

**Statutes (Repeals and Minor Amendments)  
Bill 2006**

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Western Australia

LEGISLATIVE COUNCIL

**Statutes (Repeals and Minor Amendments)  
Bill 2006**

**A Bill for**

**An Act to amend the statute law by —**

- **repealing various Acts and adopted imperial Acts; and**
  - **making minor amendments to various other written laws and adopted imperial Acts,**
- and for related purposes.**

The Parliament of Western Australia enacts as follows:

## **Part 1 — Preliminary**

**1. Short title**

This is the *Statutes (Repeals and Minor Amendments) Act 2006*.

**2. Commencement**

5 This Act comes into operation on the day on which it receives the Royal Assent.

## **Part 2 — Repeals**

### **Division 1 — Repeals without consequential amendments**

#### **3. Various Acts repealed**

These Acts are repealed —

- 5 (a) *Imperial Act Adopting Ordinance 1847*;
- (b) *Land Act Amendment Act 1928*;
- (c) *Life Assurance Companies Act 1889*;
- (d) *Sailors and Soldiers' Scholarship Fund Act 1938*;
- (e) *Stock Jobbing (Application) Act 1969*;
- 10 (f) *The Bankruptcy Act 1892*.

### **Division 2 — Companies legislation repealed and consequential amendments**

#### **4. Acts repealed**

These Acts are repealed —

- 15 (a) *Companies Act 1961*;
- (b) *Companies (Acquisition of Shares) (Application of Laws) Act 1981*;
- (c) *Companies (Application of Laws) Act 1981*;
- (d) *Companies and Securities (Interpretation and Miscellaneous Provisions) (Application of Laws) Act 1981*;
- 20 (e) *Futures Industry (Application of Laws) Act 1986*;
- (f) *Marketable Securities Transfer Act 1970*;
- (g) *Securities Industry Act 1975*;
- 25 (h) *Securities Industry (Application of Laws) Act 1981*;

**Statutes (Repeals and Minor Amendments) Bill 2006**

**Part 2** Repeals

**Division 2** Companies legislation repealed and consequential amendments

**s. 5**

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- (i) *Securities Industry (Release of Sureties) Act 1977*;
- (j) *Companies Act (Interstate Corporate Affairs Commission) Amendment Act 1975*.

5 [Note: The repeal of the Acts referred to in paragraphs (b) to (e) and (h) will terminate the following Codes —

- *Companies (Western Australia) Code*;
- *Futures Industry (Western Australia) Code*;
- *Securities Industry (Western Australia) Code*;
- *Companies (Acquisition of Shares) (Western Australia) Code*;
- 10 • *Companies and Securities (Interpretation and Miscellaneous Provisions) (Western Australia) Code*.]

**5. Bills of Sale Act 1899 amended**

- (1) The amendments in this section are to the *Bills of Sale Act 1899*\*.

15 [\* Reprinted as at 24 August 2001.  
For subsequent amendments see *Western Australian Legislation Information Tables for 2005, Table 1*.]

- (2) Section 3(2) and (3) are repealed.

**6. Companies (Administration) Act 1982 amended**

- 20 (1) The amendments in this section are to the *Companies (Administration) Act 1982*\*.

[\* *Act No. 9 of 1982*.  
For subsequent amendments see *Western Australian Legislation Information Tables for 2005, Table 1, and Act*  
25 *No. 32 of 1994*.]

- (2) The long title is amended by deleting “to establish the Companies Auditors and Liquidators Disciplinary Board,”.

- (3) Sections 13 and 14 are repealed.

**7. Evidence Act 1906 amended**

- (1) The amendments in this section are to the *Evidence Act 1906*\*.

[\* *Reprint 13 as at 1 July 2005.*

*For subsequent amendments see Western Australian  
Legislation Information Tables for 2005, Table 1, and Acts  
Nos. 34 of 2004 and 28 of 2006.]*

- (2) Section 79(1) is amended as follows:

(a) by deleting “or in any State or Territory of the  
Commonwealth”;

(b) in paragraph (a) by deleting “, or in that State or  
Territory”;

(c) in paragraph (b) by deleting “of such State or Territory”.

- (3) Section 79(2) is amended by deleting “or in any State or  
Territory of the Commonwealth or of or from a transparency  
(within the meaning of the *Companies (Western Australia)  
Code*) of a document which has been kept and registered at any  
such office”.

- (4) Section 79(3) is amended as follows:

(a) by deleting paragraph (a) and “and” after it;

(b) in paragraph (b) by deleting “or in any State or Territory  
of the Commonwealth” and “, the *Companies  
Act 1961*,”.

**8. Mining Act 1978 amended**

- (1) The amendments in this section are to the *Mining Act 1978*\*.

[\* *Reprint 6 as at 10 April 2006.*]

- (2) Section 101(1) is amended as follows:

(a) by deleting “, the *Companies (Western Australia) Code*  
or the *Companies Act 1961*,”;

(b) by deleting “section 371(2) of that Code or of  
section 230(3) of that Act,”.

**Statutes (Repeals and Minor Amendments) Bill 2006**

**Part 2** Repeals

**Division 2** Companies legislation repealed and consequential amendments

**s. 9**

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**9. Supreme Court Act 1935 amended**

- (1) The amendment in this section is to the *Supreme Court Act 1935*\*.

[\* Reprint 7 as at 19 August 2005.

5       For subsequent amendments see *Western Australian Legislation Information Tables for 2005, Table 1.*]

- (2) Section 11E(2)(b) is deleted.

**10. Transfer of Land Act 1893 amended**

- 10       (1) The amendments in this section are to the *Transfer of Land Act 1893*\*.

[\* Reprint 7 as at 6 May 2005.

For subsequent amendments see *Western Australian Legislation Information Tables for 2005, Table 1, and Acts Nos. 60 of 2003 and 38 of 2005.*]

- 15       (2) Section 143(1) is amended as follows:

(a) by inserting after “duplicate,” —  
“ or ”;

20       (b) by deleting “, or a copy certified by the Commissioner for Corporate Affairs to be a true copy of a power of attorney recorded pursuant to the *Companies (Western Australia) Code*, the *Companies Act 1961*, or any corresponding previous enactment”.

**11. Unclaimed Money Act 1990 amended**

- 25       (1) The amendments in this section are to the *Unclaimed Money Act 1990*\*.

[\* Reprinted as at 5 November 1999.

For subsequent amendments see *Western Australian Legislation Information Tables for 2005, Table 1.*]

- (2) Section 9(1)(n), (o), (p) and (q) are deleted.

---

**Division 3 — *Public Institutions and Friendly Societies Lands Improvement Act 1892* repealed and consequential amendments**

**12. *Public Institutions and Friendly Societies Lands Improvement Act 1892* repealed**

5           These Acts are repealed —

- (a) *Public Institutions and Friendly Societies Lands Improvement Act 1892*;
- (b) *Public Institutions and Friendly Societies Lands Improvement Act 1892, Amendment Act 1893*.

10   **13. *Hospitals and Health Services Act 1927* amended**

- (1) The amendments in this section are to the *Hospitals and Health Services Act 1927*\*.

[\* *Reprint 5 as at 26 August 2005*.

15           *For subsequent amendments see Western Australian Legislation Information Tables for 2005, Table 1, and Acts Nos. 28 and 45 of 2006.*]

- (2) Section 17(1) is repealed.
  - (3) Section 17(2a) is amended by inserting after “incidental thereto,” —
- 20           “ or the improvement of any land held by the board, ”.

**14. *Pharmacy Act 1964* amended**

- (1) The amendments in this section are to the *Pharmacy Act 1964*\*.

[\* *Reprint 4 as at 11 November 2005*.]

- (2) Section 8(3) is repealed.

**Statutes (Repeals and Minor Amendments) Bill 2006**

**Part 2** Repeals

**Division 3** Public Institutions and Friendly Societies Lands Improvement Act 1892 repealed and consequential amendments

**s. 14**

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(3) After section 9(1) the following subsection is inserted —

“

(1a) The Council may, with the approval of the Governor —

5

(a) borrow money for the purpose of erecting, altering or adding to any building on, or otherwise improving, land held by the Council; and

10

(b) mortgage land held by the Council as security for any such borrowing.

”.



### Part 3 — Amendments

**15. Acts Amendment (Equality of Status) Act 2003 amended**

- (1) The amendment in this section is to the *Acts Amendment (Equality of Status) Act 2003*\*.

5 [\* Act No. 28 of 2003.]

- (2) Part 64 is repealed.

**16. Acts Amendment (Federal Courts and Tribunals) Act 2001 amended**

- (1) The amendment in this section is to the *Acts Amendment (Federal Courts and Tribunals) Act 2001*\*.

10

[\* Act No. 32 of 2001.]

- (2) Part 9 is repealed.

**17. Acts Amendment (Lesbian and Gay Law Reform) Act 2002 amended**

- (1) The amendment in this section is to the *Acts Amendment (Lesbian and Gay Law Reform) Act 2002*\*.

15

[\* Act No. 3 of 2002.]

- (2) Section 88(3)(c) is deleted.

**18. Adoption Act 1994 amended**

- (1) The amendments in this section are to the *Adoption Act 1994*\*.

20

[\* Reprint 3 as at 12 May 2006.]

- (2) Section 42(2) is amended by deleting “Director-General” and inserting instead —

“ CEO ”.

**s. 19**

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(3) Section 52(1) is amended as follows:

- (a) after paragraph (a)(iiid) by deleting “or”;
- (b) after each of paragraphs (a) to (c), paragraph (a)(i) to (vb) and paragraph (c)(i) by inserting —  
5 “ and ”.

(4) Section 52(2) is amended by deleting “by any provision of” in the first place where it occurs.

**19. Aerial Spraying Control Act 1966 amended**

(1) The amendments in this section are to the *Aerial Spraying Control Act 1966*\*.

[\* *Reprint 3 as at 18 June 2004.*  
*For subsequent amendments see Western Australian Legislation Information Tables for 2005, Table 1.*]

(2) Section 10(1) is amended by renumbering paragraphs (i) and (ii) as paragraphs (c) and (d) respectively.

**20. Agricultural and Veterinary Chemicals (Western Australia) Act 1995 amended**

(1) The amendments in this section are to the *Agricultural and Veterinary Chemicals (Western Australia) Act 1995*\*.

[\* *Reprinted as at 1 March 2002.*  
*For subsequent amendments see Western Australian Legislation Information Tables for 2005, Table 1.*]

(2) Section 3 is amended by deleting the definition of “NRA” and inserting in the appropriate alphabetical position —

25 “  
“**APVMA**” means the Australian Pesticides and  
Veterinary Medicines Authority continued in  
existence by section 6 of the Agricultural and  
Veterinary Chemicals (Administration) Act;  
30 ”.

- (3) The provisions listed in the Table to this subsection are amended by deleting “NRA” in each place where it occurs and inserting instead —

“ APVMA ”.

5

**Table**

s. 16(2)	s. 28(1)
s. 21(1), (2), (2)(c)	s. 30
s. 22(1), (2)	s. 31(1)(c), (d)(i), (e)(i), (f),
s. 23	(g)(i), (2)(c), (2)(d), (2)
s. 24	

**21. Agricultural Practices (Disputes) Act 1995 amended**

- (1) The amendments in this section are to the *Agricultural Practices (Disputes) Act 1995*\*.

[\* *Reprint 1 as at 11 August 2006.*]

10

- (2) Section 3 is amended in the definition of “rural land” by deleting “defined the” and inserting instead —

“ defined in the ”.

**22. Architects Act 2004 amended**

- (1) The amendments in this section are to the *Architects Act 2004*\*.

15

[\* *Act No. 75 of 2004.*

*For subsequent amendments see Western Australian Legislation Information Tables for 2005, Table 1.]*

- (2) Section 58(2) is amended by deleting “2003.” and inserting instead —

20

“ 2004. ”.

**23. Art Gallery Act 1959 amended**

- (1) The amendments in this section are to the *Art Gallery Act 1959*\*.

[\* Reprinted as at 5 April 2002.

5       For subsequent amendments see *Western Australian Legislation Information Tables for 2005, Table 1.*]

- (2) Section 20A(5) is amended by deleting “as Treasurer” and inserting instead —

“ as the Treasurer ”.

10   **24. Bank Mergers Act 1997 amended**

- (1) The amendments in this section are to the *Bank Mergers Act 1997*\*.

[\* Reprint 1 as at 20 February 2004.]

- 15   (2) Section 3 is amended in the definition of “bank” by deleting “of a an ADI” and inserting instead —

“ of an ADI ”.

**25. Bank of Western Australia Act 1995 amended**

- (1) The amendment in this section is to the *Bank of Western Australia Act 1995*\*.

20       [\* Reprint 1 as at 7 May 2004.]

- (2) Section 11 is repealed.

**26. Betting Control Act 1954 amended**

- (1) The amendment in this section is to the *Betting Control Act 1954*\*.

25       [\* Reprinted as at 12 April 2002.

For subsequent amendments see *Western Australian Legislation Information Tables for 2005, Table 1, and Act No. 38 of 2005.*]

- (2) Section 20(3)(e) is amended by renumbering the subparagraph (ii) which commences “the RWWA Act” as subparagraph (iii).

**27. Caravan Parks and Camping Grounds Act 1995 amended**

- 5 (1) The amendments in this section are to the *Caravan Parks and Camping Grounds Act 1995*\*.

[\* Reprint 2 as at 7 July 2006.]

- (2) Section 34(1) and (2) are repealed.  
(3) Schedule 2 is amended by deleting item 3.

10 **28. Cemeteries Act 1986 amended**

- (1) The amendments in this section are to the *Cemeteries Act 1986*\*.

[\* Reprinted as at 3 April 2002.

For subsequent amendments see *Western Australian Legislation Information Tables for 2005, Table 1.*]

15

- (2) Section 39 is amended by deleting “redevelops portion” and inserting instead —

“ redevelops a portion ”.

**29. Charitable Collections Act 1946 amended and consequential amendment**

20

- (1) The amendments in this section, other than subsection (4), are to the *Charitable Collections Act 1946*\*.

[\* Reprint 3 as at 2 April 2004.

For subsequent amendments see *Western Australian Legislation Information Tables for 2005, Table 1.*]

25

- (2) Section 6 is amended as follows:  
(a) in subsection (1) by renumbering paragraphs (i), (ii) and (iii) as paragraphs (e), (f) and (g) respectively;

**s. 30**

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(b) in subsection (3) by deleting “subsection (1)(i), (ii) or (iii),” and inserting instead —  
“ subsection (1)(e), (f) or (g), ”.

5 (3) Section 13(2) is amended by deleting “of opinion — ” and inserting instead —  
“ of the opinion — ”.

(4) The *Pawnbrokers and Second-hand Dealers Regulations 1996\** are amended in regulation 5(1) item 3 of the Table by deleting  
10 “paragraph (i), (ii) or (iii) of section 6(1)” and inserting instead —  
“ section 6(1)(e), (f) or (g) ”.

[\* *Reprint 2 as at 13 January 2006.*

*For subsequent amendments see Gazette 27 June 2006.]*

**30. *Chattel Securities Act 1987* amended**

15 (1) The amendment in this section is to the *Chattel Securities Act 1987\**.

[\* *Reprint 2 as at 21 April 2006.*

*For subsequent amendments see Act No. 28 of 2006.]*

20 (2) Section 24(3)(b) is amended by deleting “to be” in the first place where it occurs.

**31. *Child Welfare Amendment Act 1990* amended**

(1) The amendment in this section is to the *Child Welfare Amendment Act 1990\**.

[\* *Act No. 82 of 1990.*]

25 (2) Section 9 is repealed.

**32. Children and Community Services Act 2004 amended**

- (1) The amendments in this section are to the *Children and Community Services Act 2004*\*.

[\* Act No. 34 of 2004.

5           For subsequent amendments see *Western Australian Legislation Information Tables for 2005, Table 1, and Act No. 35 of 2006.*]

- (2) Section 3 is amended by inserting in the appropriate alphabetical position —

10

“

**“judge”** means a judge of the Court;

”.

- (3) The provisions listed in the Table to this subsection are amended by inserting before “magistrate” in each place where it occurs —

15

“ judge or ”.

**Table**

s. 34(1), (3)	s. 120(4), (5), (6), (7),
s. 35(1), (3)	(8), (9), (10)
s. 52(2), (4)	s. 135(3), (5)
s. 85(1), (3)	s. 136(4)(a), (5)
s. 86(1), (3)	s. 231(4)

- (4) Schedule 2 clause 25 is repealed.

**33. Civil Liability Act 2002 amended**

20

- (1) The amendments in this section are to the *Civil Liability Act 2002*\*.

[\* Reprint 1 as at 10 February 2006.]

**s. 34**

---

(2) Section 4(2) is amended as follows:

(a) in paragraph (a) —

(i) by deleting “Wage Cost Index” and inserting instead —

5

“

Labour Price Index (formerly known as the Wage Cost Index)

”;

(ii) by deleting “the WCI” and inserting instead —

10

“ **“the LPI”** ”;

(b) in paragraph (b) by deleting “WCI” and inserting instead —

“ LPI ”.

15 **34. Conservation and Land Management Act 1984 amended**

(1) The amendments in this section are to the *Conservation and Land Management Act 1984*\*.

[\* *Reprint 6 as at 9 June 2006.*

*For subsequent amendments see Act No. 28 of 2006.*]

20 (2) Section 131A(3) is repealed and the following subsection is inserted instead —

“

(3) A copy of a direction transmitted to the Clerk of a House is taken to have been laid before that House.

25

”.

(3) Section 131A(4) is amended by deleting “regarded as having occurred under subsection (3)(a)” and inserting instead —

“ taken to have occurred under subsection (3) ”.



**35. Conservation and Land Management Amendment Act 1991 amended**

- (1) The amendments in this section are to the *Conservation and Land Management Amendment Act 1991*\*.

5 [\* Act No. 20 of 1991.]

- (2) Section 51 is repealed.

- (3) The Schedule is amended by deleting items 1, 2 and 6.

**36. Conspiracy and Protection of Property Act of 1900 amended**

- 10 (1) The amendment in this section is to the *Conspiracy and Protection of Property Act of 1900*\*.

[\* Reprint 2 as at 10 September 2004.

For subsequent amendments see *Western Australian Legislation Information Tables for 2005, Table 1.*]

- (2) Section 6 is amended by deleting “either”.

15 **37. Constitution Acts Amendment Act 1899 amended**

- (1) The amendments in this section are to the *Constitution Acts Amendment Act 1899*\*.

[\* Reprint 14 as at 21 April 2006.

For subsequent amendments see *Acts Nos. 5 and 28 of 2006.*]

- 20 (2) Section 51 is amended by deleting “or other the order” and inserting instead —

“ or any other order ”.

**38. Construction Contracts Act 2004 amended**

- 25 (1) The amendments in this section are to the *Construction Contracts Act 2004*\*.

[\* Act No. 16 of 2004.]

**s. 39**

---

- (2) Sections 33(1)(b) and 39(2) and Schedule 1 clause 8(3) are amended by deleting “*Supreme Court Act 1935* section 142” and inserting instead —

“ *Civil Judgments Enforcement Act 2004* section 8(1)(a) ”.

5 **39. *Construction Industry Portable Paid Long Service Leave Act 1985* amended**

- (1) The amendments in this section are to the *Construction Industry Portable Paid Long Service Leave Act 1985*\*.

[\* *Reprint 2 as at 4 November 2005.*

10 *For subsequent amendments see Act No. 36 of 2006.]*

- (2) Section 6(1)(b) is amended by deleting “The Confederation of Western Australian Industry (Incorporated)” and inserting instead —

“

15 the Chamber of Commerce and Industry of  
Western Australia (Inc)

”.

**40. *Control of Vehicles (Off-road Areas) Act 1978* amended**

- (1) The amendment in this section is to the *Control of Vehicles (Off-road Areas) Act 1978*\*.

[\* *Reprint 3 as at 17 February 2006.*

*For subsequent amendments see Acts Nos. 38 of 2005 and 28 of 2006.]*

- (2) Section 3(1) is amended after the definition of “road” by deleting “and”.

**41. *Corruption and Crime Commission Act 2003* amended**

- (1) The amendments in this section are to the *Corruption and Crime Commission Act 2003*\*.

[\* *Reprint 2 as at 7 July 2006.*]

- (2) Section 3 is amended in the definition of “legal practitioner” by deleting “*Legal Practitioners Act 1893*” and inserting instead —  
“ *Legal Practice Act 2003* ”.
- (3) Section 27A(3) is amended by deleting “of Part 2”.
- 5 (4) Section 27B(1) is amended as follows:
- (a) in paragraph (a) by deleting “paragraph (a),” and inserting instead —  
“ section 27(1)(a) ”;
- 10 (b) in paragraph (b) by deleting “paragraph (b),” and inserting instead —  
“ section 27(1)(b) ”.
- (5) Section 67(1) is amended by deleting “this Part — ” and inserting instead —  
“ this Division — ”.
- 15 (6) Sections 77(2)(b) and 78(3)(b) are amended by deleting “section 75(3)” and inserting instead —  
“ section 75 ”.
- (7) Section 102 is amended by deleting “this Part” and inserting instead —  
20 “ this Division ”.
- (8) Section 145(1) is amended by deleting “a Commission” and inserting instead —  
“ the Commission ”.
- 25 (9) Section 150(2) is amended by deleting “either or both” and inserting instead —  
“ any or all ”.

**s. 42**

---

(10) Section 158(b) is amended by deleting “this section,” and inserting instead —

“ section 94 or 95, ”.

(11) Schedule 1 clause 1 is amended in the item relating to section 393 of *The Criminal Code* by inserting after “imprisonment for” —

“ 10 years or ”.

**42. Country Areas Water Supply Act 1947 amended**

(1) The amendments in this section are to the *Country Areas Water Supply Act 1947*\*.

[\* *Reprint 7 as at 7 April 2006.*

*For subsequent amendments see Acts Nos. 25 of 2005 and 28 of 2006.]*

(2) Section 12 is amended as follows:

(a) by deleting “health district constituted under” and inserting instead —

“ district for the purposes of ”;

(b) by deleting “such district under that Act.” and inserting instead —

“ that district. ”.

(3) Section 12E(3) is amended by deleting “determined at the time at which the claim for compensation is made in respect of judgment debts pursuant to section 142 of the *Supreme Court Act 1935*.” and inserting instead —

prescribed under section 8(1)(a) of the *Civil Judgments Enforcement Act 2004* at the time at which the claim for compensation is made.

”.

- (4) Section 81 is amended by deleting “recoverable action” and inserting instead —

“ recoverable by action ”.

**43. Court Security and Custodial Services Act 1999 amended**

- 5 (1) The amendments in this section are to the *Court Security and Custodial Services Act 1999*\*.

[\* Reprint 2 as at 9 September 2005.

*For subsequent amendments see Western Australian Legislation Information Tables for 2005, Table 1.]*

- 10 (2) Section 25(1) is amended in the definition of “judicial officer” by inserting after each of paragraphs (a) to (e) —

“ or ”.

**44. Credit Act 1984 amended**

- (1) The amendment in this section is to the *Credit Act 1984*\*.

15 [\* Reprint 2 as at 24 June 2005.

*For subsequent amendments see Western Australian Legislation Information Tables for 2005, Table 1, and Act No. 28 of 2006.]*

- (2) Section 91(3) is repealed.

20 **45. Criminal Property Confiscation Act 2000 amended**

- (1) The amendments in this section are to the *Criminal Property Confiscation Act 2000*\*.

[\* Reprint 1 as at 9 December 2005.]

- 25 (2) Section 34(5) is amended by deleting “order is made —” and inserting instead —

“ notice is issued — ”.

**s. 45**

---

- (3) Section 35(1)(e) is amended by deleting “order” and inserting instead —  
“ notice ”.
- (4) Section 39(4) is amended as follows:  
5 (a) by deleting “(3) or (4)” and inserting instead —  
“ (2) or (3) ”;  
(b) by deleting “order” and inserting instead —  
“ notice ”.
- (5) Section 45(c) is amended by deleting “the DPP,”.
- 10 (6) Section 82(7) is amended by deleting “an amount equal to the value of the property.” and inserting instead —  
“  
15 the amount assessed by the court as the amount equal to the value of the property at the time the application to set aside was made.  
”.
- (7) Section 83(5) is amended by deleting “of the application.” and inserting instead —  
“ the application to set aside was made. ”.
- 20 (8) Section 87 is amended as follows:  
(a) in subsections (2)(a), (b) and (c), (3) and (5) by deleting “objector” and inserting instead —  
“ applicant ”;  
(b) in subsections (3), (4) and (5)(a) and (b) by deleting  
25 “objector’s” and inserting instead —  
“ applicant’s ”.
- (9) Section 94(3)(b) is amended by inserting after “court” —  
“ in which the freezing notice was filed or ”.

- 
- (10) Section 113(10)(b) is amended by deleting “memorial” and inserting instead —  
 “ instrument ”.
- (11) Section 117(2)(b) is amended by inserting after “when the” —  
 5 “ notice or ”.
- (12) Section 118(2) is amended as follows:  
 (a) by deleting “An order” and inserting instead —  
 “  
 10 An interstate freezing order or an interstate  
 confiscation declaration ”;
- (b) by inserting after “the order” in both places where it occurs —  
 “ or declaration ”.
- (13) Section 118(3) is amended by inserting after “original” —  
 15 “ order or ”.
- (14) Section 118(4) is amended by inserting after “the order” —  
 “ or declaration ”.
- (15) Section 120(3) is amended by deleting “order” and inserting  
 20 instead —  
 “ declaration ”.
- (16) Section 121 is amended by inserting after “the order” in both  
 places where it occurs —  
 “ or declaration ”.
- (17) Section 122(1)(b) is amended by inserting after “the order” in  
 25 both places where it occurs —  
 “ or declaration ”.

**s. 46**

---

(18) Section 148(8)(b) is amended by inserting after “when the” —  
“ freezing notice or ”.

(19) Section 152(2) is amended by deleting “security” in the first  
place where it occurs and inserting instead —

5 “ secured ”.

(20) The Glossary is amended by deleting the definition of “criminal  
benefit” and inserting instead —

“

10 “**criminal benefit**” means any property, service, advantage  
or benefit the acquisition of which constitutes the  
acquisition of a criminal benefit within the meaning of  
section 145;

”.

**46. Curriculum Council Act 1997 amended**

15 (1) The amendments in this section are to the *Curriculum Council  
Act 1997*\*.

[\* *Reprint 1 as at 11 April 2003.*

*For subsequent amendments see Western Australian  
Legislation Information Tables for 2005, Table 1.]*

20 (2) Section 6(2)(f) is amended as follows:

(a) in subparagraphs (i) and (ii) by inserting after “officer  
of” —

“ the ”;

(b) in subparagraph (v) by deleting “the University” and  
inserting instead —

25 “ The University ”.



**47. Dampier to Bunbury Pipeline Act 1997 amended**

- (1) The amendment in this section is to the *Dampier to Bunbury Pipeline Act 1997*\*.

[\* Reprinted as at 17 November 2000.

5       For subsequent amendments see *Western Australian Legislation Information Tables for 2005, Table 1.*]

- (2) Schedule 2 clause 5(2) is amended by deleting “determined under section 142 of the *Supreme Court Act 1935* in respect of judgment debts that applies” and inserting instead —

10

“

prescribed under section 8(1)(a) of the *Civil Judgments Enforcement Act 2004*

”.

**48. Disposal of Uncollected Goods Act 1970 amended**

- 15       (1) The amendments in this section are to the *Disposal of Uncollected Goods Act 1970*\*.

[\* Reprinted as at 14 January 2000.

For subsequent amendments see *Western Australian Legislation Information Tables for 2005, Table 1.*]

- 20       (2) The Schedule is amended as follows:

- (a) in the item relating to the *Public Transport Authority Act 2003*, by inserting in the column headed “Number of Act” —

“ 31 of 2003 ”;

25

- (b) in the item relating to section 79 of the *Residential Tenancies Act 1987* by inserting in the column headed “Number of Act” —

“ 128 of 1987 ”.

**49. Dog Act 1976 amended**

(1) The amendments in this section are to the *Dog Act 1976*\*.

[\* *Reprint 5 as at 4 August 2006.*]

5 (2) Section 33G(6)(a)(i) is amended by deleting “Local Court” and inserting instead —

“ State Administrative Tribunal ”.

(3) Section 33J(c) is amended by deleting “the the” and inserting instead —

“ the ”.

10 **50. Economic Regulation Authority Act 2003 amended**

(1) The amendments in this section are to the *Economic Regulation Authority Act 2003*\*.

[\* *Act No. 67 of 2003.*

15 *For subsequent amendments see Acts Nos. 18 of 2005 and 28 of 2006.*]

(2) Section 60(2) is repealed and the following subsection is inserted instead —

“

20 (2) A copy of a document transmitted to the Clerk of a House is taken to have been laid before that House.

”.

(3) Section 60(3) is amended by deleting “regarded as having occurred under subsection (2)(a)” and inserting instead —

“ taken to have occurred under subsection (2) ”.

25 **51. Electricity Act 1945 amended**

(1) The amendments in this section are to the *Electricity Act 1945*\*.

[\* *Reprint 6 as at 16 December 2005.*

*For subsequent amendments see Acts Nos. 18 of 2005 and 28 of 2006.*]

(2) Section 5(1) is amended in the definition of “transmission work” by deleting the semicolon at the end of the definition and inserting a full stop instead.

5 (3) Section 32(3)(f) is amended by deleting “and powers,” and inserting instead —  
 “ and powers), ”.

**52. *Electricity Corporations Act 2005* amended**

(1) The amendments in this section are to the *Electricity Corporations Act 2005*\*.

10 [\* *Act No. 18 of 2005.*  
*For subsequent amendments see Act No. 38 of 2005.*]

(2) After section 37(3) the following subsection is inserted —  
 “

15 (4) If —  
 (a) the sources of energy used to generate electricity are a combination of renewable sources and diesel or renewable sources and gas; and  
 20 (b) the renewable sources comprise a substantial proportion of those sources of energy,

then for the purposes of subsection (2) the electricity is taken to be generated from renewable sources.

”.

(3) Schedule 5 Division 4 clause 21(2)(a) is amended as follows:

25 (a) after subparagraph (i) by deleting “and”;  
 (b) by deleting subparagraph (ii).

**53. *Electricity Transmission and Distribution Systems (Access) Act 1994* amended**

- (1) The amendments in this section are to the *Electricity Transmission and Distribution Systems (Access) Act 1994*\*.

5 [\* Reprint 3 as at 4 August 2006.]

- (2) Section 95A(4)(b) is amended by deleting “Schedule 5, 6, or 7” and inserting instead —

“ Schedule 5 or 6 ”.

**54. *Employers’ Indemnity Supplementation Fund Act 1980* amended**

10

- (1) The amendments in this section are to the *Employers’ Indemnity Supplementation Fund Act 1980*\*.

[\* Reprint 2 as at 16 May 2003.

15

*For subsequent amendments see Western Australian Legislation Information Tables for 2005, Table 1.]*

- (2) Section 10(fa) is amended by deleting “2004” and inserting instead —

“ 1981 ”.

**55. *Employment Agents Act 1976* amended**

20

- (1) The amendments in this section are to the *Employment Agents Act 1976*\*.

[\* Reprint 2 as at 11 August 2006.]

- (2) Section 25(4) is amended by deleting “licence to the in accordance” and inserting instead —

25

“ licence in accordance ”.

- (3) Section 31(b) is amended by deleting all the words from “of the Commissioner” to and including “shall be” and inserting instead —

“

5 of the Commissioner or a person appointed by the Commissioner shall be

”.

- (4) Section 40 is amended by deleting “the the” and inserting instead —

10 “ the ”.

**56. Energy Coordination Act 1994 amended**

- (1) The amendments in this section are to the *Energy Coordination Act 1994*\*.

[\* Reprint 3 as at 18 August 2006.]

- 15 (2) Section 11L(2) is amended as follows:

- (a) after paragraph (a) by inserting “and”;  
 (b) by deleting paragraph (b) and inserting instead —

“

20 (b) in the case of an application for a trading licence, the methods or principles that the applicant proposes to apply in determining its prices or charges; and

”.

- (3) Schedule 1A is amended as follows:

- 25 (a) by deleting paragraph (k) and inserting instead —

“

30 (k) if the licence is a trading licence, specifying any limitation on the capacity of the parties by express agreement to exclude, modify or restrict the terms and conditions of the customer contract; and

”;

**s. 57**

---

- (b) after each of paragraphs (a) to (j) and (l), paragraph (j)(i) and paragraph (n)(i) to (iv) by inserting —  
“ and ”.

**57. Environmental Protection Act 1986 amended**

- 5 (1) The amendments in this section are to the *Environmental Protection Act 1986*\*.

[\* *Reprint 5 as at 16 September 2005.*  
*For subsequent amendments see Acts Nos. 38 of 2005 and 28 of 2006.*]

- 10 (2) Section 3(1) is amended in the definition of “scheme Act” by deleting “means” and inserting instead —  
“ means the ”.

**58. Environmental Protection Amendment Act 2003 amended**

- 15 (1) The amendments in this section are to the *Environmental Protection Amendment Act 2003*\*.

[\* *Act No. 54 of 2003.*]

- (2) Section 111(4) is repealed.  
(3) Section 111(5) is amended by deleting “Section” and inserting instead —

20 “ Sections 70(3) to (11) and ”.

**59. Exotic Diseases of Animals Act 1993 amended**

- (1) The amendments in this section are to the *Exotic Diseases of Animals Act 1993*\*.

[\* *Reprint 1 as at 23 January 2004.*  
*For subsequent amendments see Western Australian Legislation Information Tables for 2005, Table 1.*]

25

- (2) Section 46(a) is amended by deleting “the *Public Service Act 1978*” and inserting instead —

“

Part 3 of the *Public Sector Management Act 1994*

”.

**60. *Fair Trading Act 1987* amended**

- (1) The amendments in this section are to the *Fair Trading Act 1987*\*.

[\* *Reprint 2 as at 24 June 2005.*]

*For subsequent amendments see Act No. 28 of 2006.*]

- (2) Section 5(1) is amended by deleting the definition of “product information standard” and inserting instead —

“

**“product information standard”** means a standard prescribed by regulations referred to in section 59;

”.

**61. *Fire and Emergency Services Authority of Western Australia Act 1998* amended**

- (1) The amendment in this section is to the *Fire and Emergency Services Authority of Western Australia Act 1998*\*.

[\* *Reprint 1 as at 4 April 2003.*]

*For subsequent amendments see Western Australian Legislation Information Tables for 2005, Table 1.*]

- (2) Section 36U(3) is repealed.

**62. *Firearms Act 1973* amended**

- (1) The amendments in this section are to the *Firearms Act 1973*\*.

[\* *Reprint 4 as at 1 July 2005.*]

**s. 63**

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- (2) Section 19AA(1) and (2) are amended by deleting “an indictable offence” and inserting instead —

“ a crime ”.

**63. *Firearms Amendment Act 2004* amended**

- 5 (1) The amendments in this section are to the *Firearms Amendment Act 2004*\*.

[\* *Act No. 69 of 2004.*]

- (2) Sections 22(4)(a) and 26 are repealed.

**64. *Fish Resources Management Act 1994* amended**

- 10 (1) The amendments in this section are to the *Fish Resources Management Act 1994*\*.

[\* *Reprint 2 as at 11 March 2005.*

*For subsequent amendments see Western Australian Legislation Information Tables for 2005, Table 1, and Act*

15 *No. 28 of 2006.*]

- (2) Section 126(c) is amended by deleting “authorisation, aquaculture” and inserting instead —

“ authorisation or aquaculture ”.

**65. *Fisheries Adjustment Schemes Act 1987* amended**

- 20 (1) The amendments in this section are to the *Fisheries Adjustment Schemes Act 1987*\*.

[\* *Reprinted as at 3 May 2002.*

*For subsequent amendments see Western Australian Legislation Information Tables for 2005, Table 1, and Act*

25 *No. 28 of 2006.*]

- (2) Section 11(3)(b) is amended by deleting “a fisheries” and inserting instead —

“ a voluntary fisheries ”.



**66. Forest Products Act 2000 amended**

- (1) The amendments in this section are to the *Forest Products Act 2000*\*.

[\* *Reprint 1 as at 15 July 2005.*

5        *For subsequent amendments see Acts Nos. 38 of 2005 and 28 of 2006.]*

- (2) Section 69(2) is repealed and the following subsection is inserted instead —

“

- 10        (2) A copy of a document transmitted to the Clerk of a House is taken to have been laid before that House.

”.

- (3) Section 69(3) is amended by deleting “subsection (2)(a)” and inserting instead —

15        “ subsection (2) ”.

- (4) Schedule 1 clause 5 is amended by deleting “as it thinks” and inserting instead —

“ as they think ”.

**67. Gaming and Wagering Commission Act 1987 amended**

- 20        (1) The amendments in this section are to the *Gaming and Wagering Commission Act 1987*\*.

[\* *Reprint 4 as at 18 August 2006.*]

- (2) Section 8(2) is amended after each of paragraphs (a) to (da), paragraph (c)(i) to (iii) and paragraph (d)(i) and (iii) by
- 25        inserting —

“ and ”.

**68. Gas Pipelines Access (Western Australia) Act 1998 amended**

- (1) The amendments in this section are to the *Gas Pipelines Access (Western Australia) Act 1998*\*.

[\* *Reprint 2 as at 8 October 2004.*

5        For subsequent amendments see Acts Nos. 18 of 2005 and 8 of 2006.]

- (2) Schedule 1 clause 13(7) is amended in the definition of “associate” by deleting “Law” and inserting instead —

“ Act ”.

10   **69. Gold Corporation Act 1987 amended**

- (1) The amendments in this section are to the *Gold Corporation Act 1987*\*.

[\* *Reprint 3 as at 10 June 2005.*

For subsequent amendments see Act No. 28 of 2006.]

- 15   (2) Section 3 is amended as follows:

- (a) in subsection (1), in the definition of “subsidiary”, by deleting paragraph (c) and inserting instead —

“

- 20       (c) a body determined to be a subsidiary of Gold Corporation under subsection (3);

”;

- (b) after subsection (2) by inserting the following subsection —

“

- 25       (3) Part 1.2 Division 6 of the Corporations Act applies for the purpose of determining whether a body is a subsidiary of Gold Corporation.

”.

**70. Governor's Establishment Act 1992 amended**

- (1) The amendment in this section is to the *Governor's Establishment Act 1992*\*.

[\* *Reprint 1 as at 2 May 2003.*]

- 5 (2) Section 3 is amended in the definition of "member of the Governor's Establishment" by inserting after "means" —  
" a ".

**71. Grain Marketing Act 2002 amended**

- 10 (1) The amendments in this section are to the *Grain Marketing Act 2002*\*.

[\* *Act No. 30 of 2002.*

*For subsequent amendments see Western Australian Legislation Information Tables for 2005, Table 1.*]

- 15 (2) Section 17(4) is repealed and the following subsection is inserted instead —

“

- (4) A copy of a direction transmitted to the Clerk of a House is taken to have been laid before that House.

”.

- 20 (3) Section 17(5) is amended by deleting "regarded as having occurred under subsection (4)(a)" and inserting instead —

“ taken to have occurred under subsection (4) ”.

**72. Guardianship and Administration Act 1990 amended**

- 25 (1) The amendments in this section are to the *Guardianship and Administration Act 1990*\*.

[\* *Reprint 3 as at 1 April 2005.*

*For subsequent amendments see Western Australian Legislation Information Tables for 2005, Table 1, and Acts Nos. 34 of 2004 and 35 of 2006.*]

**s. 73**

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(2) Section 3(1) is amended as follows:

- (a) in the definition of “determination”, after paragraph (h), by deleting “and”;
- (b) in the definition of “guardian”, in paragraph (c), by deleting “Guardian” and inserting instead —  
“ Advocate ”.

**73. *Hairdressers Registration Act 1946* amended and proclamations revoked**

(1) The amendments in this section are to the *Hairdressers Registration Act 1946*\*.

[\* *Reprint 2 as at 7 March 2003* .

*For subsequent amendments see Western Australian Legislation Information Tables for 2005, Table 1.]*

(2) Section 3(1) is repealed and the following subsection is inserted instead —

“

(1) Subject to subsection (2), this Act applies only within —

- (a) the South West Division under the *Land Administration Act 1997*; and
- (b) the area that is within 8 km of the Post Office at Kalgoorlie.

”.

(3) The proclamations made under section 3(2) of the *Hairdressers Registration Act 1946* and published in the *Gazette* before 9 March 2004 are revoked.

**74. *Health Act 1911* amended**

(1) The amendments in this section are to the *Health Act 1911*\*.

[\* *Reprint 13 as at 15 July 2005*.

*For subsequent amendments see Acts Nos. 34 of 2004 and 5, 23 and 28 of 2006.]*

(2) Section 55(3) is amended by deleting “one inch to 2 miles” and inserting instead —

“ 1:1 000 ”.

(3) Section 212B(1) is amended as follows:

5 (a) by deleting paragraph (zd) and inserting instead —

“

(zd) the registration of any body corporate, whether formed or incorporated, or taken to be registered (within the meaning of the *Corporations Act 2001* of the Commonwealth), in or outside the State, carrying on within the State the business of importing pet meat in carcass or boneless form into the State; and

”;

15 (b) after each of paragraphs (a) to (zc) and (ze) to (zr) by inserting —

“ and ”.

20 (4) The provisions listed in the Table to this subsection are amended by deleting “the University” in each place where it occurs and inserting instead —

“ The University ”.

**Table**

s. 340B(3)(a)	s. 340AL(1)
s. 340L(1)	s. 340BB(3)(c), (4)(f)
s. 340AB(3)(a)	s. 340BL(1)

**75. Health Amendment Act 1987 amended**

25 (1) The amendments in this section are to the *Health Amendment Act 1987*\*.

[\* Act No. 80 of 1987.]

(2) Sections 4(d), 83 and 90 are repealed.

**s. 76**

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**76. *Health Services (Conciliation and Review) Act 1995* amended**

- (1) The amendments in this section are to the *Health Services (Conciliation and Review) Act 1995*\*.

[\* *Reprint 2 as at 18 March 2005.*

5 *For subsequent amendments see Act No. 28 of 2006.]*

- (2) Section 57(1) is repealed and the following subsection is inserted instead —

“

- 10 (1) If either House of Parliament is not sitting the Director may place a report before that House for the purposes of section 56(1) by giving the report to the Clerk of that House, and that report is taken to have been placed before that House.

”.

15 **77. *Hire-Purchase Act 1959* amended**

- (1) The amendments in this section are to the *Hire-Purchase Act 1959*\*.

[\* *Reprint 7 as at 18 August 2006.*

- 20 (2) Section 36(1) is amended by deleting “it is claimed” and inserting instead —

“ claiming ”.

**78. *Home Building Contracts Act 1991* amended**

- (1) The amendments in this section are to the *Home Building Contracts Act 1991*\*.

25 [\* *Reprint 3 as at 10 February 2006.*]

- (2) Section 25E(2) is amended by deleting all the words from and including “before” to the end of the subsection and inserting instead —

“

30 before the commencement of the *Home Building Contracts Amendment Act 1996.*

”.

**79. Human Reproductive Technology Act 1991 amended**

- (1) The amendments in this section are to the *Human Reproductive Technology Act 1991*\*.

[\* Reprint 2 as at 11 November 2005.

5       For subsequent amendments see Acts Nos. 34 of 2004 and 28 of 2006.]

- (2) Section 29(3) is amended as follows:

(a) by deleting “it with”;

10       (b) by deleting “it may require.” and inserting instead —  
“ the Commissioner requires. ”.

**80. Industrial Relations Act 1979 amended**

- (1) The amendments in this section are to the *Industrial Relations Act 1979*\*.

[\* Reprint 10 as at 8 July 2005.

15       For subsequent amendments see *Western Australian Legislation Information Tables for 2005, Table 1, and Acts Nos. 34 of 2004 and 36 of 2006.*]

- (2) Section 32(4)(a), (b) and (c) are amended by deleting “subsection (3)” and inserting instead —

20       “ subsection (8) ”.

- (3) Section 90(1) is amended as follows:

(a) in paragraph (a) by deleting “is not on an” and inserting instead —

“ is not an ”;

25       (b) in paragraph (b) by inserting before “erroneous” —

“ on the ground that the decision is ”.

**s. 81**

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**81. *Inspector of Custodial Services Act 2003* amended**

- (1) The amendments in this section are to the *Inspector of Custodial Services Act 2003*\*.

[\* *Act No. 75 of 2003.*

5                    *For subsequent amendments see Western Australian  
Legislation Information Tables for 2005, Table 1.]*

- (2) Section 26(1) is amended as follows:

- (a) by deleting paragraph (c) and “or” after it and inserting  
instead —

10

“

- (c) an investigation or other action taken by the  
Corruption and Crime Commission under the  
*Corruption and Crime Commission Act 2003*;  
or

15

”;

- (b) after each of paragraphs (a) and (b) by inserting —

“ or ”.

- (3) Sections 44(1) and 45(a) and (b) are amended by deleting  
“Anti-Corruption Commission” in each place where it occurs  
and inserting instead —

20

“ Corruption and Crime Commission ”.

**82. *Insurance Commission of Western Australia Act 1986*  
amended**

- (1) The amendments in this section are to the *Insurance  
Commission of Western Australia Act 1986*\*.

25

[\* *Reprint 2 as at 8 September 2006.*]

- (2) Section 6 is amended as follows:

- (a) by deleting paragraph (b) and inserting instead —

“

30

- (b) to issue and undertake liability under policies of  
insurance as required by section 163 of the



*Workers' Compensation and Injury  
Management Act 1981; and*

”;

5 (b) after each of paragraphs (a) and (c) to (f) by inserting —  
“ and ”.

(3) Section 16(3) is repealed.

(4) Section 44 is amended as follows:

10 (a) by deleting “(the “WCR Act”),” and inserting instead —  
“ (the “WC&IM Act”), ”;

(b) by deleting “WCR Act” in each other place where it  
occurs and inserting instead —  
“ WC&IM Act ”.

**83. Interpretation Act 1984 amended**

15 (1) The amendments in this section are to the *Interpretation  
Act 1984*\*.

[\* Reprint 5 as at 12 August 2005.

*For subsequent amendments see Western Australian  
Legislation Information Tables for 2005, Table 1, and Act  
No. 38 of 2005.]*

20 (2) Section 5 is amended as follows:

(a) by deleting the definition of ““Gazette” or “Government  
Gazette”” and inserting instead —

“

25 “*Gazette*” or “*Government Gazette*” means the  
government gazette of Western Australia printed  
and published, or purporting to be printed and  
published, by the Government Printer and includes  
any supplement to that gazette;

”;

s. 83

---

(b) by inserting in the appropriate alphabetical position —

“

“**local government district**” has the meaning given by section 13C;

5

”.

(3) After section 13B the following section is inserted —

“

**13C. Local government districts, references to**

(1) In a written law —

10

“**local government district**” means a district under the *Local Government Act 1995*.

(2) A reference in a written law to a named local government district is a reference to the local government district that has that name under the *Local Government Act 1995*.

15

[Examples: “Perth local government district” refers to the local government district named Perth.

“Albany (Shire) local government district” refers to the local government district named Albany (Shire).]

20

”.

(4) After section 15 the following section is inserted —

“

**15A. Reference to a paragraph**

(1) In this section —

25

“**paragraph**” includes a subparagraph, item, subitem and any other similar provision.

(2) A reference in a written law to a paragraph includes a reference to a conjunction after it connecting it to another paragraph.

30

”.

**84. *Iron Ore (Marillana Creek) Agreement Act 1991* amended**

- (1) The amendments in this section are to the *Iron Ore (Marillana Creek) Agreement Act 1991*\*.

[\* Reprinted as at 5 April 2002.]

- 5 (2) Section 4A(1), (2) and (3) are amended by inserting before “Variation” —

“ First ”.

**85. *Jetties Act 1926* amended**

- (1) The amendments in this section are to the *Jetties Act 1926*\*.

10 [\* Reprinted as at 4 February 2000.

*For subsequent amendments see Western Australian Legislation Information Tables for 2005, Table 1, and Act No. 38 of 2005.]*

- 15 (2) Section 7(2) is amended by deleting “to the an officer” and inserting instead —

“ to an officer ”.

**86. *Jurisdiction of Courts (Cross-Vesting) Act 1987* amended**

- (1) The amendment in this section is to the *Jurisdiction of Courts (Cross-Vesting) Act 1987*\*.

20 [\* Reprinted as at 8 February 2002.

*For subsequent amendments see Western Australian Legislation Information Tables for 2005, Table 1.]*

- (2) Section 6A(1)(c)(ii) is amended by inserting after “determination” —

25 “ in ”.

**s. 87**

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**87. *Kalgoorlie and Boulder Racing Clubs Act 1904* amended**

- (1) The amendments in this section are to the *Kalgoorlie and Boulder Racing Clubs Act 1904*\*.

[\* *Reprint 1 as at 7 May 2004.*

5           *For subsequent amendments see Western Australian  
Legislation Information Tables for 2005, Table 1.]*

- (2) Section 23 is amended by deleting “constable who shall who shall” and inserting instead —

“ constable who shall ”.

10 **88. *Land Administration Act 1997* amended**

- (1) The amendments in this section are to the *Land Administration Act 1997*\*.

[\* *Reprint 3 as at 15 September 2006.*]

- 15 (2) Section 35(8)(a) is amended by deleting “determined under section 142(1) of the *Supreme Court Act 1935*” and inserting instead —

“

prescribed under section 8(1)(a) of the *Civil Judgments Enforcement Act 2004*

20

”.

- (3) Section 241(11) is amended by deleting “payable in respect of judgment debts as determined under section 142 of the *Supreme Court Act 1935* ruling” and inserting instead —

“

25

prescribed under section 8(1)(a) of the *Civil Judgments Enforcement Act 2004*

”.

**89. Law Reform (Contributory Negligence and Tortfeasors' Contribution) Act 1947 amended**

- (1) The amendment in this section is to the *Law Reform (Contributory Negligence and Tortfeasors' Contribution) Act 1947*\*.

[\* Reprinted as at 2 August 2002.

For subsequent amendments see *Western Australian Legislation Information Tables for 2005, Table 1.*]

- (2) Section 7(1)(b) is amended by deleting “, or of the wife, husband, parent or child”.

**90. Law Reform (Miscellaneous Provisions) Act 1941 amended**

- (1) The amendments in this section are to the *Law Reform (Miscellaneous Provisions) Act 1941*\*.

[\* Reprinted as at 12 July 2002.

For subsequent amendments see *Western Australian Legislation Information Tables for 2005, Table 1.*]

- (2) The long title is amended by deleting “, and to amend the law of property known as the Rule against Perpetuities”.

- (3) Section 4(1) is amended by deleting “or to claims under section 94 of the *Supreme Court Act 1935*, for damages on the ground of adultery”.

- (4) Section 4(5) is repealed.

**91. Legal Aid Commission Act 1976 amended**

- (1) The amendments in this section are to the *Legal Aid Commission Act 1976*\*.

[\* Reprint 4 as at 20 May 2005.

For subsequent amendments see *Acts Nos. 34 of 2004 and 27 of 2006.*]

**s. 91**

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(2) Section 4(1) is amended as follows:

- (a) by deleting the definitions of “Legal Practice Board” and “The Legal Practice Board”;
- (b) by inserting in the appropriate alphabetical position —

5

“

**“Legal Practice Board”** means the Board established by section 6 of the *Legal Practice Act 2003*;

”.

10

(3) Section 40(6a) is repealed and the following subsection is inserted instead —

“

(6a) In making an exclusion, removal or limitation of a private practitioner under subsection (6) the Commission may have regard to any order or finding of fact relating to that practitioner made under Part 12 of the *Legal Practice Act 2003* by the Legal Practice Board or by the Court of Appeal.

15

”.

20

(4) Section 64(2c) is repealed and the following subsection is inserted instead —

“

(2c) Notwithstanding anything contained in subsection (2), a person to whom this section applies may, with the approval of the Chairman or the Commission, disclose any information referred to in subsection (2) to the Legal Practice Board for the purposes of the *Legal Practice Act 2003* and, in construing this subsection, **“disclose”** includes disclose by producing any relevant document.

25

30

”.

**92. *Legal Practice Act 2003* amended**

- (1) The amendments in this section are to the *Legal Practice Act 2003*\*.

[\* *Act No. 64 of 2003.*

5 *For subsequent amendments see Western Australian Legislation Information Tables for 2005, Table 1.]*

- (2) Section 42(b)(ii) is amended by inserting after “next succeeding” —

“

10 or such shorter period as is specified in the practice certificate

”.

- (3) Section 69(3)(c) is amended by deleting “an” and inserting instead —

15 “ the ”.

- (4) Section 148 is amended in the definitions of “Board’s appointee” and “supervising solicitor” by inserting after “certificated practitioner” —

“ or registered foreign lawyer ”.

- 20 (5) Section 251(2) is repealed and the following subsection is inserted instead —

“

25 (2) A copy of the text of a document transmitted to the Clerk of a House is taken to have been laid before that House.

”.

- (6) Section 251(3) is amended by deleting “regarded as having occurred under subsection (2)(a)” and inserting instead —

“ taken to have occurred under subsection (2) ”.

**93. *Legal Practitioners Act Amendment Act 1944* amended**

(1) The amendment in this section is to the *Legal Practitioners Act Amendment Act 1944*\*.

[\* *Act No. 45 of 1944.*]

5 (2) The provisions relating to the Legal Practitioners' Guarantee Fund (which have not been proclaimed) are repealed.

**94. *Litter Act 1979* amended**

(1) The amendments in this section are to the *Litter Act 1979*\*.

[\* *Reprint 4 as at 25 August 2006.*]

10 (2) Section 9(1)(b), (d), (e) and (f) are amended by deleting "The Confederation" and inserting instead —

“ the Chamber of Commerce and Industry ”.

(3) Section 9(6) is repealed and the following subsection is inserted instead —

15 “

(6) In this section —

“**Chamber of Commerce and Industry**” means the Chamber of Commerce and Industry of Western Australia (Inc).

20

”.

**95. *Local Government Act 1995* amended**

(1) The amendments in this section are to the *Local Government Act 1995*\*.

[\* *Reprint 3 as at 5 August 2005.*

25

*For subsequent amendments see Western Australian Legislation Information Tables for 2005, Table 1, and Acts Nos. 38 of 2005 and 28 of 2006.*]



- (2) Section 1.4 is amended in the definition of “commissioner” by inserting after “8.33” —

“

or appointed under Schedule 2.4 clause 4 to fill a  
vacancy in the office of a commissioner

”.

- (3) Section 2.39 is amended as follows:

(a) before “A commissioner” by inserting the subsection designation “(1)”;

(b) at the end of the section by inserting the following subsection —

“

(2) Subsection (1) does not affect the operation of  
Schedule 2.4 clause 4.

”.

- (4) The heading to Part 3 Division 3 Subdivision 4 is amended by inserting before “goods” —

“ **abandoned vehicle wrecks and** ”.

**96. Local Government Amendment Act 2004 amended**

- (1) The amendments in this section are to the *Local Government Amendment Act 2004*\*.

[\* *Act No. 49 of 2004.*]

- (2) Section 16(1), (2), (3) and (5) are repealed.

**97. Lotteries Commission Act 1990 amended**

- (1) The amendments in this section are to the *Lotteries Commission Act 1990*\*.

[\* *Reprinted as at 6 August 1999.*

*For subsequent amendments see Act No. 28 of 2006.*]

**s. 98**

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- (2) Section 22(2)(e)(ii) is amended by deleting “the University” and inserting instead —

“ The University ”.

**98. Magistrates Court Act 2004 amended**

- 5 (1) The amendments in this section are to the *Magistrates Court Act 2004*\*.

[\* *Act No. 47 of 2004.*

*For subsequent amendments see Western Australian Legislation Information Tables for 2005, Table 1.]*

- 10 (2) Section 33(5)(a)(iii) is amended by deleting “defendant’s” and inserting instead —

“ accused’s ”.

**99. Maritime Archaeology Act 1973 amended**

- 15 (1) The amendments in this section are to the *Maritime Archaeology Act 1973*\*.

[\* *Reprint 1 as at 3 October 2003.*

*For subsequent amendments see Western Australian Legislation Information Tables for 2005, Table 1.]*

- 20 (2) The First Schedule is amended in the item for the ship called the “Zuytdorp” by deleting “Forty miles” and inserting instead —

“ 33.5 nautical miles ”.

**100. Metric Conversion Act 1972 amended**

- (1) The amendment in this section is to the *Metric Conversion Act 1972*\*.

25 [\* *Act No. 94 of 1972.*

*For subsequent amendments see Western Australian Legislation Information Tables for 2005, Table 1.]*

(2) After section 6 the following section is inserted —

“

**7. Power to amend subsidiary legislation**

- 5 (1) The Governor, on the recommendation of the Minister, may make regulations amending any subsidiary legislation made under any Act.
- 10 (2) The Minister may make a recommendation under subsection (1) only if the Minister considers that each amendment proposed to be made by the regulations is solely for the purpose of amending a reference in the subsidiary legislation to a physical quantity that is not expressed in terms of a unit or units in the metric system of measurement by substituting for that reference a reference to a physical quantity expressed in terms of a unit or units in the metric system of measurement.
- 15 (3) The quantity to be substituted need not be the exact metric equivalent of the quantity being replaced but must not be more than 10% greater or less than the quantity being replaced.

”.

**101. *Mine Workers’ Relief Act 1932* amended**

- 25 (1) The amendments in this section are to the *Mine Workers’ Relief Act 1932*\*.  
[\* Reprint 4 as at 10 October 2003.]
- (2) Schedule 3 clause 2(f) is amended by deleting “receive and payment” and inserting instead —  
“ receive any payment ”.

**s. 102**

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**102. Mining Amendment Act 1996 amended**

- (1) The amendment in this section is to the *Mining Amendment Act 1996*\*.

[\* *Act No. 54 of 1996.*]

- 5 (2) Section 9 is repealed.

**103. Motor Vehicle Dealers Act 1973 amended**

- (1) The amendments in this section are to the *Motor Vehicle Dealers Act 1973*\*.

[\* *Reprint 4 as at 17 June 2005.*

10 *For subsequent amendments see Western Australian Legislation Information Tables for 2005, Table 1, and Acts Nos. 38 of 2005 and 28 of 2006.*]

- (2) Section 19(3) is amended by deleting “licence” and inserting instead —

15 “ authorisation ”.

- (3) Section 37A(5) is amended by deleting “copy order” and inserting instead —

“ copy of the order ”.

**104. National Environment Protection Council (Western Australia) Act 1996 amended**

20

- (1) The amendments in this section are to the *National Environment Protection Council (Western Australia) Act 1996*\*.

[\* *Reprint 1 as at 12 March 2004.*]

- (2) Section 53(1) is amended by deleting “by Parliament” and inserting instead —

25

“ by the Parliament ”.

**105. National Trust of Australia (W.A.) Act 1964 amended**

- (1) The amendments in this section are to the *National Trust of Australia (W.A.) Act 1964*\*.

[\* Reprinted as at 16 August 2002.

5       For subsequent amendments see *Western Australian Legislation Information Tables for 2005, Table 1.*]

- (2) The Schedule is amended in paragraph (b) by deleting “the University” and inserting instead —

“ The University ”.

**106. Painters’ Registration Act 1961 amended**

- 10       (1) The amendments in this section are to the *Painters’ Registration Act 1961*\*.

[\* Reprinted as at 26 February 1999.

15       For subsequent amendments see *Western Australian Legislation Information Tables for 2005, Table 1.*]

- (2) Section 7(1)(c) is amended by deleting “The Confederation of Western Australian Industry (Incorporated)” and inserting instead —

“

20                               the Chamber of Commerce and Industry of Western Australia (Inc)

”.

**107. Parks and Reserves Act 1895 amended**

- 25       (1) The amendments in this section are to the *Parks and Reserves Act 1895*\*.

[\* Reprint 4 as at 6 January 2006.

For subsequent amendments see *Act No. 34 of 2004.*]

- (2) Section 3(6) is amended by deleting “Subject to section 5(3), (4), (4a) and (5), if” and inserting instead —

30       “ If ”.

---

**108. Perth Theatre Trust Act 1979 amended**

- (1) The amendments in this section are to the *Perth Theatre Trust Act 1979*\*.

[\* Reprinted as at 1 October 1999.]

- 5 (2) Section 17(3) is amended by deleting “award under the *Industrial Arbitration Act 1979* or to any relevant award or agreement under the *Public Service Arbitration Act 1966*.” and inserting instead —

10 “ award, order or industrial agreement under the *Industrial Relations Act 1979*. ”.

- (3) Section 17A(2) is amended by deleting “award under the *Industrial Arbitration Act 1979*,” and inserting instead —

15 “ award, order or industrial agreement under the *Industrial Relations Act 1979*, ”.

**109. Planning and Development Act 2005 amended**

- 20 (1) The amendments in this section are to the *Planning and Development Act 2005*\*.

[\* Act No. 37 of 2005.

For subsequent amendments see Act No. 7 of 2006.]

- 25 (2) Section 111(2)(b) is amended by deleting “that proposed region scheme,” and inserting instead —

“ that proposed local planning scheme, ”.

- (3) Section 127(1)(b) is amended by deleting “to forward” and inserting instead —

“ forward ”.

(4) Section 187(1) is amended by deleting “section 174(1)(a) or (b)” and inserting instead —

“ section 174(1) ”.

(5) Section 225(1) is amended by deleting “against section 220”.

5 (6) Schedule 2 clause 7(2)(a) is amended by deleting “section 10(1)(c)(iii);” and inserting instead —

“ section 10(1)(b)(iii); ”.

**110. *Planning and Development (Consequential and Transitional Provisions) Act 2005* amended**

10 (1) The amendment in this section is to the *Planning and Development (Consequential and Transitional Provisions) Act 2005*\*.

[\* *Act No. 38 of 2005.*]

(2) Schedule 2 clause 63(9) is repealed.

15 **111. *Poisons Act 1964* amended**

(1) The amendments in this section are to the *Poisons Act 1964*\*.

[\* *Reprint 7 as at 1 September 2006.*]

(2) Section 8(3)(a) is amended by deleting “the University” and inserting instead —

20 “ The University ”.

**112. *Police Act 1892* amended**

(1) The amendments in this section are to the *Police Act 1892*\*.

[\* *Reprint 12 as at 1 June 2005.*]

25 (2) Section 33K is amended in the definition of “legal practitioner” by deleting “*Legal Practitioners Act 1893*,” and inserting instead —

“ *Legal Practice Act 2003*; ”.

s. 113

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**113. Port Authorities Act 1999 amended**

- (1) The amendments in this section are to the *Port Authorities Act 1999*\*

[\* Reprint 1 as at 1 October 2004.

5       For subsequent amendments see *Western Australian Legislation Information Tables for 2005, Table 1, and Act No. 38 of 2005.*]

- (2) Section 3 is amended as follows:

- 10       (a) in subsection (1), in the definition of “subsidiary”, by deleting paragraph (a) and “and” after it and inserting instead —

“

- 15               (a) a body determined to be a subsidiary of a port authority under subsection (4); or       ”;

- (b) after subsection (3) by inserting —

“

- 20       (4) Part 1.2 Division 6 of the Corporations Act applies for the purpose of determining whether a body is a subsidiary of a port authority.       ”.

- (3) Section 133(2) is repealed and the following subsection is inserted instead —

“

- 25       (2) A copy of a document transmitted to the Clerk of a House is taken to have been laid before that House.       ”.

- (4) Section 133(3) is amended by deleting “subsection (2)(a)” and inserting instead —

- 30       “ subsection (2) ”.



**114. Professional Combat Sports Act 1987 amended**

- (1) The amendments in this section are to the *Professional Combat Sports Act 1987*\*.

[\* Reprint 1 as at 11 March 2005.

5       For subsequent amendments see *Western Australian Legislation Information Tables for 2005, Table 1, and Act No. 28 of 2006.*]

- (2) Section 24 is amended by deleting “6 months” and inserting instead —

10       “ 9 months ”.

- (3) Section 32(1)(b) is amended as follows:

(a) by deleting “provision” and inserting instead —

“ provisions ”;

(b) by deleting “section 27(3)” and inserting instead —

15       “ section 27(2) ”.

- (4) Section 38 is amended by deleting “6 months” and inserting instead —

“ 9 months ”.

**115. Public and Bank Holidays Act 1972 amended**

- 20       (1) The amendments in this section are to the *Public and Bank Holidays Act 1972*\*.

[\* Reprinted as at 4 January 2002.

For subsequent amendments see *Western Australian Legislation Information Tables for 2005, Table 1.*]

- 25       (2) The Second Schedule is amended in the item beginning “Celebration Day” by deleting “annually” and inserting instead —

“ for each year ”.

**116. *Public Interest Disclosure Act 2003* amended**

- (1) The amendments in this section are to the *Public Interest Disclosure Act 2003*\*.

[\* *Act No. 29 of 2003.*

5 *For subsequent amendments see Western Australian  
Legislation Information Tables for 2005, Table 1.]*

- (2) Section 12(2) is repealed and the following subsection is inserted instead —

“

- 10 (2) If a person makes a disclosure of public interest information under this Act to the Parliamentary Commissioner, section 26 of the *Parliamentary Commissioner Act 1971* applies as if the disclosure were the making of a complaint under that Act.

15

”.

- (3) Section 16(1) is amended as follows:

(a) after each of paragraphs (a) to (c) by inserting —  
“ or ”;

20

(b) after paragraph (f) by deleting “; or” and inserting a full stop instead.

**117. *Queen Elizabeth II Medical Centre Act 1966* amended**

- (1) The amendments in this section are to the *Queen Elizabeth II Medical Centre Act 1966*\*.

[\* *Reprinted as at 3 August 2001.*

25 *For subsequent amendments see Western Australian  
Legislation Information Tables for 2005, Table 1.]*

- (2) Section 16(4)(c) is amended by deleting “the University” and inserting instead —

“ The University ”.

**118. Racing and Wagering Western Australia Act 2003 amended**

- (1) The amendments in this section are to the *Racing and Wagering Western Australia Act 2003*\*.

[\* Reprint 1 as at 22 September 2006.]

- 5 (2) Section 117(2) is repealed and the following subsection is inserted instead —

“

- 10 (2) A copy of the text of a document transmitted to the Clerk of a House is taken to have been laid before that House.

”.

- (3) Section 117(3) is amended by deleting “regarded as having occurred under subsection (2)(a)” and inserting instead —

“ taken to have occurred under subsection (2) ”.

15 **119. Radiation Safety Act 1975 amended**

- (1) The amendment in this section is to the *Radiation Safety Act 1975*\*.

[\* Reprint 2 as at 4 November 2005.]

- 20 (2) Section 57 is amended by renumbering the second subsection (2) (beginning “Where by any”) as subsection (2a).

**120. Real Property (Foreign Governments) Act 1951 amended**

- (1) The amendments in this section are to the *Real Property (Foreign Governments) Act 1951*\*.

[\* Reprint 16 May 2003.]

- 25 (2) Section 3(3) is amended by deleting “100 acres” and inserting instead —

“ 40.5 hectares ”.

**s. 121**

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**121. Referendums Act 1983 amended**

- (1) The amendments in this section are to the *Referendums Act 1983*\*.

[\* *Reprinted as at 21 January 2000.*

5        *For subsequent amendments see Western Australian  
Legislation Information Tables for 2005, Table 1.]*

- (2) Section 30(1) is amended by deleting “return the writ to the Clerk of the Writs who shall transmit it to the Governor.” and inserting instead —

10

“

in the case of a referendum as to a Bill, transmit the writ to the Governor.

”.

**122. Reprints Act 1984 amended**

- 15        (1) The amendments in this section are to the *Reprints Act 1984*\*.

[\* *Reprint 2 as at 19 March 2004.*]

- (2) Section 7(3) is amended by inserting after paragraph (c) the following paragraph —

“

20

- (ca) for words, or words and figures, that designate a distance, weight, size, volume or other physical quantity, an expression that designates the same quantity by means of figures followed by an abbreviation of the relevant unit of measurement;

25

”.

- (3) After section 7(4) the following subsections are inserted —

“

- (4a) If in a series of 3 paragraphs in a written law —

30

- (a) “and” or “or” (the “**relevant conjunction**”) appears after the second paragraph; and

(b) there is no conjunction after the first paragraph,  
 an authorised officer may insert the conjunction after  
 the first paragraph.

- 5 (4b) If in a series of 4 or more paragraphs in a written  
 law —
- (a) “and” or “or” (the “**relevant conjunction**”)  
 appears after the paragraph that is next before  
 the last paragraph; and
- 10 (b) there is no conjunction after any preceding  
 paragraph,  
 an authorised officer may insert the relevant  
 conjunction after each preceding paragraph.
- 15 (4c) For the purposes of subsections (4a) and (4b),  
 2 paragraphs that are separated by text other than a  
 paragraph of the same kind may be regarded as not  
 being in the same series of paragraphs even if their  
 designations are sequential.
- (4d) In subsections (4a) to (4c) —  
 20 “**paragraph**” includes a subparagraph, item, subitem  
 and any other similar provision.

”.

**123. Retirement Villages Act 1992 amended**

- (1) The amendments in this section are to the *Retirement Villages Act 1992*\*.

25 [\* *Reprint 2 as at 1 April 2005.*  
*For subsequent amendments see Act No. 28 of 2006.*]

- (2) Section 44(1) is amended by deleting “Tribunal Tribunal” and  
 inserting instead —  
 “ Tribunal ”.

**s. 124**

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**124. Road Traffic Amendment (Vehicle Licensing) (Taxing) Act 2001 amended**

- (1) The amendment in this section is to the *Road Traffic Amendment (Vehicle Licensing) (Taxing) Act 2001*\*.

5 [\* Act No. 29 of 2001.]

- (2) Section 1 is amended by deleting “Amendment”.

**125. Road Traffic Amendment Act (No. 2) 1987 amended**

- (1) The amendment in this section is to the *Road Traffic Amendment Act (No. 2) 1987*\*.

10 [\* Act No. 121 of 1987.]

- (2) Section 11(b) is deleted.

**126. Road Traffic Amendment Act 1996 amended**

- (1) The amendment in this section is to the *Road Traffic Amendment Act 1996*\*.

15 [\* Act No. 76 of 1996.]

- (2) Section 8(3) is repealed.

**127. Rural Business Development Corporation Act 2000 amended**

- (1) The amendments in this section are to the *Rural Business Development Corporation Act 2000*\*.

20 [\* Act No. 72 of 2000.

*For subsequent amendments see Western Australian Legislation Information Tables for 2005, Table 1.]*

- (2) Section 16(5) is repealed and the following subsection is inserted instead —

25 “

- (5) A copy of a direction transmitted to the Clerk of a House is taken to have been laid before that House.

”.

- (3) Section 16(6) is amended by deleting “regarded as having occurred under subsection (5)(a)” and inserting instead —

“ taken to have occurred under subsection (5) ”.

**128. Salaries and Allowances Act 1975 amended**

- 5 (1) The amendment in this section is to the *Salaries and Allowances Act 1975*\*.

[\* Reprint 4 as at 10 June 2005.

For subsequent amendments see Act No. 29 of 2006.]

- 10 (2) Section 7(1) is amended by deleting “the Commissioner appointed under the *Corruption and Crime Commission Act 2003*,”.

**129. Sentencing Act 1995 amended**

- (1) The amendments in this section are to the *Sentencing Act 1995*\*.

[\* Reprint 4 as at 12 August 2005.

- 15 For subsequent amendments see Acts Nos. 27 of 2004, 25 of 2005 and 41 of 2006.]

- (2) Section 9(1) is amended by deleting “Subject to subsection (4),”.

- 20 (3) Section 33A(4) is amended by deleting “sentencing offender,” and inserting instead —

“ sentencing the offender, ”.

- (4) Section 33O(5) is amended as follows:

- 25 (a) at the end of paragraph (a)(iii) by deleting the full stop and inserting a semicolon instead;
- (b) after paragraph (a) by inserting “or”.

- (5) Schedule 1 is amended as follows:

- (a) in the item for the *Murdoch University Act 1973* by deleting “the”;

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- (b) in the item for the *University of Notre Dame Australia Act 1989* by deleting “the University” and inserting instead —  
“ The University ”;
- 5 (c) in the item for the *University of Western Australia Act 1911*, by deleting “the University” and inserting instead —  
“ The University ”.

10 **130. Sentencing Legislation Amendment and Repeal Act 2003 amended**

- (1) The amendments in this section are to the *Sentencing Legislation Amendment and Repeal Act 2003*\*.

[\* *Act No. 50 of 2003.*]

- (2) Sections 40(3), 44 and 45 are repealed.

15 **131. Sentencing Legislation Amendment Act 2004 amended**

- (1) The amendment in this section is to the *Sentencing Legislation Amendment Act 2004*\*.

[\* *Act No. 27 of 2004.*]

- (2) Section 14(2) is repealed.

20 **132. Settlement Agents Act 1981 amended**

- (1) The amendments in this section are to the *Settlement Agents Act 1981*\*.

[\* *Reprint 3 as at 8 July 2005.*

25 *For subsequent amendments see Western Australian Legislation Information Tables for 2005, Table 1, and Act No. 38 of 2005.*]



- (2) Section 3(1) is amended by deleting both definitions of “business” and inserting instead —

“

“**business**” means —

- 5 (a) subject to paragraph (b), the business of a settlement agent;
- (b) in the definition of “business transaction” and in section 45(a), any commercial undertaking or enterprise in respect of any profession, trade, employment, vocation or calling within the State;
- 10

”.

**133. Sports Drug Testing Act 2001 amended**

- 15 (1) The amendments in this section are to the *Sports Drug Testing Act 2001*\*.

[\* *Act No. 13 of 2001.*]

- (2) Section 3 is amended in the definition of “WA competitor” as follows:

- 20 (a) by deleting “, who”;
- (b) in paragraphs (a) and (b), by inserting at the beginning of the paragraph —
- “ who ”.

- (3) Section 4(4)(e) is amended by deleting “within and” and inserting instead —

25 “ within or ”.

**134. Stamp Act 1921 amended**

- (1) The amendment in this section is to the *Stamp Act 1921*\*.

[\* *Reprint 16 as at 12 May 2006.*

*For subsequent amendments see Act No. 31 of 2006.*]

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- (2) Section 76B(2) is amended after “or (5a)(a)” by deleting the semicolon.

**135. State Administrative Tribunal Act 2004 amended**

- 5 (1) The amendments in this section are to the *State Administrative Tribunal Act 2004*\*.

[\* *Reprint 1 as at 7 April 2006.*]

- (2) Schedule 1 is amended by deleting “*Architects Act 1921*” and inserting instead —

“ *Architects Act 2004* ”.

10 **136. Statutory Corporations (Liability of Directors) Act 1996 amended**

- (1) The amendment in this section is to the *Statutory Corporations (Liability of Directors) Act 1996*\*.

[\* *Reprint 3 as at 7 November 2003.*

15 *For subsequent amendments see Western Australian Legislation Information Tables for 2005, Table 1, and Act No. 28 of 2006.*]

- (2) Section 4 is amended in paragraph (a) of the definition of “director”, by inserting after “corporation” —

20

“

or, if the corporation is governed by one person, that person

”.

**137. Suitors’ Fund Act 1964 amended**

- 25 (1) The amendments in this section are to the *Suitors’ Fund Act 1964*\*.

[\* *Reprint 3 as at 22 July 2005.*

*For subsequent amendments see Act No. 28 of 2006.*]

- (2) Section 8(2)(c) is deleted and the following paragraph is inserted instead —

“

- 5 (c) one shall be a person who is nominated in writing by the Legal Practice Board established by the *Legal Practice Act 2003* and who is so willing.

”.

**138. *Surveillance Devices Act 1998* amended**

- 10 (1) The amendments in this section are to the *Surveillance Devices Act 1998*\*.

[\* *Reprint 1 as at 12 September 2003.*

*For subsequent amendments see Western Australian Legislation Information Tables for 2005, Table 1, and Act No. 30 of 2006.]*

- 15 (2) Section 41(3) is amended by deleting all of the words from and including “Police” to and including “and the” and inserting instead —

“ Police, the Corruption and Crime Commission and the ”.

20 **139. *Swan Valley Planning Legislation Amendment Act 2006* amended**

- (1) The amendments in this section are to the *Swan Valley Planning Legislation Amendment Act 2006*\*.

[\* *Act No. 7 of 2006.*]

- 25 (2) Section 20(1) and (2) and Schedule 1 Division 1 and Division 3 item 3 are repealed.

**140. *Taxation (Staff Arrangements) Act 1969* amended**

- (1) The amendment in this section is to the *Taxation (Staff Arrangements) Act 1969*\*.

30 [\* *Reprint 1 as at 13 May 2005.*]

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- (2) Section 5(1) is amended by inserting before “chief executive” —

“ the ”.

**141. *Travel Agents Act 1985* amended**

- 5 (1) The amendments in this section are to the *Travel Agents Act 1985*\*.

[\* *Reprint 3 as at 14 October 2005.*

*For subsequent amendments see Act No. 28 of 2006.*]

- 10 (2) Section 24(2) is amended by deleting “subsection (4)(b) or (c)” and inserting instead —

“ subsection (1) ”.

**142. *Trustees Act 1962* amended**

- (1) The amendments in this section are to the *Trustees Act 1962*\*.

[\* *Reprinted as at 11 January 2002.*

15 *For subsequent amendments see Western Australian Legislation Information Tables for 2005, Table 1.*]

- (2) Section 101(5) is amended by deleting “*Bills of Exchange Act 1903* of the Commonwealth and its amendments.” and inserting instead —

20 “ *Bills of Exchange Act 1909* of the Commonwealth. ”.

**143. *University Colleges Act 1926* amended**

- (1) The amendments in this section are to the *University Colleges Act 1926*\*.

[\* *Act No. 47 of 1926.*]

- 25 (2) Section 3 is amended by deleting “five acres.” and inserting instead —

“ 2.03 hectares. ”.

**144. Valuation of Land Act 1978 amended**

- (1) The amendment in this section is to the *Valuation of Land Act 1978*\*.

[\* Reprint 4 as at 10 February 2006.

5           For subsequent amendments see Act No. 28 of 2006.]

- (2) Section 35(1) is amended by deleting “such decision”.

**145. Veterinary Surgeons Act 1960 amended**

- (1) The amendments in this section are to the *Veterinary Surgeons Act 1960*\*.

10           [\* Reprint 3 as at 8 July 2005.

          For subsequent amendments see *Western Australian  
Legislation Information Tables for 2005, Table 1.*]

- (2) Section 24(1) is amended by deleting “removal of name” and  
inserting instead —

15           “ removal of the name ”.

**146. Video Tapes Classification and Control Amendment Act 1991  
amended**

- (1) The amendments in this section are to the *Video Tapes  
Classification and Control Amendment Act 1991*\*.

20           [\* Act No. 19 of 1991.]

- (2) Sections 4 to 12 are repealed.

**147. Water Boards Act 1904 amended**

- (1) The amendment in this section is to the *Water Boards  
Act 1904*\*.

25           [\* Reprint 5 as at 12 August 2005.]

- (2) Section 91 is amended by deleting “or the appeal”.

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**148. Water Corporation Act 1995 amended**

- (1) The amendments in this section are to the *Water Corporation Act 1995*\*.

[\* *Reprint 2 as at 2 July 2004.*

*For subsequent amendments see Act No. 28 of 2006.]*

- (2) Section 3 is amended as follows:

(a) by inserting before “In this Act,” the subsection designation “(1)”;

(b) in the definition of “subsidiary”, by deleting paragraph (a) and “and” after it and inserting instead —

“

(a) a body determined to be a subsidiary of the corporation under subsection (2); or

”;

(c) at the end of the section by inserting the following subsection —

“

(2) Part 1.2 Division 6 of the Corporations Act applies for the purpose of determining whether a body is a subsidiary of the corporation.

”.

- (3) Section 87(2) is repealed and the following subsection is inserted instead —

“

(2) A copy of a document transmitted to the Clerk of a House is taken to have been laid before that House.

”.

- (4) Section 87(3) is amended by deleting “subsection (2)(a)” and inserting instead —

“ subsection (2) ”.

- (5) Schedule 3 clause 28(6) is amended by deleting from “transmitted is to be —” to the end of the subclause and inserting instead —

“ transmitted is taken to have been laid before that House. ”.

- 5 (6) Schedule 3 clause 28(7) is amended by deleting “subclause (6)(a)” and inserting instead —

“ subclause (6) ”.

**149. Water Services Licensing Act 1995 amended**

- 10 (1) The amendments in this section are to the *Water Services Licensing Act 1995*\*.

[\* Reprint 2 as at 4 August 2006.]

- (2) Section 27 is amended by deleting “at the its” and inserting instead —

“ at its ”.

- 15 (3) Section 46M(2) is amended by deleting “section 112A of the *Public Works Act 1902*.” and inserting instead —

“ Division 4 of Part 9 of the *Land Administration Act 1997*. ”.

- (4) Section 59E(5) is repealed and the following subsection is inserted instead —

20 “

- (5) A copy of a direction transmitted to the Clerk of a House is taken to have been laid before that House.

”.

- 25 (5) Section 59E(6) is amended by deleting “subsection (5)(a)” and inserting instead —

“ subsection (5) ”.

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**150. Western Australian Coastal Shipping Commission Act 1965 amended**

- (1) The amendment in this section is to the *Western Australian Coastal Shipping Commission Act 1965*\*.

5 [\* Reprinted as at 8 March 2002.  
For subsequent amendments see Act No. 28 of 2006.]

- (2) Section 20(2) is repealed.

**151. Western Australian College of Teaching Act 2004 amended**

- 10 (1) The amendments in this section are to the *Western Australian College of Teaching Act 2004*\*.

[\* Act No. 8 of 2004.  
For subsequent amendments see *Western Australian Legislation Information Tables for 2005, Table 1.*]

- (2) Section 9(1)(d) is amended as follows:

- 15 (a) in subparagraphs (i) and (ii) by inserting after “officer of” —

“ the ”;

- (b) in subparagraphs (iv) and (v) by deleting “the University” and inserting instead —

20 “ The University ”.

**152. Western Australian Land Authority Act 1992 amended**

- (1) The amendments in this section are to the *Western Australian Land Authority Act 1992*\*.

[\* Reprint 2 as at 4 February 2005.]

- 25 (2) Section 45A(2) is repealed and the following subsection is inserted instead —

“

- (2) A copy of a document transmitted to the Clerk of a House is taken to have been laid before that House.

30

”.



- (3) Section 45A(3) is amended by deleting “subsection (2)(a)” and inserting instead —

“ subsection (2) ”.

**153. Western Australian Marine Act 1982 amended**

- 5 (1) The amendments in this section are to the *Western Australian Marine Act 1982*\*.

[\* *Reprint 2 as at 2 December 2005.*]

- (2) Section 64(5) is amended by deleting “subsection (1)” and inserting instead —

10 “ subsection (4) ”.

- (3) Section 104(5) is amended by deleting “to and in a” and inserting instead —

“ to and in relation to a ”.

**154. Western Australian Treasury Corporation Act 1986 amended**

- 15 (1) The amendments in this section are to the *Western Australian Treasury Corporation Act 1986*\*.

[\* *Reprint 2 as at 2 September 2005.*

*For subsequent amendments see Act No. 28 of 2006.*]

- 20 (2) Section 16Q(2) is repealed and the following subsection is inserted instead —

“

- (2) A copy of a document transmitted to the Clerk of a House is taken to have been laid before that House.

”.

- 25 (3) Section 16Q(3) is amended by deleting “subsection (2)(a)” and inserting instead —

“ subsection (2) ”.

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**155. Workers' Compensation and Injury Management Act 1981 amended**

(1) The amendments in this section are to the *Workers' Compensation and Injury Management Act 1981*\*.

5 [\* Reprint 7 as at 3 February 2006.]

(2) Section 5(1) is amended in the definition of "NRE amount" as follows:

(a) in paragraph (c)(i) —

10 (i) by deleting "Wages Cost Index," and inserting instead —

“

Labour Price Index (formerly known as the Wages Cost Index),

”;

15 (ii) by deleting "(“WCI”)" and inserting instead —

“ (the “**LPI**”) ”;

(b) in paragraph (c)(ii) by deleting "WCI" and inserting instead —

“ LPI ”.

20 (3) Section 5(1) is amended in the definition of "prescribed amount" as follows:

(a) in paragraph (b)(i) —

(i) by deleting "Wages Cost Index," and inserting instead —

25 “

Labour Price Index (formerly known as the Wages Cost Index),

”;

30 (ii) by deleting "(the “WCI”)" and inserting instead —

“ (the “**LPI**”) ”;

(b) in paragraph (b)(ii) by deleting “WCI” and inserting  
instead —  
“ LPI ”.

(4) Section 93F(8) is amended in the definition of “Amount A” as  
follows:

(a) in paragraph (b)(i) —

(i) by deleting “Wages Cost Index,” and inserting  
instead —

“

Labour Price Index (formerly known  
as the Wages Cost Index),

”;

(ii) by deleting “(the “WCI”)” and inserting  
instead —

“ (the “**LPI**”) ”;

(b) in paragraph (b)(ii) by deleting “WCI” and inserting  
instead —

“ LPI ”.

**156. Working with Children (Criminal Record Checking) Act 2004  
amended**

(1) The amendments in this section are to the *Working with  
Children (Criminal Record Checking) Act 2004*\*.

[\* *Act No. 65 of 2004.*

*For subsequent amendments see Act No. 3 of 2006.*]

(2) Schedule 1 is amended in the item relating to *The Criminal  
Code* section 329(3) by deleting “activity” and inserting  
instead —

“ behaviour ”.

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(3) Schedule 2 is amended as follows:

(a) in the item relating to *The Criminal Code* section 329(3) by deleting “activity” and inserting instead —

“ behaviour ”;

5

(b) in the item relating to *The Criminal Code* section 329(5) by deleting “engage in sexual activity” and inserting instead —

“ do indecent act ”;

10

(c) in the item relating to the *Criminal Code Act 1995* of the Commonwealth section 474.22 by deleting “child” in the first place where it occurs.

**157. Zoological Parks Authority Act 2001 amended**

(1) The amendments in this section are to the *Zoological Parks Authority Act 2001*\*.

15

[\* *Act No. 24 of 2001.*

*For subsequent amendments see Western Australian Legislation Information Tables for 2005, Table 1, and Act No. 28 of 2006.]*

20

(2) Section 14(4) is repealed and the following subsection is inserted instead —

“

(4) A copy of a direction transmitted to the Clerk of a House is taken to have been laid before that House.

”.

25

(3) Section 14(5) is amended by deleting “regarded as having occurred under subsection (4)(a)” and inserting instead —

“ taken to have occurred under subsection (4) ”.

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## Part 4 — Imperial Acts

### 158. Repeal of Imperial Acts or provisions of Imperial Acts

- 5 (1) These Imperial Acts, or provisions of Imperial Acts, are repealed in so far as they are part of the law of Western Australia —
- 6 (a) *Bills of Exchange* (non-payment) (1832)  
(2 & 3 Will. IV c. 98);
  - 7 (b) *Bills of Exchange* (day for payment) (1836)  
(6 & 7 Will. IV c. 58);
  - 10 (c) *Executors Act 1830*  
(11 Geo. IV & 1 Will. IV c. 40);
  - 11 (d) *Judgments Act 1839* s. 11, 12 and 14  
(2 & 3 Vict. c. 11);
  - 15 (e) *Judgments Act 1855* s. 9  
(18 & 19 Vict. c. 15).
- (2) In respect of each repeal effected by subsection (1), the *Interpretation Act 1984* Part V applies as if the Imperial Act were a written law.

### 159. Imperial Acts presumed to have been impliedly repealed

- 20 (1) It is declared that —
- 21 (a) *An Act for the Amendment of the Law relating to Dower* (1833) (3 & 4 Will. IV c. 105); and
  - 22 (b) *An Act for the Amendment of the Law of Inheritance* (1833) (3 & 4 Will. IV c. 106),
- 25 were repealed in so far as they were part of the law of Western Australia on 27 September 1893 by the *Real Estates Administration Act* (1893) (57 Vict. No. 9).
- (2) It is declared that *An Act for the Removal of Defects in the Administration of Criminal Justice* (1848) (11 & 12 Vict. c. 46)
- 30 was repealed in so far as it was part of the law of Western

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Australia on 20 December 1852 by *An Ordinance for the removal of defects in the Administration of Criminal Justice* (1852) (16 Vict. No. 5).

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