



Queensland

Statute Law (Miscellaneous Provisions) Bill 2006



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2006

A Bill

for

An Act to make various amendments of Queensland statute law

The Parliament of Queensland enacts—	1
Clause 1 Short title	2
This Act may be cited as the <i>Statute Law (Miscellaneous Provisions) Act 2006</i> .	3 4
Clause 2 Amended Acts—schedule	5
The schedule amends the Acts mentioned in it.	6
Clause 3 Explanatory notes	7
An explanatory note to a provision of this Act is not part of the Act.	8 9

Schedule	Amended Acts	1
	section 2	2
Aboriginal Land Act 1991		3
1	Section 3, definition <i>mineral</i>, from ‘given by’—	4
	<i>omit, insert—</i>	5
	‘given by the <i>Mineral Resources Act 1989</i> , section 6.’.	6
2	Section 3, definition <i>natural gas</i>, ‘section 3’—	7
	<i>omit, insert—</i>	8
	‘section 2’.	9
Explanatory notes		10
Amendment 1 corrects a typographical error and updates a cross-reference.		11
Amendment 2 updates a cross-reference.		12
Acts Interpretation Act 1954		13
1	Section 20B(1)(a)(ii) and (c)(ii), ‘power’—	14
	<i>omit, insert—</i>	15
	‘function or power’.	16
Explanatory note		17
The amendment clarifies that the operation of the provision extends to the delegation of a function.		18
		19

Schedule (continued)

Associations Incorporation Act 1981	1
1 Section 26(2)(a), at the end—	2
<i>insert—</i>	3
‘or’.	4
2 Section 69(2)(a), (b) and (e), at the end—	5
<i>insert—</i>	6
‘or’.	7
3 Section 69(2)(d), ‘fine.’—	8
<i>omit, insert—</i>	9
‘fine; or’.	10
4 Section 69(2)(d) to (f)—	11
<i>renumber</i> as section 69(2)(c) to (e).	12
5 Section 72(1)(a), at the end—	13
<i>insert—</i>	14
‘or’.	15
6 Section 73(2)(a) and (b), at the end—	16
<i>insert—</i>	17
‘or’.	18
7 Section 91(2), ‘association,’—	19
<i>omit, insert—</i>	20
‘association’.	21

Schedule (continued)

8	Section 92(2)(a) to (c), at the end—	1
	<i>insert—</i>	2
	‘and’.	3
9	Section 94(a) to (c), at the end—	4
	<i>insert—</i>	5
	‘and’.	6
10	Section 105M(2)(b), ‘and’—	7
	<i>omit.</i>	8
	Explanatory notes	9
	Amendments 1, 2, 5 and 6 insert missing disjunctives.	10
	Amendment 3 corrects punctuation and inserts a missing conjunctive.	11
	Amendment 4 corrects numbering.	12
	Amendment 7 removes a comma.	13
	Amendments 8 and 9 insert missing conjunctives.	14
	Amendment 10 removes a conjunctive.	15
	 Building and Construction Industry (Portable Long Service Leave) Act 1991	 16 17
1	Sections 8, 9(2)(e), 47(1)(a), 80(6)(b) and (8), 81(2), 82(1)(a), 87(1)(d), 91(1), 92(1) and 108(1), ‘the regulations’—	18 19 20
	<i>omit, insert—</i>	21
	‘a regulation’.	22

Schedule (continued)

2	Section 59(9), ‘subsection (9)’—	1
	<i>omit, insert—</i>	2
	‘subsection (10)’.	3
3	Section 91A—	4
	<i>renumber</i> as section 90A.	5
4	Section 92(2), ‘The regulations’—	6
	<i>omit, insert—</i>	7
	‘A regulation’.	8
	Explanatory notes	9
	Amendments 1 and 4 update provisions in accordance with current legislative drafting practice.	10
		11
	Amendment 2 updates a cross-reference.	12
	Amendment 3 makes a minor correction.	13
	 Building Units and Group Titles Act 1980	 14
1	Section 9(3A)(d), ‘schedule 7,’ and footnote—	15
	<i>omit, insert—</i>	16
	‘schedule 4.’.	17
	 Explanatory note	 18
	The amendment updates a reference.	19

Schedule (continued)

Charitable and Non-Profit Gaming Act 1999	1
1 Schedule 2, definition <i>Gaming Commission</i>, ‘section 10’—	2
<i>omit, insert—</i>	3
‘section 15’.	4
Explanatory note	5
The amendment updates a cross-reference.	6
City of Brisbane Act 1924	7
1 Sections 3, 4(2), 22(1B)(e), 39B(2), 39C(1)(da) and (5), 39G(4), 46I(1)(a)(iii), 52(12)(b), 58, 60(2A)(a)(ii)(B), 66(5), 68(2)(d)(ii), 75(5), 76(6), 79A(5), 108(1)(ea), 109B(2)(b), 119(3)(aa)(ii), (ea) and (eb), 121A(1), 127(2) and 137(1), ‘<i>Local Government Act 1993</i>’—	8
<i>omit, insert—</i>	9
‘Local Government Act’.	10
2 Schedule 1, section 23A(1), and schedule 2, definitions <i>corporate plan</i> and <i>regulatory fee</i>, ‘<i>Local Government Act 1993</i>’—	11
<i>omit, insert—</i>	12
‘Local Government Act’.	13
Explanatory note	14
Amendments 1 and 2 update references to rely on the defined term.	15

Schedule (continued)

Coal Mining Safety and Health Act 1999	1
1 Schedule 2, part 1, item 3, example, ‘of item 3’—	2
<i>omit.</i>	3
2 Schedule 2, part 2, item 36C, ‘item 2A or 2B’—	4
<i>omit, insert—</i>	5
‘part 1, item 3 or 4’.	6
3 Schedule 2, part 2, item 37, ‘items 6 to 36C’—	7
<i>omit, insert—</i>	8
‘items 1 to 34’.	9
4 Schedule 2, part 1, items 1 to 5, as amended—	10
<i>renumber</i> as items 1 to 7.	11
5 Schedule 2, part 2, items 6 to 37, as amended—	12
<i>renumber</i> as items 1 to 35.	13
Explanatory notes	14
Amendments 1 to 3 amend a provision consequential on amendments 4 and 5.	15
Amendments 4 and 5 update a schedule in accordance with current legislative drafting practice.	16
	17
Coastal Protection and Management Act 1995	18
1 Section 18A—	19
<i>omit.</i>	20

Schedule (continued)

2	Section 168(a), ‘Beach Protection Act 1968’—	1
	<i>omit, insert—</i>	2
	‘Beach Protection Act’.	3
3	Schedule, definition <i>port</i>, ‘schedule 3’—	4
	<i>omit, insert—</i>	5
	‘schedule 6’.	6
4	Schedule, definition <i>seaward</i>—	7
	<i>omit.</i>	8
5	Schedule, definition <i>Torres Strait Islander cultural heritage</i>, after ‘2003’—	9
	<i>insert—</i>	10
	‘, section 8’.	11
		12
	Explanatory notes	13
	Amendment 1 omits a redundant provision in accordance with current legislative drafting practice.	14
		15
	Amendment 2 updates a reference to rely on the defined term.	16
	Amendment 3 corrects a cross-reference.	17
	Amendment 4 omits a redundant definition from the dictionary.	18
	Amendment 5 clarifies the location of a definition in the <i>Torres Strait Islander Cultural Heritage Act 2003</i> .	19
		20

Schedule (continued)

Commission for Children and Young People and Child Guardian Act 2000	1 2
1 Section 101A, heading, ‘ss 100 or 101’—	3
<i>omit, insert—</i>	4
‘s 100 or 101’.	5
2 Section 102B—	6
<i>insert—</i>	7
‘(3A) However, subsection (3) does not apply to a negative notice issued under section 102(6)(a).¹’.	8 9
3 Section 104A, heading, ‘subdiv 1’—	10
<i>omit, insert—</i>	11
‘sdiv 1’.	12
4 Section 104C, heading, ‘subdiv 1A’—	13
<i>omit, insert—</i>	14
‘sdiv 1A’.	15
5 Section 122B(1)(a) and (b)—	16
<i>omit, insert—</i>	17
‘(a) the police commissioner, an employee or another person gives notice to the commissioner that police information about the employee has changed; or	18 19 20
(b) the commissioner otherwise becomes aware that police information about an employee has changed.’.	21 22

1 Section 102 (Decision on application)

Schedule (continued)

6	Section 122B—	1
	<i>insert—</i>	2
	‘(6) In this section—	3
	<i>employee</i> means—	4
	(a) the holder of a positive notice, other than a positive notice that is suspended under section 119C(1); or	5 6
	(b) if an application for a positive notice has been made by someone who is an employer under section 105, 106 or 106A and the application has not been decided or withdrawn—the person about whom the application has been made.’.	7 8 9 10 11
7	Section 127(2) and (3)—	12
	<i>renumber</i> as section 127(1) and (2).	13
8	Sections 181(2), 189(2) and 190(2), ‘127(2)’—	14
	<i>omit, insert—</i>	15
	‘127(1)’.	16
	Explanatory notes	17
	Amendments 1, 3 and 4 update section headings in accordance with current legislative drafting practice.	18 19
	Amendment 2 removes the unnecessary application of the preceding subsection.	20
	Amendments 5 and 6 clarify the application of section 122B.	21
	Amendment 7 updates numbering after the omission of the previous section 127(1).	22
	Amendment 8 updates cross-references consequential on amendment 7.	23

Schedule (continued)

Criminal Proceeds Confiscation Act 2002	1
1 Schedule 6, definition <i>law enforcement agency</i>—	2
<i>omit.</i>	3
Explanatory note	4
The amendment omits a redundant definition from the dictionary.	5
 Dalrymple Bay Coal Terminal (Long-term Lease) Act 2001	 6 7
1 Section 3(1)(b)(ii), from ‘established’—	8
<i>omit, insert—</i>	9
‘continued in existence under the <i>Government Owned Corporations Regulation 2004</i> ; or’.	10 11
Explanatory note	12
The amendment updates a reference.	13
 Electrical Safety Act 2002	 14
1 Section 19(1)(a), ‘or’ second mention—	15
<i>omit.</i>	16
2 Section 24(2), examples, third dot point, ‘scheme,’—	17
<i>omit, insert—</i>	18
‘scheme’.	19

Schedule (continued)

3	Section 40(1), ‘were’—	1
	<i>omit, insert—</i>	2
	‘where’.	3
4	Section 56(2)(b), after ‘performance’—	4
	<i>insert—</i>	5
	‘of’.	6
5	Section 121(1)(c), before ‘give’—	7
	<i>insert—</i>	8
	‘must’.	9
	Explanatory notes	10
	Amendment 1 updates a provision in accordance with current legislative drafting practice.	11
	Amendment 2 corrects punctuation.	12
	Amendment 3 corrects a typographical error.	13
	Amendments 4 and 5 make minor corrections.	14
	 Environmental Protection Act 1994	 15
1	Section 7A—	16
	<i>omit.</i>	17
2	Section 266O(b)(iii), ‘; or’—	18
	<i>omit, insert—</i>	19
	‘; and’.	20

Schedule (continued)

3	Section 279A(2), ‘section 279(1)’—	1
	<i>omit, insert—</i>	2
	‘section 279’.	3
4	Section 279A(2)(b), ‘section 279(1)(a)(i)’—	4
	<i>omit, insert—</i>	5
	‘section 279(a)(i)’.	6
5	Section 335(3)(c), ‘subsection (1)’—	7
	<i>omit, insert—</i>	8
	‘subsection (2)’.	9
6	Section 589(1)(b), ‘section 598;’—	10
	<i>omit, insert—</i>	11
	‘section 598; and’.	12
7	Schedule 3, definition <i>applicable code</i>, ‘Integrated Planning Act 1997’—	13
	<i>omit, insert—</i>	14
	‘Integrated Planning Act’.	15
8	Schedule 3, definitions <i>applicants</i> and <i>correction</i>, paragraph (a), ‘for’—	17
	<i>omit.</i>	18
		19
9	Schedule 3, definition <i>business days</i>, both mentions—	20
	<i>omit, insert—</i>	21
	‘ <i>business days</i> —	22

Schedule (continued)

(a)	generally, does not include a day between 26 December and 1 January in the following year; and	1 2
(b)	for chapter 3, part 1, see section 39.’.	3
10	Schedule 3, definition <i>proposed action decision</i>, paragraph (b), before ‘chapter’—	4 5
	<i>insert—</i>	6
	‘for’.	7
	Explanatory notes	8
	Amendment 1 omits a redundant provision in accordance with current legislative drafting practice.	9 10
	Amendments 2 and 6 make minor corrections.	11
	Amendments 3, 4 and 5 correct a cross-reference.	12
	Amendment 7 corrects a reference to rely on the defined term.	13
	Amendments 8 and 10 correct a typographical error.	14
	Amendment 9 combines two definitions in accordance with current legislative drafting practice.	15 16
	 Fair Trading Act 1989	 17
1	Section 5, definition <i>services</i>, paragraph (a)(ii), ‘a contract for, or involving,’—	18 19
	<i>omit.</i>	20
	Explanatory note	21
	The amendment removes unnecessary words from the definition.	22

Schedule (continued)

Family Services Act 1987	1
1 Section 2, definition <i>charge</i>, paragraph (b), ‘Police Powers and Responsibilities Act 1997, section 40;¹’—	2
<i>omit, insert—</i>	3
<i>‘Police Powers and Responsibilities Act 2000, section 382;²’.</i>	4
Explanatory note	5
The amendment updates a cross-reference.	6
Forestry Act 1959	7
1 Section 5, definition <i>warden</i> —	8
<i>omit.</i>	9
2 Section 5, definitions, as amended—	10
<i>relocate</i> to schedule 3, as inserted by this Act.	11
3 Section 5, ‘In this Act—’—	12
<i>omit, insert—</i>	13
‘The dictionary in schedule 3 defines particular words used in this Act.’.	14
4 Section 34H(4)(b), ‘section 73A(1)’—	15
<i>omit, insert—</i>	16
‘section 73A’.	17

² *Police Powers and Responsibilities Act 2000*, section 382 (Notice to appear may be issued for offence)

Schedule (continued)

5	Section 97, heading—	1
	<i>omit, insert—</i>	2
‘97	Regulation-making power’.	3
6	Section 102(1)(f)—	4
	<i>omit.</i>	5
7	Section 102(1)(g)—	6
	<i>renumber</i> as section 102(1)(f).	7
8	After schedule 2—	8
	<i>insert—</i>	9
‘Schedule 3	Dictionary	10
	section 5’.	11
	Explanatory notes	12
	Amendment 1 omits a redundant definition.	13
	Amendments 2, 3 and 8 have the combined effect of relocating the definitions of the Act into a dictionary schedule, in accordance with current legislative drafting practice.	14 15
	Amendment 4 corrects a cross-reference.	16
	Amendment 5 updates a section heading in accordance with current legislative drafting practice.	17 18
	Amendment 6 omits a reference to the repealed <i>Sawmills Licensing Act 1936</i> .	19
	Amendment 7 renumbers a provision consequential on amendment 6.	20

Schedule (continued)

Fuel Subsidy Act 1997	1
1 Section 70(2)(d) and (e)—	2
<i>renumber</i> as section 70(2)(c) and (d).	3
2 Schedule 2—	4
<i>insert—</i>	5
<i>‘retail fuel</i> see section 10.’	6
Explanatory notes	7
Amendment 1 renumbers provisions in accordance with current legislative drafting practice.	8
	9
Amendment 2 inserts a definition in the dictionary in accordance with current legislative drafting practice.	10
	11
 Gaming Machine Act 1991	 12
1 Section 5(a), ‘are associates’—	13
<i>omit, insert—</i>	14
<i>‘are associates’.</i>	15
2 Section 6, ‘control action’—	16
<i>omit, insert—</i>	17
<i>‘control action’.</i>	18
3 Section 7(3), ‘due date for payment’—	19
<i>omit, insert—</i>	20
<i>‘due date for payment’.</i>	21

Schedule (continued)

4	Section 12, ‘play a gaming machine’—	1
	<i>omit, insert—</i>	2
	<i>‘play a gaming machine’.</i>	3
5	Section 53(1), ‘40(3),’—	4
	<i>omit.</i>	5
6	Section 185, heading, ‘key monitoring employee’—	6
	<i>omit, insert—</i>	7
	<i>‘key monitoring employee’.</i>	8
7	Section 186, heading, ‘key officer’—	9
	<i>omit, insert—</i>	10
	<i>‘key officer’.</i>	11
8	Section 193, heading, ‘nominee’—	12
	<i>omit, insert—</i>	13
	<i>‘nominee’.</i>	14
9	Section 193(1) to (5), ‘a nominee’—	15
	<i>omit, insert—</i>	16
	<i>‘a nominee’.</i>	17
10	Section 200(7), ‘subsection (1)(a)’—	18
	<i>omit, insert—</i>	19
	<i>‘subsection (1)’.</i>	20

Schedule (continued)

11	Section 335(2), ‘26’—	1
	<i>omit, insert—</i>	2
	‘27’.	3
12	Schedule—	4
	<i>insert—</i>	5
	‘ <i>due date for payment</i> see section 7.’.	6
	Explanatory notes	7
	Amendments 1 to 4 and 6 to 9 update provisions in accordance with current legislative drafting practice.	8 9
	Amendment 5 omits a redundant cross-reference.	10
	Amendments 10 and 11 update cross-references.	11
	Amendment 12 inserts a definition in the dictionary in accordance with current drafting practice.	12 13

Government Owned Corporations Act 1993	14
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1	Schedule 4, section 183, ‘for the’—	15
	<i>omit, insert—</i>	16
	‘for’.	17
	Explanatory note	18
	The amendment corrects a typographical error.	19

Schedule (continued)

Industrial Relations Act 1999	1
1 Section 19(2), ‘weeks’ written notice’—	2
<i>omit, insert—</i>	3
‘weeks written notice’.	4
2 Section 20(2), ‘weeks’ written notice’—	5
<i>omit, insert—</i>	6
‘weeks written notice’.	7
3 Section 150(3)(b)(a) and (b)—	8
<i>renumber</i> as section 150(3)(b)(i) and (ii).	9
4 Section 162(5)(a), at the end—	10
<i>insert—</i>	11
‘or’.	12
5 Section 186—	13
<i>omit.</i>	14
6 Section 211(5)(a), at the end—	15
<i>insert—</i>	16
‘or’.	17
7 Section 265(6), ‘subsection (4)’—	18
<i>omit, insert—</i>	19
‘subsection (5)’.	20

Schedule (continued)

8	Section 268(2)(b), ‘; or’—	1
	<i>omit, insert—</i>	2
	‘.’.	3
9	Section 274(4)(a)(ii), at the end—	4
	<i>insert—</i>	5
	‘or’.	6
10	Section 278(1)(d), at the end—	7
	<i>insert—</i>	8
	‘or’.	9
11	Section 319(4), ‘and (iv)’—	10
	<i>omit.</i>	11
12	Section 335(1)(b), ‘conduct of the application’—	12
	<i>omit, insert—</i>	13
	‘conduct of the proceedings’.	14
13	Section 337, heading, ‘Protection’—	15
	<i>omit, insert—</i>	16
	‘Protections’.	17
14	Section 342(6) and (7), ‘section 287(9)’—	18
	<i>omit, insert—</i>	19
	‘287(10)’.	20

Schedule (continued)

15	Section 367(4), ‘subsection (1)(b)’—	1
	<i>omit, insert—</i>	2
	‘subsection (1)(d)’.	3
16	Section 399(1)(c), at the end—	4
	<i>insert—</i>	5
	‘or’.	6
17	Section 400A, heading, ‘3’—	7
	<i>omit, insert—</i>	8
	‘3A’.	9
18	Section 400H, heading, ‘sections’—	10
	<i>omit, insert—</i>	11
	‘ss’.	12
19	Section 411(1)(b), ‘schedule 1B, section 151,’ and footnote—	13
	<i>omit, insert—</i>	14
	‘schedule 1, section 151, ³ ’.	15
		16
20	Section 420(1)(b)(ii), ‘Act.’—	17
	<i>omit, insert—</i>	18
	‘Act;’.	19

3 Commonwealth Act, schedule 1 (Registration and accountability of organisations), section 151 (Membership agreements)

Schedule (continued)

21	Section 582(2)(a)(i), ‘Commonwealth Act;’ and footnote—	1
	<i>omit, insert—</i>	2
	‘Commonwealth Act; ⁴ ’.	3
22	Section 584(3), ‘Commonwealth Act.’ and footnote—	4
	<i>omit, insert—</i>	5
	‘Commonwealth Act. ⁵ ’.	6
23	Sections 586(c) and 587(4), ‘schedule 1B’—	7
	<i>omit, insert—</i>	8
	‘schedule 1’.	9
24	Section 588(2), ‘schedule 1B, section 268,’ and footnote—	10
	<i>omit, insert—</i>	11
	‘schedule 1, section 268, ⁶ ’.	12
25	Section 589(1)(c), ‘schedule 1B, section 270;’ and footnote—	13
	<i>omit, insert—</i>	14
	‘schedule 1, section 270; ⁷ ’.	15
		16

4 See the Commonwealth Act, schedule 1 (Registration and accountability of organisations), section 230 (Records to be kept and lodged by organisations).

5 See the Commonwealth Act, schedule 1 (Registration and accountability of organisations), section 230 (Records to be kept and lodged by organisations).

6 Commonwealth Act, schedule 1 (Registration and accountability of organisations), section 268 (Reports etc. to be lodged in Industrial Registry)

7 Commonwealth Act, schedule 1 (Registration and accountability of organisations), section 270 (Organisations with income of less than certain amount)

Schedule (continued)

26	Schedule 5, definitions <i>appointed member</i> and <i>member</i>, second mention—	1
	<i>omit.</i>	2
		3
27	Schedule 5, definition <i>file</i>, paragraph (a), ‘187.’—	4
	<i>omit, insert—</i>	5
	‘187; or’.	6
28	Schedule 5, definition <i>transactions</i>, ‘part 13’—	7
	<i>omit, insert—</i>	8
	‘part 12’.	9
	Explanatory notes	10
	Amendments 1 and 2 correct punctuation.	11
	Amendment 3 renumbers provisions in accordance with current legislative drafting practice.	12
		13
	Amendments 4, 6, 8 to 10, 12, 16, 17, 20, 27 and 28 make minor corrections.	14
	Amendment 5 omits a section that refers to redundant provisions of the Commonwealth Act.	15
		16
	Amendments 7 and 15 update cross-references.	17
	Amendment 11 omits a redundant cross-reference.	18
	Amendment 13 amends the section heading to make it consistent with the division heading.	19
		20
	Amendment 14 corrects cross-references.	21
	Amendment 18 amends a section heading in accordance with current legislative drafting practice.	22
		23
	Amendments 19 and 23 to 25 update a cross-reference consequential on the renumbering of the Commonwealth Act.	24
		25
	Amendments 21 and 22 update a cross-reference in the footnote consequential on the renumbering of the Commonwealth Act.	26
		27
	Amendment 26 omits redundant definitions.	28

Schedule (continued)

Interactive Gambling (Player Protection) Act 1998	1
1 Schedule 3, definition <i>identity card</i>, from ‘see’—	2
<i>omit, insert—</i>	3
‘means an identity card issued to the inspector under section 188.’.	4
Explanatory note	5
The amendment updates a cross-reference and amends the definition in accordance with current drafting practice.	6 7
 Judicial Review Act 1991	 8
1 Schedule 1, entry for <i>Evidence Act 1977</i>, ‘section 21D’—	9
<i>omit, insert—</i>	10
‘section 21F’.	11
Explanatory note	12
The amendment corrects a cross-reference.	13
 Land Act 1994	 14
1 Section 361, definition <i>public utility provider</i>, paragraphs (c) and (d), ‘; and’—	15
<i>omit, insert—</i>	16
‘; or’.	17 18
Explanatory note	19
The amendment makes minor corrections.	20

Schedule (continued)

Land Tax Act 1915	1
1 Section 3, definition <i>trustee</i>, paragraph (a), after ‘;’—	2
<i>insert—</i>	3
‘and’.	4
Explanatory note	5
The amendment updates a provision in accordance with current legislative drafting practice.	6 7
 Liquor Act 1992	 8
1 Section 4, definition <i>prescribed provision</i>, paragraph (a), ‘section 103’—	9 10
<i>omit, insert—</i>	11
‘section 35’.	12
 2 Section 176(2)(e), ‘part 6, or’—	 13
<i>omit, insert—</i>	14
‘part 5, or’.	15
 Explanatory note	 16
Amendments 1 and 2 update cross-references.	17

Schedule (continued)

Lotteries Act 1997	1
1 Section 238, before the first subsection, as a subsection number—	2 3
<i>insert—</i>	4
<i>‘(1)’.</i>	5
Explanatory note	6
The amendment corrects a typographical error.	7
 Motor Vehicles and Boats Securities Act 1986	 8
1 Section 2, definitions <i>auctioneer</i> and <i>Auctioneers and Motor Dealers legislation</i>—	9 10
<i>omit, insert—</i>	11
<i>‘auctioneer means an auctioneer under the Property Agents and Motor Dealers Act 2000.’.</i>	12 13
2 Section 7(2), ‘be’—	14
<i>omit.</i>	15
3 Section 30H(1)(d), ‘Auctioneers and Motor Dealers legislation’—	16 17
<i>omit, insert—</i>	18
<i>‘Property Agents and Motor Dealers Act 2000’.</i>	19
Explanatory notes	20
Amendment 1 updates a definition and omits a definition being made redundant.	21
Amendment 2 omits a redundant word.	22
Amendment 3 updates a reference.	23

Schedule (continued)

National Environment Protection Council (Queensland) Act 1994	1 2
1 Section 14(2)(a), ‘National Road Transport Commission’—	3 4
<i>omit, insert—</i>	5
‘National Transport Commission’.	6
2 Section 14(2)(b), ‘National Road Transport Commission Act 1991 (Cwlth)’—	7 8
<i>omit, insert—</i>	9
‘National Transport Commission Act 2003 (Cwlth)’.	10
Explanatory note	11
Amendments 1 and 2 update a reference.	12
 Nature Conservation Act 1992	 13
1 Section 70A(1), ‘or Land Act reserves’—	14
<i>omit, insert—</i>	15
‘, Land Act reserves or unallocated State land’.	16
2 Section 70B—	17
<i>insert—</i>	18
‘ <i>unallocated State land</i> means unallocated State land under the <i>Land Act 1994</i> .’.	19 20

Schedule (continued)

3	Section 88(6), definitions <i>Class 2 offence</i> and <i>Class 3 offence</i>, paragraph (c), ‘common wildlife’—	1
	<i>omit, insert—</i>	2
	‘least concern wildlife’.	3
		4
4	Schedule, definition <i>mining interest</i>, paragraph (b), after ‘1923’—	5
	<i>insert—</i>	6
	‘or <i>Petroleum and Gas (Production and Safety) Act 2004</i> ’.	7
		8
	Explanatory notes	9
	Amendment 1 clarifies the application of section 70A. See section 70C(c).	10
	Amendment 2 inserts a definition in section 70B.	11
	Amendment 3 brings a reference to a class of wildlife into conformity with the classes established in section 71.	12
		13
	Amendment 4 adds a reference to other relevant petroleum legislation.	14
	 Parliament of Queensland Act 2001	 15
1	Schedule, definition <i>entity</i>, of a State, paragraph (e), ‘(c) or (d)’—	16
	<i>omit, insert—</i>	17
	‘(d) or (e)’.	18
		19
2	Schedule, definition <i>entity</i>, of a State, first paragraph (d) to paragraph (e)—	20
	<i>renumber</i> as paragraphs (c) to (f).	21
		22

Schedule (continued)

3	Schedule, definition <i>entity</i>, of the Commonwealth, paragraph (e), ‘(c) or (d)’—	1
	<i>omit, insert—</i>	2
	‘(d) or (e)’.	3
		4
4	Schedule, definition <i>entity</i>, of the Commonwealth, second paragraph (c) to paragraph (e)—	5
	<i>renumber</i> as paragraphs (d) to (f).	6
		7
	Explanatory notes	8
	Amendments 1 and 3 change cross-references to the paragraphs in definitions to be renumbered by amendments 2 and 4.	9
		10
	Amendments 2 and 4 renumber paragraphs in definitions to make the numbering run consecutively.	11
		12

Plant Protection Act 1989	13
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1	Sections 5(a) to (c), 11(2)(a) and (b), 18(3)(a), 20(4)(a) and 33(a) to (c), ‘;’—	14
	<i>omit, insert—</i>	15
	‘; and’.	16
		17
2	Sections 8(1)(a) and (b), 10(1)(a) and (b), 10(2)(a) to (e), 13(2)(a) to (c), 14(1)(a), 19(1)(a) to (k) and 30(1)(a), ‘;’—	18
	<i>omit, insert—</i>	19
	‘; or’.	20
		21
3	Section 13(1), ‘including to’—	22
	<i>omit, insert—</i>	23
	‘including to do any of the following’.	24

Schedule (continued)

4	Section 33(d)(i) and (ii), ‘;’—	1
	<i>omit, insert—</i>	2
	‘; or’.	3
5	Section 33(d), ‘therein;’—	4
	<i>omit, insert—</i>	5
	‘in it; and’.	6
	Explanatory note	7
	Amendments 1 to 5 update provisions in accordance with current legislative drafting practice.	8 9
	 Powers of Attorney Act 1998	 10
1	Chapter 9, part 3, heading, ‘Powers of Attorney’—	11
	<i>omit, insert—</i>	12
	‘Other Acts’.	13
2	Schedule 2, section 1(l) to (q)—	14
	<i>renumber</i> as section 1(k) to (p).	15
	Explanatory notes	16
	Amendment 1 corrects a reference.	17
	Amendment 2 renumbers paragraphs in a section to make the numbering run consecutively.	18 19

Schedule (continued)

Property Law Act 1974	1
1 Section 147(2), ‘plaint’ and footnote—	2
<i>omit, insert—</i>	<i>3</i>
‘claim’.	4
2 Section 147(3), ‘plaint’—	5
<i>omit, insert—</i>	<i>6</i>
‘claim’.	7
Explanatory note	8
Amendments 1 and 2 update terminology.	9
 Public Sector Ethics Act 1994	 10
1 Section 25, ‘This’—	11
<i>omit, insert—</i>	<i>12</i>
‘The’.	13
Explanatory note	14
The amendment makes a minor correction.	15
 Recreation Areas Management Act 2006	 16
1 Section 77(2) and (3), ‘applicant’—	17
<i>omit, insert—</i>	<i>18</i>
‘submitter’.	19

Schedule (continued)

2	Section 77(2)(b), ‘application’—	1
	<i>omit, insert—</i>	2
	‘submission’.	3
	Explanatory note	4
	Amendments 1 and 2 make minor corrections.	5
	 Sale of Goods Act 1896	 6
1	Section 3, before ‘In this Act’—	7
	<i>insert—</i>	8
	‘(1)’.	9
	Explanatory note	10
	The amendment inserts a missing subsection number.	11
	 South Bank Corporation Act 1989	 12
1	Section 89, example, ‘of (2)(a)’—	13
	<i>omit.</i>	14
2	Section 89, example—	15
	<i>relocate</i> to after section 89(2)(a).	16
3	Schedules 7, 8, 11, 12, 13 and 14—	17
	<i>omit.</i>	18

Schedule (continued)

Explanatory notes	1
Amendment 1 makes a minor correction.	2
Amendment 2 relocates an example in accordance with current legislative drafting practice.	3 4
Amendment 3 omits redundant schedules.	5
 State Buildings Protective Security Act 1983	 6
1 Section 22(2), ‘Weapons Act 1990, section 154’—	7
<i>omit, insert—</i>	8
<i>‘Police Powers and Responsibilities Act 2000, section 714’.</i>	9
 Explanatory note	10
The amendment updates a cross-reference.	11
 Survey and Mapping Infrastructure Act 2003	 12
1 Section 9(1), ‘gazette notice’—	13
<i>omit, insert—</i>	14
<i>‘notice under this section’.</i>	15
 2 Section 9(2)—	16
<i>omit.</i>	17
 3 Section 9(3) and (4), ‘gazette’—	18
<i>omit.</i>	19

Schedule (continued)

4	Section 9(3), from ‘—’—	1
	<i>omit, insert—</i>	2
	‘, on the department’s stated website on the Internet.’.	3
5	Section 9(5), ‘section 10(1)(b)’—	4
	<i>omit, insert—</i>	5
	‘section 10(1)’.	6
6	Section 9(3) to (5)—	7
	<i>renumber</i> as section 9(2) to (4).	8
7	Section 10(1), from ‘—’—	9
	<i>omit, insert—</i>	10
	‘, on the department’s website on the Internet. ⁸ ’.	11
8	Section 21(2)(b)—	12
	<i>omit, insert—</i>	13
	‘(b) land subject to any of the following tenures—	14
	(i) a lease, licence or permit under the <i>Land Act 1994</i> ;	15
	(ii) an exploration permit, mining claim, mineral development licence or mining lease under the <i>Mineral Resources Act 1989</i> ;	16 17 18
	(iii) an authority to prospect or lease under the <i>Petroleum Act 1923</i> ;	19 20
	(iv) a petroleum tenure under the <i>Petroleum and Gas</i> <i>(Production and Safety) Act 2004</i> .’.	21 22

8 The department’s website on the Internet is <www.nrm.qld.gov.au>.

Schedule (continued)

9	Section 21(3), definition <i>owner</i>—	1
	<i>omit, insert—</i>	2
	‘ <i>owner</i> , for land mentioned in subsection (2)(b), means the holder of the relevant tenure.’	3
		4
10	Section 24—	5
	<i>insert—</i>	6
	‘(2) However, if the place is land subject to a tenure mentioned in section 21(2)(b)(ii), (iii) or (iv), the surveyor must comply with any reasonable directions given by the holder of the tenure or occupier of the land in relation to operations or safety at the place.’	7
		8
		9
		10
		11
	Explanatory notes	12
	Amendments 1 and 3 are directed at avoiding the unnecessary duplication of dealing with the Minister’s notice both as a gazette notice and as subordinate legislation. The amendments will allow the Minister’s notice to be dealt with as subordinate legislation in the usual way.	13
		14
		15
		16
	Amendment 2 omits a redundant provision. The substance of section 9(2) can adequately be dealt with by the application of the <i>Statutory Instruments Act 1992</i> , section 32(1).	17
		18
	Amendments 4 and 7 remove the requirement for the chief executive to keep a copy of particular documents available at each department office.	19
		20
	Amendment 5 updates a cross-reference consequential on amendment 7.	21
	Amendment 6 renumbers a provision consequential on amendment 2.	22
	Amendment 8 clarifies that a surveyor may, with the consent of the owner or occupier, place a permanent survey mark on land subject to a particular tenure under the other Acts mentioned.	23
		24
		25
	Amendment 9 replaces a definition consequential on amendment 8.	26
	Amendment 10 restricts the general powers of a surveyor after entering particular land mentioned in amendment 8.	27
		28

Schedule (continued)

Tourism Queensland Act 1979	1
1 Section 29B(2), ‘subsections (1) and (2)’—	2
<i>omit, insert—</i>	<i>3</i>
‘subsection (1)’.	4
Explanatory note	5
The amendment updates a reference.	6
 Tourism Services Act 2003	 7
1 Section 86(2), after ‘start within’—	8
<i>insert—</i>	<i>9</i>
‘the later of’.	10
Explanatory note	11
The amendment clarifies the provision.	12
 Tow Truck Act 1973	 13
1 Section 12(2), ‘it shall be’—	14
<i>omit, insert—</i>	<i>15</i>
‘each of the following is’.	16
 2 Section 15(b) and (c), at the end—	 17
<i>insert—</i>	<i>18</i>
‘and’.	19

Schedule (continued)

3	Section 15(b), (c) and (d)—	1
	<i>renumber</i> as section 15(a), (b) and (c).	2
4	Section 19(2)(b) and (c), at the end—	3
	<i>insert—</i>	4
	‘and’.	5
5	Section 19(2)(b), (c) and (d)—	6
	<i>renumber</i> as section 19(2)(a), (b) and (c).	7
6	Section 24(a), (b) and (c), at the end—	8
	<i>insert—</i>	9
	‘or’.	10
7	Section 27(3A)(a), at the end—	11
	<i>insert—</i>	12
	‘and’.	13
8	Section 39(a) and (b), at the end—	14
	<i>insert—</i>	15
	‘or’.	16
9	Section 41(1)(a), ‘and’, second mention—	17
	<i>omit.</i>	18
	Explanatory notes	19
	Amendments 1, 2, 4 and 6 to 9 update provisions in accordance with current legislative drafting practice.	20
		21
	Amendments 3 and 5 renumber paragraphs in a subsection to make the numbering run consecutively.	22
		23

Schedule (continued)

Transport Infrastructure Act 1994	1
1 Schedule 6, definition <i>cane railway</i>, paragraph (a)—	2
<i>omit, insert—</i>	3
‘(a) operated, entirely or partly, on an access right under the	4
<i>Sugar Industry Act 1999</i> , chapter 2, part 4; ⁹ and’.	5
2 Schedule 6, definition <i>toll plaza</i>, first mention—	6
<i>omit.</i>	7
Explanatory notes	8
Amendment 1 makes a minor correction.	9
Amendment 2 omits a redundant definition.	10
 Transport Operations (Passenger Transport) Act 1994	 11
1 Section 126H(6), penalty, ‘unit’—	12
<i>omit, insert—</i>	13
‘units’.	14
2 Section 143AG(5), definition <i>over-travel</i>—	15
<i>omit, insert—</i>	16
‘ <i>over-travel</i> see section 143AB(2).’.	17

⁹ *Sugar Industry Act 1999*, chapter 2 (Supply contracts and cane access rights), part 4 (Cane access, harvesting and mill supply)

Schedule (continued)

3	Section 143B(4), definition <i>transport function</i>, paragraph (c)—	1
	<i>omit.</i>	2
		3
4	Schedule 1, authorising section, ‘dictionary’—	4
	<i>omit, insert—</i>	5
	‘schedule 3’.	6
5	Schedule 1, part 1, item 10, ‘(Assaults on females—abduction)’ and footnote—	7
	<i>omit, insert—</i>	8
	‘(Rape and sexual assaults)’.	9
		10
6	Schedule 1A, authorising section, ‘dictionary’—	11
	<i>omit, insert—</i>	12
	‘schedule 3’.	13
7	Schedule 3, definition <i>infringement notice</i>, ‘the Justices Act 1886, part 4A or’—	14
	<i>omit.</i>	15
		16
8	Schedule 3, definition <i>taxi service</i>, paragraph (c), ‘stand’—	17
	<i>omit, insert—</i>	18
	‘stands’.	19
		20
	Explanatory notes	21
	Amendments 1 and 8 correct minor matters.	22
	Amendment 2 updates a definition in accordance with current legislative drafting practice.	23
	Amendment 3 omits redundant references to expired provisions.	24
	Amendments 4 and 6 change references to authorising sections in accordance with current legislative drafting practice.	25
		26

Schedule (continued)

Amendment 5 updates a cross-reference.	1
Amendment 7 omits a reference to repealed provisions.	2
 Transport Operations (Road Use Management) Act 1995	 3 4
 1 Section 81(6), from ‘(Delivery’ to ‘endorsement)’—	 5
<i>omit.</i>	6
 2 Section 86(3A)(a), at the end—	 7
<i>insert—</i>	8
‘or’.	9
 3 Section 87(5), ‘shall’—	 10
<i>omit, insert—</i>	11
‘must’.	12
 4 Section 92(1)(a), (c)(i) and (ii) and (i), at the end—	 13
<i>insert—</i>	14
‘and’.	15
 5 Section 92(6)(a), at the end—	 16
<i>insert—</i>	17
‘or’.	18
 6 Section 92(6), ‘evident’—	 19
<i>omit, insert—</i>	20
‘evidence’.	21

Schedule (continued)

7	Section 100(6)(a) and (b), at the end—	1
	<i>insert—</i>	2
	‘and’.	3
8	Section 102(4)(a)(ii), ‘and’—	4
	<i>omit.</i>	5
9	Section 121(3)(c), after ‘<i>State Penalties Enforcement Act 1999</i>’, first mention—	6
	<i>insert—</i>	7
	‘,’.	8
		9
10	Section 124(1), after ‘for the purpose of this Act’—	10
	<i>insert—</i>	11
	‘, the following apply’.	12
11	Section 124(1)(f) and (ga), ‘or’—	13
	<i>omit.</i>	14
12	Section 124(1)(fa)(ii), ‘or’, second mention—	15
	<i>omit.</i>	16
13	Section 124(1)(tb)(i)(A) and (B), ‘<i>National Measurements Act 1960</i>’—	17
	<i>omit, insert—</i>	18
	‘ <i>National Measurement Act 1960</i> ’.	19
		20
14	Section 137(4)(a), at the end—	21
	<i>insert—</i>	22
	‘and’.	23

Schedule (continued)

15	Section 148, example—	1
	<i>omit, insert—</i>	2
	‘Examples for subparagraph (i)—	3
	• a requirement that a heavy vehicle be inspected at a regular interval	4
		5
	• a requirement that a vehicle be inspected and an inspection certificate issued for it before the vehicle is sold or the registration is transferred’.	6
		7
		8
16	Section 151(2)(c), ‘Gas (Residual Provisions) Act 1965’—	9
	<i>omit, insert—</i>	10
	‘Petroleum and Gas (Production and Safety) Act 2004’.	11
17	Schedule 3, entry for section 19, ‘Amending’—	12
	<i>omit, insert—</i>	13
	‘Amending,’.	14
18	Schedule 4, definition <i>commercial vehicle</i>, paragraphs (a) and (b), at the end—	15
	<i>insert—</i>	16
	‘or’.	17
		18
19	Schedule 4, definition <i>performance standard</i>—	19
	<i>omit.</i>	20
	Explanatory notes	21
	Amendments 1 and 6 correct minor matters.	22
	Amendments 2 to 5, 7 to 12, 14, 15, 17 and 18 amend provisions in accordance with current legislative drafting practice.	23
		24
	Amendment 13 corrects a citation.	25
	Amendment 16 updates a citation of a repealed Act.	26
	Amendment 19 omits a redundant definition.	27

Schedule (continued)

Transport Planning and Coordination Act 1994	1
1 Section 8D(1), examples, each number of an example—	2
<i>omit, insert—</i>	3
‘•.’	4
2 Section 23(1), examples—	5
<i>omit, insert—</i>	6
‘Note—	7
This Act (and the chief executive’s functions under it) does not limit, by implication, the following functions under other Acts or laws—	8
• the chief executive’s responsibilities as chief executive under the <i>Public Service Act 1996</i> , especially section 51	10
• the chief executive’s functions as accountable officer under the <i>Financial Administration and Audit Act 1977</i> , especially section 36	12
• the chief executive’s functions, whether at common law or under statute, as the person in control, under the Minister, of a department of government of the State	14
• the chief executive’s functions under the <i>Transport Infrastructure Act 1994</i> , including, for example, the chief executive’s functions for road transport infrastructure, busway transport infrastructure and light rail transport infrastructure under that Act.’	17
	18
	19
	20
Explanatory notes	21
Amendment 1 updates a provision in accordance with current legislative drafting practice.	22
Amendment 2 presents the current examples as a note which is more in keeping with the content. The reference to the <i>Public Service Management and Employment Act 1988</i> has been updated to the <i>Public Service Act 1996</i> . Also other minor corrections have been made in accordance with current legislative drafting practice.	23
	24
	25
	26

Schedule (continued)

Weapons Act 1990	1
1 Section 184, ‘Weapons (Categories) Regulation 1997’—	2
<i>omit, insert—</i>	3
<i>‘Weapons Categories Regulation 1997’.</i>	4
Explanatory note	5
The amendment corrects a citation.	6
 Workers’ Compensation and Rehabilitation Act 2003	 7
1 Section 140(1), note, after ‘chapter 3,’—	8
<i>insert—</i>	9
<i>‘part 3,’.</i>	10
2 Section 226(6), ‘subsection (5)’—	11
<i>omit, insert—</i>	12
<i>‘subsection (4)’.</i>	13
3 Section 226(5) and (6)—	14
<i>renumber as section 226(4) and (5).</i>	15
4 Section 546(3)(b), after ‘industrial magistrate’—	16
<i>insert—</i>	17
<i>‘or the industrial commission’.</i>	18

Schedule (continued)

5	Section 631, ‘result’—	1
	<i>omit, insert—</i>	2
	‘results’.	3
	Explanatory notes	4
	Amendment 1 corrects a cross-reference.	5
	Amendment 2 updates a cross-reference consequential on amendment 3.	6
	Amendment 3 renumbers subsections in a section to make the numbering run consecutively.	7 8
	Amendment 4 includes further information about what a notice of a review decision must state.	9 10
	Amendment 5 corrects a typographical error.	11
	 Workplace Health and Safety Act 1995	 12
1	Section 14(1)(d), ‘part or’—	13
	<i>omit, insert—</i>	14
	‘part of’.	15
	Explanatory note	16
	The amendment corrects a typographical error.	17