



Queensland

# **Construction and Tourism (Red Tape Reduction) and Other Legislation Amendment Act 2014**

**Act No. 30 of 2014**





Queensland

# Construction and Tourism (Red Tape Reduction) and Other Legislation Amendment Act 2014

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## Queensland

### **Construction and Tourism (Red Tape Reduction) and Other Legislation Amendment Act 2014**

#### **Act No. 30 of 2014**

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**An Act to amend the Building and Construction Industry (Portable Long Service Leave) Act 1991, the Casino Control Act 1982, the Charitable and Non-Profit Gaming Act 1999, the Gaming Machine Act 1991, the Industrial Relations Act 1999, the Interactive Gambling (Player Protection) Act 1998, the Keno Act 1996, the Lotteries Act 1997, the Queensland Civil and Administrative Tribunal Act 2009, the Reprints Act 1992 and the Wagering Act 1998 for particular purposes, and to provide for an Act to repeal the Travel Agents Act 1988 and to make consequential and minor amendments to the legislation mentioned in schedule 1 for related purposes**

**[Assented to 28 May 2014]**

**The Parliament of Queensland enacts—**

## **Chapter 1 Preliminary**

### **1 Short title**

This Act may be cited as the *Construction and Tourism (Red Tape Reduction) and Other Legislation Amendment Act 2014*.

### **2 Commencement**

(1A) Chapter 3B is taken to have commenced on 13 May 2014.

(1) The following provisions commence on 1 July 2014—

- (a) chapter 2;
- (b) sections 21(1), 25, 27 to 29 and 31(1);
- (c) chapter 5;
- (d) schedule 1.

(2) Sections 11 and 12 commence on 24 August 2014.

(3) The following provisions commence on a day to be fixed by proclamation—

- (a) sections 14 to 16;
- (b) chapter 6.

## Chapter 2      **Amendment of Building and Construction Industry (Portable Long Service Leave) Act 1991**

### 3      **Act amended**

This chapter amends the *Building and Construction Industry (Portable Long Service Leave) Act 1991*.

### 4      **Amendment of s 3B (When an individual is not an eligible worker)**

Section 3B(1)—

*insert—*

- (d) the individual performs qualifying service within the meaning of the *Coal Mining Industry (Long Service Leave) Administration Act 1992* (Cwlth), section 39A(2).

### 5      **Amendment of s 50 (Number of days' service)**

Section 50(1)(b), before 'on a basis'—

*insert—*

if the engagement was

### 6      **Amendment of s 71 (Exemption from payment of levy)**

(1) Section 71(2)—

*omit, insert—*

- (2) The authority may exempt a person (the *first person*) who is not substantially engaged in the building and construction industry from payment of levy for building and construction work, or

part of the work, that the authority is satisfied is carried out for the first person by—

- (a) the first person; or
- (b) the first person's workers; or
- (c) another person who—
  - (i) carries out the work under a contract with the first person; and
  - (ii) is not substantially engaged in the building and construction industry; or
- (d) if the first person is a body corporate—a subsidiary of the first person that is not substantially engaged in the building and construction industry.

(2) Section 71—

*insert—*

(3) In this section—

*subsidiary* see the *Corporations Act 2001* (Cwlth), section 9.

## 7 **Amendment of s 73 (Meaning of *cost* of building and construction work)**

(1) Section 73(1) and (2)—

*omit, insert—*

(1) The *cost* of building and construction work is the total of all costs (excluding GST) that relate to the work directly or indirectly, less any exempt costs.

*Examples of costs—*

costs of labour, materials, plant, equipment, design, project management, consultancy, prefabricated goods, commissioning, installation

- (2) Without limiting subsection (1), the total of all costs—
- (a) includes the direct and indirect cost of all materials—
    - (i) manufactured, purchased, acquired or otherwise sourced interstate or overseas; and
    - (ii) used for the work in Queensland; and
  - (b) may be ascertained having regard to—
    - (i) the contract price for the work; or
    - (ii) if the work is being done for someone other than the Commonwealth and involves more than 1 contract, the total of the contract prices.
- (2) Section 73—  
*insert—*
- (4) In this section—
- environmental impact statement*** means an environmental impact statement under—
- (a) the *Environmental Protection Act 1994*; or
  - (b) the *Environment Protection and Biodiversity Conservation Act 1999* (Cwlth); or
  - (c) the *Sustainable Planning Act 2009*; or
  - (d) the *State Development and Public Works Organisation Act 1971*.
- exempt costs***, for building and construction work, means costs (excluding GST) that relate directly or indirectly to the preparation of the following for the work—
- (a) an environmental impact statement;
  - (b) a feasibility study.

***feasibility study***, for building and construction work, means—

- (a) any assessment, conducted before a decision is made to fund the work, of the likelihood that the work can be successfully completed; or

*Examples of assessments that may form all or part of a feasibility study—*

- whether the work complies with any applicable law
- whether the work is technically and commercially feasible

- (b) another assessment conducted in relation to the work, of a similar nature to an assessment mentioned in paragraph (a), declared by the authority to be a feasibility study for the work for the purposes of this section.

## **8 Amendment of s 77 (Duty to sight approved form)**

- (1) Section 77(3), ‘A local government’—

*omit, insert—*

The assessment manager or local government

- (2) Section 77(5), definition *assessment manager*—

*omit, insert—*

***assessment manager***, for an application mentioned in subsection (1)(a), means—

- (a) the assessment manager for the application under the *Sustainable Planning Act 2009*, section 246(1); or
- (b) if a private certifier (class A) is, under the *Building Act 1975*, section 11(2), the assessment manager for the application—the private certifier (class A).

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## **Chapter 3      Gaming and wagering                          amendments**

### **Part 1                      Amendment of Casino Control                                  Act 1982**

#### **9            Act amended**

This part amends the *Casino Control Act 1982*.

#### **10          Omission of s 42 (Submission of list of licensees)**

Section 42—

*omit.*

#### **11          Omission of s 52 (Casino community benefit fund)**

Section 52—

*omit.*

#### **12          Insertion of new pt 11, div 9**

After section 149—

*insert—*

#### **Division 9              Transitional provision for                                  Construction and Tourism                                  (Red Tape Reduction) and                                  Other Legislation                                  Amendment Act 2014**

#### **150 Amalgamation of Casino Community Benefit Fund with gambling community benefit fund**

(1) Immediately before the commencement—

- (a) any amount remaining in the former fund is transferred to the gambling community benefit fund to be dealt with under—
    - (i) if subsection (2) applies—subsections (3) and (4); or
    - (ii) otherwise—the *Gaming Machine Act 1991*, section 315; and
  - (b) a trust deed approved by the Governor in Council under repealed section 52(6) and in force immediately before the commencement is revoked.
- (2) Subsections (3) and (4) apply if, before the commencement—
- (a) the trustees for a trust deed made recommendations to the Minister under repealed section 52(7) as to the application of moneys appropriate to the trust deed, for the benefit of the community; and
  - (b) the Minister had not caused moneys to be paid out of the former fund under repealed section 52(8) for the benefit of the community in accordance with the recommendations of the trustees.
- (3) The Minister may, on or after the commencement, cause the moneys to be paid out of the gambling community benefit fund for the benefit of the community in accordance with the recommendations of the trustees.
- (4) In this section—
- commencement** means the commencement of this section.
- former fund** means the Casino Community Benefit Fund under repealed section 52.



***gambling community benefit fund*** means the gambling community benefit fund under the *Gaming Machine Act 1991*.

***Minister*** means the Minister responsible, immediately before the commencement, for the administration of the former fund.

***repealed***, in relation to section 52, means the provision as in force immediately before the commencement.

## Part 2 **Amendment of Charitable and Non-Profit Gaming Act 1999**

### 13 **Act amended**

This part amends the *Charitable and Non-Profit Gaming Act 1999*.

### 14 **Amendment of s 14 (Meaning of *category 1 game*)**

(1) Section 14(1)(b)—

*omit, insert—*

(b) for other games—the gross proceeds are not more than the amount prescribed by regulation.

(2) Section 14—

*insert—*

(3) For subsection (1)(b), the amount prescribed must not be more than the lower amount prescribed for a category 2 game under section 15(1)(c).

**15 Amendment of s 15 (Meaning of *category 2 game*)**

Section 15(1)(c)—

*omit, insert—*

- (c) for other games—the gross proceeds are between the amounts prescribed by regulation.

**16 Amendment of s 16 (Meaning of *category 3 game*)**

(1) Section 16(1)(a)—

*omit, insert—*

- (a) an amount prescribed by regulation; or

(2) Section 16—

*insert—*

- (3) For subsection (1)(a), the amount prescribed must not be less than the higher amount prescribed for a category 2 game under section 15(1)(c).

**17 Omission of s 84 (Submitting returns—bingo centres and lucky envelope printers)**

Section 84—

*omit.*

**18 Amendment of s 84A (False or misleading returns)**

Section 84A(1), ‘, 83 or 84,’—

*omit, insert—*

or 83,

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## Part 3                      **Amendment of Gaming Machine Act 1991**

### 19      **Act amended**

This part amends the *Gaming Machine Act 1991*.

### 20      **Amendment of s 56A (Application for gaming machine licence for replacement category 1 licensed premises)**

(1) Section 56A(2)(b)(ii), after ‘within the’

*insert—*

relevant

(2) Section 56A(3)—

*omit.*

### 21      **Amendment of s 56B (Application for gaming machine licence for replacement category 2 licensed premises)**

(1) Section 56B(3)(b)—

*omit, insert—*

(b) must relate only to premises situated within  
the relevant local community area for the  
old premises; and

(2) Section 56B(4)—

*omit.*

### 22      **Amendment of s 60 (Basis on which number of gaming machines to be installed in premises and hours of gaming are to be decided)**

Section 60(5)—

*omit, insert—*

- (5) If the gaming machine licence is to relate to 2 or more premises, the number of gaming machines fixed for the premises—
  - (a) must not, for a particular premises, be greater than the number sought in the application for the premises; and
  - (b) must not be more than—
    - (i) the maximum number prescribed by regulation for category 2 licensed premises; and
    - (ii) the maximum number in total prescribed by regulation for all category 2 licensed premises to which a single license relates.

**23 Amendment of s 63 (Decision on additional premises application)**

Section 63(3)—

*omit, insert—*

- (3) The commissioner may approve the additional premises only if the commissioner is satisfied that—
  - (a) it is in the best interests of the applicant's members that the approval be given; and
  - (b) the giving of the approval is not contrary to the public interest.

**24 Amendment of s 64 (Fixing number of gaming machines and hours of gaming for additional premises)**

Section 64(4)(b)—

*omit, insert—*

- (b) must be a number that, when added to the approved number, or total approved number, of gaming machines for the existing premises, does not result in a number of gaming machines that is more than—
  - (i) the maximum number prescribed by regulation for category 2 licensed premises; and
  - (ii) the maximum number in total prescribed by regulation for all category 2 licensed premises to which a single licence relates.

**25 Amendment of s 68 (Issue of gaming machine licences generally)**

Section 68(2)(e)—

*omit, insert—*

- (e) for a gaming machine licence for category 2 licensed premises—the number of entitlements for the premises, or each of the premises, to which the licence relates;

**26 Amendment of s 85 (Fixing increase number of gaming machines)**

Section 85(4), from ‘current, total approved’—

*omit, insert—*

current approved number of gaming machines for each or all of the premises, does not result in a total number of gaming machines that is more than—

- (a) the maximum number prescribed by regulation for category 2 licensed premises; and

- (b) the maximum number in total prescribed by regulation for all category 2 licensed premises to which a single licence relates.

**27 Amendment of s 109P (Requirements about transferee licensed premises)**

- (1) Section 109P(1), ‘to (4)’—

*omit, insert—*

and (3)

- (2) Section 109P(4)—

*omit.*

**28 Amendment of s 109W (Requirements about transferee licensed premises)**

- (1) Section 109W(1), ‘to (5)’—

*omit, insert—*

to (4)

- (2) Section 109W(4)—

*omit.*

- (3) Section 109W(5)—

*renumber* as section 109W(4).

**29 Amendment of s 109ZD (Purchase of entitlement at authorised entitlements sale)**

- (1) Section 109ZD(1)(c) and (2)—

*omit.*

- (2) Section 109ZD(3)—

*renumber* as section 109ZD(2).

**30 Insertion of new pt 12, div 19**

Part 12—

*insert—*

**Division 19 Transitional provision for  
Construction and Tourism  
(Red Tape Reduction) and  
Other Legislation  
Amendment Act 2014**

**489 Additional premises application not finally  
dealt with before commencement**

- (1) This section applies to an additional premises application made, but not decided, before the commencement.
- (2) Section 63(3) applies to the decision about the application as if it had been made after the commencement.
- (3) In this section—  
***commencement*** means commencement of this section.

**31 Amendment of sch 2 (Dictionary)**

- (1) Schedule 2, definition *entitlement region*—

*omit.*

- (2) Schedule 2—

*insert—*

***local community area*** has the meaning given by the guideline named ‘Guidelines—Community Impact Statement’ made by the commissioner under section 18.

*relevant local community area*, for old premises, means the area that would, under a community impact statement prepared under section 55B, be the local community area for the old premises if an application were being made in relation to the old premises.

- (3) Schedule 2, definition *existing premises*, ‘section 63(3)(c)’—  
*omit, insert—*

section 63(2)(b)

## **Part 4**                      **Amendment of Interactive Gambling (Player Protection) Act 1998**

### **32**      **Act amended**

This part amends the *Interactive Gambling (Player Protection) Act 1998*.

### **33**      **Amendment of s 263 (Regulation-making power)**

Section 263(4)—

*insert—*

- (d) provide for fees payable under this Act and the matters for which fees are payable.



---

## **Part 5**                      **Amendment of Keno Act 1996**

### **34 Act amended**

This part amends the *Keno Act 1996*.

### **35 Omission of s 77 (Returns about keno employees)**

Section 77—

*omit.*

### **36 Omission of s 90 (Returns about keno agents)**

Section 90—

*omit.*

### **37 Omission of s 94 (Returns about keno subagents)**

Section 94—

*omit.*

## **Part 6**                      **Amendment of Lotteries Act 1997**

### **38 Act amended**

This part amends the *Lotteries Act 1997*.

### **39 Omission of s 82 (Returns about agents)**

Section 82—

*omit.*

**40 Amendment of s 89 (Termination of agreement)**

Section 89(1)—

*omit, insert—*

- (1) If the chief executive directs a lottery operator to terminate an agency agreement, the lottery operator must terminate the agreement within the time stated in the notice giving the direction.

**41 Omission of s 90 (Notice of termination of agreement)**

Section 90—

*omit.*

## **Part 7 Amendment of Wagering Act 1998**

**42 Act amended**

This part amends the *Wagering Act 1998*.

**43 Amendment of s 8 (Meaning of *totalisator*)**

- (1) Section 8(3)(b)—

*omit, insert—*

- (b) deducting commission for the conduct of the totalisator; and
- (c) adding any pool top-up amount.

- (2) Section 8—

*insert—*

- (4) In this section—

***minimum pool amount***, for a totalisator, means an amount worked out by using the formula—

$$MPA = (A - R) - C$$

where—

***MPA*** means the minimum pool amount.

***A*** means an amount that the authority operator for the totalisator advertises is the minimum amount that will, after amounts are refunded and deducted as commission, be available for the payment of dividends out of the totalisator for an event or contingency.

***R*** means an amount paid out of the totalisator as a refund of an investment.

***C*** means the amount that would be deducted as commission if the amount invested in the totalisator equalled A minus R.

***pool top-up amount***, for a totalisator, means an amount added by an authority operator to the totalisator so the amount available for the payment of dividends equals the minimum pool amount for the totalisator.

**44 Omission of s 133 (Returns about employees)**

Section 133—

*omit.*

**45 Omission of s 142 (Notice of agency agreement)**

Section 142—

*omit.*

**46 Omission of ss 144 and 145**

Sections 144 and 145—

*omit.*

**47 Amendment of s 160 (Termination of agreement on direction)**

Section 160(1)—

*omit, insert—*

- (1) If the chief executive directs a licence operator to terminate an agency agreement, the operator must terminate the agreement within the time stated in the relevant notice.

**48 Omission of s 161 (Termination of agreement without direction)**

Section 161—

*omit.*

## **Chapter 3A Amendment of Industrial Relations Act 1999**

**48A Act amended**

This chapter amends the *Industrial Relations Act 1999*.

**48B Amendment of s 252 (President's annual report)**

- (1) Section 252(2)—

*omit.*

- (2) Section 252 (1A) to (3)—

*renumber* as section 252(2) to (4).

## **Chapter 3B Queensland Civil and Administrative Tribunal Act 2009**

### **48C Act amended**

This chapter amends the *Queensland Civil and Administrative Tribunal Act 2009*.

### **48D Amendment of s 206BB (Expiry of pt 4B)**

Section 206BB(1), ‘1 year’—

*omit, insert—*

2 years

## **Chapter 4 Amendment of Reprints Act 1992**

### **49 Act amended**

This chapter amends the *Reprints Act 1992*.

### **50 Insertion of new pt 4, div 8**

Part 4—

*insert—*

## **Division 8                      Standardisation of structure**

### **44A Standardisation of structure for conversion to XML format**

- (1) This section applies to a reprint of a law prepared before the electronic version of the law is converted to eXtensible Markup Language for publication on the Queensland legislation website.
- (2) The structure of the law may be brought into line with current legislative drafting practice, including by omitting or inserting words in a way that does not change the effect of the law.

*Example 1—*

The heading ‘Preamble’ may be inserted before a preamble without a heading.

*Example 2—*

If appropriate, an uncategorised and unnumbered heading may be categorised as a part heading and numbered and the text of a broken heading may be repositioned so there is no break.

*Example 3—*

**405 Sections 405-420 not used**

may replace as a section heading

**405-420 Section numbers not used.**

### **44B Expiry of div 8**

This division expires on 31 December 2014.

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## Chapter 5 Repeal of travel agents legislation

### Part 1 Preliminary

#### 51 Interpretation

(1) In this chapter—

*commencement* means the commencement of this section.

*former*, in relation to a provision, means a provision of the repealed Act.

*pre-repeal matter* means an act, event or omission of a kind mentioned in former section 40(1)(a), (b) or (c) that was done, occurred or was omitted to be done before the commencement.

*repealed Act* means—

- (a) for sections 60 to 62—the *Travels Agents Act 1988* as in force immediately before the commencement and that Act as continued in effect under this chapter; or
- (b) otherwise—the *Travel Agents Act 1988* as in force immediately before the commencement.

(2) Terms defined in the repealed Act and used in this chapter have, if the context permits, the same meaning as they had under the repealed Act.

## **Part 2**   **Repeal of Travel Agents Act 1988**

### **52**         **Repeal of Travel Agents Act 1988**

The Travel Agents Act 1988, No. 56 is repealed.

## **Part 3**   **Savings and transitional provisions for repeal of Travel Agents Act 1988**

### **53**         **Continuing effect of particular disqualifications**

- (1) This section applies to a person who was, immediately before the commencement, subject to a disqualification of the type mentioned in former section 25(2)(b) imposed by the commissioner permanently or for a specified period ending after the commencement.
- (2) On and from the commencement—
  - (a) former section 25(6) continues to apply, despite its repeal, to the person; and

*Note—*

Former section 25(2)(b) provided for the disqualification of a person from being involved in the direction, management or conduct of business as a travel agent.

- (b) former sections 26 and 26A continue to apply, despite their repeal, in relation to the review by QCAT of the commissioner’s decision to impose the disqualification.



## **54 Review provisions**

On and from the commencement, former sections 27, 27A and 37 continue to apply, despite their repeal, in relation to the review by QCAT of a decision mentioned in former section 27(1) made by the trustees before the commencement.

## **55 Account keeping**

On and from the commencement, former section 33 continues to apply, despite its repeal, to a person who carried on business as a travel agent immediately before the commencement.

## **56 Compensation fund and trust deed**

- (1) On and from the commencement, former sections 36 and 38(1) and (3) continue to apply despite their repeal.
- (2) The trust deed, or an amendment to the trust deed, approved before the commencement continues to have effect on and from the commencement.

*Note—*

A copy of the Travel Compensation Fund Substitution Trust Deed is available from the Travel Compensation Fund's website, <[www.tcf.org.au](http://www.tcf.org.au)>.

## **57 Claims for compensation**

On and from the commencement—

- (a) former section 40 continues to apply, despite its repeal, in relation to a claim for compensation for loss suffered in consequence of a pre-repeal matter, whether the loss is suffered before, on or after the commencement; and
- (b) former section 41 continues to apply, despite its repeal, for determining a claim for compensation mentioned in paragraph (a) that is—

- (i) made, but not finally determined by the trustees, immediately before the commencement; or
- (ii) made on or after the commencement.

## **58 Trustees' subrogation rights etc.**

On and from the commencement, former section 42 continues to apply, despite its repeal, in relation to a payment made to a claimant under the compensation scheme, whether the claim or payment was made before, on or after the commencement.

## **59 Proceedings by or against trustees**

On and from the commencement, former section 43 continues to apply, despite its repeal, for—

- (a) a proceeding by or against the trustees started, but not finally concluded, before the commencement; or
- (b) an application by a claimant for review of—
  - (i) a decision of the trustees to refuse the claimant's claim for compensation, whether the decision was made before, on or after the commencement; or
  - (ii) a decision mentioned in section 54; or
- (c) a proceeding to exercise or enforce the trustees' subrogation rights under former section 42(3) started before, on or after the commencement.

## **60 Authorised officers**

- (1) For the purposes of investigating, monitoring and enforcing compliance with the repealed Act, on and from the commencement—
  - (a) former sections 45 to 47 and 50 continue to apply, despite their repeal; and
  - (b) an appointment of a person as an inspector, or an authorisation of a person as an authorised officer, under

the repealed Act in effect immediately before the commencement, continues in effect.

- (2) Subsection (1)(b) stops applying when the appointment or authorisation expires or otherwise ends under the repealed Act.

## **61 Delegations**

- (1) This section applies for the purpose of—
  - (a) administering the repealed Act in relation to pre-repeal matters; and
  - (b) investigating, monitoring or enforcing compliance with the repealed Act.
- (2) On and from the commencement—
  - (a) the chief executive may make a delegation under former section 44A(1); and
  - (b) the commissioner may make—
    - (i) a delegation under former section 44; and
    - (ii) a subdelegation under former section 44A(2); and
  - (c) a delegation made under former section 44 or 44A(1), or a subdelegation made under former section 44A(2), in force immediately before the commencement continues in force until the delegation expires or otherwise ends under the repealed Act.

## **62 Offences against and proceedings under repealed Act**

- (1) On and from the commencement—
  - (a) former section 54 continues to apply, despite its repeal, in relation to an offence against the repealed Act; and
  - (b) former sections 55 and 56 continue to apply, despite their repeal, to a proceeding under or for the purposes of

[s 63]

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the repealed Act started before, on or after the commencement.

- (2) For subsection (1), it does not matter whether the offence was committed or the proceedings were started before, on or after the commencement.

## **Part 4                      Consequential and minor amendments of other legislation**

### **63      Legislation amended**

Schedule 1 amends the legislation it mentions.

## **Part 5                      Expiry**

### **64      Expiry**

This chapter expires on the day the compensation scheme, established by the trust deed, is terminated under clause 27.1 of the trust deed.

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## **Chapter 6      Consequential amendments of Construction and Tourism (Red Tape Reduction) and Other Legislation Amendment Act 2014**

### **Part 1            Amendments applicable before expiry of ch 5**

#### **65      Application of pt 1**

This part applies if, on the commencement of this chapter—

- (a) all provisions of chapters 2 to 4 have commenced; and
- (b) chapter 5 has not expired.

#### **66      Replacement of ch 1, hdg (Preliminary)**

Chapter 1, heading—

*omit, insert—*

### **Part 1            Preliminary**

#### **67      Amendment of s 1 (Short title)**

Section 1, ‘*Construction and Tourism (Red Tape Reduction) and  
Other Legislation Amendment*’—

*omit, insert—*

*Travel Agents Repeal*

**68 Omission of s 2 (Commencement)**

Section 2—

*omit.*

**69 Omission of ch 2 (Amendment of Building and Construction Industry (Portable Long Service Leave) Act 1991)**

Chapter 2—

*omit.*

**70 Omission of ch 3 (Gaming and wagering amendments)**

Chapter 3—

*omit.*

**71 Omission of ch 4 (Amendment of Reprints Act 1992)**

Chapter 4—

*omit.*

**72 Omission of ch 5, hdg and ch 5 pt 1, hdg**

Chapter 5, heading and chapter 5, part 1, heading—

*omit.*

**73 Amendment of s 51 (Interpretation)**

Section 51, ‘chapter’—

*omit, insert—*

Act

---

**74 Omission of ch 5, pt 4 (Consequential and minor amendments of other legislation)**

Chapter 5, part 4—

*omit.*

**75 Renumbering of ch 5, pt 5 (Expiry)**

Chapter 5, part 5—

*renumber* as chapter 5, part 4.

**76 Amendment of s 64 (Expiry)**

Section 64, ‘chapter’—

*omit, insert*—

Act

**77 Omission of sch 1 (Consequential and minor amendments)**

Schedule 1—

*omit.*

**78 Amendment of long title**

- (1) Long title, from ‘amend the *Building and Construction (Portable Long Service Leave) Act 1991*’ to ‘provide for an Act to’—

*omit.*

- (2) Long title, all words after ‘*Travel Agents Act 1988*’—

*omit.*

## **79 Renumbering of Act**

- (1) On the commencement, the provisions of this Act are amended by numbering and renumbering them in the same way as a reprint may be numbered and renumbered under the *Reprints Act 1992*, section 43.
- (2) Without limiting the *Reprints Act 1992*, section 43(4), each reference in this Act to a provision of this Act renumbered under subsection (1) is amended, when the renumbering happens, by omitting the reference to the previous number and reinserting the new number.
- (3) In this section—  
*commencement* means the commencement of this section.

## **80 Expiry of chapter**

This chapter expires on the day after section 79 commences.

# **Part 2 Amendments applicable after expiry of ch 5**

## **81 Application of pt 2**

This part applies if, on the commencement of this chapter—

- (a) chapter 5 has expired; and
- (b) a provision in any of chapters 2 to 4 has not commenced.

## **82 Expiry of Act**

This Act expires on the day after the last remaining provision mentioned in section 81(b) commences.



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## Schedule 1      Consequential and minor amendments

section 63

### Fair Trading Inspectors Act 2014

**1      Section 4(1)(n)—**

*omit.*

**2      Section 10—**

*omit.*

**3      Section 12(3)(f)—**

*omit.*

**4      Section 104(a), examples, third dot point—**

*omit.*

**5      Section 104(b), examples, fourth dot point—**

*omit.*

**6      Section 106(b), examples, sixth dot point—**

*omit.*

**7      Section 107(1), note—**

*omit, insert—*

*Note—*

The relevant primary Acts are the *Residential Services (Accreditation) Act 2002* and the *Second-hand Dealers and Pawnbrokers Act 2003*.

**8 Section 108(1), note—**

*omit, insert—*

*Note—*

The relevant primary Acts are the *Introduction Agents Act 2001*, the *Manufactured Homes (Residential Parks) Act 2003* and the *Security Providers Act 1993*, but not the *Tourism Services Act 2003* which adopted inspectors appointed under the *Fair Trading Act 1989*.

**9 Chapter 6, part 11—**

*omit.*

**10 Schedule 1, definition *modifying provision*, paragraph (f)—**

*omit.*

## **Police Powers and Responsibilities Regulation 2012**

**1 Schedule 5, ‘*Travel Agents Act 1988*’—**

*omit.*

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## State Penalties Enforcement Regulation 2000

- 1 **Schedule 1, entries for *Travel Agents Act 1988* and *Travel Agents Regulation 1998*—**

*omit.*

- 2 **Schedule 5, entry for *Casino Control Act 1982*, entry for s 42(1)—**

*omit.*

- 3 **Schedule 5, entry for *Charitable and Non-Profit Gaming Act 1999*, entry for s 84(1)—**

*omit.*

- 4 **Schedule 5, entry for *Keno Act 1996*, entries for ss 77(4), 90(1) and 94(1)—**

*omit.*

- 5 **Schedule 5, entry for *Lotteries Act 1997*, entries for ss 82(1) and 90(2)—**

*omit.*

- 6 **Schedule 5, entry for *Wagering Act 1998*, entries for ss 133(4), 144(1) and 161(2)—**

*omit.*

## Tourism Services Act 2003

- 1 **Section 13(3)(c), ‘the *Travel Agents Act 1988*’—**

*omit, insert—*

the repealed *Travel Agents Act 1988*

**2 Section 20(6)—**

*omit.*

**3 Section 20(7)—**

*renumber* as section 20(6).

**4 Section 22(6)—**

*omit.*

**5 Section 22(7)—**

*renumber* as section 22(6).

**6 Schedule 2, definition *corresponding law*—**

*omit, insert—*

***corresponding law*** means a law of another State or another country that provides for the same, or substantially the same, matter as—

- (a) this Act, the *Fair Trading Act 1989* or the *Competition and Consumer Act 2010* (Cwlth); or
- (b) a provision of an Act mentioned in paragraph (a).