

VICTORIA.



ANNO NONO

ELIZABETHÆ SECUNDÆ REGINÆ.

No. 6716.

An Act to revise the Statute Law.

[21st December, 1960.]

BE it enacted by the Queen'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):—

- Short title.** 1. This Act may be cited as the *Statute Law Revision Act 1960*.
- Amendments to be made in Acts.**
Schedules. 2. The Acts mentioned in Schedule One and Schedule Two to this Act to the extent to which the same are in and by the said Schedules expressed to be amended are hereby amended accordingly and the said Acts shall be read and construed accordingly.
- Amendments in Schedule One to operate from 1st April, 1959.** 3. The amendments mentioned in Schedule One to this Act shall be deemed to have come into operation on the first day of April One thousand nine hundred and fifty-nine.
- Amendments of Act No. 6413 in Schedule Two to operate from 1st July, 1959.** 4. The amendments to the *Water Act 1958* mentioned in Schedule Two to this Act shall be deemed to have come into operation on the first day of July One thousand nine hundred and fifty-nine and the *Water Act 1958* shall have effect as if the words and expressions inserted by the said amendments had not been repealed or altered by the provisions of sub-section (2) of section five of the *Water (Irrigation) Act 1959*.

SCHEDULES.

SCHEDULES.

SCHEDULE ONE.

No. of Act.	Title of Act.	Nature of Amendment.
6191	<i>Administration and Probate Act 1958</i>	In sub-section (2) of section twenty-four for the expression "administratoor" there shall be substituted the word "administrator".
6199	<i>Apprenticeship Act 1958</i>	In sub-section (2) of section forty-three for the expression "guity" there shall be substituted the word "guilty".
6229	<i>Country Roads Act 1958</i>	In sub-section (1) of section fifty-six for the word "drainage" there shall be substituted the word "draining". In sub-section (1) of section seventy-eight before the word "twenty-six" there shall be inserted the word "section". In sub-section (3) of section one hundred and fourteen for the words "or forest road" there shall be substituted the words "forest road or by-pass road".
6231	<i>Crimes Act 1958</i>	In sub-section (3) of section one hundred and ninety-one for the word "sub-section" there shall be substituted the word "section".
6238	<i>Drainage of Land Act 1958</i>	In section thirteen for the expression "improvements" there shall be substituted the word "improvements".
6246	<i>Evidence Act 1958</i>	In section one hundred and nineteen for the expression "affiadavit" there shall be substituted the word "affidavit".
6251	<i>Firearms Act 1958</i>	In the interpretation of "Pistol" in section three for the word "including" there shall be substituted the word "include".
6265	<i>Goods Act 1958</i>	In section one— (a) for the expression "Part I.—Sale of Goods. ss. 33-64." there shall be substituted the expression "Part I.—Sale of Goods. ss. 3-64."; and (b) for the expression "Part III.—Effect of Execution and Conviction on Title to" there shall be substituted the expression "Part III.—Effect of Execution and Conviction on Title to Goods. ss. 82-83".
6270	<i>Health Act 1958</i>	In paragraph (a) of section nineteen for the expression "reasonably" there shall be substituted the word "reasonably". In the interpretation of "Proprietary medicine" in sub-section (1) of section two hundred and fifty-nine for the words "or injury of" there shall be substituted the words "or injury or". In item 20 in the Second Schedule for the expression "section 83" there shall be substituted the expression "section 82".

SCHEDULE ONE—continued.

No. of Act.	Title of Act.	Nature of Amendment.
6274	<i>Hospitals and Charities Act 1958</i>	In item 133 in the Second Schedule after the word "Hospital" there shall be inserted the word "School".
6283	<i>Labour and Industry Act 1958</i> ..	In section one hundred and thirty-two for the word "land" there shall be substituted the word "hand".
6284	<i>Land Act 1958</i>	In section three hundred and ninety the word "the" (where first occurring) shall be repealed.
6293	<i>Licensing Act 1958</i>	<p>In sub-section (1) of section three in the interpretation of "Licensed premises" for the word "license" there shall be substituted the word "licence".</p> <p>In section nineteen—</p> <p>(a) at the end of paragraph (g) of sub-section (1) there shall be inserted the words "than persons licensed to sell liquor"; and</p> <p>(b) in paragraph (a) of sub-section (3) for the words "three-eighths" there shall be substituted the words "three-eighths".</p> <p>In sub-section (3) of section one hundred and forty-two for the expression "exceeding" there shall be substituted the word "exceeding".</p> <p>In paragraph (b) of sub-section (1) of section one hundred and forty-five for the expression "occured" there shall be substituted the word "occurred".</p> <p>In sub-section (3) of section two hundred and forty-five for the words "grant of renewal" there shall be substituted the words "grant or renewal".</p>
6299	<i>Local Government Act 1958</i> ..	<p>In paragraph (a) of section three hundred and thirty-three for the word "or" (where second occurring) there shall be substituted the word "of".</p> <p>In section five hundred and fifty for the expression "maintaince" there shall be substituted the word "maintenance".</p> <p>In sub-section (1) of section five hundred and fifty-four for the words "the Crown or" there shall be substituted the words "the Crown of".</p>
6300	<i>Maintenance Act 1958</i> ..	<p>In paragraph (a) of sub-section (4) of section five—</p> <p>(i) the expression "paragraph (a) of" shall be repealed; and</p> <p>(ii) for the words "section five of this Act" there shall be substituted the words "this section".</p>

SCHEDULE ONE—continued.

No. of Act.	Title of Act.	Nature of Amendment.
6302	<i>Marine Act 1958</i>	In paragraph (g) of section fifty-three for the words "court or marine inquiry" there shall be substituted the words "court of marine inquiry". In section fifty-nine for the expression "United" there shall be substituted the word "United". In sub-section (2) of section two hundred and thirty-seven after the word "ship" there shall be inserted the word "to".
6304	<i>Marketing of Primary Products Act 1958</i>	In sub-section (2) of section twenty for the expression "approval" there shall be substituted the word "approval".
6347	<i>Public Contracts Act 1958</i> ..	In the second column of the Schedule— (a) for the expression " <i>Public Contracts (Amendment) Act 1950</i> " there shall be substituted the expression " <i>Public Contracts Act 1928</i> "; and (b) for the expression " <i>Public Contracts Act 1928</i> " there shall be substituted the expression " <i>Public Contracts (Amendment) Act 1950</i> ".
6355	<i>Railways Act 1958</i>	In sub-section (6) of section two hundred and seven for the word "Act" there shall be substituted the word "section".
6373	<i>Soldier Settlement Act 1958</i> ..	In sub-section (1) of section eighty-one for the expression "mortgage" there shall be substituted the word "mortgage". In section eighty-six after the expression "86." there shall be inserted the expression "(1)".
6413	<i>Water Act 1958</i>	In section three hundred and fifty-one for the words "any any schedule" there shall be substituted the words "and any schedule".

SCHEDULE TWO.

No. of Act.	Title of Act.	Nature of Amendment.
6219	<i>Children's Welfare Act 1958</i> ..	In the heading preceding section twenty-one for the word "Department" there shall be substituted the word "Branch".
6328	<i>Nurses Act 1958</i>	For paragraph (b) of sub-section (2) of section four there shall be substituted the following paragraph :— “(b) one shall be a registered midwife holding a current annual practising certificate as such elected in the prescribed manner by registered midwives holding annual practising certificates as such;”.
6413	<i>Water Act 1958</i>	For section thirty-one there shall be substituted the following section :— “31. All property real or personal and all powers immunities rights privileges functions obligations liabilities and duties which immediately before the commencement of the <i>Water Act 1905</i> were by the <i>Water</i> ”

SCHEDULE

SCHEDULE TWO—continued.

No. of Act.	Title of Act.	Nature of Amendment.
		<p><i>Act 1890 or by the Water Act 1900 or by any other Act relating to water supply vested in or imposed upon the commissioners of any irrigation and water supply trust whose district is described in the Fourth Schedule to the Water Act 1905 as an irrigation and water supply district shall by virtue of such last-named Act be deemed to have been transferred to and vested in and imposed upon and shall so far as not already executed be executed by the Commission so far as the matters aforesaid or any of them are not inconsistent with or repugnant to this Act.</i></p> <p>In section thirty-two after the word "irrigation" (wherever occurring) there shall be inserted the words "and water supply".</p> <p>In paragraph (a) of sub-section (1) of section forty-five after the word "irrigation" there shall be inserted the words "and water supply".</p> <p>In paragraph (a) of sub-section (1) of section fifty after the word "irrigation" there shall be inserted the words "and water supply".</p> <p>In section one hundred and eighty-three after the word "irrigation" (except in the reference to "The Irrigation Act 1886") there shall be inserted the words "and water supply".</p> <p>In sub-section (1) of section three hundred and seventy-four after the word "irrigation" there shall be inserted the words "and water supply".</p> <p>In the Sixth Schedule—</p> <p>(a) in the heading after the word "IRRIGATION" there shall be inserted the words "AND WATER SUPPLY"; and</p> <p>(b) in items 1, 2, 3, and 4 after the word "Irrigation" (wherever occurring) there shall be inserted the words "and Water Supply".</p>
6536	<i>Melbourne and Metropolitan Board of Works (Amendment) Act 1959</i>	<p>In paragraph (b) of section twenty-nine for the expression "paragraph (f)" there shall be substituted the expression "paragraph (e)".</p> <p>In section thirty-one after the words "section two hundred and eighty-seven" there shall be inserted the words "of the Principal Act".</p>
6547	<i>Statute Law Revision Act 1959</i>	<p>In Schedule One in the item relating to the <i>Companies Act 1958</i> after the words "Clause seventy-one" there shall be inserted the expression "of Table A".</p>
6552	<i>Stamps Act 1959</i>	<p>In sub-paragraph (ii) of paragraph (a) of sub-section (1) of section four the words "of such amount or value" (where twice occurring) shall be repealed.</p>

SCHEDULE TWO—continued.

No. of Act.	Title of Act.	Nature of Amendment.
6555	<i>Melbourne and Metropolitan Tramways (Amendment) Act 1959</i>	In paragraph (a) of section seven after the expression "Division 10" there shall be inserted the expression "of Part III."
6582	<i>Water (Irrigation) Act 1959</i> . . .	In sub-paragraph (ii) of paragraph (d) of sub-section (1) of section five for the expression "an irrigation charge" there shall be substituted the expression "and irrigation charge". In sub-section (2) of section five after the word "one" (where first occurring) there shall be inserted the expression "(where second occurring)".
6584	<i>Milk Board (Milk Shops) Act 1959</i>	In the inserted expression in paragraph (e) of sub-section (1) of section two for the expression "(e)" there shall be substituted the expression "(c)".
6600	<i>Labour and Industry (Amendment) Act 1959</i>	In sub-paragraph (ii) of paragraph (c) of section three the word "the" (where second occurring) shall be repealed.
6605	<i>Mental Health Act 1959</i>	In sub-section (9) of section nineteen— (a) after the word "consist" there shall be inserted the word "of"; and (b) in paragraph (a) the word "of" (where first occurring) shall be repealed. In the Second Schedule— (a) after sub-paragraph (ii) of paragraph (b) there shall be inserted the following sub-paragraph :— "(iiA) the interpretation of "Mental Hospital" shall be repealed." (b) in paragraph (d) after section fifty there shall be inserted the following section :— "50A. A patient or infirm person and his heirs executors administrators next of kin devisees legatees and assigns shall have the same interest in any moneys or other property arising from or received in respect of any sale mortgage or exchange partition or other disposition under the powers of Division two of Part II. of this Act which have not been applied under such powers as he or they would have had in the property the subject of the sale mortgage exchange partition or disposition if no sale mortgage exchange partition or disposition had been made. For the purposes of this section moneys arising from the compulsory acquisition or purchase under any Act of property of a patient or infirm person shall be deemed to be moneys arising from the sale of that property under the powers of the said Division."

SCHEDULE TWO—continued.

No. of Act.	Title of Act.	Nature of Amendment.
6651	<i>Social Welfare Act 1960</i>	<p>In the heading preceding section three for the word "ADMINISTRATION" there shall be substituted the words "SOCIAL WELFARE BRANCH".</p> <p>In section forty for the words "section thirty-nine" there shall be substituted the words "section thirty-eight".</p> <p>In the proviso to sub-section (4) of section forty-three for the words "section forty-eight" there shall be substituted the words "section forty-seven".</p> <p>In sub-paragraph (v) of paragraph (a) of section fifty-five for the word "interpretation" (where second occurring) there shall be substituted the word "interpretations".</p>
6659	<i>Licensing (Amendment) Act 1960</i>	<p>In sub-section (3) of section four—</p> <p>(a) in paragraph (b) after the words "thirty-eight" there shall be inserted the expression "(as re-enacted by section seven of this Act)"; and</p> <p>(b) for paragraph (f) there shall be substituted the following paragraph:—</p> <p>"(f) In section forty-three the expression "(whether of any licensed victualler or of the holder of an Australian wine licence)" shall be repealed.</p>