

Statute Law Revision Bill 2005

Explanatory Memorandum

There are currently many pieces of legislation, mostly old and obscure, that are no longer in force or that, though technically still in force, are no longer applied in practice. It is obviously not desirable for this legislation to remain on the Statute Book.

This Bill will repeal almost 100 pieces of legislation of this sort identified from several sources.

The Bill is of particular importance to the Parliamentary Counsel's Office because the Office is currently engaged in a project to convert the State's electronic database of legislation to XML (a standard mark-up language format) and provide a system to facilitate the drafting of legislation and maintenance of consolidated legislation and related information in a way that is consistent with that format.

The benefits of undertaking this project include:

- robust legislative documents leading to a more accurate database and better data retrieval facilities;
- the ability to output legislative data from a single source through a number of different media, including hardcopy, internet and CD Rom;
- improvements in the overall internet delivery and publication of legislation and related information;
- more efficient drafting tools in the Parliamentary Counsel's Office;
- more effective legislative data exchange with other States and the Commonwealth;
- resulting in the consolidation of maintenance and support requirements as result of having a single unified system covering all stages from drafting to publication;
- reduced reliance on any single proprietary systems.

The project will involve all data on the current legislation databases being converted to XML. The complexity and cost (in both time and money) of the project can be reduced by removing certain structural anomalies from legislation. One step in this process is the repeal of legislation that is no longer required.

Part 1 — Preliminary

1. Short title

Provides for the short title of the Act.

2. Commencement

Provides for the Act to commence when it receives the Royal Assent.

Part 2 — Repeals

Part 2 repeals various Acts and subsidiary legislation. The repeals effected by Division 1 do not necessitate any consequential amendments to other legislation. Divisions 2 to 4 repeal various legislation and amend various other legislation as a consequence of those repeals.

Division 1 — Repeals with no consequential amendments

3. Repeal of written laws

Repeals the Acts and subsidiary legislation listed in Schedules 1 and 2. Details are set out in Schedules 1 and 2 to these notes.

Division 2 — *Imperial Acts (Masters and Apprentices) Adopting Act 1873*

4. *Imperial Acts (Masters and Apprentices) Adopting Act 1873* repealed

Repeals the *Imperial Acts (Masters and Apprentices) Adopting Act 1873*.

The Act provides for the adoption in WA of all the laws in force in England on 1 January 1873 with regard to apprentices (including who may take or become an apprentice, the mode of binding apprentices, the rights and liabilities of apprentices and masters, assignment and dissolution of apprenticeships). Those laws are not relevant today and have been superseded by other legislation.

5. *Statutes (Repeals and Minor Amendments) Act (No. 2) 1998 amended*

Repeals the *Statutes (Repeals and Minor Amendments) Act (No. 2) 1998* s. 11, which has not commenced.

~~11. — *Imperial Acts (Masters and Apprentices) Adopting Act 1873* repealed~~

~~— The *Imperial Acts (Masters and Apprentices) Adopting Act 1873* is repealed.~~

s. 11 provides for the repeal of the *Imperial Acts (Masters and Apprentices) Adopting Act 1873* on the commencement of s. 61 of the *Vocational Education and Training Act 1996*. Pt 7 of the VET Act (which includes s. 61) has not yet been proclaimed. It is the subject of ongoing Departmental consultation with industry regarding enhancements to apprenticeship arrangements which may result in legislative change being required before Part 7 is proclaimed. However as the *Imperial Acts (Masters and Apprentices) Adopting Act 1873* is no longer in use it is proposed that it be repealed anyway, making s. 11 redundant.

Division 3 — *Trustees' Powers Act 1931*

6. *Trustees' Powers Act 1931* repealed

Repeals the *Trustees' Powers Act 1931*.

The Act confers powers on trustees relating to leases, mortgages and the *Farmers' Debts Adjustment Act 1930* (repealed). To the extent that they are still relevant, these powers are now provided for by the *Trustees Act 1962*.

7. *Public Trustee Act 1941* amended

Amends the *Public Trustee Act 1941* s. 23(1) to delete the reference to the *Trustees' Powers Act 1931*.

23. Public Trustee may exercise powers under other Acts

- (1) In addition to any other powers conferred by this Act, the Public Trustee shall have and may exercise all rights, powers, and authorities conferred upon, and may avail himself of all defences open to, trustees under the provisions of the *Trustees Act 1962*, ~~the *Trustees' Powers Act 1931*~~, or of any other Act.

Division 4 — *University Medical School Act 1955*

8. *University Medical School Act 1955* repealed

Repeals the *University Medical School Act 1955*.

The Act allows UWA to use certain trust funds as security to borrow money to build a medical school with the State to repay the cost over 15 years from 1957 (ie. by 1972). The Act has no continuing operation.

9. *University of Western Australia Act 1911* amended

Amends the *University of Western Australia Act 1911* s. 15B(1) to delete the reference to the *University Medical School Act 1955*.

15B. Raising loans

- (1) The provisions of this section are in addition to, and do not derogate from, those of section 15A, or any of the provisions of the *University Buildings Act 1930*, the *University Building Act 1938*, or the *University Buildings Act 1952*, ~~or the *University Medical School Act 1955*~~.

Schedule 1 — Acts repealed

| | Acts | Comments |
|---|--|--|
| 1 | <i>Acts Amendment (Mental Health) Act 1981</i> | The Act was to make amendments consequential on the enactment of the <i>Mental Health Act 1981</i> . That Act was repealed without ever coming into operation (by the <i>Mental Health (Consequential Provisions) Act 1996</i>). This Act therefore has no possible operation |
| 2 | <i>Albany Freezing Works Agreement Act 1945</i> | The Act ratifies an agreement for the purchase of the Albany Freezing Works, which was to be incorporated into West Australian Meat Export Works as a State Trading concern. The Act includes a 20 year restraint of trade which expired in 1965. In 1976 the WA Meat Export Works was transferred to WA Meat Commission. The purchase was complete and the restraint of trade has expired so the Act has no remaining operation. |
| 3 | <i>Australia Acts (Request) Act 1999</i> | The Act was dependant on the <i>Constitution Alteration (Establishment of Republic) Act 1999</i> of the Commonwealth receiving the Royal Assent. That depended on the passing of a referendum to create a republic. As the referendum was not passed the Act has no operation. |
| 4 | <i>BP Refinery (Kwinana) Limited Act 1962</i> | The Act provides for the transfer of the registration of the company from the UK to WA. The company was registered in WA on 26/07/1963. The Act has no continuing operation. |
| 5 | <i>Bulk Handling Repeal Act 2000</i> | The Act was dependant on the members of CBH agreeing to a scheme of arrangement. Agreement was not reached so the Act has no operation. The Act has a sunset clause but uncertainty exists about its effectiveness. It is therefore proposed that the Act be repealed to remove any doubt. |
| 6 | <i>Carriers Act 1920</i> | The Act limits the liability of common carriers. [<i>A common carrier is a person who hold himself out as being for hire to transport goods from place to place. He is bound to convey the goods of any person who offers to pay his hire and is liable for any loss or damage to the goods.</i>] Carriers no longer operate as common carriers, making the Act obsolete. |

| | Acts | Comments |
|-----------|---|--|
| 7 | <i>Casual Revenue Appropriation Ordinance 1867</i> | <p>The Act provides that any person with a legitimate claim to property that has been appropriated as ‘casual revenue’ of the Crown may apply firstly to the Governor, and secondly to the Supreme Court, to have his claim recognised. ‘Casual revenue’ is revenue of the Crown other than that raised by taxes. In the 19th Century there were at least 18 categories of casual revenue. Monies received under unclaimed money legislation or under the Crown’s rights to <i>bona vacantia</i> are also ‘casual revenue’.</p> <p>Many of the 19th Century categories are now otiose. The remainder, and the unclaimed money and <i>bona vacantia</i> categories have either been statutorily extinguished as sources of revenue or are now dealt with expressly in specific legislation. The ordinance has no remaining operation.</p> |
| 8 | <i>Clackline-Bolgart and Bellevue-East Northam Railway Discontinuance and Land Revestment Act 1965</i> | <p>These Acts provide for the discontinuance of the various railways, for the use of materials from them and, in most cases, for the revestment of the land. The Acts no longer have any continuing operation.</p> |
| 9 | <i>Collie-Griffin Mine Railway Act 1953</i> | <p>The Act authorises the construction and maintenance of the railway. The railway is no longer in use.</p> |
| 10 | <i>Esperance Port Authority Lands Act 1979</i> | <p>The Act validates acquisition of land and sale of part of it and authorises sale of remainder. It has no further operation.</p> |
| 11 | <i>Flinders Bay-Margaret River Railway Act 1913</i> | <p>The Act authorises the State to purchase a privately constructed railway. It has no further operation.</p> |
| 12, 13 | <i>Fremantle Electricity Undertaking (Purchase Moneys) Agreements Act 1952</i> <i>Fremantle Electricity Undertaking Agreement Act 1952</i> | <p>The <i>Fremantle Electricity Undertaking Agreement Act 1952</i> ratified an agreement for the sale by the Fremantle Municipal Tramways & Electric Lighting Board of its electricity undertaking to the State Electricity Commission.</p> <p>The <i>Fremantle Electricity Undertaking (Purchase Moneys) Agreements Act 1952</i> ratified agreements between the Board, the City of Fremantle and the Municipality of East Fremantle requiring the Board to hold the proceeds of the sale on trust for the City and Municipality.</p> <p>The Board was dissolved by the <i>City of Fremantle and Town of East Fremantle Trust Funds Act 1961</i> with the outstanding moneys being paid to a trust fund established by that Act. The trust fund and that Act are still in operation.</p> <p>These 2 Acts are therefore redundant.</p> |

| | Acts | Comments |
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| 14 | <i>Fremantle Gas and Coke Company's Act 1886 Amendment Act 1893</i> | The Act relates to the <i>Fremantle Gas and Coke Company's Act 1886</i> which has been repealed. |
| 15, 16 | <i>Gold Mining Profits Tax Act 1934 Gold Mining Profits Tax Assessment Act 1934</i> | These Acts provided for a tax on the profits of companies carrying on the business of gold mining in Western Australia. Tax is not currently imposed under these Acts and has not been for many years. |
| 17 | <i>Goldfields Tattersalls Club (Inc.) Act 1986</i> | The Act transfers the assets and liabilities of Goldfields Tattersalls Club Limited to an association to be incorporated (Goldfields Tattersalls Club (Inc.)). On completion of the transfer the company is dissolved. Goldfields Tattersalls Club (Inc.) was incorporated on 12 December 1988. The Act has no remaining operation. |
| 18 | <i>Group Settlers' Advances Act 1925</i> | The Act provides that where a loan is made by the Department of Lands and Surveys to a Group Settler (ie a person who, under a scheme for closer settlement, occupies any holding or allotment) to enable him to acquire livestock and other chattels, and to cultivate and improve his holding, the livestock and chattels and crops grown on the holding are mortgaged to the Crown as security for the loan. The Act has no current operation. The related <i>Group Settlement Act 1925</i> has been repealed. |
| 19 | <i>Hide and Leather Industries Act 1948</i> | The Act was part of a national hide acquisition and marketing scheme that operated from 1939 to 1954. It was dependent on Commonwealth legislation which was repealed in 1955. The Act is therefore obsolete. |
| 20, 21 | <i>Housing Agreement (Commonwealth and State) Act 1984 Housing Agreement (Commonwealth and State) Act 1990</i> | These Acts ratified the State's execution of agreements between the Commonwealth and the States and Territories under which the Commonwealth was to provide to the States and Territories financial assistance for housing. The Agreements have been revoked leaving the Acts with no continuing operation. |
| 22 | <i>Imperial Act Adopting Ordinance 1850</i> | Adopts 11 & 12 Vict c 46 (1848) the terms of which were subsequently enacted in WA by Act No. 16 Vict 5 (1852). The Ordinance is therefore obsolete. |

| | Acts | Comments |
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| 23 | <i>Income Tax Assessment Act 1937</i> | <p>Tax is not currently imposed under this Act and has not been for many years.</p> <p>Will also repeal:</p> <ul style="list-style-type: none"> • <i>Income Tax Regulations</i> • <i>Income Tax Appeals (Board of Review) Rules 1940</i> • <i>Income Tax Appeal Rules 1940</i> |
| 24, 25 | <i>Inquiries into Wrecks Ordinance 1864</i> <i>Amendment Act 1871</i> <i>Inquiries into Wrecks Ordinance 1864</i> <i>Extension Act 1876</i> | <p>These Acts relate to the <i>Inquiries into Wrecks Ordinance 1864</i>, which has been repealed.</p> |
| 26 | <i>Kalgoorlie Electric Power and Lighting Corporation Limited Act 1902</i> | <p>The Act authorised the granting of a special lease for works for the production and supply of electric power and light. The lease was to be for 99 years, which time has now elapsed. The Act has no remaining operation.</p> |
| 27 | <i>Kalgoorlie Road Board License Validation Act 1904</i> | <p>The Act validated an agreement between the Kalgoorlie Road Board and the Kalgoorlie Electric Power and Lighting Corporation, Limited under which the Road Board was to grant the company a licence to sell and supply electricity and the company was to provide street lighting. The maximum term of the agreement was 60 years. The Act has no remaining operation.</p> |
| 28 | <i>Katanning Electricity Supply Undertaking Acquisition Act 1961</i> | <p>The Act ratified an agreement for sale of electricity supply undertaking by Katanning Flour Mills Limited. to State Electricity Commission. The transfer date was 4 December 1961. The Act has no remaining operation.</p> |

| | Acts | Comments |
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| 29, 30 | <i>Kwinana-Mundijong-Jarrahdale Railway Act 1961</i> <i>Kwinana-Mundijong-Jarrahdale Railway Extension Act 1967</i> | These Acts authorise the construction and maintenance of the railway. The railway is no longer in use. |
| 31 | <i>Local Government Water Supply Preservation Act 1892</i> | The Act deems the catchment area of a local government water supply to be part of the local government district for the purposes of the Act (ie prevention of pollution) and deems the <i>Health Act 1911</i> to apply accordingly. The Act is no longer applicable to any local government and has no remaining operation. |
| 32 | <i>Mangles Bay Railway Act 1968</i> | The Act authorises the construction and maintenance of the railway. The railway is no longer in use. |
| 33 | <i>Manjimup Canned Fruits and Vegetables Industry Agreement Act 1969</i> | The Act ratifies an agreement for establishment and carrying on a fruit and vegetable processing, canning and packing plant at Manjimup. The cannery ceased operation in 1986. The site has changed hands 4 times since then, each time being used for a different purpose. The Act has no remaining operation. |
| 34 | <i>Metropolitan Water Supply, Sewerage, and Drainage Board (Validation) Act 1977</i> | The Act provides that certain works undertaken by the Metropolitan Water Supply, Sewerage, and Drainage Board are deemed to have been lawfully undertaken in compliance with the <i>Metropolitan Water Supply, Sewerage, and Drainage Act 1909</i> . The Act has had its effect and is no longer required. |
| 35 | <i>Millstream Station Acquisition Act 1982</i> | The Act was passed to ratify the resumption of the Millstream Station as legal difficulties had arisen with the resumption. The land was resumed for the purposes public works (to secure a water supply to the surrounding districts), for parks and the protection and preservation of indigenous flora and fauna, and to vest the lands in the Crown. The Act allows the Minister to acquire the station business and to continue it as a trading concern until the purposes for which the land was resumed are completed. The acquisition of the station has been finalised, the water supply secured and parts of the former pastoral lease have been added to the national park. The Act has no remaining operation. |
| 36 | <i>Mine Workers' Relief (War Service) Act 1940</i> | This Act protected the rights of mine workers to benefits from the Mineworkers Relief Fund (established under the <i>Mine Workers' Relief Act 1932</i>) during periods of absence on 'war service'. The Fund, now administrated by SGIO, is now closed with the only remaining pensioners being 5 surviving spouses. This Act therefore has no remaining operation. |

| | Acts | Comments |
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| 37 | <i>Multicultural and Ethnic Affairs Commission Act 1983</i> | The Act provided for the Multicultural and Ethnic Affairs Commission to operate for 8 years. That period has now expired. As the Commission no longer exists, the Act has no remaining operation. |
| 38 | <i>Naval and Military Absentees Relief Act 1915</i> | The Act provides that a person who normally resides in the State but is absent on active military service shall not be subject under any law of WA to any disability or discrimination which would not be equally applicable to him if he were not absent. No longer required. |
| 39 | <i>Naval and Victualling Stores Ordinance 1867</i> | The Act provided for the identification of Her Majesty's naval and victualling stores and prohibited unauthorised dealing in those stores. The Act is now obsolete. |
| 40 | <i>Northern Mining Corporation (Acquisition) Act 1983</i> | The Act authorised the Treasurer to acquire the shares of, make advances to, and guarantee any financial obligations of, Northern Mining Corporation N.L. The company became Northern Mining Corporation Limited and was later taken over by Western Australian Government Holdings Ltd. That company was deregistered in 1998. The Act is now redundant. |
| 41 | <i>Pawnbrokers' Ordinance Amendment Act 1877</i> | The Act relates to the <i>Pawnbrokers' Ordinance 1860</i> , which has been repealed. |
| 42 | <i>Perth and Tattersall's Bowling and Recreation Club (Inc.) Act 1979</i> | <p>The Act transfers the assets and liabilities of the Perth Bowling and Recreation Club (Incorporated) and Western Australian Tattersall's Club (a company) to an association to be incorporated (Perth and Tattersall's Bowling and Recreation Club (Inc.)). On completion of the transfer the PB&R Club and WAT Club are dissolved.</p> <p>The Perth and Tattersall's Bowling and Recreation Club was incorporated on 26 August 1980 and the transfers have been completed. The Act has no remaining operation.</p> |
| 43 | <i>Perth Dental Hospital Land Act 1942</i> | <p>The Act provides for the transfer of land by The Western Australian College of Dental Science and Perth Dental Hospital Incorporated to the Perth Dental Hospital Board.</p> <p>This has occurred so the Act has no remaining operation.</p> |
| 44 | <i>Phosphate Co-operative (W.A.) Ltd. Act 1974</i> | The Act relates to the issue by Phosphate Co-operative (W.A.) Ltd. of a prospectus that contravened the <i>Companies (Co-operative) Act 1943</i> . It provides that application money received is to be held on trust by the Treasurer until applicants apply under a new prospectus to be issued by the company. Any money still held by the Treasurer on 1 Dec 1975 was to be repaid to the applicants. The Act has served its purposes and is now obsolete. |

| | Acts | Comments |
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| 45 | <i>Preston Road District Soldiers' Memorial Act 1918</i> | <p>The Act was to allow certain funds that had been raised for the erection of a Cottage Hospital at Donnybrook to be used instead for the provision of a memorial to WWI soldiers coming from the Preston Road District.</p> <p>This was done so the Act has no remaining operation.</p> |
| 46 | <i>Public Dental Hospital Land Act 1934</i> | <p>The Act allows The Western Australian College of Dental Science and Perth Dental Hospital Incorporated to sell land granted to it for use as a dental hospital with the proceeds to be used to buy other land for that purpose and any surplus to be put towards construction of the hospital.</p> <p>This has occurred so the Act has no remaining operation.</p> |
| 47 | <i>Public Servants' Act 1915</i> | <p>The Act provides that a public servant who at any time has been a natural-born subject of any Power at war with the United Kingdom, or is the child of such a person, shall hold his office at the will of the Crown; and may be required to take leave of absence without pay for such period as the Governor may think fit.</p> <p>No longer in use and probably contrary to <i>Racial Discrimination Act 1975</i> (C'th). Employment of public servants now covered by the <i>Public Sector Management Act 1994</i>.</p> |

| | Acts | Comments |
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| 48 to 58 | Railway discontinuance Acts | <p>These Acts provide for the discontinuance of the various railways, for the use of materials from them and, in most cases, for the revestment of the land. The Acts no longer have any continuing operation.</p> <p><i>Railway (Collie-Griffin Mine Railway) Discontinuance Act 1967</i></p> <p><i>Railway (Coogee-Kwinana Railway) Discontinuance Act 1973</i></p> <p><i>Railway (Kalgoorlie-Parkeston) Discontinuance and Land Revestment Act 1973</i></p> <p><i>Railway Discontinuance Act 1996</i></p> <p><i>Railways Discontinuance Act 1980</i></p> <p><i>Railways Discontinuance Act 1985</i></p> <p><i>Railways Discontinuance and Land Revestment Act 1968</i></p> <p><i>Railways Discontinuance and Land Revestment Act 1970</i></p> <p><i>Railways Discontinuance and Land Revestment Act 1974</i></p> <p><i>Railways Discontinuance and Land Revestment Act 1975</i></p> <p><i>Railways Discontinuance and Land Revestment Act 1978</i></p> |
| 59 to 61 | <p><i>Real Property Transfer Act Amendment Act 1843</i></p> <p><i>Real Property Transfer Act Amendment Ordinance 1856</i></p> <p><i>Real Property Transfer Act Amendment Ordinance 1860</i></p> | <p>These Acts relate to the <i>Real Property Transfer Act 1832</i>, which has been repealed.</p> |

| | Acts | Comments |
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| 62, 63 | <i>Special Tax Acts Revision Act 1937</i> <i>Special Tax Assessment Acts Revision Act 1937</i> | These are primarily amending Acts. Their only continuing provisions, relating to the reprinting of the amended Acts, have been superseded by the <i>Reprints Act 1984</i> . |
| 64 | <i>State Salaries (Commonwealth Taxation) Act 1916</i> | This Act provides that taxation by the Commonwealth of salaries of State Officers, Ministers and Parliamentary officers is not an interference with the exercise of any power of the State. This is no longer required. |
| 65 | <i>State Trading Concerns Act Amendment Act (No. 1) 1932</i> | The Act would have amended the <i>State Trading Concerns Act 1914</i> to abolish the State Implement and Engineering Works as a trading concern, however it was not proclaimed. The SIE Works was abolished as a trading concern by the <i>State Engineering Works Act 1984</i> . Therefore the 1932 Act has no possible operation. |
| 66 | <i>Superannuation Act Amendment Act 1885</i> | This Act relates to the <i>Superannuation Act 1871</i> , which has been repealed. |
| 67 | <i>The Confederation of Western Australian Industry (Incorporated) Act 1976</i> | The Act deems references in written laws to the “Western Australian Employers’ Federation (Incorporated)” or “The West Australian Chamber of Manufactures (Incorporated)” to be references to “The Confederation of Western Australian Industry (Incorporated)”. The Confederation of Western Australian Industry (Incorporated) has now been replaced by the Chamber of Commerce and Industry of Western Australia. The Act is therefore no longer applicable. Amendments will be included in the next <i>Statutes (Repeals and Minor Amendments) Bill</i> to change references to “The Confederation of Western Australian Industry (Incorporated)” to the “Chamber of Commerce and Industry of Western Australia”. |
| 68, 69 | <i>Trustee Ordinance 1854</i> <i>The Trustee Ordinance 1854, Amendment Act 1895</i> | These Acts relate to the powers of trustees, property of infants, lunatics, persons of unsound mind or who can’t be found. This has been superseded by other legislation, principally the <i>Trustees Act 1962</i> . |

| | Acts | Comments |
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| 70 | <i>Trustees Colonial Investment Act 1900</i> | The Act provides that when ordered to do so by a UK Court, the Treasurer is to pay, in London, amounts payable in respect of WA Government securities (ie. securities issued by Govt of WA and secured by charge on the public revenues, or forming part of the public debt of WA, in respect of money borrowed under the authority of an Act.) This is no longer in use. |
| 71 | <i>Trustees Protection Act 1931</i> | The Act allows Trustees to convert “existing securities” within the meaning of the <i>Debt Conversion Act 1931</i> (C’th) (repealed) into “new securities”. No longer applicable and powers of trustees now covered by <i>Trustees Act 1962</i> . |
| 72 | <i>Wesply (Dardanup) Agreement Authorization Act 1975</i> | The Act authorised the execution of an agreement between the State and Westralian Plywoods Pty. Ltd. relating to the establishment of a particle board manufacturing industry near Dardanup. The agreement was terminated by a subsequent agreement which was ratified by the <i>Wood Processing (WESFI) Agreement Act 2000</i> . The Act is therefore redundant. |
| 73, 74 | <i>Western Australian Bank Act 1896</i> <i>Western Australian Bank Act Amendment Act 1925</i> | The Western Australian Bank was established by Act 42 Vic. No. 33 to carry on for 21 years. The <i>Western Australian Bank Act 1896</i> continues the Bank and makes provision for its powers etc. This was added to by the 1925 Amendment Act. This is now redundant. |
| 75, 76 | <i>Western Australian Bush Nursing Trust Act 1936</i> <i>Western Australian Bush Nursing Trust Act Amendment Act 1947</i> | The Act constitutes “The Trustees of the Western Australian Bush Nursing Trust Incorporated” as a corporate body, sets out its powers and vests Trust property in the corporate body. The Act is now obsolete. |
| 77 | <i>Wheat Products (Prices Fixation) Act 1938</i> | The Act provides for the regulation of prices of flour and certain other wheat products as part of a national scheme implemented in 1938 to ensure wheat growers a payable price for their product. The Act is no longer in use. Will also repeal the <i>Wheat Products (Prices Fixation) Regulations 1972</i> . |
| 78 | <i>Women’s Legal Status Act 1923</i> | The Act prohibits discrimination on the grounds of sex in holding public office, carrying on a profession etc. It has been superseded by the <i>Equal Opportunity Act 1984</i> . |

| | Acts | Comments |
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| 79 | <i>Wood Chipping Industry Agreement Act 1969</i> | The Act was to approve an agreement between the State, the W.A. Chip & Pulp Co. Pty. Ltd. and Bunning Timber Holdings Ltd. relating to the establishment and carrying on of a wood chipping industry. The agreement expired on 31 December 2003. The Act has no remaining operation. |
| 80 | <i>Wyndham Freezing, Canning, and Meat Export Works Act 1918</i> | The Act authorised establishment of treatment, freezing, and canning works at Wyndham as a State trading concern under the <i>State Trading Concerns Act 1916</i> . The meatworks were established and operated until 1985. Since then the facilities have been put to other uses, scrapped or destroyed in a fire. The Act has no remaining operation. |

Schedule 2 — Subsidiary legislation repealed

| | Subsidiary legislation | Comments |
|------|---|--|
| 1 | <i>Land Drainage (Rating Grades) Regulations 1986</i> | The <i>Land Drainage Act 1925</i> used to provide for the differential rating of land on the basis of various grades of land. These regulations prescribed the various grade of land. The Act no longer provides for the imposition of rates. These regulations are therefore redundant. |
| 2, 3 | <i>Metropolitan Water Supply Sewerage, and Drainage Board (Bearer Debenture and Inscribed Stock) By-laws 1979</i> <i>Metropolitan Water Supply, Sewerage and Drainage Act (Form of Debenture) By-laws 1969</i> | <p>These by-laws relate to the issue of bearer debentures and inscribed stock issued by the <i>Metropolitan Water Supply Sewerage, and Drainage Board</i>.</p> <p>The MWSS&D Board was replaced by the Metropolitan Water Authority, which was replaced by the Water Authority of WA, which was replaced by the Water Corporation, Water and Rivers Commission and Water Services Coordinator (which has been replaced by the Economic Regulation Authority).</p> <p>There are no debentures or stock left to which these By-laws apply.</p> |
| 4 | <i>Regulations for the Conduct of the Central Music Library</i> | The regulations provide for the operation of the Central Music Library. The Central Music Library is now part of the Music and Performing Arts Library which is a unit within the State Reference Library, a directorate of the State Library of Western Australia. It is now covered by the <i>Regulations for the Conduct of the State Library</i> under which “books” includes music scores. These regulations are therefore no longer used. |
| 5 | <i>State Energy Commission (Bearer Debenture and Inscribed Stock) Regulations 1980</i> | These by-laws relate to the issue of bearer debentures and inscribed stock issued by the State Energy Commission. All debentures and stock under these regulations have matured. Any unclaimed money has been transferred to the Treasurer under the <i>Unclaimed Monies Act 1990</i> . The Regulations have no remaining operation. |
| 6 | <i>System of Accounting, Receipt and Disbursement of Moneys Regulations</i> | <p>These regulations prescribe procedures for the receipt and disbursement of money, and accounting, of trading concerns. They are no longer in use and have not been used for many years.</p> <p>[No formal citation: Published as untitled regulations made under the <i>State Trading Concerns Act 1916</i> (see <i>Gazette</i> 31 August 1917 p. 1376-8).]</p> |

| | Subsidiary legislation | Comments |
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| 7 | <i>Western Australian Coal Mines Advisory Board Regulations 1953</i> | These Regulations were made under the <i>Mining Act 1905</i> to prescribe sitting fees for members of the <i>Western Australian Coal Mines Advisory Board</i> . When the <i>Mining Act 1905</i> was replaced in 1978 the Board was not continued. The regulations therefore ceased to be relevant and it is arguable that the repeal of the Act also effected the repeal of the regulations. However there appears to be some confusion about their continued existence. To resolve this it is proposed that the regulations be repealed. |
| 8 | <i>Western Australian Museum (Historic Wreck) Regulations</i> | These regulations were made for the purposes of the <i>Museum Act 1969</i> s. 39. Part V of that Act (incl s. 39) was replaced by the <i>Maritime Archaeology Act 1973</i> . These regulation are therefore redundant. |
| 9 | <i>Western Australian Reproductive Technology Council (Nominating Bodies) Regulations 1992</i> | The <i>Human Reproductive Technology Act 1991</i> provides for the Western Australian Reproductive Technology Council to include representatives from interested bodies. Originally the interested bodies were required to be prescribed. This requirement was deleted in 1996. These regulations are therefore redundant. |
| 10 | <i>Wittenoom Water Area By-laws</i> | These by-laws relate to various matters including preventing of pollution of the catchment areas, licensing of plumbers and water supply plumbing, water supply and rates and charges. They are no longer in use having been superseded by other legislation. [No formal citation: Published as untitled by-laws made under the <i>Water Boards Act 1904</i> (see <i>Gazette</i> 10 April 1952 p. 922-3).] |