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## **STATUTE LAW REVISION ACT 1996**

**No. 63 of 1996**

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# **STATUTE LAW REVISION ACT 1996**

**No. 63 of 1996**

**An Act to revise the statute law of the State**

**[Royal Assent 16 December 1996]**

Be it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:

## **Short title**

1. This Act may be cited as the *Statute Law Revision Act 1996*.

## **Commencement**

2. This Act commences on the day after the day on which it receives the Royal Assent.

***Acts Interpretation Act 1931 amended***

3. Section 46BA of the *Acts Interpretation Act 1931*\* is amended by omitting "1995" and substituting "1996".

***Fire Service Act 1979 amended***

4. The *Fire Service Act 1979*† is amended as follows:

- (a) by inserting at the end of section 63 the following penalty:

Penalty: Fine not exceeding 26 penalty units.

- (b) by inserting at the end of section 68(2) the following penalty:

Penalty: Fine not exceeding 26 penalty units.

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\* 22 Geo. V No. 59. For this Act, as amended to 1 July 1986, see the continuing Reprint of Statutes. Subsequently amended by Nos. 88 and 92 of 1986, No. 13 of 1987, Nos. 4 and 41 of 1990, No. 43 of 1991, Nos. 10, 20, 30 and 43 of 1992, Nos. 10, 43 and 68 of 1994, Nos. 30 and 103 of 1995 and Nos. 17, 36, 61 and 62 of 1996.

† No. 35 of 1979. For this Act, as amended to 30 April 1981, see the continuing Reprint of Statutes. Subsequently amended by Nos. 73 and 74 of 1981, Nos. 9 and 10 of 1982, Nos. 22, 24, 61 and 88 of 1983, Nos. 29, 34 and 81 of 1984, Nos. 10, 31 and 51 of 1985, No. 60 of 1986, No. 79 of 1987, No. 64 of 1988, Nos. 2, 3, 5 and 44 of 1990, Nos. 42 and 46 of 1991, No. 38 of 1992, Nos. 2, 6, 24, 59, 96 and 101 of 1993, Nos. 18, 25 and 75 of 1994, Nos. 14, 20, 29, 88 and 98 of 1995 and Nos. 37, 42 and 61 of 1996 and S.R. 1996, No. 127.

***Hire-Purchase Act 1959 amended***

**5.** Section 3 of the *Hire-Purchase Act 1959*\* is amended as follows:

- (a) by omitting "This" and substituting "(1) This";
- (b) by omitting paragraph (a) and substituting the following paragraph:
  - (a) before the application date; or
- (c) by inserting the following subsection:

**(2)** In this section, "**application date**" means –

- (a) in the case of an agreement made by a credit provider in respect of whom an order under sections 5 and 6 of the *Consumer Credit (Tasmania) Act 1996* is in force, the date on which the order took effect; or
- (b) in the case of any other agreement, 1 March 1997.

***Lending of Money Act 1915 amended***

**6.** Section 1A of the *Lending of Money Act 1915*† is amended by omitting from subsection (1) the definitions of

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\* No. 79 of 1959. For this Act, as amended to 1 October 1977, see the continuing Reprint of Statutes. Subsequently amended by No. 99 of 1982, Nos. 43 and 46 of 1991, No. 27 of 1993, No. 103 of 1995 and No. 42 of 1996.

† 6 Geo. V No. 14. For this Act, as amended to 1 September 1977, see the continuing Reprint of Statutes. Subsequently amended by No. 13 of 1980, No. 99 of 1982, No. 6 of 1987, No. 43 of 1991, No. 68 of 1994 and No. 103 of 1995.

"application date" and "continuing credit contract" and substituting the following definitions:

**"application date"** means –

- (a) in the case of a contract made by a credit provider in respect of whom an order under sections 5 and 6 of the *Consumer Credit (Tasmania) Act 1996* is in force, the date on which the order took effect; or
- (b) in the case of any other contract, 1 March 1997;

**"continuing credit contract"** means a contract for the lending of money under which –

- (a) multiple advances of credit are contemplated; and
- (b) the amount of available credit ordinarily increases as the amount of credit is reduced;

### ***Parole Act 1975 amended***

7. The *Parole Act 1975*\* is amended as follows:

- (a) by inserting before section 18 the following Division heading:

#### ***Division 1 – General parole provisions***

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\* Act No. 73 of 1975. Amended by No. 83 of 1981, No. 29 of 1984, No. 5 of 1985, No. 7 of 1987, No. 49 of 1989, No. 5 of 1990, Nos. 43 and 46 of 1991, No. 77 of 1993 and Nos. 68 and 97 of 1994.

- (b) by omitting the heading to Division III in Part IV and substituting the following heading:

***Division 2 – Effect and control of  
parole orders***

***Tasmanian Development Act 1983 amended***

8. The *Tasmanian Development Act 1983*\* is amended as follows:

- (a) by omitting "the Authority" (wherever occurring) in the headings to Divisions 1 and 4 of Part II and substituting "TDR";
- (b) by omitting "the Authority" from clause 5(1)(c) of Schedule 1 and substituting "TDR".

*[Second reading presentation speech made in:–  
House of Assembly on 26 November 1996  
Legislative Council on 28 November 1996]*

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\* No. 84 of 1983. Amended by No. 29 of 1984, No. 55 of 1985, No. 39 of 1986, No. 106 of 1987, No. 36 of 1988, Nos. 40 and 46 of 1991, No. 60 of 1993, No. 68 of 1994, No. 76 of 1995 and No. 62 of 1996 and S.R. 1987, Nos. 66 and 187, S.R. 1989, No. 80, S.R. 1991, No. 261 and S.R. 1992, No. 169.

