

## VICTORIA.



ANNO VICESIMO SEXTO

ELIZABETHÆ SECUNDÆ REGINÆ

No. 9059

An Act to revise the Statute Law.

**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):—

[29th November, 1977]

Short title.

1. (1) This Act may be cited as the *Statute Law Revision Act 1977*.

Commencement.

(2) Subject to section 2 (2), this Act shall come into operation on the day on which it receives the Royal Assent.

Acts to be amended and repealed.

2. (1) The Acts mentioned in the Schedule to the extent to which they are in that Schedule expressed to be amended or repealed are hereby amended or repealed accordingly.

Commencement of some amendments.

(2) This Act shall be deemed to have come into operation with respect to the amendments made by the following items in the Schedule on the following dates:—

- (a) Item 48 on the 1st day of July, 1974 ;
- (b) Items 12, 54 and 55 on the 17th day of May, 1977 ;
- (c) Item 49 on the 7th day of December, 1976 ;
- (d) Item 50 on the 1st day of January, 1973 ;
- (e) Item 51 on the 10th day of May, 1977 ;

(f) Item

- (f) Item 52 on the 1st day of July, 1976 ;
- (g) Item 53 on the 1st day of April, 1977 ;
- (h) Item 56 on the 1st day of December, 1975 ;
- (i) Item 57 on the 1st day of July, 1975 ;
- (j) Item 58 on the 22nd day of December, 1970 ;
- (k) Item 59 on the 22nd day of June, 1977 ;
- (l) Item 60 on the 16th day of January, 1974 ;
- (m) Item 61 on the 16th day of December, 1975.

## SCHEDULE.

Item.	No. of Act.	Title of Act.	Extent of Amendment or Repeal.
1	9008	<i>Bail Act 1977</i> ..	In item 2 (d) (i) of the Schedule for the expression "recognizances or any of the recognizances" there shall be substituted the expression "recognizances or any of the recognizances".
2	"	" " " " ..	In item 2 (d) (iii) of the Schedule for the expression "recognizance or recognizances" (where twice occurring) there shall be substituted the expression "recognizance or recognizances".
3	"	" " " " ..	In item 5 (a) of the Schedule for the expression "may take a recognizance of" there shall be substituted the expression "may take a recognizance of bail".
4	"	" " " " ..	In item 6 (b) (i) of the Schedule after the expression "entering into a recognizance" there shall be inserted the expression "(where first occurring)".
5	"	" " " " ..	In item 8 of the Schedule for the expression "In section 2 of the <i>Rape Offences (Proceedings) Act 1976</i> in sub-section (13) of the inserted section 47A" there shall be substituted the expression "In section 47A (13) of the <i>Magistrates (Summary Proceedings) Act 1975</i> ".
6	6839	<i>Companies Act 1961</i>	In section 123 (3) (b) for the expression "he is director" there shall be substituted the expression "he is a director".
7	"	" " " " ..	In section 374E (2) (b) the expression "shall be deemed" shall be repealed.
8	6224	<i>The Constitution Act Amendment Act 1958</i>	Section 32 shall be repealed.
9	8276	<i>Consumer Affairs Act 1972</i>	In sections 5 (9), 9 (1) and 62 (1) for the expression " <i>Public Service Act 1958</i> " there shall be substituted the expression " <i>Public Service Act 1974</i> ".
10	6231	<i>Crimes Act 1958</i> ..	In section 413 for the expression "section 42B of the <i>Justices Act 1958</i> " there shall be substituted the expression "section 45 of the <i>Magistrates (Summary Proceedings) Act 1975</i> ".
11	"	" " " " ..	In section 508 (8) for the expression "established or declared as an approved hostel under the <i>Children's Welfare Act 1958</i> " there shall be substituted the expression "appointed as a youth hostel under the <i>Social Welfare Act 1970</i> ".
12	"	" " " " ..	In section 519 (3) for the expression "section twenty-seven" there shall be substituted the expression "section 129".
13	"	" " " " ..	The Ninth and Tenth Schedules shall be repealed.
14	6815	<i>Disposal of Uncollected Goods Act 1961</i>	In section 3 (5) (b) for the expression "bailor" there shall be substituted the expression "bailee".
15	6246	<i>Evidence Act 1958</i> ..	In section 89 (c) for the expression " <i>Justices Act 1958</i> " there shall be substituted the expression " <i>Magistrates' Courts Act 1971</i> ".

## SCHEDULE.—continued.

Item.	No. of Act.	Title of Act.	Extent of Amendment or Repeal.
16	6251	<i>Firearms Act 1958</i> ..	In section 20 for the expression "section one hundred and forty-one of the <i>Justices Act 1958</i> " there shall be substituted the expression "Part IX. of the <i>Magistrates' Courts Act 1971</i> ".
17	"	" " " ..	In section 22AF for the expression " <i>Game Act 1958</i> " there shall be substituted the expression " <i>Wildlife Act 1975</i> ".
18	"	" " " ..	In section 26 (1) (db) for the expression " <i>National Parks Act 1958</i> " there shall be substituted the expression " <i>National Parks Act 1975</i> ".
19	"	" " " ..	In section 31 (2) (c) for the expression "section 41 of the <i>Social Welfare Act 1960</i> " there shall be substituted the expression "section 169 of the <i>Social Welfare Act 1970</i> ".
20	"	" " " ..	In section 36A (2) (b) for the expression " <i>Gaols Act 1958</i> " there shall be substituted the expression " <i>Social Welfare Act 1970</i> ".
21	"	" " " ..	In section 38 (3) and (4) for the expression " <i>Justices Act 1958</i> " (where twice occurring) there shall be substituted the expression " <i>Magistrates (Summary Proceedings) Act 1975</i> ".
22	7849	<i>Groundwater Act 1969</i>	In section 44 (2) (b) for the word "Division" there shall be substituted the word "Part".
23	9023	<i>Health Commission Act 1977</i>	In Schedule One Part A item 7 (16) (a) for the expression "of the Chief Health Officer or" there shall be substituted the expression "the Chief Health Officer or".
24	6284	<i>Land Act 1958</i> ..	In section 1 for the expression "Part I.—Crown Lands Generally ss. 3–229" there shall be substituted the expression "Part I.—Crown Lands Generally ss. 3–228".
25	6306	<i>Marriage Act 1958</i> ..	In section 132 (2) for the expression " <i>Children's Welfare Act 1958</i> " there shall be substituted the expression " <i>Social Welfare Act 1970</i> ".
26	"	" " " ..	In section 155 (2) the expression "and the provisions of the <i>Poor Persons Legal Assistance Act 1958</i> " shall be repealed.
27	6318	<i>Milk Board Act 1958</i>	In section 39 for the expression "a Authority" there shall be substituted the expression "an Authority".
28	8414	<i>Ombudsman Act 1973</i>	In section 2 in the interpretation of "Government Department" paragraph (a) for the expression "the second schedule to the <i>Public Service Act 1958</i> " there shall be substituted the expression "Schedule Two of the <i>Public Service Act 1974</i> ".
29	"	" " " ..	In section 2 in the interpretation of "Government Department" paragraph (b) for the expression "sub-section (5) of section 24 of the <i>Public Service Act 1958</i> " there shall be substituted the expression "sub-section (3) of section 22 of the <i>Public Service Act 1974</i> ".
30	"	" " " ..	In section 2 in the interpretation of "Government Department" paragraph (c) for the expression " <i>Public Service Act 1958</i> " there shall be substituted the expression " <i>Public Service Act 1974</i> ".

## SCHEDULE.—continued.

Item.	No. of Act.	Title of Act.	Extent of Amendment or Repeal.
31	8414	<i>Ombudsman Act 1973</i>	In section 8 (1) for the expression " <i>Public Service Act 1958</i> " there shall be substituted the expression " <i>Public Service Act 1974</i> ".
32	"	" " " "	In section 8 (2) (b) for the expression "section 63 of the <i>Public Service Act 1958</i> " there shall be substituted the expression "section 47 of the <i>Public Service Act 1974</i> ".
33	"	" " " "	In section 13 (3) (d) after the expression "Auditor-General;" there shall be inserted the word "or".
34	8154	<i>Pay-roll Tax Act 1971</i>	In section 9(9) for the expression "on behalf of the employer" there shall be substituted the expression "with respect to the employer".
35	6350	<i>Public Trustee Act 1958</i>	In section 4 (6) for the expression "section sixty-three of the <i>Public Service Act 1958</i> " there shall be substituted the expression "section forty-seven of the <i>Public Service Act 1974</i> ".
36	"	" " " "	In section 6 (4) for the expression " <i>Public Service Act 1958</i> " there shall be substituted the expression " <i>Public Service Act 1974</i> ".
37	"	" " " "	In section 6 (8) for the expression "section sixty-three of the <i>Public Service Act 1958</i> " there shall be substituted the expression "section forty-seven of the <i>Public Service Act 1974</i> ".
38	"	" " " "	In section 7 for the expression " <i>Public Service Act 1958</i> " there shall be substituted the expression " <i>Public Service Act 1974</i> ".
39	8081	<i>State Development Act 1970</i>	In section 1 (3) the expression "Part V.—Immigration ss. 21–22" shall be repealed.
40	"	" " " "	In section 7 (1) for the word "three" there shall be substituted the word "two".
41	6387	<i>Supreme Court Act 1958</i>	In section 181 (4) for the words "this office" there shall be substituted the words "his office".
42	6408	<i>Venereal Diseases Act 1958</i>	In section 3 (2) for the words "Part VII. of the <i>Children's Welfare Act 1958</i> " there shall be substituted the expression "Division 8 of Part II. of the <i>Social Welfare Act 1970</i> ".
43	"	" " " "	In section 14 (1) for the expression " <i>Children's Court Act 1958</i> " there shall be substituted the expression " <i>Children's Court Act 1973</i> ".
44	"	" " " "	In section 16 (3) for the expression " <i>Gaols Act 1958</i> " there shall be substituted the expression " <i>Social Welfare Act 1970</i> ".
45	"	" " " "	In section 16 (7) for the expression " <i>Children's Court Act 1958</i> " there shall be substituted the expression " <i>Children's Court Act 1973</i> ".
46	"	" " " "	In section 21 (2) (a) for the expression " <i>Gaols Act 1958</i> " there shall be substituted the expression " <i>Social Welfare Act 1970</i> ".
47	8967	<i>Water and Sewerage Authorities (Accident Insurance and Employés Long Service Leave) Act 1976</i>	In section 8 (1) the word "or" shall be repealed.

## SCHEDULE.—continued.

Item.	No. of Act.	Title of Act.	Extent of Amendment or Repeal.
48	8565	<i>Companies (Interstate Corporate Affairs Commission) Act 1974</i>	In the item in the Schedule relating to the <i>Co-operation Act 1958</i> for the expression "Registrar-General" there shall be substituted the words "Registrar of Companies".
49	8915	<i>Employers and Employés (Repeal) Act 1976</i>	In section 3 (2) for the expression "section 43" there shall be substituted the expression "section 53".
50	8288	<i>Firearms (Amendment) Act 1972</i>	Section 8 (j) (ii) shall be repealed.
51	9006	<i>Local Authorities Superannuation (Contributions) Act 1977</i>	In section 5 (4) for the word "contributor" there shall be substituted the word "contributor".
52	8731	<i>Magistrates (Summary Proceedings) Act 1975</i>	In the first item in Schedule Three relating to the <i>Imprisonment of Fraudulent Debtors Act 1958</i> for the expression "Justices Act 1958" there shall be substituted the expression "Magistrates' Courts Act 1971".
53	8965	<i>Marketing of Primary Products (Marketing Boards) Act 1976</i>	In section 14 after the expression "section 48" there shall be inserted the words "of the Principal Act".
54	8429	<i>Motor Accidents Act 1973</i>	In section 11 (1) (b) for the expression "section 63" there shall be substituted the expression "section 47".
55	6328	<i>Nurses Act 1958</i> ..	In section 14 (3) (b) for the expression "section sixty-three" there shall be substituted the expression "section forty-seven".
56	8656	<i>Public Service Act 1974</i>	In section 3 (2) for the expression "section 37 of The Constitution Act" there shall be substituted the expression "section 88 of the <i>Constitution Act 1975</i> ".
57	6375	<i>Stamps Act 1958</i> ..	In section 96 (1) for the expression "Division 6 of Part III. of the <i>Workers Compensation Act 1958</i> and the Insurance Commissioner pursuant to Division 2 of Part V. of the <i>Motor Car Act 1958</i> " there shall be substituted the expression "Part II. of the <i>State Insurance Office Act 1975</i> ".
58	8082	<i>Statutory Salaries Act 1970</i>	Section 2 (10) shall be repealed.
59	9021	<i>The Uniting Church in Australia Act 1977</i>	In Schedule Two for the expression " <i>The Collins Street Independent Church Lands Act 1907</i> (No. 2906)" there shall be substituted the expression " <i>The Collins-street Independent Church Lands Act 1907</i> (No. 2096)".
60	8496	<i>Victoria Institute of Colleges (Amendment) Act 1973</i>	In section 4 (c) (iv) after the expression "section seven of this Act" there shall be inserted the expression "(where twice occurring)".
61	8782	<i>Zoological Gardens (Amendment) Act 1975</i>	In section 11 for the expression " <i>National Parks Act 1970</i> No. 8083" there shall be substituted the expression " <i>National Parks Act 1975</i> ".