

## 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 WA Acts repealed**

The Acts listed in Schedule 1 are repealed.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**Subdivision 1 — *Advance Bank (Merger with St. George Bank) (Taxing) Act 1998* repealed and consequential amendments**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 *Advance Bank (Merger with St. George Bank) (Taxing) Act 1998* repealed**

The *Advance Bank (Merger with St. George Bank) (Taxing) Act 1998* is repealed.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3 **repealed and savings provision**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 *Midland Junction-Welshpool Railway Act 1957* repealed**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7 of the repealed Act;

8 *repealed Act* means the Act repealed by subsection (2).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