

No. 5602.

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

[11th December, 1951.]

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 1951*. 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. 3662	<i>Country Roads Act 1928</i>	In section ninety-one for the expression "Part XL. of the <i>Local Government Act 1928</i> " (wherever occurring) there shall be substituted the expression "Part XLIV. of the <i>Local Government Act 1946</i> ".
No. 3671	<i>Education Act 1928</i>	In section thirty-nine for the words "Ten shillings" there shall be substituted the words "Twelve shillings and sixpence".
No. 3680	<i>Fertilizers Act 1928</i>	In sections nine, twenty-four and twenty-seven to thirty for the words "chemist of the Department of Agriculture" there shall be substituted the words "Chief Chemist of the Department of Agriculture".
No. 3683	<i>Fisheries Act 1928</i>	In section five for the words "inspector of fisheries" there shall be substituted the expression "Director of Fisheries and Game (who shall also be the inspector of fisheries)".
No. 3688	<i>Fungicides Act 1928</i>	In the interpretation of "Analyst" in section three for the words "chemist of the Department of Agriculture" there shall be substituted the words "Chief Chemist of the Department of Agriculture".
No. 3694	<i>Goods Act 1928</i> ..	In section nineteen the words "and of section one hundred and seven of this Act" shall be repealed.
No. 3695	<i>Harbor Boards Act 1928</i>	In section one hundred and five for the words "Minister to the Parliamentary Standing Committee on Railways for consideration and report to Parliament" there shall be substituted the words "Governor in Council to the Public Works Committee for consideration and report to the Governor in Council".
No. 3708	<i>Justices Act 1928</i> ..	Paragraph (VIII.) of section one hundred and eighty-seven shall be repealed.
No. 3710	<i>Landlord and Tenant Act 1928</i>	In section sixty-seven the words "or there is not a sufficient distress upon the premises" shall be repealed.
No. 3713	<i>Land Tax Act 1928</i>	In sub-paragraph (ii.) of paragraph (b) of sub-section (3) of section nine for the words "Minister of Public Instruction" there shall be substituted the words "Minister of Education".

SCHEDULE—continued.

Number of Act.	Title of Act.	Nature of Amendment.
No. 3721	<i>Mental Hygiene Act</i> 1928	In the heading immediately above section one hundred and thirty-one for the word "MASTER-IN-EQUITY" there shall be substituted the words "MASTER OF THE SUPREME COURT OF VICTORIA".
No. 3737	<i>Mines Act</i> 1928	In section two hundred and sixty-eight for the words "this Act" (wherever occurring) there shall be substituted the words "the Public Trustee Acts".
No. 3771	<i>Settled Land Act</i> 1928	In sub-section (7) of section four hundred and forty-three (as amended by section nine of the <i>Mines (Amendment) Act</i> 1949) for the word "notices" there shall be substituted the word "notice".
No. 3771	<i>Settled Land Act</i> 1928	In sub-section (1) of section one hundred and one for the expression "exchange, partition lease, mortgage" there shall be substituted the expression "exchange, partition, lease, mortgage".
No. 3780	<i>Stock Foods Act</i> 1928	In sections ten (as amended by section ten of the <i>Stock Foods Act</i> 1936), eleven, thirteen and eighteen for the words "chemist of the Department of Agriculture" (wherever occurring) there shall be substituted the words "Chief Chemist of the Department of Agriculture".
No. 3969	<i>Dairy Produce Act</i> 1931	In section twenty-two for the words "chemist of the Department of Agriculture" there shall be substituted the words "Chief Chemist of the Department of Agriculture".
No. 4130	<i>Shrine of Re- membrance Site Act</i> 1933	In paragraph (c) of sub-section (1) of section seven before the words "receive moneys" there shall be inserted the word "may".
No. 4157	<i>Mental Hygiene Act</i> 1933	In sub-section (1) of section seven for the words "as he thinks fit" there shall be substituted the words "as the Chief Secretary thinks fit".

SCHEDULE—continued.

Number of Act.	Title of Act.	Nature of Amendment.
No. 4204	<i>Dairy Products Act 1933</i>	<p>In sub-section (3) of section three—</p> <p>(a) in paragraph (b) for the words “Victorian Co-operative Butter and Cheese Factories Association” there shall be substituted the words “Co-operative Dairy Factories’ Association of Victoria”;</p> <p>(b) in paragraph (c) for the words “Victorian Proprietary Butter and Cheese Factories Association” there shall be substituted the words “Association of Victorian Proprietary Manufacturers of Butter, Cheese and Milk Products”;</p> <p>(c) in paragraph (d) for the words “Victorian Dairymen’s Association” there shall be substituted the words “Victorian Dairyfarmers’ Association”.</p>
No. 4271	<i>Agricultural Lime Act 1934</i>	<p>In sections eight, twenty-two and twenty-three for the words “chemist of the Department of Agriculture” there shall be substituted the words “Chief Chemist of the Department of Agriculture”.</p>
No. 4295	<i>Fungicides Act 1935</i>	<p>In section five for the words “chemist of the Department of Agriculture” there shall be substituted the words “Chief Chemist of the Department of Agriculture”.</p>
No. 4382	<i>Stock Foods Act 1936</i>	<p>In sections five, eight and fourteen for the words “chemist of the Department of Agriculture” there shall be substituted the words “Chief Chemist of the Department of Agriculture”.</p>
No. 4431	<i>Zoological Gardens Act 1936</i>	<p>For paragraph (a) of sub-section (1) of section five there shall be substituted the following paragraph:—</p> <p>“(a) the person for the time being holding pursuant to the Fisheries Acts the office of Director of Fisheries and Game”.</p>

SCHEDULE—*continued.*

Number of Act.	Title of Act.	Nature of Amendment.
No. 4488	<i>Stock Medicines Act</i> 1937	In sections three and twelve for the words "Chemist of the Department of Agriculture" there shall be substituted the words "Chief Chemist of the Department of Agriculture".
No. 4712	<i>Weights and Measures Act</i> 1939	<p>In the First Schedule—</p> <p>(a) in the first column, for the expression "3720" (wherever occurring) there shall be substituted the expression "5203";</p> <p>(b) in the second column, for the expression "<i>Local Government Act 1928</i>" (wherever occurring) there shall be substituted the expression "<i>Local Government Act 1946</i>";</p> <p>(c) in the third column in the first item relating to the said <i>Local Government Act</i>, for the words "section six hundred and twenty-three" there shall be substituted the words "section six hundred and twenty-five".</p>
No 4741	<i>Margarine Act 1940</i>	In section sixteen for the words "chemist of the Department of Agriculture" there shall be substituted the words "Chief Chemist of the Department of Agriculture".
No. 4993	<i>Education Act 1943</i>	<p>In paragraph (a) of section three for the expression—</p> <p style="padding-left: 40px;">" and</p> <p style="padding-left: 40px;">(vi) In"—</p> <p>there shall be substituted the expression—</p> <p style="padding-left: 40px;">" (vi) In paragraphs (c) and (d) of the proviso to section forty-six as amended by any Act for the word 'fourteen' there shall be substituted the word 'fifteen'; and</p> <p style="padding-left: 40px;">(vii) In".</p>

SCHEDULE—continued.

Number of Act.	Title of Act.	Nature of Amendment.
No. 5053	<i>Public Library National Gallery and Museums Act 1944</i>	In the interpretation of "Body of trustees" in section two as amended by section six of the <i>Public Library National Gallery and Museums Act 1949</i> before the words "Museum of Applied Science" there shall be inserted the words "the trustees of the".
No. 5055	<i>Co-operative Housing Societies Act 1944</i>	In paragraph (i) of the proviso to sub-section (3) of section three as amended by section two of the <i>Co-operative Housing Societies Act 1948</i> for the words "the said Acts" there shall be substituted the words "the said Act". In section twenty-four for the words "legal representatives" there shall be substituted the words "personal representatives".
No. 5125	<i>Teaching Service Act 1946</i>	In paragraph (a) of section fifty-four as amended by section two of the <i>Teaching Service (Amendment) Act 1950</i> for the words "who they deem" there shall be substituted the words "whom they deem".
No. 5180	<i>Free Library Service Board Act 1946</i>	In paragraphs (e) and (f) of sub-section (2) of section three for the words "of the Library Association of Victoria" there shall be substituted the words "or other governing body of any association which in the opinion of the Minister represents the interests of free libraries and which is by notice published in the <i>Government Gazette</i> from time to time designated by the Minister for the purpose". In the proviso to sub-section (2) of section three for the words "a member of the Victorian Branch of the Australian Institute of Librarians" there shall be substituted the words "a professional librarian and a member of a body which in the opinion of the Minister represents the interests of librarians and which is by notice published in the <i>Government Gazette</i> from time to time designated by the Minister for the purpose".

SCHEDULE - *continued.*

Number of Act.	Title of Act.	Nature of Amendment.
No. 5203	<i>Local Government Act 1946</i>	In sub-section (2) of section two hundred and thirty-eight, paragraph (d) of sub-section (1) of section two hundred and forty-nine, paragraph (b) of section two hundred and sixty-five and paragraph (b) of sub-section (1) of section two hundred and seventy-one for the words "Minister of Public Instruction" there shall be substituted the words "Minister of Education".
No. 5352	<i>Moe to Yallourn Railway Construction Act 1948</i>	In paragraph (b) of section eight for the words "of the said date" there shall be substituted the words "on the said date".
No. 5356	<i>Railway Loan and Application Act 1948</i>	In sub-section (2) of section two for the words "the transfer of stock" there shall be substituted the words "and transfer of stock".
No. 5379	<i>Crimes Act 1949</i>	In paragraph (b) of section thirteen for the words "is a girl under the age of sixteen years who is" there shall be substituted the words "was at the time when the offence is alleged to have been committed a girl under the age of sixteen years who was".
No. 5383	<i>State Development Act 1949</i>	In sub-section (4) of section two for the expression " <i>State Development Act 1947</i> " there shall be substituted the expression " <i>State Development (Amendment) Act 1947</i> ".
No. 5387	<i>Minister of Education Act 1949</i>	In item 2 of the Schedule before the words "there shall be substituted" there shall be inserted the expression "(wherever occurring)".
No. 5391	<i>Railways (Long Service) Act 1949</i>	In sub-section (2) of section one before the words "may be cited" there shall be inserted the words "and this Act".
No. 5413	<i>Mothercraft Nurses Act 1949</i>	In sub-section (2) of section sixteen for the words "and this Act" there shall be substituted the words "and this section of this Act".
No. 5414	<i>Rural Finance Corporation Act 1949</i>	In section forty-seven for the expression " <i>Farmers Advances Act 1944</i> " there shall be substituted the expression " <i>Farmers Advances Act 1935</i> ".

SCHEDULE—*continued.*

Number of Act.	Title of Act.	Nature of Amendment.
No. 5470	<i>Nurses and Midwives Act 1950</i>	<p>In paragraph (a) of sub-section (1) of section seventeen for the word "renumeration" there shall be substituted the word "remuneration".</p> <p>In sub-section (2) of section twenty-six the words "financial statement and" shall be repealed.</p>
No. 5504	<i>Gelliondale Land (Mineral Lease) Act 1950</i>	<p>In the fourth recital of the preamble and in sub-section (1) of section two—</p> <p>(a) after the words "Certificate of Title" there shall be inserted the word "Volume";</p> <p>(b) the expression "Section A" shall be repealed.</p>
No. 5519	<i>Mental Hygiene Authority Act 1950</i>	<p>In sub-paragraph (i) of paragraph (w) of clause 1 of Part A. of the Schedule the expression "in sub-section (1)" shall be repealed.</p>