

Statutes (Repeals) Bill 2013

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Western Australia

LEGISLATIVE ASSEMBLY

Statutes (Repeals) Bill 2013

A Bill for

An Act —

- **to repeal various obsolete Acts; and**
- **to repeal various obsolete Imperial Acts in so far as they are part of the law of Western Australia; and**
- **to consequentially amend various Acts, and for related purposes.**

The Parliament of Western Australia enacts as follows:

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Part 1 — Preliminary

1. Short title

This is the *Statutes (Repeals) Act 2013*.

2. Commencement

This Act comes into operation as follows —

- (a) sections 1 and 2 — on the day on which this Act receives the Royal Assent;
- (b) the rest of the Act — on the day after that day.

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Part 2 — Repeals

Division 1 — Repeal of WA Acts with no consequential amendments

3. WA Acts repealed

The Acts listed in Schedule 1 are repealed.

Division 2 — Repeal of WA Acts with consequential amendments or other provisions

Subdivision 1 — *Advance Bank (Merger with St. George Bank) (Taxing) Act 1998* repealed and consequential amendments

4. *Advance Bank (Merger with St. George Bank) (Taxing) Act 1998* repealed

The *Advance Bank (Merger with St. George Bank) (Taxing) Act 1998* is repealed.

5. *Advance Bank (Merger with St. George Bank) Act 1998* amended

- (1) This section amends the *Advance Bank (Merger with St. George Bank) Act 1998*.
- (2) In section 2(2) delete “(other than section 12)”.
- (3) Delete section 2(3).
- (4) In section 3 delete the definition of *Taxing Act*.
- (5) In section 9(1) delete “Subject to subsection (2), on” and insert:

On
- (6) Delete section 9(2), (3), (4) and (5).
- (7) Delete sections 12 and 13.

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Part 2 Repeals

Division 2 Repeal of WA Acts with consequential amendments or other provisions

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1 (8) In section 18(1) and (2) delete “12 or”.

2 **Subdivision 2 — *Midland Junction-Welshpool Railway Act 1957***
3 **repealed and savings provision**

4 **6. *Midland Junction-Welshpool Railway Act 1957* repealed**

5 (1) In this section —

6 *railway* includes the marshalling yards referred to in section 2
7 of the repealed Act;

8 *repealed Act* means the Act repealed by subsection (2).

9 (2) The *Midland Junction-Welshpool Railway Act 1957* is repealed.

10 (3) For the purposes of the *Public Works Act 1902* sections 96
11 and 99, the railway made under the authority of the repealed
12 Act, to the extent that that railway was not discontinued by the
13 *Railway Discontinuance Act 2006*, continues to be a railway
14 authorised by a special Act.

15 **Subdivision 3 — *Racing and Gambling Legislation Amendment and***
16 ***Repeal Act 2003* repealed and consequential amendments**

17 **7. *Racing and Gambling Legislation Amendment and Repeal***
18 ***Act 2003* repealed**

19 The *Racing and Gambling Legislation Amendment and Repeal*
20 *Act 2003* is repealed.

21 **8. *Betting Control Act 1954* amended**

22 (1) This section amends the *Betting Control Act 1954*.

23 (2) Delete section 33(3).

24 **9. *Racing and Wagering Western Australia Act 2003* amended**

25 (1) This section amends the *Racing and Wagering Western*
26 *Australia Act 2003*.

27 (2) Delete section 50(2).

1 **Subdivision 4 — University Building Acts repealed and**
2 **consequential amendment**

3 **10.***University Building Act 1938* **repealed**
4 The *University Building Act 1938* is repealed.

5 **11.***University Buildings Act 1930* **repealed**
6 The *University Buildings Act 1930* is repealed.

7 **12.***University Buildings Act 1952* **repealed**
8 The *University Buildings Act 1952* is repealed.

9 **13.***University of Western Australia Act 1911* **amended**
10 (1) This section amends the *University of Western Australia*
11 *Act 1911*.

12 (2) Delete section 15B(1) and insert:

13
14 (1) The provisions of this section are in addition to, and do
15 not derogate from, those of section 15A.
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17 **Division 3 — Repeal of Imperial Acts**

18 **14.****Imperial Acts repealed**

19 (1) The following Imperial Acts are repealed in so far as they are
20 part of the law of Western Australia —

21 (a) 3 & 4 Will. IV c. 105 (1833)
22 [An Act for the Amendment of the Law relating to
23 Dower.]
24 [Adopted by *Imperial Acts Adopting Act 1836*];

25 (b) 3 & 4 Will. IV c. 106 (1833)
26 [An Act for the Amendment of the Law of Inheritance.]
27 [Adopted by *Imperial Acts Adopting Act 1836*];

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Part 2 Repeals

Division 3 Repeal of Imperial Acts

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- 1 (c) 5 & 6 Will. IV c. 54 (1835)
2 [An Act to render certain Marriages valid, and to alter
3 the Law with respect to certain Voidable Marriages.]
4 [*Marriage Act 1835*]
5 [Adopted by *Imperial Acts Adopting Act 1844*];
- 6 (d) 5 & 6 Vict. c. 69 (1842)
7 [An Act for perpetuating testimony in certain Cases.]
8 [*Perpetuation of Testimony Act 1842*]
9 [Adopted by *Imperial Acts Adopting Act 1844*];
- 10 (e) 9 & 10 Vict. c. 62 (1846)
11 [An Act to abolish Deodands.]
12 [Adopted by *Imperial Acts Adopting Ordinance 1849*].
- 13 (2) In respect of each Imperial Act referred to in subsection (1), the
14 *Interpretation Act 1984* Part V applies as if a reference in that
15 Part to the repeal of a written law or to the repeal of an
16 enactment were a reference to the repeal of the Imperial Act.

- 1 26. *Special Lease Enabling Act 1914*
- 2 27. *Stock Jobbing (Application) Act 1969*
- 3 28. *Tamala Park Land Transfer Act 2001*
- 4 29. *Toodyay Cemeteries Act 1939*
- 5 30. *Transfer and Use of Funds (Shires of Harvey and Waroona) Act 1991*
- 6 31. *Western Australian Meat Marketing Co-operative Limited (Shares)*
- 7 *Act 2003*
- 8 32. *York Cemeteries Act 1933*

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