Act is administered;”;

(b) omit the definition “Director” and substitute the following definition:—

“ “Director-General”—The chief executive by whatever title of office the chief executive is known, of the department and includes any officer temporarily discharging the responsibilities of the chief executive;”;

(c) omit the definition “Minister” and substitute the following definition:—

“ “Minister”—Includes any Minister of the Crown for the time being performing the duties of the Minister;”.

Section 140 (4B)

Omit “Department of Harbours and Marine” and substitute “department”.

Section 140A

Omit “Department of Harbours and Marine” and substitute “department”.

Section 157 (4)

In paragraph (c), omit “Director” occurring twice and substitute “Director-General” in each case.

Section 191

Omit “Director” and substitute “Director-General”.

Section 192

(a) In the note to the section omit “Director” and substitute “Director-General”;

(b) omit “Director” occurring twice and substitute “Director-General” in each case.

Section 193 (1)

(a) Omit “Director” and substitute “Director-General”;

(b) omit “Department of Harbours and Marine” and substitute “department”.

Section 194

- (a) In subsection (1)—
 - (i) omit “Director” and substitute “Director-General”;
 - (ii) omit “Department of Harbours and Marine” and substitute “department”;
- (b) in subsection (3), omit “Director” and substitute “Director-General”;
- (c) in subsection (4), omit “Director” and substitute “Director-General”;
- (d) in subsection (5), omit “Director” and substitute “Director-General”;
- (e) in subsection (6), omit “Department of Harbours and Marine” and substitute “department”.

Section 199 (3) (a) (i)

Omit “Director” and substitute “Director-General”.

Amended citation: *Harbours Act 1955-1990*

Mackay Airport Act 1989

Section 3

Omit the definition “Minister” and substitute the following definition:—

““Minister” includes any Minister of the Crown for the time being performing the duties of the Minister;”.

Amended citation: *Mackay Airport Act 1989-1990*

Main Roads Act 1920-1988

Section 2

- (a) Omit the definition “Assistant Commissioner”;
- (b) omit the definition “Commissioner” and substitute the following definition:—
 - ““Commissioner”—The Commissioner of Main Roads provided for in section 3 and includes a person for the time being performing the duties of the Commissioner;”;
- (c) insert after the definition “Declared Road” the following definition:—
 - ““Department”—The department of government of Queensland within which this Act is administered;”;

(d) omit the definition "Deputy Commissioner";

(e) omit the definition "Minister" and substitute the following definition:—

" "Minister"—Includes any Minister of the Crown for the time being performing the duties of the Minister;"

(f) omit the definition "Officer" and substitute the following definition:—

" "Officer"—Any officer appointed for the due and proper administration of this Act;"

(g) omit the definition "Secretary".

Section 3

Repeal the section and substitute the following section:—

"3. Office of Commissioner. (1) There shall be a Commissioner of Main Roads appointed pursuant to the *Public Service Management and Employment Act 1988-1989* within the department.

(2) A person may hold the office of Commissioner of Main Roads in conjunction with any other office that he holds within the public service."

Section 3A

Repeal the section.

Section 3B

Repeal the section.

New section 5A

Insert the following section after section 5:—

"5A. Custody and use of seal; Authentication of documents.

(1) The official seal of the Commissioner shall be in the custody of the Commissioner and may be affixed by him or by any other person authorised in that behalf in writing by the Minister.

(2) A document made or issued by the Commissioner for the purposes of this Act shall be sufficiently authenticated if—

(a) being of a class of document that requires the Commissioner's seal, it is under the official seal duly affixed;

(b) being any other document, it is made or signed by the Commissioner or by any person authorised in writing by the Minister to make or sign a document on behalf of the Commissioner."

Section 6

(a) In the first paragraph, omit "shall appoint a Secretary of the Commissioner of Main Roads and";

(b) in the second paragraph, omit “The Secretary and other officers” and substitute “Officers”;

(c) in the third paragraph, omit “The Secretary and all other” and substitute “All”;

(d) omit the fourth paragraph being the paragraph commencing “The Secretary shall have power to” and concluding “appointed by the Commissioner.”.

Section 7

(a) In subsection (1) after “delegate” where it first occurs, insert “to any person in the department or to the holder of an office in the department specifying the office but without naming the holder to be a delegate.”;

(b) after subsection (1) insert the following subsection:—

“(1A) Where under this section the Commissioner delegates all or any of his powers, functions, authorities and duties to the holder of an office in the department specifying the office but without naming the holder, each successive holder of that office and each person who for the time being occupies or performs the duties of that office shall be deemed to be a delegate of the Commissioner.”;

(c) in subsection (2), omit “person” and substitute “delegate”;

(d) in subsection (4), omit “persons” and substitute “delegates”;

(e) in subsection (5), omit “person” occurring twice and substitute “delegate” in each case.

Section 8 (1)

Omit “the Secretary” and substitute “an officer in the department authorised in that behalf by the Governor in Council”.

Section 9

(a) In the introductory words of paragraph (a) omit “, in each of the three Divisions of the State”;

(b) in paragraph (2), omit “for each Division of the State”.

Section 30

Repeal the section.

Amended citation: *Main Roads Act 1920-1990*

Motor Vehicle Driving Instruction School Act 1969-1985

Section 2

In the reference to Part V omit “COMMISSIONER’S” and substitute “DIRECTOR-GENERAL’S”.

Section 3

(a) In the definition “authorized officer” omit “Commissioner” and substitute “Director-General”;

(b) omit the definition “Commissioner” and substitute the following definitions:—

“ “department”—means the department of government of Queensland within which this Act is administered;

“Director-General”—means the chief executive by whatever title of office the chief executive is known, of the department and includes any officer temporarily discharging the responsibilities of the chief executive;”.

Section 5

Omit “Commissioner” and substitute “Director-General”.

Section 6 (2)

Omit “Commissioner” occurring three times and substitute “Director-General” in each case.

Section 7

(a) In subsection (1), omit “Commissioner” and substitute “Director-General”;

(b) in subsection (2), omit “Commissioner” and substitute “Director-General”.

Section 9

Omit “Commissioner” and substitute “Director-General”.

Section 10

(a) in subsection (1), omit “Commissioner” and substitute “Director-General”;

(b) in subsection (2), omit “Commissioner” occurring three times and substitute “Director-General” in each case;

(c) in subsection (3), omit “Commissioner” occurring twice and substitute “Director-General” in each case;

(d) in subsection (4), omit “Commissioner” and substitute “Director-General”.

Section 12 (2)

Omit “Commissioner” and substitute “Director-General”.

Section 13

Omit “Commissioner” and substitute “Director-General”.

Section 15

Omit "Commissioner" occurring twice and substitute "Director-General".

Section 16

Omit "Commissioner" occurring twice and substitute "Director-General".

Section 18 (1)

In provision (d), omit "Commissioner" and substitute "Director-General".

Section 20

(a) In subsection (1), omit "Commissioner" occurring three times and substitute "Director-General" in each case;

(b) in subsection (2), omit "Commissioner" and substitute "Director-General";

(c) in subsection (3), omit "Commissioner" and substitute "Director-General".

PART V heading occurring after section 20

Omit "COMMISSIONER'S" and substitute "DIRECTOR-GENERAL'S".

Section 21

(a) In the note to the section omit "Commissioner" and substitute "Director-General";

(b) in subsection (1), omit "Commissioner" and substitute "Director-General";

(c) in subsection (2), omit "Commissioner's" and substitute "Director-General's".

Section 22 (1) (b)

Omit "Department of Transport nominated by the Commissioner" and substitute "department nominated by the Director-General".

Section 23

Omit "Commissioner shall assign an officer of the Department of Transport" and substitute "Director-General shall assign an officer of the department".

Section 24

(a) In subsection (1), omit "Commissioner's" and substitute "Director-General's";

(b) in subsection (2), omit "Commissioner" and substitute "Director-General".

Section 25

(a) In subsection (1), omit "Commissioner" and substitute "Director-General";

(b) in subsection (4), omit "Commissioner" and substitute "Director-General".

Section 26

(a) Omit "Commissioner's" and substitute "Director-General's";

(b) omit "Commissioner" and substitute "Director-General".

Section 27

(a) In subsection (1), omit "Commissioner's" and substitute "Director-General's";

(b) in subsection (2), omit "Commissioner" and substitute "Director-General".

Section 28

(a) In subsection (1), omit "Commissioner" and substitute "Director-General";

(b) in subsection (3), omit "Commissioner" and substitute "Director-General";

(c) in subsection (4), omit "Commissioner" and substitute "Director-General".

Section 29 (3)

(a) Omit "Commissioner" and substitute "Director-General";

(b) omit "Commissioner's" and substitute "Director-General's".

Section 30

Omit "Commissioner" and substitute "Director-General".

Section 31 (3)

Omit "Commissioner" and substitute "Director-General".

Section 33

(a) In provision (b) where first occurring, omit "Commissioner" and substitute "Director-General";

(b) in provision (d), omit "Commissioner" and substitute "Director-General";

(c) in provision (e), omit "Commissioner" and substitute "Director-General";

(d) in provision (g), omit "Commissioner" and substitute "Director-General";

(e) in provision (i), omit "Commissioner's" and substitute "Director-General's".

Amended citation: *Motor Vehicle Driving Instruction School Act 1969-1990*

Motor Vehicles Control Act 1975-1988

Section 4

(a) Omit the definition "Commissioner" and insert the following definition:—

““Director-General” means the chief executive by whatever title of office the chief executive is known, of the department of government of Queensland within which this Act is administered and includes any officer temporarily discharging the responsibilities of the chief executive;”;

(b) omit the definition "Minister" and substitute the following definition:—

““Minister” includes any Minister of the Crown for the time being performing the duties of the Minister;”.

Section 5 (2)

Omit "Commissioner" and substitute "Director-General".

Section 29 (5) (b)

In provision (i), omit "Commissioner for Transport" and substitute "Director-General".

Section 30 (2) (a)

Omit "Comissioner" and substitute "Director-General".

Section 31 (3)

Omit "Commissioner" and substitute "Director-General".

Section 33 (2)

In provision (a), omit "Commissioner" and substitute "Director-General".

Section 34

(a) In provision (d), omit "the Secretary of the Commissioner of Main Roads within the meaning of the *Main Roads Act 1920-1972*"

and substitute “a person charged with the function of registering motor vehicles pursuant to the *Main Roads Act 1920-1990*”;

(b) in provision (e), omit “Commissioner” and substitute “Director-General”;

(c) in provision (g), omit “Commissioner” occurring twice and substitute “Director-General” in each case.

Section 37

Omit “Commissioner” and substitute “Director-General”.

Amended citation: *Motor Vehicles Control Act 1975-1990*

Motor Vehicles Safety Act 1980-1990

Section 4

(a) Omit subsection (1) and substitute the following subsection:—

“(1) Every certificate, licence, order, requisition, notice or other act of authority, made, granted, issued, given or done by the Chief Inspector of Motor Vehicles for the purposes of this Act prior to the commencement of section 5 of the *Motor Vehicles Safety Act and Other Acts Amendment Act 1985* and in force at the commencement of this subsection, shall continue in force as if it were made, granted, issued, given or done by the Director-General under this Act.”;

(b) omit subsection (1A);

(c) in subsection (1B)—

(i) omit “such commencement,” and substitute “the commencement of that part of the relevant Schedule in the *Public Service (Administrative Arrangements) Act 1990* which amends the *Motor Vehicles Safety Act 1980-1989*,”;

(ii) omit “Commissioner” and substitute “Director-General”;

(d) omit subsection (1E) and substitute the following subsection:—

“(1E) Every motor mechanic’s certificate issued by the Board of Examiners under the *Inspection of Machinery Act 1951-1982* for the purposes of that Act prior to the commencement of section 5 of the *Motor Vehicles Safety Act and Other Acts Amendment Act 1985* and in force at the commencement of this subsection, shall continue in force as if it were a certificate of the same classification validly issued by the Director-General under this Act until it expires by effluxion of time or is revoked, cancelled, suspended or surrendered under this Act.”.

Section 6

(a) In the definition “certificate of roadworthiness” in provision (b) omit “Commissioner” and substitute “Director-General”;

(b) omit the definition “Commissioner” and substitute the following definition:—

“ “Director-General” means the chief executive by whatever title of office the chief executive is known, of the department of government of Queensland within which this Act is administered and includes any officer temporarily discharging the responsibilities of the chief executive;”.

Section 7

Omit “Commissioner” and substitute “Director-General”.

Section 10

(a) In subsection (2), omit “Commissioner” and substitute “Director-General”;

(b) in subsection (3), omit “Commissioner” and substitute “Director-General”.

Section 11

Omit “Commissioner” and substitute “Director-General”.

Section 13

(a) In the note to the section omit “Commissioner” and substitute “Director-General”;

(b) in subsection (1), omit “Commissioner” and substitute “Director-General”;

(c) in subsection (3), omit “Commissioner” occurring twice and substitute “Director-General” in each case;

(d) in subsection (4), omit “Commissioner” and substitute “Director-General”;

(e) in subsection (5), omit “Commissioner” and substitute “Director-General”;

(f) after subsection (5), insert the following subsection:—

“(6) A person who purports to do or to have done anything for the purposes of this Act pursuant to the authority of an instrument of delegation under subsection (1) shall, if the Director-General could have done that thing pursuant to this Act, be presumed to act or have acted in accordance with a valid instrument of delegation unless the contrary is proved.”.

Section 14

(a) In subsection (1), omit "Commissioner" occurring twice and substitute "Director-General" in each case;

(b) in subsection (2), omit "Commissioner" occurring twice and substitute "Director-General" in each case;

(c) in subsection (3), omit "Commissioner" and substitute "Director-General".

Section 16

(a) In subsection (1), omit "Commissioner" and substitute "Director-General";

(b) in subsection (2), omit "Commissioner" occurring twice and substitute "Director-General" in each case.

Section 17

(a) In subsection (1), omit "Commissioner" and substitute "Director-General";

(b) in subsection (2), omit "Commissioner" and substitute "Director-General".

Section 20 (5)

Omit "Commissioner" and substitute "Director-General".

Section 21 (1)

Omit "Commissioner" occurring twice and substitute "Director-General" in each case.

Section 22

(a) In subsection (1), omit "Commissioner" and substitute "Director-General";

(b) in subsection (3), omit "Commissioner" and substitute "Director-General";

(c) in subsection (4)—

(i) in provision (i) of paragraph (a), omit "Commissioner's" and substitute "Director-Generals";

(ii) in paragraph (b), omit "Commissioner" occurring twice and substitute "Director-General" in each case;

(d) in subsection (5), omit "Commissioner" and substitute "Director-General";

(e) in subsection (6), omit "Commissioner" occurring twice and substitute "Director-General" in each case;

(f) in subsection (7), omit “Commissioner” and substitute “Director-General”.

Section 23

(a) In provision (b) of subsection (1), omit “Commissioner” and substitute “Director-General”;

(b) in subsection (2), omit “Commissioner” occurring twice and substitute “Director-General” in each case;

(c) in subsection (3), omit “Commissioner” occurring twice and substitute “Director-General” in each case;

(d) in subsection (4), omit “Commissioner” and substitute “Director-General”.

Section 24

(a) In subsection (1), omit “Commissioner” and substitute “Director-General”;

(b) in subsection (3), omit “Commissioner” and substitute “Director-General”.

Section 26

Omit “Commissioner” and substitute “Director-General”.

Section 27

(a) In subsection (1), omit “Commissioner” and substitute “Director-General”;

(b) in subsection (2), omit “Commissioner” and substitute “Director-General”.

Section 30

(a) In subsection (2), omit “Commissioner” and substitute “Director-General”;

(b) in subsection (3), omit “Commissioner” and substitute “Director-General”.

Section 31B

Omit “Commissioner” occurring twice and substitute “Director-General” in each case.

Section 31C

(a) In subsection (1), omit “Commissioner” and substitute “Director-General”;

(b) in subsection (4), omit “Commissioner” and substitute “Director-General”;

(c) in subsection (5), omit “Commissioner” and substitute “Director-General”.

Section 31D

(a) In subsection (2), omit “Commissioner” and substitute “Director-General”;

(b) in subsection (3), omit “Commissioner” and substitute “Director-General”.

Section 31E

(a) In subsection (2), omit “Commissioner” and substitute “Director-General”;

(b) in subsection (3), omit “Commissioner” occurring twice and substitute “Director-General” in each case;

(c) in subsection (5), omit “Commissioner” and substitute “Director-General”.

Section 32 (2)

Omit “Commissioner” and substitute “Director-General”.

Section 34 (2) (b)

Omit “Commissioner” and substitute “Director-General”.

Section 38

(a) In subsection (1), omit “Commissioner” and substitute “Director-General”;

(b) in subsection (2), omit “Commissioner” and substitute “Director-General”;

(c) in subsection (3), omit “Commissioner” and substitute “Director-General”.

Section 39

(a) In subsection (1), omit “Commissioner” and substitute “Director-General”;

(b) in subsection (2), omit “Commissioner” and substitute “Director-General”.

Section 41

(a) In subsection (2), omit “Commissioner” occurring three times and substitute “Director-General” in each case;

(b) in subsection (3), omit “Commissioner” occurring twice and substitute “Director-General” in each case;

(c) in subsection (4), omit “Commissioner” occurring three times and substitute “Director-General” in each case;

(d) in subsection (5), omit “Commissioner” and substitute “Director-General”;

(e) in subsection (7), omit “Commissioner” and substitute “Director-General”.

Section 42

Omit “Commissioner” and substitute “Director-General”.

Section 42A

(a) In subsection (1), omit “Commissioner” and substitute “Director-General”;

(b) in subsection (2), omit “Commissioner” and substitute “Director-General”.

Section 42B

(a) In subsection (1), omit “Commissioner” occurring twice and substitute “Director-General” in each case;

(b) in subsection (2), omit “Commissioner” occurring twice and substitute “Director-General” in each case.

Section 42C

(a) In subsection (2), omit “Commissioner” occurring twice and substitute “Director-General” in each case;

(b) in subsection (3), omit “Commissioner” and substitute “Director-General”.

Section 42D

(a) In subsection (1), omit “Commissioner” occurring twice and substitute “Director-General” in each case;

(b) in subsection (2), omit “Commissioner” and substitute “Director-General”.

Section 42E

Omit “Commissioner” and substitute “Director-General”.

Section 42N (1)

Omit “Commissioner’s” and substitute “Director-General’s”.

Section 42O (1)

Omit “Commissioner” and substitute “Director-General”.

Section 42P

(a) In subsection (1), omit "Commissioner" and substitute "Director-General";

(b) in subsection (4), omit "Commissioner" and substitute "Director-General".

Section 42Q

(a) Omit "Commissioner's" and substitute "Director-General's";

(b) omit "Commissioner" and substitute "Director-General".

Section 42R (3)

Omit "Commissioner" and substitute "Director-General".

Section 44 (2)

Omit "Commissioner" and substitute "Director-General".

Section 46

(a) In paragraph (a), omit "Commissioner" and substitute "Director-General";

(b) in paragraph (b), omit "Commissioner" and substitute "Director-General or his delegate";

(c) in paragraph (c), omit "Commissioner" and substitute "Director-General";

(d) in paragraph (d), omit "Commissioner" and substitute "Director-General or his delegate";

(e) in paragraph (e), omit "Commissioner" and substitute "Director-General or his delegate";

(f) in paragraph (f), omit "Commissioner" and substitute "Director-General or his delegate";

(g) in paragraph (g), omit "the Secretary of the Commissioner of Main Roads within the meaning of the *Main Roads Act 1920-1979*" and substitute "a person charged with the function of registering motor vehicles pursuant to the *Main Roads Act 1920-1990*";

(h) in paragraph (i), omit "Commissioner" and substitute "Director-General or his delegate";

(i) in paragraph (j), omit "Commissioner" and substitute "Director-General or his delegate";

(j) in paragraph (k) omit "Commissioner" and substitute "Director-General or his delegate".

Section 48

(a) In subsection (1), omit "Commissioner" occurring three times and substitute "Director-General" in each case;

(b) in subsection (2), omit "Commissioner" occurring twice and substitute "Director-General" in each case;

(c) in subsection (3), omit "Commissioner" occurring twice and substitute "Director-General" in each case.

Section 51 (1)

Omit "Commissioner" and substitute "Director-General".

Amended citation: *Motor Vehicles Safety Act 1980-1990.*

Nerang River Entrance Development Act 1984-1989

Section 2

(a) omit the definition "the Minister" and substitute the following definition:—

“the Minister” includes any Minister of the Crown for the time being performing the duties of the Minister;”;

(b) in the definition "the works", omit "Harbours and Marine" and substitute "Transport".

Amended citation: *Nerang River Entrance Development Act 1984-1990.*

Port of Brisbane Authority Act 1976-1989

Section 4

(a) After the definition "Corporation" insert the following definition:—

“department” means the department of government of Queensland within which this Act is administered;”;

(b) omit the definition "Director" and substitute the following definition:—

“Director-General” means the chief executive by whatever title of office the chief executive is known, of the department and includes any officer temporarily discharging the responsibilities of the chief executive;”.

Section 20

(a) In subsection (2), omit "Director of the Department of Harbours and Marine may designate and assign such officers and employees of the Department" and substitute "Director-General of the department may designate and assign such officers and employees of the department”;

(b) in subsection (4)—

(i) omit “Department of Harbours and Marine” occurring twice and substitute “department” in each case;

(ii) omit “Department” occurring three times and substitute “department” in each case.

Amended citation: *Port of Brisbane Authority Act 1976-1990*.

Queensland Marine Act 1976-1989

Section 8 (1)

Omit the definition “Minister” and substitute the following definition:—

“ “Minister” includes any Minister of the Crown for the time being performing the duties of the Minister;”.

Amended citation: *Queensland Marine Act 1976-1990*.

Roads (Contribution to Maintenance) Act 1957-1979

Section 2

Omit the definition “Commissioner for Transport or Commissioner” and substitute the following definition:—

“ “Director-General”—The chief executive by whatever title of office the chief executive is known, of the department of government of Queensland within which this Act is administered and includes any officer temporarily discharging the responsibilities of the chief executive;”.

Section 3 (1)

Omit “Commissioner” and substitute “Director-General”.

Section 4 (2)

Omit “Commissioner” occurring twice and substitute “Director-General” in each case.

Section 5

(a) In the note to the section, omit “Commissioner” and substitute “Director-General”;

(b) in subsection (1), omit “Commissioner” occurring twice and substitute “Director-General” in each case;

(c) in subsection (2)—

(i) omit “Secretary to the Commissioner at the head office of the Commissioner” and substitute “Director-General at the head office of the Director-General”;

(ii) omit “Commissioner” where it occurs as the last word in the subsection and substitute “Director-General”.

Section 6

Omit “Commissioner” occurring twice and substitute “Director-General” in each case.

Section 7 (1)

Omit “Commissioner” and substitute “Director-General”.

Section 8

(a) In subsection (1), omit “Commissioner” occurring twice and substitute “Director-General” in each case;

(b) in subsection (3), omit “Commissioner” and substitute “Director-General”.

Section 9

Omit “Commissioner” occurring three times and substitute “Director-General” in each case.

Section 10

(a) In paragraph (a)—

(i) in the introductory words, omit all words from and including “Secretary” down to and including “being,” and substitute the words “Director-General or a person purporting to be authorized by the Director-General in that behalf.”;

(ii) in provision (i), omit “Commissioner” and substitute “Director-General”;

(iii) in provision (ii), omit “Commissioner” and substitute “Director-General”;

(iv) in provision (iii), omit “Commissioner” and substitute “Director-General”;

(b) in paragraph (b), omit “Commissioner” occurring twice and substitute “Director-General” in each case.

Second Schedule

In the form, omit “Commissioner for Transport” and substitute “Director-General, Department of Transport”.

Amended citation: *Roads (Contribution to Maintenance) Act 1957-1990.*

State Transport Act 1960-1990

Section 2

Omit "Commissioner" occurring twice and substitute "Director-General" in each case.

Section 5 (1)

(a) In the definition "Ambulance", omit "Commissioner" and substitute "Director-General";

(b) omit the definition "Authorised officer" and substitute the following definition:—

“ “Authorised officer”—The Director-General, any member of the Police Force and any other person acting under the authority of the Director-General;”;

(c) omit the definition "Commissioner";

(d) omit the definition "Deputy Commissioner";

(e) insert the following definition after the definition "Caravan trailer"—

“ “Director-General”—The chief executive by whatever title of office the chief executive is known, of the department of government of Queensland within which this Act is administered and includes any officer temporarily discharging the responsibilities of the chief executive;”;

(f) in the definition "Load capacity", omit "Commissioner" occurring twice in paragraph (c) and substitute "Director-General" in each case;

(g) omit the definition "Secretary".

Section 6

Omit "Commissioner" occurring twice and substitute "Director-General".

Section 7

Repeal the section.

Section 8

Repeal the section.

Section 9

Repeal the section.

Section 10

Repeal the section.

Section 11

(a) In the note to the section, omit “Secretary” and substitute “Inspectors”;

(b) in subsection (1), omit “shall appoint a secretary to the Commissioner for Transport and”;

(c) in subsection (2), omit “secretary,”;

(d) in subsection (3), omit “the secretary to the Commissioner for Transport and all” and substitute “All”.

Section 12

(a) In subsection (1), omit “Commissioner” occurring twice and substitute “Director-General” in each case;

(b) in subsection (2), omit “Commissioner” occurring twice and substitute “Director-General” in each case;

(c) in subsection (3), omit “Commissioner” occurring twice and substitute “Director-General” in each case;

(d) in subsection (4), omit “Commissioner” and substitute “Director-General”.

Section 13

(a) Omit subsection (1) and substitute the following subsection:—

“(1) An officer shall exercise and perform such of the powers, authorities, functions and duties of the Director-General as may be prescribed or directed by the Director-General.”;

(b) in subsection (2)—

(i) omit “the Deputy Commissioner or any other” and substitute “an”;

(ii) omit “Commissioner” occurring twice and substitute “Director-General” in each case;

(c) in subsection (3), omit “Commissioner” occurring twice and substitute “Director-General” in each case;

(d) in subsection (5)—

(i) in paragraph (a), omit “the Deputy Commissioner or any other” and substitute “an”;

(ii) in paragraph (b), omit “Commissioner” and substitute “Director-General”;

(iii) in the general words following paragraph (b)—

(A) omit “the Deputy Commissioner or”;

(B) omit “Commissioner” and substitute “Director-General”.

Section 14

(a) In the note to the section, omit “**Commissioner**” and substitute “**Director-General**”;

(b) omit “Commissioner or of the Deputy Commissioner” and substitute “Director-General”.

Section 15 (1)

In paragraph (a), omit “Commissioner” and substitute “Director-General”.

Section 17

(a) In subsection (1), omit “Commissioner” and substitute “Director-General”;

(b) in subsection (2), in provision (ii) of paragraph (b), omit “Commissioner” and substitute “Director-General”;

(c) in subsection (6), omit “Commissioner” occurring twice and substitute “Director-General” in each case.

Section 18

(a) In the note to the section, omit “**Commissioner**” and substitute “**Director-General**”;

(b) in subsection (1), omit “Commissioner” and substitute “Director-General”;

(c) in subsection (2), omit “Commissioner” and substitute “Director-General”;

(d) in subsection (3), omit “Commissioner” and substitute “Director-General”;

(e) in subsection (4), omit “Commissioner” occurring four times and substitute “Director-General” in each case;

(f) in subsection (5), omit “Commissioner” and substitute “Director-General”.

Section 23 (4)

Omit “Commissioner” and substitute “Director-General”.

Section 24A (1)

Omit “Commissioner” and substitute “Director-General”.

Section 24B

(a) In subsection (1), omit “Commissioner” and substitute “Director-General”;

(b) in subsection (2), omit "Commissioner" occurring twice and substitute "Director-General" in each case;

(c) in subsection (3), omit "Commissioner" and substitute "Director-General".

Section 25

(a) In subsection (1), omit "Commissioner" and substitute "Director-General";

(b) in subsection (2) in paragraph (b), omit "Commissioner" and substitute "Director-General";

(c) in subsection (3), omit "Commissioner" and substitute "Director-General";

(d) in subsection (4), omit "Commissioner" and substitute "Director-General";

(e) in subsection (6), omit "Commissioner" occurring three times and substitute "Director-General" in each case.

Section 26

Omit "arrange with the Commissioner for the grant or renewal of (and subject to this Act the Commissioner" and substitute "arrange with the Director-General for the grant or renewal of (and subject to this Act the Director-General".

Section 27

Omit "Commissioner" occurring five times and substitute "Director-General" in each case.

Section 28

(a) In subsection (1), omit "Commissioner" occurring twice and substitute "Director-General" in each case;

(b) in subsection (2), omit "Commissioner" occurring twice and substitute "Director-General" in each case;

(c) in subsection (3), omit "Commissioner" occurring twice and substitute "Director-General" in each case.

Section 29

Omit "Commissioner" occurring three times and substitute "Director-General" in each case.

Section 30

(a) In subsection (1), omit "Commissioner" occurring twice and substitute "Director-General" in each case;

(b) in subsection (2), omit "Commissioner" occurring twice and substitute "Director-General" in each case;

(c) in subsection (3), omit "Commissioner" and substitute "Director-General";

(d) in subsection (4), omit "Commissioner" and substitute "Director-General".

Section 31

(a) In subsection (1), omit "Commissioner" occurring three times and substitute "Director-General" in each case;

(b) in subsection (2), omit "Commissioner" and substitute "Director-General";

(c) in subsection (3), omit "Commissioner" and substitute "Director-General".

Section 32 (1)

Omit "Commissioner" and substitute "Director-General".

Section 33

(a) In subsection (1), omit "Commissioner" occurring three times and substitute "Director-General" in each case;

(b) in subsection (2), omit "Commissioner" and substitute "Director-General".

Section 34

(a) In subsection (2), omit "Commissioner" occurring twice and substitute "Director-General" in each case;

(b) in subsection (3), omit "Commissioner" and substitute "Director-General".

Section 35

(a) In subsection (1), omit "Commissioner" occurring three times and substitute "Director-General" in each case;

(b) in subsection (2), omit "Commissioner" occurring four times and substitute "Director-General" in each case;

(c) in subsection (3), omit "Commissioner" occurring three times and substitute "Director-General" in each case;

(d) in subsection (4), omit "Commissioner" occurring three times and substitute "Director-General" in each case.

Section 36

(a) In subsection (1), omit "Commissioner" occurring three times and substitute "Director-General" in each case;

(b) in subsection (2), omit "Commissioner" occurring twice and substitute "Director-General" in each case.

Section 37

(a) In subsection (1), omit “Commissioner” and substitute “Director-General”;

(b) in subsection (8), omit “Commissioner” and substitute “Director-General”;

(c) in subsection (9), omit “Commissioner” occurring three times and substitute “Director-General” in each case;

(d) in subsection (10), omit “Commissioner” and substitute “Director-General”;

(e) in subsection (11), omit “Commissioner” occurring twice and substitute “Director-General” in each case.

Section 38 (1)

Omit “Commissioner” and substitute “Director-General”.

Section 39

Omit “Commissioner” and substitute “Director-General”.

Section 40

Omit “Commissioner” and substitute “Director-General”.

Section 41

(a) In subsection (1), omit “Commissioner” occurring twice and substitute “Director-General” in each case;

(b) in subsection (2), omit “Commissioner” occurring three times and substitute “Director-General” in each case;

(c) in subsection (3), omit “Commissioner” and substitute “Director-General”.

Section 42

(a) In the note to the section, omit “Commissioner” and substitute “Director-General”;

(b) in subsection (1), omit “Commissioner” occurring twice and substitute “Director-General” in each case;

(c) in subsection (2), omit “Commissioner” and substitute “Director-General”;

(d) in subsection (3), omit “Commissioner” and substitute “Director-General”.

Section 43 (1)

Omit “Commissioner” and substitute “Director-General”.

Section 44

(a) In subsection (1), omit “Commissioner” occurring five times and substitute “Director-General” in each case;

(b) in subsection (2), omit “Commissioner” occurring four times and substitute “Director-General” in each case;

(c) in subsection (3), omit “Commissioner” and substitute “Director-General”.

Section 45

(a) In provision (1), omit “Commissioner” occurring twice and substitute “Director-General” in each case;

(b) in provision (2), omit “Commissioner” occurring three times and substitute “Director-General” in each case;

(c) in provision (4), omit “Commissioner” occurring twice and substitute “Director-General” in each case;

(d) in provision (6), omit “Commissioner” and substitute “Director-General”.

Section 51

(a) In subsection (1), omit “Commissioner” occurring three times and substitute “Director-General” in each case;

(b) in subsection (2), omit “Commissioner” occurring twice and substitute “Director-General” in each case;

(c) in subsection (3), omit “Commissioner” occurring three times and substitute “Director-General” in each case.

Section 52

Omit “Commissioner” occurring five times and substitute “Director-General” in each case.

Section 53 (3)

Omit “Commissioner” occurring twice and substitute “Director-General” in each case.

Section 54

(a) In subsection (1) in provision (i), omit “Commissioner” and substitute “Director-General”;

(b) in subsection (3), omit “Commissioner” occurring twice and substitute “Director-General” in each case;

(c) in subsection (4), omit “Commissioner” occurring twice and substitute “Director-General” in each case;

(d) in subsection (5), omit “Commissioner” occurring twice and substitute “Director-General” in each case.

Section 55

(a) In subsection (1), omit “Commissioner” occurring three times and substitute “Director-General” in each case;

(b) in subsection (4), omit “Commissioner” occurring twice and substitute “Director-General” in each case;

(c) in subsection (6), omit “Commissioner” occurring three times and substitute “Director-General” in each case.

Section 57

Omit “Commissioner” and substitute “Director-General”.

Section 58

(a) In the note to the section, omit “Commissioner” and substitute “Director-General”;

(b) in subsection (1), omit “Commissioner” and substitute “Director-General”;

(c) in subsection (2), omit “Commissioner” and substitute “Director-General”;

(d) in subsection (3), omit “Commissioner” and substitute “Director-General”.

Section 59

(a) In subsection (1), omit “Commissioner” occurring three times and substitute “Director-General” in each case;

(b) in subsection (2), omit “Commissioner” and substitute “Director-General”.

Section 60

(a) In subsection (1), omit “Commissioner” and substitute “Director-General”;

(b) in subsection (2), omit “Commissioner” occurring three times and substitute “Director-General” in each case;

(c) in subsection (3), omit “Commissioner” and substitute “Director-General”;

(d) in subsection (4), omit “Commissioner” occurring twice and substitute “Director-General” in each case.

Section 61

(a) In subsection (1), omit “Commissioner” and substitute “Director-General”;

(b) in subsection (2), omit “Commissioner” occurring twice and substitute “Director-General” in each case;

(c) in subsection (3), omit “Commissioner” and substitute “Director-General”.

Section 61B

(a) In subsection (1), omit “Commissioner” and substitute “Director-General”;

(b) in subsection (2), omit “Commissioner” and substitute “Director-General”;

(c) in subsection (3), omit “Commissioner” and substitute “Director-General”.

Section 61C

(a) In subsection (1), omit “Commissioner” occurring twice and substitute “Director-General” in each case;

(b) in subsection (2), omit “Commissioner” and substitute “Director-General”;

(c) in subsection (3), omit “Commissioner” and substitute “Director-General”.

Section 61D

(a) In subsection (1), omit “Commissioner” occurring three times and substitute “Director-General” in each case;

(b) in subsection (2), omit “Commissioner” occurring twice and substitute “Director-General” in each case;

(c) in subsection (3), omit “Commissioner” and substitute “Director-General”.

Section 61E (1)

Omit “Commissioner” and substitute “Director-General”.

Section 61F

Omit “Commissioner” occurring three times and substitute “Director-General” in each case.

Section 61G

In paragraph (d), omit “Commissioner” and substitute “Director-General”.

Section 62 (4)

Omit “Commissioner” occurring twice and substitute “Director-General” in each case.

Section 65A

Repeal the section and substitute the following section:—

“65A. Interpretation. In this Part—

“Corporation” means the corporation sole constituted by the *Urban Public Passenger Transport Act 1984-1990* under the name and style “The Director-General, Department of Transport”.”.

Section 65B

(a) In subsection (1), omit “the *Urban Public Passenger Transport Act 1984*” and substitute “the *Urban Public Passenger Transport Act 1984-1990*”;

(b) omit subsection (3) and substitute the following subsection:—

“(3) The Corporation taken to have been constituted for the purposes of this Part has—

(a) the benefit of section 10A (2), (3), (4) and (5);
and

(b) the capacities conferred on it by section 11,
of the *Urban Public Passenger Transport Act 1984-1990*.”.

Section 66

(a) In subsection (1), omit “Commissioner” occurring four times and substitute “Director-General” in each case;

(b) in subsection (2), omit “Commissioner” occurring twice and substitute “Director-General” in each case.

Section 67 (4)

Omit “Commissioner” and substitute “Director-General”.

Section 70 (4)

Omit “Commissioner” and substitute “Director-General”.

Section 73

(a) In the note to the section, omit “Commissioner” and substitute “Director-General”;

(b) in subsection (1), omit “Commissioner” occurring twice and substitute “Director-General” in each case;

(c) in subsection (3), omit “Commissioner” and substitute “Director-General”;

(d) in subsection (4), omit “Commissioner” and substitute “Director-General”.

Section 77

(a) Omit “Commissioner, the Deputy Commissioner, the secretary,” and substitute “Director-General”;

(b) omit “Commissioner” now occurring three times and substitute “Director-General” in each case.

Section 79

Omit “Commissioner” occurring twice and substitute “Director-General” in each case.

Schedule

(a) In clause 3, omit “Commissioner” and substitute “Director-General”;

(b) in clause 11, omit “Commissioner” and substitute “Director-General”;

(c) in clause 13, omit “Commissioner” and substitute “Director-General”;

(d) in clause 15—

(i) in provision (iv) of paragraph (c), omit “Commissioner” and substitute “Director-General”;

(ii) in paragraph (g) in the last provision, omit “Commissioner” occurring twice and substitute “Director-General” in each case;

(iii) in paragraph (ka), omit “Commissioner” and substitute “Director-General”;

(iv) in paragraph (n), omit “Commissioner” and substitute “Director-General”;

(v) in paragraph (o), omit “Commissioner” and substitute “Director-General”;

(vi) in paragraph (p), omit “Commissioner” and substitute “Director-General”;

(e) in clause 15A—

(i) in paragraph (c), omit “Commissioner” occurring three times and substitute “Director-General” in each case;

(ii) in paragraph (e), omit “Commissioner” and substitute “Director-General”;

(iii) in paragraph (f), omit “Commissioner” and substitute “Director-General”.

Amended citation: *State Transport Act 1960-1990*.

State Transport (People-movers) Act 1989

Section 3

(a) Omit the definition “Commissioner”;

(b) omit the definition “Corporation” and substitute the following definition:—

““Corporation” means the corporation sole constituted by the *Urban Public Passenger Transport Act 1984-1990* under the name and style “The Director-General, Department of Transport”;;

(c) insert after the definition “Corporation” as inserted by this Act, the following definition:—

““Director-General” means the Director-General of the Department of Transport and includes any officer temporarily discharging the responsibilities of the Director-General;;

(d) omit the definition “Minister” and substitute the following definition:—

““Minister” includes any Minister of the Crown for the time being performing the duties of the Minister;;”.

Section 4

(a) In subsection (1), omit “*Urban Public Passenger Transport Act 1984.*” and substitute “*Urban Public Passenger Transport Act 1984-1990.*”;

(b) omit subsection (3) and substitute the following subsection:—

“(3) The Corporation deemed to have been constituted for the purposes of this Act has—

(a) the benefit of section 10A (2), (3), (4) and (5);

and

(b) the capacities conferred on it by section 11, of the *Urban Public Passenger Transport Act 1984-1990.*”.

Section 23

(a) In subsection (1), omit “Commissioner” and substitute “Director-General”;

(b) in subsection (2), omit “Commissioner’s” and substitute “Director-General’s”.

Section 24 (2)

Omit “Commissioner” and substitute “Director-General”.

Section 27 (1)

Omit "Commissioner's" and substitute "Director-General's".

Section 34 (1)

Omit "Commissioner" and substitute "Director-General".

Section 35

(a) In the note to the section, omit "Commissioner" and substitute "Director-General";

(b) omit "Commissioner" and substitute "Director-General".

Section 36 (2)

Omit "Commissioner" occurring twice and substitute "Director-General" in each case.

Section 38

Omit "Commissioner" and substitute "Director-General".

Schedule

In clause 5, omit "Commissioner" and substitute "Director-General".

Amended citation: *State Transport (People-movers) Act 1989-1990*

Tow-truck Act 1973-1979

Section 4 (1)

(a) In the definition "authorized officer", omit "Commissioner" and substitute "Director-General";

(b) omit the definition "Commissioner";

(c) after the definition "damaged", insert the following definitions:—

“ “department” means the department of government of Queensland within which this Act is administered;

“Director-General” means the chief executive by whatever title of office the chief executive is known, of the department and includes any officer temporarily discharging the responsibilities of the chief executive;”.

Section 6

(a) In subsection (1), omit "Commissioner" and substitute "Director-General".

(b) in subsection (2), omit "Commissioner" firstly and thirdly occurring and substitute "Director-General" in each case;

(c) in subsection (3), omit “Commissioner” firstly occurring and substitute “Director-General”.

Section 9

Omit “Commissioner” and substitute “Director-General”.

Section 10

Omit “Commissioner” and substitute “Director-General”.

Section 11

(a) In subsection (1), omit “Commissioner” and substitute “Director-General”;

(b) in subsection (2), omit “Commissioner” occurring twice and substitute “Director-General” in each case.

Section 14

(a) In subsection (1), omit “Commissioner” and substitute “Director-General”;

(b) in subsection (2), omit “Commissioner” firstly and thirdly occurring and substitute “Director-General” in each case;

(c) in subsection (3), omit “Commissioner” firstly occurring and substitute “Director-General”.

Section 16

Omit “Commissioner” and substitute “Director-General”.

Section 17 (2)

Omit “Commissioner” and substitute “Director-General”.

Section 18

(a) In subsection (2), omit “Commissioner” and substitute “Director-General”;

(b) in subsection (3), omit “Commissioner” and substitute “Director-General”.

Section 19

(a) In subsection (1), omit “Commissioner” and substitute “Director-General”;

(b) in subsection (2), omit “Commissioner” occurring twice and substitute “Director-General” in each case.

Section 20

Omit “Commissioner” and substitute “Director-General”.

Section 21

(a) In subsection (1), omit “Commissioner” occurring twice and substitute “Director-General” in each case;

(b) in subsection (2)—

(i) omit “Commissioner” and substitute “Director-General”;

(ii) omit “Commissioner’s” and substitute “Director-General’s”.

Section 27 (3)

Omit “Commissioner” occurring twice and substitute “Director-General” in each case.

Section 28

(a) In the note to the section, omit “Commissioner” and substitute “Director-General”;

(b) in subsection (1), omit “Commissioner” and substitute “Director-General”;

(c) in subsection (2), omit “Commissioner’s” and substitute “Director-General’s”.

Section 29 (1)

Omit paragraph (b) and substitute the following paragraph:—

“(b) an officer of the department nominated by the Director-General;”.

Section 30

Omit “Commissioner shall assign an officer of the Department of Transport” and substitute “Director-General shall assign an officer of the department”.

Section 31

(a) In subsection (1), omit “Commissioner’s” and substitute “Director-General’s”;

(b) in subsection (2), omit “Commissioner” and substitute “Director-General”.

Section 32

(a) In subsection (1), omit “Commissioner” and substitute “Director-General”;

(b) in subsection (4), omit “Commissioner” and substitute “Director-General”.

Section 33

- (a) Omit “Commissioner’s” and substitute “Director-General’s”;
- (b) omit “Commissioner” and substitute “Director-General”.

Section 34

- (a) Omit “Commissioner’s” and substitute “Director-General’s”;
- (b) omit “Commissioner” and substitute “Director-General”.

Section 36

- (a) In subsection (1), omit “Commissioner” and substitute “Director-General”;
- (b) in subsection (3), omit “Commissioner” and substitute “Director-General”.

Section 37 (2)

- (a) Omit “Commissioner” and substitute “Director-General”;
- (b) omit “Commissioner’s” and substitute “Director-General’s”.

Section 39

Omit “Commissioner” and substitute “Director-General”.

Section 40 (5)

Omit “Commissioner” and substitute “Director-General”.

Section 43 (1)

In paragraph (t), omit “Commissioner’s” and substitute “Director-General’s”.

Amended citation: *Tow-truck Act 1973-1990*

Traffic Act 1949-1990

Section 7A (1)

Omit “Commissioner for Transport” and substitute “Director-General”.

Section 7B

(a) In the note to the section, omit “Commissioner for Transport” and substitute “Director-General”;

(b) in subsection (1), omit “Commissioner for Transport” and substitute “Director-General”;

(c) in subsection (2), omit “Commissioner for Transport” and substitute “Director-General”;

(d) in subsection (3), omit “Commissioner for Transport” and substitute “Director-General”;

(e) in subsection (4), omit “Commissioner for Transport” occurring twice and substitute “Director-General” in each case;

(f) in subsection (5), omit “Commissioner for Transport” occurring twice and substitute “Director-General” in each case;

(g) in subsection (6), omit “Commissioner for Transport” and substitute “Director-General”;

(h) in subsection (7), omit “Commissioner for Transport” and substitute “Director-General”.

Section 9

(a) Omit the definition “Assistant Commissioner for Transport”;

(b) in the definition “Authorised Officer”, omit “Commissioner for Transport” and substitute “Director-General”;

(c) omit the definition “Commissioner for Transport”;

(d) omit the definition “Deputy Commissioner for Transport”;

(e) after the definition “Declared road” insert the following definitions:—

“Department”—The department of government of Queensland within which this Act is administered;

“Director-General”—The chief executive by whatever title of office the chief executive is known, of the department and includes any officer temporarily discharging the responsibilities of the chief executive;”;

(f) omit the definition “Minister” and substitute the following definition:—

“Minister—Includes any Minister of the Crown for the time being performing the duties of the Minister;”.

Section 10

Omit “Commissioner for Transport” and substitute “Director-General”.

Section 11 (1)

Omit “the Commissioner for Transport, the Deputy Commissioner for Transport, every Assistant Commissioner for Transport,” and substitute “the Director-General and the following three officers within the department, the Executive Director (Transport Services), the Director (Road Transport and Traffic) and the Director (Road Safety).”.

Section 16C

In the general words following provision (ii)—

(a) omit “Queensland Road Safety Council” and substitute “department”;

(b) omit “Commissioner for Transport” and substitute “Director-General”.

Section 23

(a) In the note to the section, omit “**Commissioner**” and substitute “**Director-General**”;

(b) in the general words following paragraph (d), omit “Commissioner for Transport” and substitute “Director-General”.

Section 34

(a) In subsection (1), omit “Commissioner for Transport” and substitute “Director-General”;

(b) in subsection (3), omit “Commissioner for Transport” occurring twice and substitute “Director-General” in each case.

Section 44Q (2)

In paragraph (c), omit “Commissioner for Transport” and substitute “Director-General”.

Section 44R (1)

Omit “Commissioner for Transport” occurring twice and substitute “Director-General” in each case.

Section 44S (1)

In provision (i), omit “Commissioner for Transport” and substitute “Director-General”.

Section 44T (1)

Omit “Commissioner for Transport” and substitute “Director-General”.

Section 44U (1)

In paragraph (b), omit “Commissioner for Transport” and substitute “Director-General”.

Section 49 (1)

(a) In paragraph (a), omit “Commissioner for Transport” and substitute “Director-General”;

(b) in paragraph (b), omit “Commissioner for Transport” and substitute “Director-General”;

(c) in paragraph (c), omit “Commissioner for Transport” and substitute “Director-General”;

(d) in paragraph (l)—

(i) omit “Commissioner for Transport” occurring twice and substitute “Director-General” in each case;

(ii) omit “said Commissioner” and substitute “Director-General”;

(e) in paragraph (n) in provision (ii), omit “the Secretary of the Commissioner of Main Roads,” and substitute “a person charged with the functions of registering motor vehicles pursuant to the *Main Roads Act 1920-1990*,”.

Section 53 (1)

(a) In paragraph (a), omit “Commissioner for Transport” and substitute “Director-General”;

(b) in paragraph (f), omit “Commissioner for Transport” and substitute “Director-General”.

Section 54 (4)

Omit “Commissioner for Transport” and substitute “Director-General”.

Section 63

(a) In subsection (1), omit “Commissioner for Transport” and substitute “Director-General”;

(b) in subsection (3), omit “Commissioner for Transport” and substitute “Director-General”.

Section 65

(a) In subsection (1), omit “Commissioner for Transport” occurring twice and substitute “Director-General” in each case;

(b) in subsection (2), omit “Commissioner for Transport” and substitute “Director-General”;

(c) in subsection (3) (b), omit “Commissioner for Transport” occurring three times and substitute “Director-General” in each case.

Section 66

Omit “Commissioner for Transport” and substitute “Director-General”.

Section 67

Omit “Commissioner for Transport” occurring three times and substitute “Director-General” in each case.

Section 68

Omit "Commissioner for Transport" and substitute "Director-General".

Schedule

(a) In clause 3 in the proviso, omit "Commissioner for Transport" occurring twice and substitute "Director-General" in each case;

(b) in clause 16, omit "Commissioner for Transport" occurring three times and substitute "Director-General" in each case;

(c) in clause 24, omit "Commissioner for Transport" and substitute "Director-General";

(d) in clause 25, omit "Commissioner for Transport" and substitute "Director-General";

(e) in clause 26—

(i) in the note to clause 26, omit "Commissioner for Transport" and substitute "Director-General";

(ii) omit "Commissioner for Transport" occurring twice and substitute "Director-General" in each case;

(f) in clause 32, omit "Commissioner for Transport" occurring twice and substitute "Director-General" in each case.

Amended citation: *Traffic Act 1949-1990*

The Transport Laws Validation Act of 1962

Section 2

After the definition "Excepted sections" insert the following definition:—

" "Director-General" means the chief executive by whatever title of office the chief executive is known, of the department of government of Queensland within which this Act is administered and includes any officer temporarily discharging the responsibilities of the chief executive;".

Section 6 (5)

Omit "Commissioner for Transport" and substitute "Director-General".

Amended citation: *Transport Laws Validation Act 1962-1990*

Urban Passenger Service Proprietors Assistance Act 1975-1978

Section 3

- (a) Omit the definition "Commissioner";
- (b) after the definition "Committee" insert the following definition:—
" "Director-General" means the chief executive by whatever title of office the chief executive is known, of the department of government of Queensland within which this Act is administered and includes any officer temporarily discharging the responsibilities of the chief executive;";
- (c) in the definition "local pensioner service" omit "Commissioner" and substitute "Director-General";
- (d) omit the definition "Minister" and substitute the following definition:—
" "Minister" includes any Minister of the Crown for the time being performing the duties of the Minister;";
- (e) in the definition "passenger omnibus", omit "Commissioner" and substitute "Director-General".

Section 4 (2)

Omit paragraph (a) and substitute the following paragraph:—

- "(a) one shall be a person appointed by the Minister, who shall be chairman;".

Section 5

In paragraph (b), omit "Commissioner" and substitute "Director-General".

Section 12

- (a) In subsection (1), omit "Commissioner" and substitute "Director-General";
- (b) in subsection (2), omit "Commissioner" and substitute "Director-General";
- (c) in subsection (3), omit "Commissioner" and substitute "Director-General";
- (d) in subsection (4), omit "Commissioner" and substitute "Director-General".

Section 17

- (a) In subsection (1)—
 - (i) in paragraph (b) (i), omit "Commissioner" occurring twice and substitute "Director-General" in each case;

(ii) in paragraph (b) (ii), omit “Commissioner” and substitute “Director-General”;

(b) in subsection (3), omit “Commissioner” and substitute “Director-General”.

Section 18

(a) In subsection (1), omit “Commissioner” and substitute “Director-General”;

(b) in subsection (3), omit “Commissioner” and substitute “Director-General”;

(c) in subsection (4), omit “Commissioner” and substitute “Director-General”;

(d) in subsection (5)—

(i) in paragraph (a), omit “Commissioner” and substitute “Director-General”;

(ii) in paragraph (b), omit “Commissioner” and substitute “Director-General”;

(e) in subsection (6), omit “Commissioner” and substitute “Director-General”.

Section 19

(a) In subsection (1), omit “Commissioner” and substitute “Director-General”;

(b) in subsection (3), omit “Commissioner” occurring twice and substitute “Director-General” in each case;

(c) in subsection (4), omit “Commissioner” occurring twice and substitute “Director-General” in each case;

(d) in subsection (5), omit “Commissioner” and substitute “Director-General”;

(e) in subsection (6), omit “Commissioner” and substitute “Director-General”.

Section 21

Omit “Commissioner” and substitute “Director-General”.

Amended citation: *Urban Passenger Service Proprietors Assistance Act 1975-1990.*

Urban Public Passenger Transport Act 1984

Section 5

In the reference to Part II, omit “COMMISSIONER” and substitute “DIRECTOR-GENERAL”.

Section 6

- (a) Omit the definition “Commissioner”;
- (b) omit the definition “Deputy Commissioner for Transport”;
- (c) insert after the definition “Commissioner for Railways” the following definition:—
 - ““Director-General” means the corporation sole constituted under section 10;”;
- (d) omit the definition “Minister” and substitute the following definition:—
 - ““Minister” includes any Minister of the Crown for the time being performing the duties of the Minister;”;
- (e) in the definition “transport authority” in paragraph (b), omit “Commissioner” and substitute “Director-General”.

Section 7 (2)

- (a) Omit paragraph (a);
- (b) omit paragraph (b);
- (c) omit paragraph (c);
- (d) omit paragraph (d) and substitute the following paragraph:—
 - “(d) Any agreement or instrument made before the commencement of this Act to which the Metropolitan Transit Authority constituted under the repealed Act, herein referred to as “the Authority”, was a party and in force at the commencement of section 10 (as substituted by the *Public Service (Administrative Arrangements) Act 1990*) has effect on and after the commencement of that section as if—
 - (i) the Director-General were substituted for the Authority;
and
 - (ii) any reference in the agreement or instrument to the Authority were (except in respect of matters that occurred before the commencement of that section) a reference to the Director-General;”;
- (e) in paragraph (e), omit “Commissioner” and substitute “Director-General”;
- (f) in paragraph (f) in provision (ii), omit “Commissioner” and substitute “Director-General”.

Section 7 (3)

Repeal subsection (3).

PART II heading preceding section 10

Omit “COMMISSIONER” and substitute “DIRECTOR-GENERAL”.

Section 10

Repeal the section and substitute the following section:—

“10. Incorporation of Director-General, Department of Transport. (1) The corporation sole constituted by section 10 of the *Urban Public Passenger Transport Act 1984* under the name and style “The Commissioner of Transport” is hereby preserved, continued in existence and constituted as a corporation sole with an official seal under the name and style “The Director-General, Department of Transport”.

The corporation sole ceases to be constituted by the person holding the office which was provided for in that section and is henceforth constituted by the person who at the material time holds the office of Director-General of the Department of Transport.

(2) All courts and persons acting judicially shall take judicial notice of the appointment of the Director-General of the Department of Transport and any person appointed to act as Director-General of the Department of Transport and of their respective signatures and of the official seal of the Director-General affixed to any document, and, in the absence of proof to the contrary, shall presume that such signature or seal was duly affixed.”.

New section 10A

After section 10 as substituted by this Act, insert the following section:—

“10A. Consequences of incorporation of Director-General. (1) This section is in addition to and not in derogation of section 7.

(2) In this section “the Commissioner” means the corporation sole that was constituted by section 10 of the *Urban Public Passenger Transport Act 1984*.

(3) Every reference—

(a) in this Act or in any other Act;

(b) in any Proclamation, Order in Council, regulation, by-law or other instrument made under this Act or any other Act;

or

(c) in any document or writing,

to the Commissioner shall be read and construed as a reference to the Director-General.

(4) Any action or proceedings which prior to the commencement of this section was commenced by or against

the Commissioner and which is not concluded at such commencement may be continued by or against the Director-General.

(5) The Registrar of Titles or the Registrar of Dealings and any other person charged with the keeping of a register of dealings concerning land vested in or held by the Commissioner shall without further authority other than this section alter the name as shown in that register of the registered proprietor, registered lessee, owner or occupier of land referred to therein to the name "The Director-General, Department of Transport".

Section 11

(a) In the note to the section, omit "Commissioner" and substitute "Director-General";

(b) omit "Commissioner" and substitute "Director-General".

Section 12

(a) In the note to the section, omit "Commissioner" and substitute "Director-General";

(b) omit "Commissioner" and substitute "Director-General".

Section 13

(a) In subsection (1), omit "Commissioner" and substitute "Director-General";

(b) in subsection (3), omit "Commissioner" and substitute "Director-General";

(c) in subsection (4), omit "Commissioner" and substitute "Director-General";

(d) in subsection (5), omit "Commissioner" and substitute "Director-General".

Section 14

(a) In the note to the section, omit "Commissioner" and substitute "Director-General";

(b) omit "Commissioner" and substitute "Director-General".

Section 15

(a) In the note to the section, omit "Commissioner" and substitute "Director-General";

(b) omit "Commissioner" and substitute "Director-General".

Section 16

(a) In subsection (1), omit "Commissioner" and substitute "Director-General";

(b) in subsection (2)—

(i) in the introductory words, omit “Commissioner” occurring three times and substitute “Director-General” in each case;

(ii) in paragraph (c), omit “Commissioner” and substitute “Director-General”;

(iii) in paragraph (d), omit “Commissioner” and substitute “Director-General”;

(iv) in paragraph (e), omit “Commissioner’s” and substitute “Director-General’s”;

(v) in paragraph (f), omit “Commissioner’s” and substitute “Director-General’s”;

(vi) in paragraph (g), omit “Commissioner” and substitute “Director-General”;

(c) in subsection (3), omit “Commissioner” occurring three times and substitute “Director-General” in each case;

(d) in subsection (4), omit “Commissioner” and substitute “Director-General”.

Section 17

(a) In the note to the section, omit “Commissioner” and substitute “**Director-General**”;

(b) omit “Commissioner” and substitute “Director-General”.

Section 18

Omit “Commissioner” and substitute “Director-General”.

Section 19

(a) In subsection (1), omit “Commissioner” occurring twice and substitute “Director-General” in each case;

(b) in subsection (2), omit “Commissioner” and substitute “Director-General”.

Section 20

(a) In subsection (1), omit “Commissioner” occurring twice and substitute “Director-General” in each case;

(b) in subsection (3), omit “Commissioner” and substitute “Director-General”.

Section 21

(a) In subsection (1) (a), omit “Commissioner” and substitute “Director-General”;

(b) in subsection (2) in the words following paragraph (c), omit “Commissioner” occurring three times and substitute “Director-General” in each case;

(c) in subsection (3), omit “Commissioner” occurring four times and substitute “Director-General” in each case.

Section 22

(a) In subsection (1)—

(i) omit “The Commissioner” and substitute “The Director-General”;

(ii) omit “The power of the Commissioner” and substitute “The power of the Director-General”;

(iii) omit “Railways, the Commissioner” and substitute “Railways, the Director-General”;

(b) in subsection (2), omit “Commissioner” occurring twice and substitute “Director-General” in each case.

Section 23

(a) In the note to the section, omit “Commissioner” and substitute “Director-General”;

(b) in subsection (1), omit “Commissioner” occurring twice and substitute “Director-General” in each case;

(c) in subsection (2), omit “Commissioner” occurring twice and substitute “Director-General” in each case.

Section 24

(a) In subsection (1), omit “Commissioner” occurring twice and substitute “Director-General” in each case;

(b) in subsection (2), omit “Commissioner” and substitute “Director-General”;

(c) in subsection (3), omit “Commissioner” and substitute “Director-General”.

Section 25

(a) In the note to the section, omit “Commissioner” and substitute “Director-General”;

(b) omit “Commissioner” and substitute “Director-General”.

Section 26

Omit “Commissioner” occurring twice and substitute “Director-General” in each case.

Section 27

Omit “Commissioner” and substitute “Director-General”.

Section 29

Omit “Commissioner” and substitute “Director-General”.

Section 30

Omit subsection (2) and substitute the following subsection:—

“(2) The Committee shall consist of—

(a) the Director-General;

(b) the Commissioner for Railways,

and such other persons as from time to time, the Minister thinks fit and appoints to the Committee.

The Director-General shall be the Chairman of the Committee.

In this subsection “Director-General” means the Director-General within the meaning of the *State Transport Act 1960-1990*.”.

Section 31

Omit “Commissioner” occurring twice and substitute “Director-General” in each case.

Section 34

(a) In the note to the section, omit “Commissioner” and substitute “Director-General”;

(b) in subsection (1), omit “Commissioner” and substitute “Director-General”;

(c) in subsection (2), omit “Commissioner” occurring three times and substitute “Director-General” in each case;

(d) in subsection (3), omit “Commissioner” and substitute “Director-General”.

Section 36

(a) In the note to the section, omit “Commissioner’s” and substitute “Director-General’s”;

(b) in subsection (1), omit “Commissioner” occurring three times and substitute “Director-General” in each case.

Schedule

(a) In clause 1, omit “Commissioner” occurring twice and substitute “Director-General” in each case;

(b) in clause 2, omit “Commissioner” occurring twice and substitute “Director-General” in each case;

(c) in clause 3, omit “Commissioner” and substitute “Director-General”;

(d) in clause 4, omit "Commissioner" and substitute "Director-General".

Amended citation: *Urban Public Passenger Transport Act 1984-1990*

SIXTH SCHEDULE

[s. 4]
(Savings, transitional and
validation)

1. Except where a contrary intention appears, where by section 3 a reference in any Act to a Minister, department, body corporate, office, person or body of persons is amended by substituting another Minister, department, body corporate, office, person or body of persons, an identical reference in that Act or any other Act, in any subordinate legislation whatsoever or in any instrument or writing whatsoever, shall be read and construed as if that reference had been amended in like manner.

2. Except where a contrary intention appears, where by section 3 a reference in any Act to an office is omitted, an identical reference in that Act or any other Act, in any subordinate legislation whatsoever or in any instrument or writing whatsoever, shall be read and construed as a reference to the office in the department of government of Queensland within which the firstmentioned Act is administered, which at the material time is responsible for the performance of the function or duty or the exercise of the power or authority to which the reference relates.