

National Parks and Wildlife (Savings and Transitional) Regulation 1997

As at 3 June 1997

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *National Parks and Wildlife Act 1974* . Minister for the Environment

Explanatory note

Section 47L of the *National Parks and Wildlife Act 1974* (the **principal Act**) sets out the procedure for the revocation, appropriation or resumption of state recreation areas. Proposed revocations, appropriations or resumptions must be notified in the Gazette and a copy tabled before Parliament. If Parliament does not disallow a proposal, the revocation, appropriation or resumption may proceed. Section 47L is to be repealed and replaced under Schedule 1 [23] to the *National Parks and Wildlife Amendment Act 1996* (the **amending Act**). The new section requires any revocation, appropriation or resumption of state recreation areas after the commencement of the amending Act to be carried out by way of Act of Parliament. The object of this Regulation is to provide that the repeal and substitution of section 47L does not affect any proposed revocations, appropriations or resumptions where notice of the proposal was given before the commencement of the amending Act. This Regulation is made under clause 24 (savings and transitional regulations) of Schedule 3 to the principal Act as amended by the amending Act.

1 Name of Regulation

This Regulation is the *National Parks and Wildlife (Savings and Transitional) Regulation 1997* .

2 Commencement

This Regulation commences on 31 May 1997.

3 Definitions

In this Regulation:

amending Act means the *National Parks and Wildlife Amendment Act 1996* .

principal Act means the *National Parks and Wildlife Act 1974* .

4 Notes

The explanatory note and table of contents do not form part of this Regulation.

5 Repeal and substitution of section 47L of the principal Act not to affect revocations, appropriations or resumptions of state recreation areas already commenced

(1) This clause applies to:

(a) any proposed revocation of the reservation of land as, or as part of, a state recreation area, and

(b) any proposed appropriation or resumption of lands within a state recreation area,

notice of which was given under section 47L (2) or (3) of the principal Act before the commencement of Schedule 1 [23] to the amending Act.

(2) Section 47L of the principal Act, as in force immediately before the commencement

of Schedule 1 [23] to the amending Act, continues to apply to a proposed revocation, appropriation or resumption to which this clause applies.

(3) Section 47L of the principal Act, as in force after that commencement, does not apply to a proposed revocation, appropriation or resumption to which this clause applies.

Historical notes

Table of amending instruments *National Parks and Wildlife (Savings and Transitional) Regulation 1997* published in Gazette No 57 of 30.5.1997, p 3498.