



Queensland

Daylight Saving for South East Queensland Referendum Bill 2010



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2010

A Bill

for

An Act to provide for a referendum on the question of having daylight saving in the South East Queensland daylight saving time region on a permanent basis and to amend the *Standard Time Act 1894* if the majority of electors indicates approval of having daylight saving in that region at the referendum

[s 1]

The Parliament of Queensland enacts— 1

Part 1 Preliminary 2

1 Short title 3

This Act may be cited as the *Daylight Saving for South East Queensland Referendum Act 2010*. 4
5

2 Commencement 6

(1) Subject to subsection (2), part 3 commences on a day to be 7
proclaimed. 8

(2) Part 3 can not be proclaimed to commence unless the question 9
is approved. 10

(3) The *Acts Interpretation Act 1954*, section 15DA applies— 11

(a) only if the question is approved; and 12

(b) with all necessary and convenient changes and as if a 13
reference in section 15DA(2) or (3) to ‘the assent day’ 14
were a reference to ‘the day on which the writ for the 15
referendum at which the question is approved is 16
returned to the Governor under section 43(2)(c) of the 17
Referendums Act’. 18

(4) In this section— 19

the question is approved means, subject to any order of a 20
court under pt 5 of the Referendums Act, the question 21
submitted to electors at a referendum under part 2 is approved 22
by a majority of the electors voting at the referendum. 23

3 Definitions 24

In this Act unless the contrary intention appears— 25

<i>electors</i> means the persons entitled to vote at a referendum under the Referendums Act.	1 2
<i>general election</i> means an election for the members of the Legislative Assembly.	3 4
<i>member</i> means a member of the Legislative Assembly.	5
<i>question</i> means the question stated in section 4(2).	6
<i>Referendums Act</i> means the <i>Referendums Act 1997</i> .	7
<i>South East Queensland daylight saving time region</i> has the same meaning as it has in the <i>Standard Time Act 1894</i> , part 3, as that part is to be inserted by part 3 of this Act.	8 9 10

Part 2	Referendum on daylight saving in South East Queensland	11 12
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4	Referendum to be held	13
(1)	The question must be submitted to the electors under the Referendums Act on the same day as the polling day for the next general election under the <i>Electoral Act 1992</i> .	14 15 16
(2)	The question is as follows— ‘Are you in favour of daylight saving being introduced into the South East Queensland daylight saving time region only, while the remainder of the State does not change?’.	17 18 19 20
5	Application of Referendums Act	21
(1)	For section 4, the Referendums Act applies with all necessary and convenient changes.	22 23
(2)	Without limiting subsection (1), that Act applies with the changes stated in subsection (3).	24 25
(3)	For the purpose of applying the Referendums Act—	26

[s 6]

- (a) the question is taken to be a question the Legislative Assembly has resolved be submitted to the electors; and 1
2
- (b) the members who voted for the Bill for this Act are 3
taken to have voted in favour of a ‘yes’ answer to the 4
question; and 5
- (c) the members who voted against the Bill for this Act are 6
taken to have voted against a ‘yes’ answer to the 7
question. 8

Part 3 Amendment of Standard Time 9
Act 1894 10

6 Act amended 11
This part amends the *Standard Time Act 1894*. 12

7 Amendment of long title 13
Long title, after ‘time’— 14
insert— 15
‘and to provide for a period of daylight saving in the South 16
East Queensland daylight saving time region’. 17

8 Insertion of new part hdg 18
Before section 1— 19
insert— 20

‘Part 1 Preliminary’. 21

9 Amendment of s 1 (Short title) 22
Section 1, after ‘*Time*’— 23

	<i>insert—</i>	1
	<i>‘and Daylight Saving Time’.</i>	2
10	Insertion of new part hdg	3
	After section 2—	4
	<i>insert—</i>	5
	‘Part 2 Standard time’.	6
11	Insertion of new pt 3	7
	After section 4—	8
	<i>insert—</i>	9
	‘Part 3 Daylight saving for South East Queensland	10 11
‘5	Application of pt 3	12
	‘This part applies despite part 2.	13
‘6	Definitions for pt	14
	‘In this part—	15
	<i>daylight saving time</i> means the time to be observed in the	16
	South East Queensland daylight saving time region under	17
	section 7.	18
	<i>South East Queensland daylight saving time region</i> see	19
	section 8.	20
	<i>standard time</i> see section 3.	21
‘7	Advance of time each year	22
	‘(1) From 2 am on the first Sunday in October in each year until 2	23
	am on the first Sunday in April of the following year daylight	24

[s 11]

saving time in the South East Queensland daylight saving time region only is 1 hour in advance of standard time and is to be observed accordingly.	1 2 3
‘(2) To remove any doubt, it is declared that the time to be observed in every part of the State outside of the South East Queensland daylight saving time region is standard time.	4 5 6
(3) In this section—	7
2 am means 2 am as fixed by standard time in Queensland.	8
‘8 South East Queensland daylight saving time region	9
‘The <i>South East Queensland daylight saving time region</i> is the area of the State that consists of the following local governments—	10 11 12
(a) the cities of Brisbane, Ipswich, Logan, Gold Coast and Redland; and	13 14
(b) the regions of Moreton Bay, Scenic Rim and Sunshine Coast.	15 16
<i>Note—</i>	17
1 The areas of the local governments named in this section, other than the City of Brisbane, are defined in the <i>Local Government (Areas) Regulation 2008</i> , schedule 1 by reference to the maps mentioned in that schedule.	18 19 20 21
2 The area of the City of Brisbane is defined in the <i>Local Government (Areas) Regulation 2008</i> , section 4 by reference to the map mentioned in that section.	22 23 24
‘9 Construction of expressions of time	25
‘(1) If—	26
(a) an expression of time is used in any Act, statutory instrument, order, decision or notice or in any contract or agreement (whether made orally or in writing) or in any deed or other document; or	27 28 29 30

	(b) the doing or not doing of anything at a certain time of day or night, or during a certain part of the day or night has an effect in law,	1 2 3
	the time, in relation to the South East Queensland daylight saving time region during the period in which daylight saving time is being observed under section 7, is to be, and must be determined by reference to, daylight saving time.	4 5 6 7
	‘(2) Subsection (1) applies subject to any express statement to the contrary.	8 9
‘10	Part not to affect use of standard time for certain purposes	10 11
	‘Nothing in this part affects the use of standard time for the purposes of astronomy, meteorology, or navigation, or the construction of any document mentioning or referring to a point of time in connection with any of those purposes.	12 13 14 15
‘11	Regulations as to trading hours, etc.	16
	‘(1) The Governor in Council may make a regulation declaring—	17
	(a) the trading hours of any organisation (however described) whose hours of trade are regulated under the <i>Trading (Allowable Hours) Act 1990</i> ; or	18 19 20
	(b) the hours of work of any employee (however described) whose hours of work are regulated under the <i>Industrial Relations Act 1999</i> ; or	21 22 23
	(c) the trading hours of any person licensed under the <i>Liquor Act 1992</i> ; or	24 25
	(d) the hours of operation of any school regulated under the <i>Education (General Provisions) Act 2006</i> ; or	26 27
	(e) any other matters that are, in the opinion of the Governor in Council, necessary to be declared to moderate the effect of daylight saving time.	28 29 30
	‘(2) A regulation made under subsection (1) in relation to trading hours, hours of work or hours of operation must not—	31 32

[s 12]

	(a) increase or decrease those hours; or	1
	(b) declare those hours to commence or terminate more than one hour after the time of commencement or termination prescribed under the relevant written law.	2 3 4
	‘(3) A regulation made under subsection (1) has effect —	5
	(a) in the region or area; and	6
	(b) during the period,	7
	stated in the regulation, but has no effect outside the period from 2a.m. on the first Sunday in October in a year to 2a.m. on the first Sunday in April of the following year.	8 9 10
	‘(4) A regulation made under subsection (1) has effect according to its tenor despite any written law or other law, or any award or agreement, or any order or ruling of any court, tribunal, commission or body.’.	11 12 13 14
12	Insertion of new part hdg	15
	Before section 5, 2nd occurring—	16
	<i>insert—</i>	17
‘Part 4	Transitional provision’.	18
13	Amendment of s 5 (Transitional provision for Freedom of Information and Other Legislation Amendment Act 2005)	19 20
	Section 5, 2nd occurring—	21
	<i>renumber</i> as section 12.	22