



Statute Law Revision Bill (No.2) 2006

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Law and Bills Digest Section

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Statute Law Revision Bill (No.2) 2006

Date introduced: 6 December 2006

House: Senate

Portfolio: Attorney-General

Commencement: Commencement dates for Schedules 1 and 2 vary depending on the Acts being amended and Schedules 3-5 commence on the day of Royal Assent.

Purpose

Schedule 1 of the Bill amends 18 principal Acts, Schedule 2 amends 13 amending Acts, Schedule 3 repeals 17 obsolete Acts, Schedule 4 amends obsolete terms and Schedule 5 removes gender specific language from the *Customs Act 1901*.

Background

Statute Law Revision Bills are traditionally non-controversial and receive the support of the Parliament as they are regarded as an essential tool in the process of keeping orderly, accurate and up to date law Commonwealth Statute books. All jurisdictions pass similar bills for the same purpose and entail a constant review and monitoring of laws.

The main purpose is to amend drafting and technical errors and to get rid of obsolete legislation and language. These omnibus bills are never used or meant to be used to make substantive change to the law. Both the [Minister's speech](#) and the [Explanatory Memorandum](#) reiterate this intention.

Financial implications

The Explanatory Memorandum states the Bill will have no financial impact.

Main provisions

Due to the nature of this Bill it is not necessary to give a detailed analysis of the provisions.

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.

For example, **items 27 – 41** make various amendments to the *Workplace Relations Act 1996* to amend and change incorrect numbering of provisions, typographical errors and wrong cross references in the Principal Act. Eventually the Principal Act will be reprinted and practitioners and others who frequently reference such laws will have the accurate provisions in one place.

Schedule 3, Part 1 amends 15 Acts administered by the Minister for Transport and Regional Services. Many of these Acts pertain to the Australian Capital Territory and have become obsolete since the granting of self-government to the ACT in 1989 by the passing of the *Australian Capital Territory (Self-Government) Act 1989*. None of the Acts being repealed have been the subject of Commonwealth Parliament's attention since this time, but have been repatriated to the control of the ACT Legislative Assembly.

Schedule 5, items 1-272 amend the *Customs Act 1901* to make the whole of the Act gender neutral in accordance with Commonwealth practice to avoid the use of gender-specific language. This is being done by adding 'her' or 'herself' or 'she' as the case may be, after each mention of the masculine male pronoun. Under the paragraph 23(a) of the *Acts Interpretation Act 1901* in any Act, unless the contrary intention appears, words importing a gender include 'every other gender'. However, the Government is still processing this reform measure progressively.

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