

[Act 2001 No 3]



New South Wales

# **Business Licences Repeal and Miscellaneous Amendments Bill 2001**

## **Explanatory note**

This explanatory note relates to this Bill as introduced into Parliament.

### **Overview of Bill**

The objects of this Bill are:

- (a) to repeal the *Business Licences Act 1990*, and
  - (b) to amend certain other Acts and regulations and make other provisions as a consequence of the repeal of that Act, and
  - (c) to make 2 additional amendments to the *Motor Vehicle Repairs Act 1980*.
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## Outline of provisions

**Clause 1** sets out the name (also called the short title) of the proposed Act.

**Clause 2** provides for the commencement of the proposed Act on a day or days to be appointed by proclamation.

**Clause 3** repeals the *Business Licences Act 1990*.

**Clause 4** is a formal provision that gives effect to the amendments set out in Schedule 1.

### **Amendments related to repeal of Business Licences Act 1990**

**Schedule 1** amends certain Acts and regulations as a consequence of the repeal of the *Business Licences Act 1990*. In particular, Schedule 1:

- (a) amends the *Dangerous Goods Act 1975* and the *Motor Vehicle Repairs Act 1980* so as to restore certain provisions with respect to their licensing schemes that were in force before the amendment of those Acts by the *Business Licences Act 1990*, and
- (b) repeals uncommenced provisions of the *Statute Law (Miscellaneous Provisions) Act (No 2) 1991* that amend the *Business Licences Act 1990*.

### **Additional amendments**

The amendments to the *Motor Vehicle Repairs Act 1980* also include 2 amendments that are not related to the repeal of the *Business Licences Act 1990*.

**Schedule 1.3 [14]** repeals and re-enacts a provision concerning the surrender of licences and certificates under the *Motor Vehicle Repairs Act 1980*. The provision as proposed to be re-enacted includes a new subsection preventing the surrender of such a licence or certificate by a licence-holder or certificate-holder who is the subject of disciplinary proceedings under that Act until after the Motor Vehicle Repair Industry Council has made a determination in respect of those proceedings. The proposed provision is similar to section 20D (2A) of the *Motor Dealers Act 1974*.

**Schedule 1.3 [21]** repeals an outdated provision.