



Statute Law Revision Bill (No. 2) 2005

Peter Prince
Law and Bills Digest Section

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Statute Law Revision Bill (No. 2) 2005

Date Introduced: 30 November 2005

House: Senate

Portfolio: Attorney-General

Commencement: Various

Purpose

The Bill amends 33 Acts to correct minor technical and drafting errors and misdescribed amendments, and repeals 27 obsolete Acts that have no current or future operation.

Background

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 assist this by facilitating 'the publication of consolidated versions of Acts by the Attorney-General's Department and by private publishers of legislation.'¹

Since the introduction of the inaugural Statute Revision legislation in 1981, similar revision legislation has found broad support in the Parliament.²

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.³

The Bill has three schedules:

Schedule 1 amends 14 principal Acts and is mainly concerned with minor clerical and drafting errors. For example, **item 8** of Schedule 1 corrects an error in s. 116AB of the *Copyright Act 1968*, which currently contains two subparagraphs numbered (i). The item corrects this so the subparagraphs are numbered (i) and (ii).

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 commencement of each item in Schedule 1 (other than items commencing on Royal Assent) is tied to the commencement of the provision that contains the error.⁴

Schedule 2 amends misdescriptions and cross-referencing errors in 19 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.⁵

Schedule 3 repeals 27 obsolete Acts.

According to the [Explanatory Memorandum](#), none of the amendments proposed by the Bill will make any change to the substance of the law.⁶

Endnotes

- 1 [Explanatory Memorandum](#) to the Statute Law Revision Bill 2005, p. 1.
- 2 R. Bell, 'Statute Law Revision Bill 2002', *Bills Digest*, no. 150, Parliamentary Library, Canberra, 2001–2, pp. 1–2.
- 3 Each provision, and the reason for amending it, can be found in the [Explanatory Memorandum](#).
- 4 [Explanatory Memorandum](#), op. cit., p. 2.
- 5 *ibid.*
- 6 *ibid.*, p. 1.

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