



Statute Law Revision Bill 2005

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Statute Law Revision Bill 2005

Date Introduced: 16 March 2005

House: Senate

Portfolio: Attorney-General

Commencement: The individual schedules and items in the Bill have 49 different commencement dates. The commencement of items 2 to 85 in Schedule 1 and the items in Schedule 2 are tied to the provision which they amend. All other items and provisions commence on Royal Assent.

Purpose

The Statute Law Revision Bill 2005 (the Bill) will correct minor errors in existing legislation. This includes the correction of spelling, numbering, lettering and punctuation errors, but also the updating of references to organisations whose names have changed.

Background

The law must be open and adequately publicised.¹

Nationally and internationally, Statute Law Revision Bills have become an integral part of the maintenance of statute books. These Bills are essential:

- to ensure that the statute book is of the highest standard possible, and
- to enhance the regulatory framework's transparency and accessibility.

Both aspects are fundamental to guaranteeing a working legal system under the rule of law. According to the [Explanatory Memorandum](#), the Bill will achieve this as it will 'facilitate the publication of consolidated versions of Acts by the Attorney-General's Department and by private publishers of legislation.'²

Since the introduction of the inaugural Statute Revision legislation in 1981, similar revision legislation has found broad support in the Parliament.³

Main Provisions

Due to the nature of the amendments proposed by this Bill, it is neither useful nor necessary to analyse them individually or in detail.⁴

Warning:

This Digest was prepared for debate. It reflects the legislation as introduced and does not canvass subsequent amendments.

This Digest does not have any official legal status. Other sources should be consulted to determine the subsequent official status of the Bill.

The Bill has two schedules:

Schedule 1 amends 24 principal Acts and is mainly concerned with minor clerical and drafting errors. These changes include the updating of names, for example, **item 8** of the Bill will replace the reference to the Queensland Criminal Justice Commission in section 15XA of the *Crimes Act 1914*, with a reference to the name of the body that succeeded it, the Crime and Misconduct Commission of Queensland. The Amendments in this schedule are tied to the commencement of the provision that contains the error.⁵

Schedule 2 amends misdescriptions and cross-referencing errors in 24 amending Acts. The commencement date of each item has been chosen so that the correction of the misdescription is taken to have occurred immediately after the commencement of the misdescribed item in the amending Act.⁶

The effect of the commencement dates in both cases is that the error or misdescription is taken to have been corrected immediately after it had occurred.

According to the [Explanatory Memorandum](#), none of the amendments proposed by either Schedule will alter the content of the law.

Endnotes

- 1 J. Raz, 'The Rule of Law and its Virtue', *Law Quarterly Review*, Vol. 93, 1977, p. 198.
- 2 [Explanatory Memorandum](#) to the Statute Law Revision Bill 2005, p. 1.
- 3 R. Bell, 'Statute Law Revision Bill 2002', *Bills Digest*, no. 150, Parliamentary Library, Canberra, 2001—2, pp. 1—2.
- 4 Each provision, and the reason for amending it, can be found in the [Explanatory Memorandum](#).
- 5 [Explanatory Memorandum](#), op. cit., p. 1.
- 6 [Explanatory Memorandum](#), op. cit., p. 2.

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