

## VICTORIA.



ANNO UNDECIMO

ELIZABETHÆ SECUNDÆ REGINÆ

No. 6867.

An Act to revise the Statute Law.

[16th April, 1962.]

**B**E 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):—

1. This Act may be cited as the *Statute Law Revision Act* Short title. 1962.

2. The Acts mentioned in the Schedules 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 to be made in Acts. Schedules.

3. The amendments of the sections of the *Water Supply Loan Application Act* 1961 appearing in the First Schedule to this Act shall be deemed to have come into operation— Date of operation of amendments of No. 6820.

(a) with respect to the amendments made to sections seven nine and eleven of that Act—on the twelfth day of December One thousand nine hundred and sixty-one ;

(b) with

(b) with respect to the amendments made to sections eight twelve and thirteen of that Act—on the nineteenth day of December One thousand nine hundred and sixty-one—

and the *Water Supply Loan Application Act* 1961 shall be read and construed accordingly.

4. The amendments of the Acts mentioned in the Second Schedule to this Act shall be deemed to have come into operation on the first day of January One thousand nine hundred and sixty-two.

Date of operation of amendments of Acts mentioned in Second Schedule.

## SCHEDULES.

### FIRST SCHEDULE.

No. of Act.	Title of Act.	Nature of Amendment.
6210	<i>Building Societies Act</i> 1958	In sub-section (1) of section four B for the words "commencement of this Act" there shall be substituted the expression "twenty-sixth day of April One thousand nine hundred and sixty-one."
6219	<i>Children's Welfare Act</i> 1958	<p>In section eleven after the word "Minister" there shall be inserted the word "and".</p> <p>In the heading preceding section twelve the word "JUVENILE" (where twice occurring) shall be repealed.</p> <p>In the heading preceding section sixteen for the word "DEPARTMENT" there shall be substituted the word "BRANCH".</p> <p>In sub-section (2) of section eighteen for the word "director" there shall be substituted the expression "Director-General".</p> <p>In sub-section (10) of section twenty for the word "State" there shall be substituted the word "Branch".</p> <p>In sub-section (3) of section twenty-three for the word "Department" there shall be substituted the word "Branch".</p> <p>In paragraph (b) of sub-section (1) of section sixty-nine after the word "performing" there shall be inserted the word "or".</p> <p>In sub-section (1) of section seventy-seven—</p> <p>(a) In paragraph (e) for the word "department" there shall be substituted the word "Branch"; and</p> <p>(b) In paragraph (f) for the word "State" there shall be substituted the word "Branch".</p>
6222	<i>Commercial Goods Vehicles Act</i> 1958	<p>In paragraph (a) of the interpretation of "Load capacity" in section three for the word "or" (where first occurring) there shall be substituted the word "of".</p> <p>In the interpretation of "Operate" in section three for the expression "whatsoever" there shall be substituted the word "whatsoever".</p> <p>In the Sixth Schedule for the expression "<i>Commercial Goods Vehicle Act</i> 1958" there shall be substituted the expression "<i>Commercial Goods Vehicles Act</i> 1958".</p>

FIRST

## FIRST SCHEDULE—continued.

No. of Act.	Title of Act.	Nature of Amendment.
6224	<i>The Constitution Act Amendment Act 1958</i>	<p>In sub-section (1) of section one hundred and four for the words "In his Division" there shall be substituted the words "In this Division".</p> <p>In sub-section (3) of section one hundred and forty-eight for the expression "Provided" there shall be substituted the word "Provided".</p> <p>In sub-section (2) of section one hundred and fifty-seven for the words "receipt to the writ" there shall be substituted the words "receipt of the writ".</p> <p>Sub-section (4) of section one hundred and sixty-four shall be repealed.</p> <p>In section two hundred and fifty-eight for the expression "an candidate" there shall be substituted the words "any candidate".</p>
6229	<i>Country Roads Act 1958</i>	<p>In paragraph (b) of sub-section (3) of section one hundred and fifteen for the word "light" there shall be substituted the word "lights".</p>
6240	<i>Education Act 1958</i>	<p>In sub-section (2) of section fifty-four for the expression "shal" there shall be substituted the word "shall".</p> <p>In sub-section (4) of section sixty-one for the expression "nstruction" there shall be substituted the word "instruction".</p>
6261	<i>Gas Regulation Act 1958</i>	<p>In section thirty-three for the expression "<i>Companies Act 1938</i>" there shall be substituted the expression "<i>Companies Act 1958</i>".</p>
6265	<i>Goods Act 1958</i>	<p>In sub-section (1) of section three in the definition of "Future goods" for the word "mean" there shall be substituted the word "means".</p>
6270	<i>Health Act 1958</i>	<p>In section one for the expression "Part III.—Nuisance, &amp;c., 40-47." there shall be substituted the expression "Part III.—Nuisances, &amp;c., 40-47".</p> <p>In paragraph (c) of sub-section (1) of section thirty-five after the word "to" there shall be inserted the word "the".</p> <p>In paragraph (b) of section four hundred and four for the word "intimidates" (where second occurring) there shall be substituted the word "intimidate".</p>
6279	<i>Instruments Act 1958</i>	<p>In section ninety-four for the expression "demed" there shall be substituted the word "deemed".</p>
6282	<i>Justices Act 1958</i>	<p>In section nine after the words "guilty of" there shall be inserted the word "a".</p> <p>In sub-section (2) of section fifty-one for the words "the Supreme Court of court of general sessions" there shall be substituted the words "the Supreme Court or court of general sessions".</p> <p>In section eighty-one for the words "reside with" there shall be substituted the words "reside within".</p>

## FIRST SCHEDULE—continued.

No. of Act.	Title of Act.	Nature of Amendment.
6284	<i>Land Act 1958</i> ..	For section three hundred and ninety there shall be substituted the following section :— “390. Nothing in this Part shall apply to any lands reserved in pursuance of the provisions of the <i>Hepburn Springs Land Act 1959</i> .”
6298	<i>Local Authorities Superannuation Act 1958</i>	For sub-section (2) of section twenty-two there shall be substituted the following sub-section :— “(2) All moneys received by the Board pursuant to sub-section (1) of this section and all moneys allocated by the Board pursuant to sub-section (1A) of this section shall be paid into a special bank account to be called the “Local Authorities (Superannuation) Management Account.”
6299	<i>Local Government Act 1958</i>	In section five hundred and fifty for the expression “contract” there shall be substituted the word “construct”
6302	<i>Marine Act 1958</i>	In section fifty-eight— (a) the word “as” (where second occurring) shall be repealed; and (b) after the words “bay ship” there shall be inserted the word “or”. In section fifty-nine— (a) the expression “(2)” shall be repealed; and (b) for the expression “a intra-State ship” (wherever occurring) there shall be substituted the expression “an intra-State ship”. In section sixty for the expression “a intra-State ship” there shall be substituted the expression “an intra-State ship”. In section one hundred and sixteen— (a) for the expression “home-trade ships” there shall be substituted the expression “intra-State ships”; (b) for paragraph (a) there shall be substituted the following paragraph :— “(a) The owner of every intra-State ship (except ships under eighty tons gross registered tonnage and ships employed solely in fishing or as pleasure yachts not engaged in trading or plying for hire) shall before going to sea from any port mark upon each of her sides amidships within the meaning of section one hundred and fourteen or as near thereto as practicable, in white or yellow on a dark ground or in black on a light ground, a circular disc twelve inches in diameter with a horizontal line eighteen inches in length drawn through its centre;”. In paragraph (a) of sub-section (1) of section two hundred and thirty-seven for the words “in such port” there shall be substituted the words “in such waters”.

## FIRST SCHEDULE—continued.

No. of Act.	Title of Act.	Nature of Amendment.
6309	<i>Medical Act 1958</i>	In sub-paragraph (ii) of paragraph (a) of sub-section (1) of section twenty-three A for the word "inquire" there shall be substituted the word "inquiry". In section fifty-five for the expression "fradulently" there shall be substituted the word "fraudulently".
6325	<i>Motor Car Act 1958</i>	In paragraph (e) of section forty-three for the words "such State or Territory" there shall be substituted the words "another State or Territory of the Commonwealth". In paragraph (b) of sub-section (1) of section sixty-five for the words "normal defendant" there shall be substituted the words "nominal defendant".
6344	<i>Property Law Act 1958</i>	In sub-section (2) of section one hundred and seventy-nine (as amended by the First Schedule to the <i>Companies Act 1958</i> , No. 6455) for the words "this section had not passed" there shall be substituted the words "this section had not been passed".
6353	<i>Racing Act 1958</i>	In sub-section (4) of section thirty-two for the words "thirty miles" there shall be substituted the words "twenty miles".
6379	<i>State Savings Bank Act 1958</i>	In section one for the words "day to fixed" there shall be substituted the words "day to be fixed". In sub-paragraph (i) of paragraph (b) of sub-section (2) of section seventy-one the word "land" (where second occurring) shall be repealed. In paragraph (c) of section ninety-six for the word "licensed" there shall be substituted the word "registered".
6395	<i>Tourist Act 1958</i>	In section four for the expression "4." there shall be substituted the expression "4. (1)".
6399	<i>Transfer of Land Act 1958</i>	In section one— (a) for the expression "Easements ss. 72-73" there shall be substituted the expression "Easements ss. 72-73A"; and (b) for the expression "Surveys and Subdivisions ss. 95-98" there shall be substituted the expression "Surveys and Subdivisions ss. 95-98c". In sub-section (2) of section thirty-eight for the words "point proprietors" there shall be substituted the words "joint proprietors". In sub-section (2) of section fifty-nine for the words "Registrar Book" there shall be substituted the words "Register Book". In sub-section (4) of section seventy-nine for the word "thereto" there shall be substituted the words "to the mortgage in respect of which the order is made". In section eighty-five for the expression "motgagee" there shall be substituted the word "mortgagee". In sub-section (2) of section one hundred and twenty for the expression "within fourteen day" there shall be substituted the expression "within fourteen days". In the Fourteenth Schedule for the expression "benfit" there shall be substituted the word "benefit".

FIRST

## FIRST SCHEDULE—continued.

No. of Act.	Title of Act.	Nature of Amendment.
6401	<i>Trustee Act 1958</i>	In sub-section (1) of section forty-one after the word "delegated" the word "the" shall be repealed.
6651	<i>Social Welfare Act 1960</i>	In sub-section (1) of section thirteen for the word "with" (where first occurring) there shall be substituted the word "without".
6413	<i>Water Act 1958</i>	In sub-section (1) of section three hundred and thirty-four the word "a" (where first occurring) shall be repealed.
6727	<i>Sewerage Districts (Amendment) Act 1960</i>	In sub-paragraph (ii) of paragraph (c) of sub-section (3) of section eight for the words "previous enactments" there shall be substituted the words "previous enactment".
6791	<i>Stamps (Further Amendment) Act 1961</i>	In section seventeen after the expression "bookmakers' certificates" there shall be inserted the expression "(wherever occurring)".
6796	<i>Forests (Wood Pulp Agreement) Act 1961</i>	In sub-clause (3) of clause eighteen of the Agreement for the word "proceeding" there shall be substituted the word "preceding".
6810	<i>Entertainments Tax (Amendment) Act 1961</i>	In section five for the word "paragraph" there shall be substituted the word "section".
6820	<i>Water Supply Loan Application Act 1961</i>	In sub-section (1) of section seven for the words "Governor in Council may advance on account of any loan" there shall be substituted the words "Treasurer of Victoria may advance by way of loan from the Loan Fund".
		In sub-section (1) of section eight for the words "Governor in Council may advance on account of any loan" there shall be substituted the words "Treasurer of Victoria may advance by way of loan from the Loan Fund".
		In sub-section (1) of section nine for the words "Governor in Council may advance on account of any loan" there shall be substituted the words "Treasurer of Victoria may advance by way of loan from the Loan Fund";.
		In sub-section (1) of section eleven for the words "Governor in Council may under the said Act make advances by way of loan" there shall be substituted the words "Treasurer of Victoria may make advances by way of loan out of the Loan Fund";.
		In sub-section (1) of section twelve for the words "Governor in Council may advance on account of any loan" there shall be substituted the words "Treasurer of Victoria may make advances by way of loan out of the Loan Fund".
		In sub-section (1) of section thirteen for the words "Governor in Council may advance on account of any loan" there shall be substituted the words "Treasurer of Victoria may advance by way of loan out of the Loan Fund".
6839	<i>Companies Act 1961</i>	In paragraph (e) of sub-section (5) of section seventy-four for the expression "virtue" there shall be substituted the word "virtue".
6847	<i>Marine (Amendment) Act 1961</i>	In paragraph (b) of section nine for the expression "in any port of" there shall be substituted the expression "in any port".

## SECOND SCHEDULE.

No. of Act.	Title of Act.	Nature of Amendment.
6213	<i>Cancer Act 1958</i>	In the Second Schedule for the words "British Medical Association" there shall be substituted the words "Australian Medical Association".
6270	<i>Health Act 1958..</i>	In paragraph (e) of sub-section (2) of section two hundred and sixty for the words "British Medical Association" there shall be substituted the words "Australian Medical Association".
6328	<i>Nurses Act 1958..</i>	In sub-paragraph (iv) of paragraph (e) of sub-section (2) of section four for the expression "British Medical Association (Victorian Branch)" there shall be substituted the words "Victorian Branch of the Australian Medical Association".
6329	<i>Opticians Registration Act 1958</i>	In paragraph (c) for sub-section (4) of section five for the words "British Medical Association" there shall be substituted the words "Australian Medical Association".
6468	<i>Filled Milk Act 1958</i>	In paragraph (c) of sub-section (3) of section three for the words "British Medical Association" there shall be substituted the words "Australian Medical Association".