

No. 4636.

An Act to revise the Statute Law and for other purposes.

[14th August, 1939.]

BE it enacted by the King's Most Excellent Majesty by and with the advice and consent of the Legislative Council and the Legislative Assembly of Victoria in this present Parliament assembled and by the authority of the same as follows (that is to say) :—

1. This Act may be cited as the *Statute Law Revision Act 1939*. Short title.

2. The Acts mentioned in the Schedule to this Act to the extent to which the same are in and by the said Schedule expressed to be amended are hereby amended accordingly and the said Acts shall be read and construed accordingly. Amendments to be made in Acts. Schedule.

3. Wherever in this Act a section or other provision of any Act is referred to and such section or other provision has been amended by any Act other than this Act such reference shall be construed as relating to such section or other provision as so amended. References in this Act to sections &c. amended by other Acts.

4. The Government Printer of Victoria may, after receiving a certificate of a law officer in that behalf, issue copies of any of the Acts amended by this Act with the amendments provided for by this Act. Issuing by Government Printer of Acts amended by this Act.

SCHEDULE.

Section 2.

SCHEDULE.

Number of Act.	Title of Act.	Nature of Amendment.
No. 3650	<i>Carriers and Innkeepers Act 1928</i>	In section three for the words "order notes or securities" there shall be substituted the words "orders notes or securities".
No. 3660	<i>The Constitution Act Amendment Act 1928</i>	In paragraph (c) of sub-section (1) of section two hundred and forty-seven for the expression "striking out the names of candidates from or marking his ballot-paper (as the case may require)" there shall be substituted the words "marking his ballot-paper".
No. 3677	<i>Factories and Shops Act 1928</i>	In section one hundred and sixty-nine for the expression "bread (may without)" there shall be substituted the expression "bread may (without)".
No. 3679	<i>Fences Act 1928</i> ..	In sub-section (1) of section twenty as amended by section two of the <i>Closer Settlement Act 1938</i> for the words "such inspector" there shall be substituted the words "such officer".
No. 3709	<i>Land Act 1928</i> ..	Section one hundred and ninety-six as amended by section two of the <i>Closer Settlement Act 1938</i> shall be amended as follows:—
		(a) In sub-section (2) the expression "Except as provided in sub-section (3)" shall be repealed; and
		(b) Sub-section (3) shall be repealed.
No. 3711	<i>Lands Compensation Act 1928</i>	In section forty-one for the expression "judge, on payment" there shall be substituted the words "judge or payment".
No. 3720	<i>Local Government Act 1928</i>	In sub-paragraph (vi) of paragraph (i) of sub-section (2) of section thirty-six, sub-section (6) of section three hundred and twenty-five and section four hundred and five as respectively re-enacted or amended by any Act after the words "voting by post" there shall be inserted the words "or to compulsory voting".

SCHEDULE

SCHEDULE—continued.

Number of Act.	Title of Act.	Nature of Amendment.
No. 3720 —contd.	<i>Local Government Act</i> 1928—continued.	<p>In sub-section (3) of section eighty as amended by any Act for the words "are to be made out" there shall be substituted the words "is to be made out".</p> <p>In the further proviso to sub-section (2) of section four hundred and one as re-enacted by section fifteen of the <i>Local Government Act</i> 1938 for the words "the Principal Act" (wherever occurring) there shall be substituted the words "this Act".</p> <p>For sub-paragraph (ii) of paragraph (d) of sub-section (1) of section six hundred and forty-eight as amended by any Act there shall be substituted the following sub-paragraph:—</p> <p>"(ii) carry out (either in the first instance or on the occasion of any renewal) any works for the laying fixing repair or removal of—</p> <p style="padding-left: 40px;">any gas pipes from the mains of the council to and on the premises of any consumer; and</p> <p style="padding-left: 40px;">any gas fittings on the premises of any consumer—</p> <p>and provide all pipes fittings materials and work necessary or proper in that behalf at such charges as are agreed upon or as in default of agreement are certified by the person managing the gas works or the engineer of the council as being the costs and expenses of carrying out the works".</p>
No. 3732	<i>Melbourne and Metropolitan Tramways Act</i> 1928	<p>In paragraph (g) of sub-section (3) of section fifty as amended by any Act after the words "voting by post" there shall be inserted the words "or to compulsory voting".</p>

SCHEDULE

SCHEDULE—continued.

Number of Act.	Title of Act.	Nature of Amendment.
No. 3749	<i>Police Offences Act</i> 1928	In sub-section (4) of section one hundred and seventy as amended by the <i>Police Offences (Obscene Publications) Act</i> 1938 for the words "in respect of" (where first occurring) there shall be substituted the word "that".
No. 3750	<i>Police Regulation Act</i> 1928	In section sixty-four as amended by the <i>Police Regulation Act</i> 1938— (a) for the words "sub-inspector or other person" there shall be substituted the words "or sub-inspector"; and (b) for the words "inspector or other person" there shall be substituted the words "inspector or sub-inspector".
No. 4337	<i>Marketing of Primary Products Act</i> 1935	In the proviso to sub-section (6) of section twelve— (a) for the expression "section four hundred and ninety-nine of the <i>Companies Act</i> 1928" there shall be substituted the expression "section five hundred and seventy-seven of the <i>Companies Act</i> 1938"; and (b) for the words "sections five hundred and two and five hundred and three" there shall be substituted the words "sections five hundred and eighty and five hundred and eighty-one".
No. 4350	<i>Legislative Council Elections Act</i> 1935	In paragraph 3 of the Third Schedule the expression "first-mentioned" shall be repealed.
No. 4574	<i>Melbourne and Geelong Corporations Act</i> 1938	In section three— (a) in paragraph (c) of sub-section (1) and in sub-section (2) after the word "extension" there shall be inserted the words "or application"; and

SCHEDULE

SCHEDULE—continued.

Number of Act.	Title of Act.	Nature of Amendment.
No. 4574 —contd.	<i>Melbourne and Geelong Corporations Act 1938—continued.</i>	(b) in sub-section (2) after the word "extended" there shall be inserted the words "or applied".
No. 4597	<i>Closer Settlement Act 1938</i>	<p>In the interpretation of "Heytesbury settler" in sub-section (1) of section three for the expression "Warre" there shall be substituted the expression "Waarre".</p> <p>In Part D of the First Schedule, before the words "inspector of the Board" there shall be inserted the word "any".</p> <p>In the Second Schedule, in the paragraph commencing "When in accordance with the terms"—</p> <p>(a) for the word "agreement" there shall be substituted the word "lease"; and</p> <p>(b) for the words "are required" there shall be substituted the words "is or are required".</p>
No. 4602	<i>Companies Act 1938</i>	<p>In sub-section (5) of section forty-four for the words "Act or Parliament" there shall be substituted the words "Act of Parliament".</p> <p>In sub-section (6) of section fifty-eight for the words "with the meaning" there shall be substituted the words "within the meaning".</p> <p>In paragraph (c) of sub-section (1) of section three hundred and five for the words "twenty-five and twenty-six" there shall be substituted the words "twenty-six and twenty-seven".</p> <p>In sub-paragraph (ii) of paragraph (b) of sub-section (5) of section four hundred and twenty-six and in sub-section (2) of section five hundred and nine for the words "mine manager" there shall be substituted the words "mining manager".</p>

SCHEDULE

SCHEDULE—continued.

Number of Act.	Title of Act.	Nature of Amendment.
No. 4602 —contd.	<i>Companies Act 1938</i> —continued.	In the Sixth Schedule for the expression “made up to the day of 19 . . [being the twenty-eighth (or sixtieth, as the case requires) day after the date of the first or only ordinary general meeting in 19 . .]” there shall be substituted the expression “made up to the day of 19 . . [being the date of the first or only general meeting in 19 . .]”.
No. 4608	<i>Industrial Life Assurance Act 1938</i>	In the interpretation of “Company” in sub-section (1) of section two for the expression “ <i>Companies Act 1928</i> ” there shall be substituted the expression “ <i>Companies Act 1938</i> ”.
No. 4614	<i>Greta Lands Exchange Act 1938</i>	In paragraph (a) of sub-section (1) of section two for the words “interest or interest” there shall be substituted the words “estate or interest”.
No. 4625	<i>Money Lenders Act 1938</i>	<p>In paragraph (e) of the interpretation of “Money lender” in sub-section (1) of section three for the word “registration” there shall be substituted the words “taking out a licence”.</p> <p>In paragraph (b) of section thirteen for the words “this sub-section” there shall be substituted the words “this section”.</p> <p>In section twenty-two—</p> <p>(a) after the words “lent by him” there shall be inserted the words “after the commencement of this Act”;</p> <p>(b) after the words “made by him” there shall be inserted the words “after the commencement of this Act”;</p> <p>and</p>

SCHEDULE

SCHEDULE—continued.

Number of Act.	Title of Act.	Nature of Amendment.
No. 4625 —contd.	<i>Money Lenders Act</i> 1938—continued.	(o) the expression “or was registered as a money lender under the <i>Money Lenders Act</i> 1928 or any corresponding previous enactment” shall be repealed.
No: 4629	<i>Local Government Act</i> 1938	In paragraph (b) of sub-section (4) of section fifteen for the words “a poll of ratepayers” there shall be substituted the words “a poll of the ratepayers”.