

Financial Legislation Amendment and Repeal Bill 2006

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Western Australia

LEGISLATIVE ASSEMBLY

(As amended in Committee of the Whole)

**Financial Legislation Amendment and Repeal
Bill 2006**

A Bill for

An Act —

- **to repeal the *Financial Administration and Audit Act 1985*;**
 - **to amend various Acts; and**
 - **to enact transitional provisions,**
- as a consequence of, and in connection with, the enactment of —**
- **the *Auditor General Act 2006*; and**
 - **the *Financial Management Act 2006*,**
- and for related purposes.**

The Parliament of Western Australia enacts as follows:

Part 1 — Preliminary

1. Short title

This is the *Financial Legislation Amendment and Repeal Act 2006*.

5 **2. Commencement**

(1) Subject to subsection (3), this Act comes into operation on a day fixed by proclamation.

(2) Different days may be fixed under subsection (1) for different provisions.

10 (3) Sections 3 and 19 and Schedule 2 come into operation on the day on which the *Financial Management Act 2006* comes into operation.

Part 2 — Repeal and amendment of legislation

Division 1 — *Financial Administration and Audit Act 1985* repealed

3. *Financial Administration and Audit Act 1985* repealed

5 The *Financial Administration and Audit Act 1985* is repealed.

Division 2 — Amendments relating to the Consolidated Account

4. References to “Consolidated Fund” changed to “Consolidated Account”

10 The Acts listed in the first column of the Table to this section are amended in the corresponding provisions listed in the second column by deleting “Consolidated Fund” (whether in ordinary type, italics, bold or capitals) in each place where it occurs and inserting instead (in corresponding type) —

15 “ Consolidated Account ”.

Table

<i>Aboriginal Affairs Planning Authority Act 1972</i>	s. 42(b)
<i>Agricultural Produce (Chemical Residues) Act 1983</i>	s. 13
<i>Agriculture and Related Resources Protection Act 1976</i>	s. 65(3)(b) s. 65(4)
<i>Animal Resources Authority Act 1981</i>	s. 25(3)(b)
<i>Animal Welfare Act 2002</i>	s. 86(b) s. 87(3) s. 93(5)
<i>Argentine Ant Act 1968</i>	s. 8(3)

Financial Legislation Amendment and Repeal Bill 2006

Part 2 Repeal and amendment of legislation

Division 2 Amendments relating to the Consolidated Account

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<i>Armadale Redevelopment Act 2001</i>	s. 59(2)(b) s. 59(4) s. 60(1) s. 62
<i>Associations Incorporation Act 1987</i>	s. 33(10) s. 33(11)
<i>Bank of Western Australia Act 1995</i>	s. 13(2) s. 20(8) s. 21(1)
<i>Barrow Island Royalty Trust Account Act 1985</i>	s. 5(b)(ii) s. 6(1)(b) s. 7(2) s. 7(3)
<i>Botanic Gardens and Parks Authority Act 1998</i>	s. 36(2) s. 36(3)
<i>Chattel Securities Act 1987</i>	s. 29
<i>Chevron-Hilton Hotel Agreement Act 1960</i>	s. 12(2)
<i>Children's Court of Western Australia Act 1988</i>	s. 53(4)
<i>Conservation and Land Management Act 1984</i>	s. 118(2)
<i>Constitution Act 1889</i>	s. 64 s. 65 s. 71 s. 72
<i>Construction Industry Portable Paid Long Service Leave Act 1985</i>	s. 16(3)
<i>Consumer Affairs Act 1971</i>	s. 18(4)
<i>Corruption and Crime Commission Act 2003</i>	s. 146(4) Schedule 2 cl. 3(6) Schedule 3 cl. 3(5)

<i>Country Housing Act 1998</i>	s. 20(2) s. 20(3) s. 35(2) s. 35(3)
<i>Criminal Injuries Compensation Act 2003</i>	s. 46 s. 54 s. 69(2)
<i>Crown Suits Act 1947</i>	s. 10(2)
<i>Curriculum Council Act 1997</i>	s. 28(2) s. 28(3)
<i>Curtin University of Technology Act 1966</i>	s. 24(3)
<i>Dampier to Bunbury Pipeline Act 1997</i>	s. 21(2) s. 45(4) s. 45(5)(d)
<i>Dangerous Goods Safety Act 2004</i>	s. 64(5)
<i>Disability Services Act 1993</i>	s. 18(3)(b) s. 18(5) s. 18(6)
<i>District Court of Western Australia Act 1969</i>	s. 12(1) s. 12(3a) s. 89A(5)
<i>East Perth Redevelopment Act 1991</i>	s. 52(2)(b) s. 52(4)
<i>Edith Cowan University Act 1984</i>	s. 37(2)
<i>Electoral Act 1907</i>	s. 5B(8) s. 16B(8) s. 175LK
<i>Electricity Corporations Act 2005</i>	s. 130(3)(b) s. 130(4) s. 131(1) s. 192(2)

Financial Legislation Amendment and Repeal Bill 2006

Part 2 Repeal and amendment of legislation

Division 2 Amendments relating to the Consolidated Account

s. 4

<i>Emergency Management Act 2005</i>	s. 82 s. 96(2)
<i>Environmental Protection Act 1986</i>	s. 48(5) s. 68A(12) s. 69(3) s. 70(11) s. 73(3) s. 73(4b) s. 73A(5) s. 86E(8) s. 92B(2) s. 99(4) s. 99W(2)
<i>Escheat (Procedure) Act 1940</i>	s. 8(1)
<i>Evidence Act 1906</i>	s. 119(4)
<i>Financial Agreement Act 1928</i>	s. 7
<i>Financial Agreement Act 1995</i>	s. 5
<i>Fines, Penalties and Infringement Notices Enforcement Act 1994</i>	s. 27(2) s. 31(a) s. 55(2) s. 96(6)
<i>Fire and Emergency Services Authority of Western Australia Act 1998</i>	s. 35(2) s. 35(3)
<i>Firearms Act 1973</i>	s. 33(2)
<i>First Home Owner Grant Act 2000</i>	s. 68
<i>Fish Resources Management Act 1994</i>	s. 194(3) s. 221(2)
<i>Fisheries Adjustment Schemes Act 1987</i>	s. 9(a)

<i>Forest Products Act 2000</i>	s. 44(1)(a) s. 44(5) s. 48(2) s. 48(3) s. 49(1)
<i>Gaming and Wagering Commission Act 1987</i>	s. 7(1)(ea) s. 9(2a) s. 9(4)(c) s. 9(5)(a) s. 104G(1)(a) s. 104G(2)(a)
<i>Gas Corporation (Business Disposal) Act 1999</i>	s. 26(2)(d) s. 31(4) s. 32(5)
<i>Gene Technology Act 2006</i>	s. 130(2)
<i>Gold Corporation Act 1987</i>	s. 4(7) s. 15(4) s. 21(2) s. 22(4)(a)(ii) s. 22(5) s. 23(1) s. 35(7a) s. 48(7) Schedule 2 cl. 4(3) Schedule 2 cl. 7 Schedule 2 cl. 8 Schedule 2 cl. 8(e)
<i>Governor's Establishment Act 1992</i>	s. 8

Financial Legislation Amendment and Repeal Bill 2006**Part 2** Repeal and amendment of legislation**Division 2** Amendments relating to the Consolidated Account**s. 4**

<i>Heritage of Western Australia Act 1990</i>	s. 14(8)(a) s. 16(2)(b) s. 16(2) s. 16(5) s. 27(4)
<i>Hospitals and Health Services Act 1927</i>	s. 7H(2)(b) s. 7H(3) s. 7H(5) s. 17A(2)
<i>Housing Act 1980</i>	s. 62(4) s. 63(6)
<i>Housing Loan Guarantee Act 1957</i>	s. 7E(1)(b)
<i>Industrial Relations Act 1979</i>	s. 69(8)
<i>Industry and Technology Development Act 1998</i>	s. 18(2) s. 18(3)
<i>Inspector of Custodial Services Act 2003</i>	s. 7(2)
<i>Insurance Commission of Western Australia Act 1986</i>	s. 18(2)(b) s. 27(4)
<i>Jetties Act 1926</i>	s. 8A(5)
<i>Judges' Salaries and Pensions Act 1950</i>	s. 5(2) s. 11(b) s. 17(6) s. 19
<i>Juries Act 1957</i>	s. 59(3)
<i>Land Administration Act 1997</i>	s. 10(5)(b) s. 188(1)
<i>Land Information Authority Act 2006</i>	s. 71(1)(a) s. 71(4) s. 76(3) s. 76(4) s. 77(1)
<i>Legal Practice Act 2003</i>	s. 226(c)

<i>Library Board of Western Australia Act 1951</i>	s. 16(4)
<i>Liquor Licensing Act 1988</i>	s. 113(3) s. 133
<i>Loans (Co-operative Companies) Act 2004</i>	s. 6(2) s. 6(3)
<i>Local Government (Miscellaneous Provisions) Act 1960</i>	s. 435(10)
<i>Local Government Act 1995</i>	Schedule 6.3 cl. 5(f)(III)
<i>Lotteries Commission Act 1990</i>	s. 22(2)(b) s. 22(2)(c) s. 22(2)(d) s. 22(2a) s. 22(2a)(b) s. 22(2b) s. 22(2b)(b) s. 22(2c) s. 22(2c)(b) s. 22(2d)
<i>Magistrates Court Act 2004</i>	s. 42(4)
<i>Main Roads Act 1930</i>	s. 32(1)(b)
<i>Marine and Harbours Act 1981</i>	s. 13
<i>Marketing of Potatoes Act 1946</i>	s. 41B(3)
<i>Midland Redevelopment Act 1999</i>	s. 61(2)(b) s. 61(4) s. 62(1) s. 64
<i>Motor Vehicle (Third Party Insurance) Act 1943</i>	s. 3R(4)(c)
<i>Murdoch University Act 1973</i>	s. 32(4)(b)
<i>Northern Mining Corporation (Acquisition) Act 1983</i>	s. 4 s. 5(2)(a) s. 5(2)(b)

Financial Legislation Amendment and Repeal Bill 2006**Part 2** Repeal and amendment of legislation**Division 2** Amendments relating to the Consolidated Account**s. 4**

<i>Official Prosecutions (Accused's Costs) Act 1973</i>	s. 9(a)
<i>Parliamentary Commissioner Act 1971</i>	s. 5(6)
<i>Parliamentary Superannuation Act 1970</i>	s. 11(3) s. 13(3) s. 26 s. 27(1)(a) s. 29(5)
<i>Pay-roll Tax Assessment Act 2002</i>	s. 40(2)(q)
<i>Pearling Act 1990</i>	s. 27(7)(a)
<i>Perry Lakes Redevelopment Act 2005</i>	s. 8(2) s. 44(7)
<i>Perth International Centre for Application of Solar Energy Act 1994</i>	s. 27(1) s. 27(2) s. 28(1)
<i>Petroleum (Submerged Lands) Act 1982</i>	s. 129
<i>Planning and Development Act 2005</i>	s. 201(1) s. 201(2) s. 207(3) s. 207(4)
<i>Police Assistance Compensation Act 1964</i>	s. 9
<i>Port Authorities Act 1999</i>	s. 88(3)(b) s. 88(4) s. 89(1)
<i>Public Sector Management Act 1994</i>	s. 19(1a)
<i>Public Transport Authority Act 2003</i>	s. 34(3) s. 34(4) s. 35(1)

<i>Public Trustee Act 1941</i>	s. 38(1) s. 40(4)(c) s. 42 s. 45(1) s. 56(2) s. 64(j)
<i>Public Works Act 1902</i>	s. 9C(3) s. 9E(4)(b) s. 9E(7)
<i>Queen Elizabeth II Medical Centre Act 1966</i>	s. 13(4)
<i>Racing and Wagering Western Australia Act 2003</i>	s. 100(3)(b) s. 100(4) s. 101(1)
<i>Rail Freight System Act 2000</i>	s. 20(2)
<i>Railway Standardisation Agreement Act 1961</i>	s. 4
<i>Residential Parks (Long-stay Tenants) Act 2006</i>	s. 83(4)
<i>Residential Tenancies Act 1987</i>	s. 9(8) s. 9(9) s. 25(2) Schedule 1 cl. 3(4)(b)
<i>Retirement Villages Act 1992</i>	s. 9(7)
<i>Rights in Water and Irrigation Act 1914</i>	Schedule 1 cl. 39(9)
<i>Road Traffic Act 1974</i>	s. 22(1) s. 22(4) s. 22(5) s. 85(3)
<i>Rottnest Island Authority Act 1987</i>	s. 35(1) s. 39(3)
<i>Royal Commissions Act 1968</i>	s. 23(2)

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<i>Rural Business Development Corporation Act 2000</i>	s. 28(2) s. 28(3)
<i>Salaries and Allowances Act 1975</i>	s. 5A(8) s. 6(4) s. 6AA(4) s. 6B(3) s. 11A(3)(b)
<i>School Education Act 1999</i>	s. 189(4) s. 190(1)(b) s. 190(2)
<i>Sentencing Act 1995</i>	s. 60(1) s. 60(6) s. 60(7) Schedule 1, heading
<i>Shipping and Pilotage Act 1967</i>	s. 5(3)
<i>Soil and Land Conservation Act 1945</i>	s. 30(2)
<i>Solicitor-General Act 1969</i>	s. 4(2)
<i>State Administrative Tribunal Act 2004</i>	s. 119(2)
<i>State Enterprises (Commonwealth Tax Equivalents) Act 1996</i>	long title s. 9(2)(a) s. 9(2)(b)
<i>State Salaries (Commonwealth Taxation) Act 1916</i>	s. 2
<i>State Superannuation Act 2000</i>	Part 5, heading s. 31(2) s. 31(3) s. 32
<i>State Supply Commission Act 1991</i>	s. 26I(1) s. 31(6)(b)

<i>State Trading Concerns Act 1916</i>	s. 8(1)(a) s. 8(1)(b) s. 9(1) s. 10(2) s. 18
<i>Statistics Act 1907</i>	s. 23
<i>Stock (Identification and Movement) Act 1970</i>	s. 43(6)(c)
<i>Subiaco Redevelopment Act 1994</i>	s. 60(2)(b) s. 60(4) s. 62
<i>Suitors' Fund Act 1964</i>	s. 6(2)
<i>Supreme Court Act 1935</i>	s. 171(5)
<i>Taxation (Staff Arrangements) Act 1969</i>	s. 12(6)(a) s. 12(8) s. 12(10)(a) s. 12(10)(b) s. 13(3) s. 14(3)
<i>Taxi Act 1994</i>	s. 30H
<i>Tobacco Products Control Act 2006</i>	s. 71(2) s. 71(10)
<i>Transfer of Land Act 1893</i>	s. 126(1)(b) s. 165 s. 181(1)(c) s. 190 s. 201 s. 204 s. 208 s. 210
<i>Transport Co-ordination Act 1966</i>	s. 10(7)

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<i>Travel Agents Act 1985</i>	s. 32(1)(a) s. 32(1)(b) s. 32(5) s. 32(7) s. 32(8)
<i>Unclaimed Money (Superannuation and RSA Providers) Act 2003</i>	s. 13(3)
<i>Unclaimed Money Act 1990</i>	long title s. 9(1)(c) s. 9(1)(p) s. 9(1)(r) s. 15(2) s. 18
<i>University Building Act 1938</i>	s. 7
<i>University Buildings Act 1930</i>	s. 6(c)
<i>University Buildings Act 1952</i>	s. 7
<i>University Medical School Act 1955</i>	s. 4
<i>University of Notre Dame Australia Act 1989</i>	s. 25E(4) s. 25F(1)(b) s. 25F(2)
<i>University of Western Australia Act 1911</i>	s. 15B(5)(b)
<i>Vocational Education and Training Act 1996</i>	s. 17C(4) s. 17D(1)(b) s. 17D(2)
<i>War Service Land Settlement Scheme Act 1954</i>	s. 5(2)(b)
<i>Warehousemen's Liens Act 1952</i>	s. 10(3) s. 10(5)(b)
<i>Water and Rivers Commission Act 1995</i>	s. 30(2) s. 30(3)
<i>Water Corporation Act 1995</i>	s. 83(3)(b) s. 83(4) s. 84(1)
<i>Water Supply, Sewerage, and Drainage Act 1912</i>	s. 9(a)

<i>Western Australian Coastal Shipping Commission Act 1965</i>	s. 27(3) s. 28(1) s. 30
<i>Western Australian Land Authority Act 1992</i>	s. 36(3)(b) s. 36(4) s. 37(1) s. 38(1)(a) s. 38(5)
<i>Western Australian Marine Act 1982</i>	s. 71(4)
<i>Western Australian Meat Industry Authority Act 1976</i>	s. 15F(1)(b) s. 15F(2)
<i>Western Australian Tourism Commission Act 1983</i>	s. 15(6) s. 24(3)(c) s. 27(4)
<i>Western Australian Treasury Corporation Act 1986</i>	s. 9A(2) s. 13(2) s. 13(3a) s. 16 s. 17A(1)(a)
<i>Wheat Products (Prices Fixation) Act 1938</i>	s. 20
<i>Workers' Compensation and Injury Management Act 1981</i>	s. 101B(3)
<i>Yallingup Foreshore Land Act 2006</i>	s. 7(2)
<i>Zoological Parks Authority Act 2001</i>	s. 36(4) s. 37(1)(b) s. 37(2)

5. References to “Fund” and “fund” changed to “Account”

- (1) The Acts listed in the first column of the Table to this subsection are amended in the corresponding provisions listed in the second column by deleting “that Fund” in each place where it occurs and inserting instead —

“ that Account ”.

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Table

<i>Animal Welfare Act 2002</i>	s. 93(5)
<i>Armadale Redevelopment Act 2001</i>	s. 59(2)(b)
<i>Botanic Gardens and Parks Authority Act 1998</i>	s. 36(2)
<i>Constitution Act 1889</i>	s. 64
<i>Country Housing Act 1998</i>	s. 20(2) s. 35(2)
<i>Curriculum Council Act 1997</i>	s. 28(2)
<i>Electricity Corporations Act 2005</i>	s. 130(3)(b)
<i>Fire and Emergency Services Authority of Western Australia Act 1998</i>	s. 35(2)
<i>First Home Owner Grant Act 2000</i>	s. 68
<i>Forest Products Act 2000</i>	s. 48(2)
<i>Industry and Technology Development Act 1998</i>	s. 18(2)
<i>Midland Redevelopment Act 1999</i>	s. 61(2)(b)
<i>Port Authorities Act 1999</i>	s. 88(3)(b)
<i>Racing and Wagering Western Australia Act 2003</i>	s. 100(3)(b)
<i>Rural Business Development Corporation Act 2000</i>	s. 28(2)
<i>School Education Act 1999</i>	s. 190(1)
<i>State Supply Commission Act 1991</i>	s. 31(6)(b)
<i>Subiaco Redevelopment Act 1994</i>	s. 60(2)(b)
<i>Superannuation and Family Benefits Act 1938</i>	s. 83AA(1)
<i>University Buildings Act 1930</i>	s. 6(c)
<i>University of Notre Dame Australia Act 1989</i>	s. 25F(1)
<i>Vocational Education and Training Act 1996</i>	s. 17D(1)
<i>Water and Rivers Commission Act 1995</i>	s. 30(2)
<i>Water Corporation Act 1995</i>	s. 83(3)(b)
<i>Western Australian Land Authority Act 1992</i>	s. 36(3)(b)
<i>Western Australian Meat Industry Authority Act 1976</i>	s. 15F(1)
<i>Zoological Parks Authority Act 2001</i>	s. 37(1)

- (2) The *Judges' Salaries and Pensions Act 1950** section 5(2) is amended by deleting “such Fund” and inserting instead —
“ such Account ”.

[* *Reprint 5 as at 19 September 2003.*

5 *For subsequent amendments see Western Australian
Legislation Information Tables for 2005, Table 1, p. 235.]*

- (3) The *Perry Lakes Redevelopment Act 2005** section 44(7) is amended by deleting “that fund” and inserting instead —
“ that Account ”.

10 [* *Act No. 43 of 2005.*]

- (4) The *Transport Co-ordination Act 1966** section 10(7) is amended by deleting “that fund” and inserting instead —
“ that Account ”.

[* *Reprint 8 as at 5 August 2005.*

15 *For subsequent amendments see Act No. 39 of 2000.]*

- (5) The *University Building Act 1938** section 7 is amended by deleting “that fund” and inserting instead —
“ that Account ”.

[* *Act No. 4 of 1938.*

20 *For subsequent amendments see Western Australian
Legislation Information Tables for 2005, Table 1, p. 473.]*

**Division 3 — Amendments relating to the
accountable authority**

25 **6. References to “accountable officer” changed to
“accountable authority”**

The Acts listed in the first column of the Table to this section are amended in the corresponding provisions listed in the second column by deleting “accountable officer” and inserting instead —

30 “ accountable authority ”.

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Division 3 Amendments relating to the accountable authority

s. 7

Table

<i>Public Sector Management Act 1994</i>	s. 5(1), in paragraph (c)(i) of the definition of “employing authority”
<i>School Education Act 1999</i>	s. 114
<i>Sentence Administration Act 2003</i>	s. 92
<i>Soil and Land Conservation Act 1945</i>	s. 25E(2)(a) s. 25E(2)(b) s. 25F s. 25G
<i>State Records Act 2000</i>	s. 10(1)
<i>State Trading Concerns Act 1916</i>	s. 4A(1), in paragraph (b) of the definition of “financial entity” s. 4A(4)

7. *Public Sector Management Act 1994* amended

- (1) The amendments in this section are to the *Public Sector Management Act 1994**.

5 [* Reprint 6 as at 14 May 2004.
For subsequent amendments see *Western Australian Legislation Information Tables for 2005, Table 1, p. 368-9 and Act No. 18 of 2005.*]

- 10 (2) Section 5(2)(b) is deleted and the following paragraph is inserted instead —

“

- (b) “**accountable authority**” has the meaning given by section 3 of the *Financial Management Act 2006*.

”.

15

8. *Rates and Charges (Rebates and Deferments) Act 1992* amended

- (1) The amendments in this section are to the *Rates and Charges (Rebates and Deferments) Act 1992**.

5 [* Reprinted as at 19 May 2000.
For subsequent amendments see *Western Australian Legislation Information Tables for 2005, Table 1, p. 380-1 and Act No. 34 of 2004.*]

- 10 (2) Section 15(1)(d) is amended by deleting “or an accountable officer within the meaning of the *Financial Administration and Audit Act 1985*,” and inserting instead —

“ as defined in the *Financial Management Act 2006*, ”.

9. *State Trading Concerns Act 1916* amended

- 15 (1) The amendments in this section are to the *State Trading Concerns Act 1916**.

[* Reprint 3 as at 6 February 2004.]

- (2) Section 4A(1) is amended by deleting the definition of “accountable officer” and inserting instead —

20 “**“accountable authority”** has the meaning given by section 3 of the *Financial Management Act 2006*; ”.

Division 4 — Amendments relating to policy instruments

10. *Forest Products Act 2000* amended

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

[* Reprint 1 as at 15 July 2005.
For subsequent amendments see Act No. 38 of 2005.]

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s. 10

(2) Section 20(2) is repealed and the following subsections are inserted instead —

“

- 5 (2) The Minister may from time to time, with the concurrence of the Treasurer, by written notice to the commissioners —
- (a) fix a day in each year by which a draft strategic development plan is to be submitted under subsection (1); or
- 10 (b) cancel a notice given under paragraph (a).
- (3) Each draft strategic development plan is to be submitted not later than —
- (a) the day fixed under subsection (2); or
- 15 (b) if there is for the time being no day so fixed — 3 months before the start of the next financial year.

”.

(3) Section 29(2) is repealed and the following subsections are inserted instead —

“

- 20 (2) The Minister may from time to time, with the concurrence of the Treasurer, by written notice to the commissioners —
- (a) fix a day in each year by which a draft statement of corporate intent is to be submitted under subsection (1); or
- 25 (b) cancel a notice given under paragraph (a).
- (3) Each draft statement of corporate intent is to be submitted not later than —
- 30 (a) the day fixed under subsection (2); or
- (b) if there is for the time being no day so fixed — 3 months before the start of the next financial year.

”.

11. 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, p. 355 and
Act No. 38 of 2005.]*

- (2) Section 49(2) is repealed and the following subsections are
inserted instead —

10 “

- (2) The Minister may from time to time, with the
concurrence of the Treasurer, by written notice to the
board of a port authority —

- 15 (a) fix a day in each year by which a draft strategic
development plan is to be submitted under
subsection (1); or
(b) cancel a notice given under paragraph (a).

- (3) Each draft strategic development plan is to be
submitted not later than —

- 20 (a) the day fixed under subsection (2); or
(b) if there is for the time being no day so fixed —
3 months before the start of the next financial
year.

”.

- 25 (3) Section 58(2) is repealed and the following subsections are
inserted instead —

“

- (2) The Minister may from time to time, with the
concurrence of the Treasurer, by written notice to the
board of a port authority —

- 30 (a) fix a day in each year by which a draft
statement of corporate intent is to be submitted
under subsection (1); or

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Division 4 Amendments relating to policy instruments

s. 12

- (b) cancel a notice given under paragraph (a).
- (3) Each draft statement of corporate intent is to be submitted not later than —
 - (a) the day fixed under subsection (2); or
 - 5 (b) if there is for the time being no day so fixed —
3 months before the start of the next financial year.

”.

12. Public Transport Authority Act 2003 amended

- 10 (1) The amendments in this section are to the *Public Transport Authority Act 2003**.

[* *Act No. 31 of 2003.*

For subsequent amendments see Western Australian Legislation Information Tables for 2005, Table 1, p. 369.]

- 15 (2) Section 20(2) is repealed and the following subsections are inserted instead —

“

- 20 (2) The Minister may from time to time, with the concurrence of the Treasurer, by written notice to the Authority —
- (a) fix a day in each year by which a draft operational plan is to be submitted under subsection (1); or
 - (b) cancel a notice given under paragraph (a).
- 25 (2a) Each draft operational plan is to be submitted not later than —
- (a) the day fixed under subsection (2); or
 - (b) if there is for the time being no day so fixed —
30 2 months before the start of the next financial year (called the “**relevant financial year**” in this section and sections 21 and 22).

”.

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

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

[* *Act No. 36 of 2003.*

5 *For subsequent amendments see Western Australian
Legislation Information Tables for 2005, Table 1, p. 375 and
Act No. 38 of 2005.]*

- (2) Section 66(2) is repealed and the following subsections are inserted instead —

10 “

- (2) The Minister may from time to time, with the concurrence of the Treasurer, by written notice to the board —

15

- (a) fix a day in each year by which a draft strategic development plan is to be submitted under subsection (1); or

- (b) cancel a notice given under paragraph (a).

- (3) Each draft strategic development plan is to be submitted not later than —

20

- (a) the day fixed under subsection (2); or

- (b) if there is for the time being no day so fixed —
3 months before the start of the next financial year.

”.

25 **14. *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.*]

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s. 14

(2) Section 41(2) is repealed and the following subsections are inserted instead —

“

- 5 (2) The Minister may from time to time, with the concurrence of the Treasurer, by written notice to the board —
- (a) fix a day in each year by which a draft strategic development plan is to be submitted under subsection (1); or
- 10 (b) cancel a notice given under paragraph (a).
- (3) Each draft strategic development plan is to be submitted not later than —
- (a) the day fixed under subsection (2); or
- 15 (b) if there is for the time being no day so fixed — 2 months before the start of the next financial year.

”.

(3) Section 50(2) is repealed and the following subsections are inserted instead —

“

- 20 (2) The Minister may from time to time, with the concurrence of the Treasurer, by written notice to the board —
- (a) fix a day in each year by which a draft statement of corporate intent is to be submitted under subsection (1); or
- 25 (b) cancel a notice given under paragraph (a).
- (3) Each draft statement of corporate intent is to be submitted not later than —
- 30 (a) the day fixed under subsection (2); or
- (b) if there is for the time being no day so fixed — 2 months before the start of the next financial year.

”.

15. 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.]

- 5 (2) Section 25A(1) is amended as follows:
- (a) by deleting “at the prescribed times,” and inserting instead —
“ in each year, ”;
 - 10 (b) in paragraph (a) before “strategic” by inserting —
“ draft ”;
 - (c) in paragraph (b) before “statement” by inserting —
“ draft ”.
- (3) After section 25A(1) the following subsections are inserted —
“
- 15 (1a) The Minister may from time to time, with the concurrence of the Treasurer, by written notice to the board —
- 20 (a) fix a day in each year by which a draft strategic development plan is to be submitted under subsection (1); and
 - (b) fix a day in each year by which a draft statement of corporate intent is to be submitted under subsection (1).
- 25 (1b) The Minister may, with the concurrence of the Treasurer, by written notice to the board, cancel a notice given under subsection (1a).
- (1c) Each draft strategic development plan is to be submitted not later than —
- (a) the day fixed under subsection (1a)(a); or

(b) if there is for the time being no day so fixed —
the period prescribed by the regulations before
the start of the next financial year.

5 (1d) Each draft statement of corporate intent is to be
submitted not later than —

(a) the day fixed under subsection (1a)(b); or

(b) if there is for the time being no day so fixed —
the period prescribed by the regulations before
the start of the next financial year.

10

”.

16. Western Australian Treasury Corporation Act 1986 amended

(1) The amendments in this section are to the *Western Australian
Treasury Corporation Act 1986**.

[* *Reprint 2 as at 2 September 2005.*

15

*For subsequent amendments see Western Australian
Legislation Information Tables for 2005, Table 1, p. 502.]*

(2) Section 16A(2) is repealed and the following subsections are
inserted instead —

“

20

(2) The Minister may from time to time, by written notice
to the board —

(a) fix a day in each year by which a draft strategic
development plan is to be submitted under
subsection (1); or

25

(b) cancel a notice given under paragraph (a).

(3) Each draft strategic development plan is to be
submitted not later than —

(a) the day fixed under subsection (2); or

30

(b) if there is for the time being no day so fixed —
2 months before the start of the next financial
year.

”.

- (3) Section 16I(2) is repealed and the following subsections are inserted instead —

“

- 5 (2) The Minister may from time to time, by written notice to the board —
- (a) fix a day in each year by which a draft statement of corporate intent is to be submitted under subsection (1); or
- (b) cancel a notice given under paragraph (a).
- 10 (3) Each draft statement of corporate intent is to be submitted not later than —
- (a) the day fixed under subsection (2); or
- (b) if there is for the time being no day so fixed —
- 15 2 months before the start of the next financial year.

”.

Division 5 — Miscellaneous amendments

17. Various Acts amended

Schedule 1 sets out amendments to various Acts.

20 **18. Short title of this Act amended**

Section 1 is amended by deleting “*Legislation Amendment and Repeal*” and inserting instead —

“ *Management (Transitional Provisions)* ”.

Division 6 — Transitional provisions

25 **19. Transitional provisions**

Schedule 2 sets out transitional provisions.

Schedule 1 — Amendments to various Acts

[s. 17]

1. Aboriginal Affairs Planning Authority Act 1972

- 5 (1) Section 10(2) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the Auditor
General Act 2006

”.

- 10 (2) Section 39(1) is repealed and the following subsection is inserted instead —

“

- 15 (1) An agency special purpose account called the
Aboriginal Trading Account is established under
section 16 of the *Financial Management Act 2006*.

”.

- (3) Section 39(2), (3) and (4) are amended by deleting “Fund” in each
place where it occurs and inserting instead —

“ Account ”.

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

“ Account ”.

- (5) Section 43(2) is repealed and the following subsection is inserted
instead —

“

- 25 (2) An agency special purpose account called the
Aboriginal Affairs Planning Authority Account is
established under section 16 of the *Financial
Management Act 2006* to which the moneys referred to
in subsection (1) are to be credited.

30

”.

- (6) Section 45 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the Auditor
General Act 2006

”.

2. *Agricultural Practices (Disputes) Act 1995*

- (1) Section 17(4) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“ *Financial Management Act 2006* ”.

- (2) Section 18(3) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*” and inserting instead —

“ Part 5 of the *Financial Management Act 2006* ”.

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

“

- (2) An account called the Western Australian Agricultural Practices Board Account is to be established —

(a) as an agency special purpose account under section 16 of the *Financial Management Act 2006*; or

(b) with the approval of the Treasurer, at a bank as defined in section 3 of that Act,

and the cost of the administration of this Act is to be paid from that account.

”.

- (4) Section 20(3) is amended by deleting “Fund” and inserting instead —

“ Account ”.

cl. 3

- (5) Section 21 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the Auditor
General Act 2006

”.

- (6) Section 22 is repealed.

3. Agricultural Produce Commission Act 1988

- (1) Section 6A(2) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*.” and inserting instead —

“ Part 5 of the *Financial Management Act 2006*. ”.

- (2) Section 7(2) is repealed and the following subsection is inserted instead —

“

(2) An agency special purpose account called the
Agricultural Produce Commission Account is
established under section 16 of the *Financial
Management Act 2006*.

”.

- (3) Section 20(1) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the Auditor
General Act 2006

”.

4. Agricultural Products Act 1929

- (1) Section 8B(1) is repealed and the following subsection is inserted instead —

“

(1) An agency special purpose account called the
Agricultural Products Act Modified Penalties Revenue

Account (referred to in this section and section 8C as
“the Account”) is established under section 16 of the
Financial Management Act 2006.

”.

5 (2) Section 8B(2) is amended by deleting “Fund.” and inserting
instead —

“ Account. ”.

 (3) Section 8C(1), (2) and (3) are amended by deleting “Fund” and
inserting instead —

10 “ Account ”.

5. *Agriculture Act 1988*

Section 13 is amended by deleting “*Financial Administration and
Audit Act 1985*” and inserting instead —

“

15 *Financial Management Act 2006* and the *Auditor
General Act 2006*

”.

6. *Agriculture and Related Resources Protection Act 1976*

20 (1) Section 7(1) is amended by deleting the definition of “Control Fund”
and inserting instead —

“

“Control Account” means the Declared Plants and
Animals Control Account referred to in section 65;

”.

25 (2) Section 12(2) is amended by deleting “Fund” and inserting instead —

“ Account ”.

 (3) Section 31A(2) is amended by deleting “Fund.” and inserting
instead —

“ Account. ”.

cl. 7

(4) Section 58(1) is amended by deleting “Fund” in each place where it occurs and inserting instead —

“ Account ”.

(5) Section 65(1) is repealed and the following subsection is inserted instead —

“

(1) An agency special purpose account called the Declared Plants and Animals Control Account is established under section 16 of the *Financial Management Act 2006* to which all rates recovered under section 60 or 61 are to be credited.

”.

(6) Section 65(3)(b) and (4) are amended by deleting “Control Fund” and inserting instead —

“ Control Account ”.

7. Agriculture Protection Board Act 1950

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

“

“Protection Account” means The Agriculture Protection Board Account referred to in section 9;

”.

(2) Section 7 is amended by deleting “Fund.” and inserting instead —

“ Account. ”.

(3) Section 8(1)(c) is amended by deleting “Fund” in both places where it occurs and inserting instead —

“ Account ”.

- (4) Section 9(2) is repealed and the following subsection is inserted instead —

“

(2) An agency special purpose account called The
Agriculture Protection Board Account is established
under section 16 of the *Financial Management
Act 2006*, and all moneys referred to in subsection (1)
are to be credited to the Protection Account and applied
to the purposes of this Act and the Agriculture
Protection Act.

”.

- (5) Section 9(3) is amended by deleting “Fund” and inserting instead —

“ Account ”.

- (6) Section 10 is amended by deleting “Fund” in both places where it
occurs and inserting instead —

“ Account ”.

- (7) Section 11(2) and (4) are amended by deleting “Fund” and inserting
instead —

“ Account ”.

- (8) Section 15 is amended by deleting “*Financial Administration and
Audit Act 1985*” and inserting instead —

“

*Financial Management Act 2006 and the Auditor
General Act 2006*

”.

8. *Alcohol and Drug Authority Act 1974*

- (1) Section 27 is amended by deleting “*Financial Administration and
Audit Act 1985*” and inserting instead —

“

*Financial Management Act 2006 and the Auditor
General Act 2006*

”.

cl. 9

- (2) Section 28(2) is repealed and the following subsection is inserted instead —

“

- (2) An account called the Western Australian Alcohol and Drug Authority Account is to be established —

(a) as an agency special purpose account under section 16 of the *Financial Management Act 2006*; or

(b) with the approval of the Treasurer, at a bank as defined in section 3 of that Act,

to which the moneys referred to in subsection (1) are to be credited.

”.

9. *Animal Resources Authority Act 1981*

Section 20 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the *Auditor General Act 2006*

”.

10. *Anzac Day Act 1960*

- (1) The long title is amended by deleting “Fund” and inserting instead —

“ **Account** ”.

- (2) Section 10(1) is repealed and the following subsection is inserted instead —

“

- (1) An agency special purpose account called the Anzac Day Trust Account (the “**Account**”) is established under section 16 of the *Financial Management Act 2006*, which is to be administered by the Trust.

”.

(3) Section 10(2) is amended by deleting “Fund — ” and inserting instead —

“ Account — ”.

(4) Section 10(3) is amended by deleting “Fund” and inserting instead —

“ Account ”.

(5) Section 15(1) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the Auditor
General Act 2006

”.

(6) Section 15(2) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“ *Financial Management Act 2006* ”.

15 **11. *Armadale Redevelopment Act 2001***

(1) Section 18(3) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*” and inserting instead —

“ Part 5 of the *Financial Management Act 2006* ”.

(2) Section 25(4) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*.” and inserting instead —

“ Part 5 of the *Financial Management Act 2006*. ”.

(3) Section 30(7)(b) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*.” and inserting instead —

“ Part 5 of the *Financial Management Act 2006*. ”.

(4) Section 33(6)(b) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*.” and inserting instead —

“ Part 5 of the *Financial Management Act 2006*. ”.

cl. 12

- (5) Section 56(1) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“ *Financial Management Act 2006* ”.

- (6) Section 61 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the *Auditor General Act 2006*

”.

10 **12. Art Gallery Act 1959**

- (1) Section 22(1)(c) is amended by deleting “Fund” and inserting instead —

“ Account ”.

- (2) Section 22(2) is repealed and the following subsection is inserted instead —

“

- (2) An agency special purpose account called The Art Gallery of Western Australia Account is established under section 16 of the *Financial Management Act 2006* to which the money and proceeds referred to in subsection (1) are to be credited.

”.

- (3) Section 22(2a) and (6) are repealed.

- (4) Section 22(3), (4) and (5) are amended by deleting “Fund” in each place where it occurs and inserting instead —

“ Account ”.

- (5) Section 22(4) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“ *Financial Management Act 2006* ”.

- (6) Section 28 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the Auditor
General Act 2006

”.

- (7) Section 28B(1) is repealed and the following subsection is inserted instead —

“

- (1) An agency special purpose account called the Account of The Art Gallery of Western Australia Foundation (in this section referred to as the “**Account**”) is established under section 16 of the *Financial Management Act 2006* to which moneys received by the Foundation are to be credited.

”.

- (8) Section 28C(2)(c) is amended by deleting “*Financial Administration and Audit Act 1985* and the Treasurer’s Instructions” and inserting instead —

“

Financial Management Act 2006 and the
Treasurer’s instructions

”.

13. Auction Sales Act 1973

Section 28(6) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“ *Auditor General Act 2006* ”.

14. Bank of Western Australia Act 1995

Section 15 is amended by deleting “section 91 of the *Financial Administration and Audit Act 1985*” and inserting instead —

“ section 46(2) of the *Auditor General Act 2006* ”.

cl. 15

15. Barrow Island Royalty Trust Account Act 1985

(1) Section 4 is repealed and the following section is inserted instead —

“

4. Barrow Island Royalty Trust Account

5 An agency special purpose account called the Barrow
Island Royalty Trust Account is established under
section 16 of the *Financial Management Act 2006*.

”.

10 (2) Section 5 is amended by deleting “section 6 of the *Financial
Administration and Audit Act 1985*” and inserting instead —

“ section 8 of the *Financial Management Act 2006* ”.

16. Botanic Gardens and Parks Authority Act 1998

(1) Section 13(2) is amended by deleting “section 66 of the *Financial
Administration and Audit Act 1985*.” and inserting instead —

15 “ Part 5 of the *Financial Management Act 2006*. ”.

(2) Section 32(1) is repealed and the following subsection is inserted
instead —

“

20 (1) An account called the Botanic Gardens and Parks
Authority Account is to be established —

(a) as an agency special purpose account under
section 16 of the *Financial Management
Act 2006*; or

25 (b) with the approval of the Treasurer, at a bank as
defined in section 3 of that Act,

to which the funds referred to in section 31 are to be
credited.

”.

- (3) Section 37 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the Auditor
General Act 2006

”.

- (4) Section 42(1) is repealed and the following subsection is inserted instead —

“

(1) An account called the Botanic Gardens and Parks
Foundation Account is to be established —

(a) as an agency special purpose account under
section 16 of the *Financial Management
Act 2006*; or

(b) with the approval of the Treasurer, at a bank as
defined in section 3 of that Act,

to which the funds received by the Foundation are to be
credited.

”.

- (5) Section 42(4)(a) is amended by deleting “section 54 of the *Financial Administration and Audit Act 1985*” and inserting instead —

“ section 52 of the *Financial Management Act 2006* ”.

- (6) Section 42(4)(b) is amended by deleting “Division 14 of Part II” and inserting instead —

“ Part 5 ”.

17. *Building and Construction Industry Training Fund and Levy Collection Act 1990*

- (1) Section 9(2) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*.” and inserting instead —

“ Part 5 of the *Financial Management Act 2006*. ”.

cl. 18

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

“

- (2) An account called the Building and Construction Industry Training Fund is to be established —

(a) as an agency special purpose account under section 16 of the *Financial Management Act 2006*; or

(b) with the approval of the Treasurer, at a bank as defined in section 3 of that Act,

to which the moneys referred to in subsection (1) are to be credited.

”.

- (3) Section 25C(6) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*.” and inserting instead —

“ Part 5 of the *Financial Management Act 2006*. ”.

- (4) Section 26 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the *Auditor General Act 2006*

”.

- (5) Section 27(2) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“ *Financial Management Act 2006* ”.

18. Carers Recognition Act 2004

Section 12(6) is amended by deleting “officer of the department under the *Financial Administration and Audit Act 1985* section 66.” and inserting instead —

“

authority of the department under the *Financial Management Act 2006* Part 5.

”.

19. *Casino (Burswood Island) Agreement Act 1985*

Section 17(5) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*.” and inserting instead —

“ Part 5 of the *Financial Management Act 2006*. ”.

5 **20. *Casino Control Act 1984***

Section 19B(3) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*” and inserting instead —

“ Part 5 of the *Financial Management Act 2006* ”.

21. *Cattle Industry Compensation Act 1965*

10 (1) The long title is amended by deleting “a fund” and inserting instead —

“ **an account** ”.

(2) Section 6 is amended by deleting the definition of “the Fund” and inserting instead —

15

“

“the Account” means the Cattle Industry
Compensation Account established under this Act;

”.

20

(3) The heading to Part IV is amended by deleting “Fund” and inserting instead —

“ **Account** ”.

(4) Section 21(1) is repealed and the following subsection is inserted instead —

25

“

(1) For the purposes of administering this Act and paying compensation in accordance with the provisions of this Act, an agency special purpose account called the Cattle Industry Compensation Account is established under section 16 of the *Financial Management Act 2006*.

30

”.

cl. 22

- (5) Section 21A is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the Auditor
General Act 2006

”.

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

“ Account ”.

Table

s. 9(2)	s. 23(3)
s. 17(3)	s. 24(1)
s. 20A	s. 24(2)
s. 21(2)	s. 24(3)
s. 21A	s. 25
s. 23(1)	s. 46(d) and (e)
s. 23(2)	

22. Cemeteries Act 1986

- (1) Section 44(1) is amended by deleting “*Financial Administration and Audit Act 1985*.” and inserting instead —

“

Financial Management Act 2006 and the Auditor
General Act 2006.

”.

- (2) Section 44(2) is amended as follows:

- (a) by deleting “*Financial Administration and Audit Act 1985*”
and inserting instead —

“

Financial Management Act 2006 and the Auditor
General Act 2006

”;

(b) by deleting “that Act.” and inserting instead —
“ those Acts. ”.

23. Charitable Collections Act 1946

5 Section 20(4) is amended by deleting “*Financial Administration and Audit Act 1985*.” and inserting instead —

“ *Auditor General Act 2006*. ”.

24. Children’s Court of Western Australia Act 1988

10 Section 17(1)(f) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“ *Auditor General Act 2006* ”.

25. Coal Industry Superannuation Act 1989

15 Section 26 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“
Financial Management Act 2006 and the *Auditor General Act 2006*
”.

26. Coal Miners’ Welfare Act 1947

20 Section 18 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“
Financial Management Act 2006 and the *Auditor General Act 2006*
”.

25 **27. Commissioner for Children and Young People Act 2006**

Section 42(2) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“ *Financial Management Act 2006* ”.

cl. 28

28. Companies (Administration) Act 1982

Section 12(3) is amended by deleting “*Financial Administration and Audit Act 1985.*” and inserting instead —

“ *Auditor General Act 2006.* ”.

5 **29. Conservation and Land Management Act 1984**

(1) Section 3 is amended by deleting the definition of “Fund”.

(2) Section 31(1) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“ *Financial Management Act 2006* ”.

10 (3) The heading to Part VI Division 1 is deleted.

(4) Section 63 is repealed.

(5) Section 64(1) is amended as follows:

(a) by deleting “moneys available for carrying this Act into effect shall be —” and inserting instead —

15

“

account established for the purposes of the operations of the Department is to be credited with —

20

”;

(b) by deleting paragraphs (a), (b), (c), (e), (f), (g) and (h);

(c) by deleting the semicolon at the end of paragraph (ga) and “and” after that paragraph and inserting a full stop instead;

(d) after each of paragraphs (d) and (da) by inserting —

25

“ and ”.

(6) Section 64(2) is repealed.

(7) Sections 65, 66 and 67 are repealed.

- (8) Section 68(1) is repealed and the following subsection is inserted instead —

“

- (1) An agency special purpose account called the Nature Conservation and National Parks Account (the “**NCNP Account**”) is established under section 16 of the *Financial Management Act 2006*.

”.

- (9) Section 68(2) is repealed and the following subsection is inserted instead —

“

- (2) The NCNP Account is to be credited with —
- (a) fees paid for licences referred to in the *Wildlife Conservation Act 1950* sections 23C and 23D(2); and
 - (b) royalties paid under section 23C of that Act; and
 - (c) the net proceeds of the sale of any skins or carcasses of fauna taken by or on behalf of the CEO from a nature reserve; and
 - (d) gifts, devises, bequests and donations made to the NCNP Account.

”.

- (10) Section 68(3) is amended by deleting “Trust Account” and inserting instead —

“ NCNP Account ”.

- (11) Section 69(1) is amended by deleting “in the Fund other trust accounts for such purposes, in such terms, and comprising such moneys as may be prescribed.” and inserting instead —

“

under section 16 of the *Financial Management Act 2006* other agency special purpose accounts.

”.

cl. 30

(12) Section 69(2) is amended by deleting “under that subsection be established in the Fund a trust” and inserting instead —

“

5 be established under section 16 of the *Financial Management Act 2006* an agency special purpose

”.

(13) Section 70 is repealed.

(14) Part VI Divisions 2 and 3 are repealed.

(15) Section 153 is repealed.

10 **30. *Constitution Acts Amendment Act 1899***

Schedule V Part 1 Division 2 is amended in the item relating to the Auditor General by deleting “*Financial Administration and Audit Act 1985.*” and inserting instead —

“ *Auditor General Act 2006.* ”.

15 **31. *Construction Industry Portable Paid Long Service Leave Act 1985***

Section 18 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

20 *Financial Management Act 2006* and the *Auditor General Act 2006*

”.

32. *Consumer Affairs Act 1971*

Section 26 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

25 *Financial Management Act 2006* and the *Auditor General Act 2006*

”.

cl. 34

34. Control of Vehicles (Off-road Areas) Act 1978

Section 43(3) is amended by deleting “a trust account under the *Financial Administration and Audit Act 1985* section 15B” and inserting instead —

5

“

an agency special purpose account under the *Financial Management Act 2006* section 16

”.

35. Corruption and Crime Commission Act 2003

10

(1) Section 3 is amended in the definition of “notifying authority” as follows:

(a) in paragraph (b), by deleting “section 52(4) of the *Financial Administration and Audit Act 1985*,” and inserting instead —

15

“

section 56(2) of the *Financial Management Act 2006*;

”;

(b) in paragraph (c), by deleting “*Financial Administration and Audit Act 1985*,” and inserting instead —

20

“ *Financial Management Act 2006*; ”.

(2) Section 3 is amended in the definition of “principal officer of a notifying authority” by deleting “section 52(4) of the *Financial Administration and Audit Act 1985*” and inserting instead —

25

“

section 56(2) of the *Financial Management Act 2006*

”.

(3) Section 38(3) is amended as follows:

30

(a) by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“ *Auditor General Act 2006* ”;

(b) by deleting “section 80(b)” and inserting instead —

“ section 18(2) ”.

- (4) Section 38(4) is amended as follows:
- (a) by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —
“ *Auditor General Act 2006* ”;
 - (b) by deleting “referred to in section 91 of that Act,” and inserting instead —
“ to whom section 46(2) of that Act applies, ”.
- (5) Section 91(5) is amended by deleting “Part II Division 14 of the *Financial Administration and Audit Act 1985*” and inserting instead —
“ Part 5 of the *Financial Management Act 2006* ”.
- (6) Section 186(2) is repealed and the following subsection is inserted instead —
“
(2) An agency special purpose account called the Corruption and Crime Commission Account is established under section 16 of the *Financial Management Act 2006* to which the funds referred to in subsection (1) are to be credited.
”.
- (7) Section 186(3) is amended by deleting “Fund” and inserting instead —
“ Account ”.
- (8) Section 187 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —
“
Financial Management Act 2006 and the *Auditor General Act 2006*
”.
- (9) Section 203(3) is amended by deleting “Part II Division 14 of the *Financial Administration and Audit Act 1985*” and inserting instead —
“ Part 5 of the *Financial Management Act 2006* ”.

cl. 36

- (10) Section 215(2) is repealed and the following subsection is inserted instead —

“

- 5 (2) An agency special purpose account called the Parliamentary Inspector of the Corruption and Crime Commission Account is established under section 16 of the *Financial Management Act 2006* to which the funds referred to in subsection (1) are to be credited.

”.

- 10 (11) Section 215(3) is amended by deleting “Fund” and inserting instead —

“ Account ”.

- (12) Section 216 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

15 “

Financial Management Act 2006 and the *Auditor General Act 2006*

”.

36. Country High School Hostels Authority Act 1960

- 20 Section 16 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the *Auditor General Act 2006*

25 “

”.

37. Country Housing Act 1998

- (1) Section 3 is amended as follows:

- (a) before the definition of “appointed member” by inserting —

“

30 “**Account**” means the Country Housing Account referred to in section 15(2);

”;

- (b) by deleting the definition of “Fund”.

(2) Section 13(6) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*.” and inserting instead —

“ Part 5 of the *Financial Management Act 2006*. ”.

(3) Section 15(2) is repealed and the following subsection is inserted instead —

“

(2) An agency special purpose account called the Country Housing Account is established under section 16 of the *Financial Management Act 2006* to which the funds referred to in subsection (1) are to be credited.

”.

(4) Section 15(3) is amended by deleting “Fund” in both places where it occurs and inserting in each place instead —

“ Account ”.

(5) Section 22 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the *Auditor General Act 2006*

”.

38. Court Security and Custodial Services Act 1999

Section 28(3) is amended by deleting “officer of the Department under section 66 of the *Financial Administration and Audit Act 1985*” and inserting instead —

“

authority of the Department under Part 5 of the *Financial Management Act 2006*

”.

cl. 39

39. Credit (Administration) Act 1984

Section 60(1) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

5

Financial Management Act 2006 and the Auditor
General Act 2006

”.

40. Criminal Property Confiscation Act 2000

10 (1) Section 130(1) is repealed and the following subsection is inserted instead —

“

(1) An agency special purpose account called the
Confiscation Proceeds Account is established under
section 16 of the *Financial Management Act 2006*.

15

”.

(2) Section 130(2) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

20

Financial Management Act 2006 and the Auditor
General Act 2006

”.

(3) Section 130(3) is amended by deleting “section 52 of the *Financial Administration and Audit Act 1985*” and inserting instead —

“ section 52 of the *Financial Management Act 2006* ”.

25 **41. Curriculum Council Act 1997**

(1) Section 18(2) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*.” and inserting instead —

“ Part 5 of the *Financial Management Act 2006*. ”.

- (2) Section 24(1) is repealed and the following subsection is inserted instead —

“

- (1) An account called the Curriculum Council Account is to be established —

- (a) as an agency special purpose account under section 16 of the *Financial Management Act 2006*; or
- (b) with the approval of the Treasurer, at a bank as defined in section 3 of that Act,

to which the funds referred to in section 23 are to be credited.

”.

- (3) Section 29 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the Auditor General Act 2006

”.

42. Curtin University of Technology Act 1966

- (1) Section 22(1) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the Auditor General Act 2006

”.

- (2) Section 22(3) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“ *Financial Management Act 2006* ”.

cl. 42

- (3) Section 22(4) is repealed and the following subsection is inserted instead —

“

- (4) Notwithstanding the provisions of the *Financial Management Act 2006* —

- (a) sections 13, 14 and 40 do not have effect in relation to the University; and
(b) section 78(1) of that Act has effect in relation to the University as if it had been enacted in the following form —

“

- (1) The Treasurer may issue, amend or revoke instructions concerning —

- (a) the annual report required to be prepared under Part 5; and
(b) the establishment and keeping of the accounts of statutory authorities, including the accounts of subsidiary bodies and related bodies; and
(c) the form and content of financial statements and reports on the operations of statutory authorities and their subsidiary bodies and related bodies, including information to be disclosed in respect of affiliated bodies; and
(d) the preparation of key performance indicators of statutory authorities and their subsidiary bodies and related bodies.

”

”

- (4) Section 23(2) is repealed and the following subsections are inserted instead —

“

- (2) The moneys referred to in subsection (1) are to be credited to —

- (a) an agency special purpose account established under section 16 of the *Financial Management Act 2006*; or

(b) with the approval of the Treasurer, an account or accounts established at a bank (as defined in section 3 of that Act) or accounts established at banks.

5 (2a) The account, or each account, established for the purposes of subsection (2) is to be called the Curtin University of Technology Account.

”.

43. *Dampier to Bunbury Pipeline Act 1997*

10 (1) Section 9 is amended by deleting “section 91 of the *Financial Administration and Audit Act 1985*” and inserting instead —

“ section 46(2) of the *Auditor General Act 2006* ”.

(2) Section 45(1) is repealed and the following subsection is inserted instead —

15 “

(1) An agency special purpose account called the DBNGP Corridor Trust Account is established under section 16 of the *Financial Management Act 2006*.

”.

20 (3) Section 45(3) is amended by deleting “section 8A or 24 of the *Financial Administration and Audit Act 1985*” and inserting instead —

“ section 24 or 28 of the *Financial Management Act 2006* ”.

25 (4) Section 45(6) is amended by deleting “section 52 of the *Financial Administration and Audit Act 1985*” and inserting instead —

“ section 52 of the *Financial Management Act 2006* ”.

(5) Section 53(2) is amended by deleting “section 95 of the *Financial Administration and Audit Act 1985*” and inserting instead —

“ section 24 of the *Auditor General Act 2006* ”.

cl. 44

44. Debt Collectors Licensing Act 1964

Section 19(2) is amended by deleting “*Financial Administration and Audit Act 1985.*” and inserting instead —

“ *Auditor General Act 2006.* ”.

5 **45. Disability Services Act 1993**

(1) Section 15(2) is repealed and the following subsection is inserted instead —

“

(2) An account called the Disability Services Commission Account is to be established —

(a) as an agency special purpose account under section 16 of the *Financial Management Act 2006*; or

(b) with the approval of the Treasurer, at a bank as defined in section 3 of that Act,

to which the funds referred to in subsection (1) are to be credited.

”.

(2) Section 19 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the *Auditor General Act 2006*

”.

(3) Section 20(2) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985.*” and inserting instead —

“ Part 5 of the *Financial Management Act 2006.* ”.

(4) Section 29(1) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*” and inserting instead —

“ Part 5 of the *Financial Management Act 2006* ”.

- (5) Section 42A(2) is amended by deleting “Part II Division 14 of the *Financial Administration and Audit Act 1985*.” and inserting instead —

“ Part 5 of the *Financial Management Act 2006*. ”.

- 5 (6) Section 44A(4) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*.” and inserting instead —

“ Part 5 of the *Financial Management Act 2006*. ”.

46. *East Perth Redevelopment Act 1991*

- 10 (1) Section 19(9) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*” and inserting instead —

“ Part 5 of the *Financial Management Act 2006* ”.

- (2) Section 25(2) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*” and inserting instead —

“ Part 5 of the *Financial Management Act 2006* ”.

- 15 (3) Section 53 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the *Auditor General Act 2006*

20

”.

- (4) Section 54 is amended by deleting “section 14 of the *Financial Administration and Audit Act 1985*” and inserting instead —

“ section 20 of the *Financial Management Act 2006* ”.

47. *Eastern Goldfields Transport Board Act 1984*

- 25 Section 28 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the *Auditor General Act 2006*

30

”.

cl. 48

48. Economic Regulation Authority Act 2003

- (1) Section 23(1) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

5 *Financial Management Act 2006* and the Auditor
 General Act 2006

”.

- (2) Section 23(2) is amended by deleting “Instructions (issued under section 58 of the *Financial Administration and Audit Act 1985*)” and inserting instead —

“

 instructions (issued under section 78 of the *Financial Management Act 2006*)

”.

- (3) Section 23(3) is amended by deleting “section 42 of the *Financial Administration and Audit Act 1985*” and inserting instead —

“ section 40 of the *Financial Management Act 2006* ”.

- (4) Section 24 is amended by deleting “Without limiting section 43 of the *Financial Administration and Audit Act 1985*, the” and inserting instead —

“ The ”.

- (5) Section 28(7) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*.” and inserting instead —

“ Part 5 of the *Financial Management Act 2006*. ”.

49. Edith Cowan University Act 1984

- (1) Section 36(2) is repealed and the following subsection is inserted instead —

“

- (2) An account called the Edith Cowan University Account is to be established —

- (a) as an agency special purpose account under section 16 of the *Financial Management Act 2006*; or

(b) with the approval of the Treasurer, at a bank as defined in section 3 of that Act,

to which the moneys referred to in subsection (1) are to be credited.

5

”.

(2) Section 39(1) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the Auditor
General Act 2006

10

”.

(3) Section 39(2) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“ *Financial Management Act 2006* ”.

15

(4) Section 39(3) is repealed and the following subsection is inserted instead —

“

(3) Notwithstanding the provisions of the *Financial Management Act 2006* —

20

(a) sections 13, 14 and 40 do not have effect in relation to the University; and

(b) section 78(1) of that Act has effect in relation to the University as if it had been enacted in the following form —

25

“

(1) The Treasurer may issue, amend or revoke instructions concerning —

(a) the annual report required to be prepared under Part 5; and

30

(b) the establishment and keeping of the accounts of statutory authorities, including the accounts of subsidiary bodies and related bodies; and

cl. 50

- 5
- (c) the form and content of financial statements and reports on the operations of statutory authorities and their subsidiary bodies and related bodies, including information to be disclosed in respect of affiliated bodies; and
 - (d) the preparation of key performance indicators of statutory authorities and their subsidiary bodies and related bodies.

10

50. *Education Service Providers (Full Fee Overseas Students) Registration Act 1991*

Section 44 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

15

“
Financial Management Act 2006 and the *Auditor General Act 2006*
”.

51. *Electoral Act 1907*

20

Section 175ZE(1) is amended by deleting “the *Financial Administration and Audit Act 1985*” and inserting instead —

“ Part 5 of the *Financial Management Act 2006* ”.

52. *Electricity Act 1945*

25

Section 33 is amended by deleting “the *Financial Administration and Audit Act 1985*” and inserting instead —

“ Part 5 of the *Financial Management Act 2006* ”.

53. *Electricity Corporations Act 2005*

30

- (1) Section 121(2) is amended in the definition of “bank” by deleting “*Financial Administration and Audit Act 1985* section 3(1).” and inserting instead —

“ *Financial Management Act 2006* section 3. ”.

(2) Section 132 is amended as follows:

(a) by deleting “*Financial Administration and Audit Act 1985* that Act,” and inserting instead —

“

5

Financial Management Act 2006 or the *Auditor General Act 2006*, those Acts,

”;

(b) by deleting “does not” and inserting instead —

“ do not ”.

10

(3) Section 137(1) is amended in the definition of “Treasury officer” by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“ *Financial Management Act 2006* ”.

15

(4) Schedule 4 clause 34(2) is amended by deleting “*Financial Administration and Audit Act 1985* section 92” and inserting instead —

“ *Auditor General Act 2006* section 21 ”.

(5) Schedule 4 clause 35(2) is amended as follows:

20

(a) by deleting “*Financial Administration and Audit Act 1985* sections 78 to 80, 82 to 91 and 95” and inserting instead —

“

Auditor General Act 2006 sections 14, 16 to 18, 24 to 37, 45 and 46

”;

25

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

“ the *Financial Management Act 2006*. ”.

54. *Electricity Industry Act 2004*

(1) Section 129B is amended in the definition of “Tariff Equalisation Fund” by deleting “Fund” and inserting instead —

30

“ **Account** ”.

cl. 54

- (2) Section 129C(1) is repealed and the following subsection is inserted instead —

“

- (1) An agency special purpose account called the Tariff Equalisation Account is established under the *Financial Management Act 2006* section 16.

”.

- (3) Section 129C(2) is amended as follows:

- (a) by deleting “Tariff Equalisation Fund —” and inserting instead —

“ Tariff Equalisation Account — ”;

- (b) after paragraph (a) by inserting —

“ and ”;

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

“

- (b) the amount of any income determined by the Treasurer (at a rate determined by the Treasurer) to be attributable to the investment under the *Financial Management Act 2006* section 37 of money standing to the credit of the Tariff Equalisation Account; and

”;

- (d) in paragraph (c), by deleting “Fund.” and inserting instead —

“ Account. ”.

- (4) Section 129D(3)(c) is amended by deleting “Fund;” and inserting instead —

“ Account; ”.

- (5) Section 129F(1) is amended by deleting “Fund” and inserting instead —

“ Account ”.

(6) Section 129G(2) is amended by deleting “Fund.” and inserting instead —

“ Account. ”.

(7) Section 129J is amended by deleting “*Financial Administration and Audit Act 1985* section 57(2) and (3) to (11)” and inserting instead —

“

Financial Management Act 2006 sections 74(2), 76(2) and 77

”.

10 **55. *Employers’ Indemnity Supplementation Fund Act 1980***

(1) Section 5(1) is repealed and the following subsection is inserted instead —

“

(1) An agency special purpose account, to be kept by WorkCover WA and called the Employers’ Indemnity Supplementation Fund, is established under section 16 of the *Financial Management Act 2006*.

”.

(2) Section 6A(1) and (2) are amended by deleting “Fund” in each place where it occurs and inserting instead —

“ Account ”.

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

“

(3) In this section —

“General Account” means the Workers’ Compensation and Injury Management General Account established under section 106 of the *Workers’ Compensation and Injury Management Act 1981*.

”.

cl. 56

- (4) Section 8 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the Auditor
General Act 2006

”.

- (5) Section 10(ba) is amended by deleting “Fund” and inserting instead —

“ Account ”.

10 **56. *Employment Agents Act 1976***

- (1) Section 10A(1) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the Auditor
General Act 2006

”.

- (2) Section 46(7) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“ *Auditor General Act 2006* ”.

20 **57. *Energy Coordination Act 1994***

- (1) Section 4D(2)(b) is amended by deleting “officer under section 62 of the *Financial Administration and Audit Act 1985*.” and inserting instead —

“

authority under Part 5 of the *Financial Management Act 2006*.

”.

- (2) Section 10(2)(b) is amended by deleting “officer under section 66 of the *Financial Administration and Audit Act 1985*.” and inserting instead —

“

5

authority under Part 5 of the *Financial Management Act 2006*.

”.

- (3) Schedule 1 clause 8(3) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

10

“

Financial Management Act 2006 or Auditor General Act 2006

”.

- (4) Schedule 1 clause 9(1)(b)(ii) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

15

“ *Financial Management Act 2006* ”.

58. *Energy Safety Act 2006*

Section 26(1) and (2) are repealed and the following subsection is inserted instead —

20

“

- (1) An agency special purpose account called the Energy Safety Account is established under the *Financial Management Act 2006* section 16.

”.

25 **59. *Environmental Protection Act 1986***

- (1) Section 99E(3)(a) is amended by deleting “the *Financial Administration and Audit Act 1985*” and inserting instead —

“ Part 5 of the *Financial Management Act 2006* ”.

cl. 59

- (2) Section 110A is amended by deleting the definition of “Fund” and inserting instead —

“

5 **“Account”** means the Waste Management and
 Recycling Account established under
 section 110H;

”.

- (3) The heading to Part VIIA Division 2 is amended by deleting “Fund” and inserting instead —

10 **“ Account ”**.

- (4) Section 110H(1) is repealed and the following subsection is inserted instead —

“

15 (1) An account called the Waste Management and
 Recycling Account is to be established —

 (a) as an agency special purpose account under
 section 16 of the *Financial Management
 Act 2006*; or

20 (b) with the approval of the Treasurer, at a bank as
 defined in section 3 of that Act.

”.

- (5) Section 110H(2), (3), (4), (5) and (7) are amended by deleting “Fund” in each place where it occurs and inserting instead —

“ Account ”.

25 (6) Section 110H(8) is amended by deleting “the *Financial
 Administration and Audit Act 1985*” and inserting instead —

“ Part 5 of the *Financial Management Act 2006* ”.

- (7) Section 110I(1) and (2) are amended by deleting “Fund” and inserting instead —

30 **“ Account ”**.

- (8) Section 110I(1) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the Auditor
General Act 2006

”.

- (9) Section 110I(2) is amended by deleting “section 52 of the *Financial Administration and Audit Act 1985*” and inserting instead —

“ section 52 of the *Financial Management Act 2006* ”.

- (10) Section 110T(2) is amended by deleting “the *Financial Administration and Audit Act 1985*” and inserting instead —

“ Part 5 of the *Financial Management Act 2006* ”.

60. *Equal Opportunity Act 1984*

- (1) Section 66ZS(6) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“ *Financial Management Act 2006* ”.

- (2) Section 95(1) is amended by deleting “the *Financial Administration and Audit Act 1985*” and inserting instead —

“ Part 5 of the *Financial Management Act 2006* ”.

61. *Exotic Diseases of Animals Act 1993*

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

- (a) before the definition of “animal” by inserting —

“

“Account” means the Exotic Diseases of Animals
(Compensation and Eradication) Account
established under section 44;

”;

- (b) by deleting the definition of “Fund”.

cl. 61

- (2) The heading to Part 6 Division 1 is amended by deleting “Fund” and inserting instead —

“ **Account** ”.

- (3) Section 44(1) is repealed and the following subsection is inserted instead —

“

- (1) An account called the Exotic Diseases of Animals (Compensation and Eradication) Account is to be established —

(a) as an agency special purpose account under section 16 of the *Financial Management Act 2006*; or

(b) with the approval of the Treasurer, at a bank as defined in section 3 of that Act.

”.

- (4) Section 44(2) is amended by deleting “in the Fund other trust accounts — ” and inserting instead —

“

under section 16 of the *Financial Management Act 2006* other agency special purpose accounts —

”.

- (5) Section 44(3) is amended as follows:

- (a) by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the *Auditor General Act 2006*

”;

- (b) by deleting “Fund.” and inserting instead —

“

Account and any account established for the purposes of subsection (2).

”.

- (6) Section 44(4) is amended by deleting “Fund is, for the purposes of section 52 of the *Financial Administration and Audit Act 1985*,” and inserting instead —

“

5

Account and any account established for the purposes of subsection (2) is, for the purposes of section 52 of the *Financial Management Act 2006*,

”.

- (7) Sections 45, 46 and 51(2) are amended by deleting “Fund” in each place where it occurs and inserting instead —

10

“ Account ”.

62. *Finance Brokers Control Act 1975*

- (1) Section 73(3)(b)(ii) is amended by deleting “account, forming part of the Trust Fund constituted under section 9 of the *Financial Administration and Audit Act 1985*,” and inserting instead —

15

“

agency special purpose account
established under section 16 of the
Financial Management Act 2006,

20

”.

- (2) Section 78(2)(a) is amended by deleting “account, forming part of the Trust Fund constituted under section 9 of the *Financial Administration and Audit Act 1985*,” and inserting instead —

25

“

Treasurer’s special purpose account established
under section 10 of the *Financial Management Act 2006*;

”.

63. *Financial Management Act 2006*

- Schedule 1 is amended by inserting in the appropriate alphabetical position the following item —

30

“ Western Australian Land Information Authority ”.

cl. 64

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

(1) Section 17(2) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*.” and inserting instead —

5 “ Part 5 of the *Financial Management Act 2006*. ”.

(2) Section 30(1) is repealed and the following subsection is inserted instead —

“

10 (1) An account called the Fire and Emergency Services Authority Account is to be established —

(a) as an agency special purpose account under section 16 of the *Financial Management Act 2006*; or

15 (b) with the approval of the Treasurer, at a bank as defined in section 3 of that Act,

to which the funds referred to in section 29 are to be credited.

”.

20 (3) Section 31 is amended by deleting “*Financial Administration and Audit Act 1985*.” and inserting instead —

“ *Financial Management Act 2006*. ”.

(4) Section 36 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

25 *Financial Management Act 2006* and the *Auditor General Act 2006*

”.

65. *Fire and Emergency Services Superannuation Act 1985*

30 Section 19A is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the *Auditor General Act 2006*

”.

cl. 68

- (4) Section 238(1) and (2) are repealed and the following subsection is inserted instead —

“

- (1) An agency special purpose account called the Fisheries Research and Development Account (the “**Account**”) is established under section 16 of the *Financial Management Act 2006*.

”.

- (5) Section 238(3), (4) and (5) are amended by deleting “Fund” in each place where it occurs and inserting instead —

“ Account ”.

- (6) Section 239(1) is repealed and the following subsection is inserted instead —

“

- (1) An agency special purpose account called the Recreational Fishing Account (the “**Account**”) is established under section 16 of the *Financial Management Act 2006*.

”.

- (7) Section 239(2), (3) and (4) are amended by deleting “Fund” in each place where it occurs and inserting instead —

“ Account ”.

- (8) Section 240(1) is repealed and the following subsection is inserted instead —

“

- (1) An agency special purpose account called the Fishing Industry Promotion Training and Management Levy Account (the “**Account**”) is established under section 16 of the *Financial Management Act 2006*.

”.

- (9) Section 240(2), (3), (4) and (5) are amended by deleting “Fund” in each place where it occurs and inserting instead —

“ Account ”.

(10) Section 241(1) is repealed and the following subsection is inserted instead —

“

5 (1) An agency special purpose account called the
AFMA Account (the “**Account**”) is established under
section 16 of the *Financial Management Act 2006*.

”.

(11) Section 241(2), (3) and (4) are amended by deleting “Fund” in each place where it occurs and inserting instead —

10 “ Account ”.

(12) Section 242(1) is repealed and the following subsection is inserted instead —

“

15 (1) An agency special purpose account called the Fisheries
Research and Development Corporation Account (the
“**Account**”) is established under section 16 of the
Financial Management Act 2006.

”.

(13) Section 242(2), (3) and (4) are amended by deleting “Fund” in each place where it occurs and inserting instead —

20 “ Account ”.

(14) Section 243(1) is amended as follows:

(a) by deleting “*Financial Administration and Audit Act 1985*”
and inserting instead —

25

“

Financial Management Act 2006 and the *Auditor
General Act 2006*

”;

(b) by deleting “Fund” and inserting instead —

30

“ Account ”.

cl. 69

(15) Section 243(2) is amended as follows:

(a) by deleting “Fund” and inserting instead —
“ Account ”;

5 (b) by deleting “section 52 of the *Financial Administration and Audit Act 1985*” and inserting instead —
“ section 52 of the *Financial Management Act 2006* ”.

(16) Section 263 is amended by deleting “the *Financial Administration and Audit Act 1985*” and inserting instead —

“ Part 5 of the *Financial Management Act 2006* ”.

10 **69. Fisheries Adjustment Schemes Act 1987**

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

(a) by deleting the definition of “Fisheries Research and Development Fund” and inserting instead —

15 “
“**Fisheries Research and Development Account**”
means the Fisheries Research and Development
Account referred to in the *Fish Resources
Management Act 1994*;
”;

20 (b) by deleting the definition of “Recreational Fishing Fund” and
inserting instead —

25 “
“**Recreational Fishing Account**” means the
Recreational Fishing Account referred to in the
Fish Resources Management Act 1994;
”.

(2) Section 5(1) is repealed and the following subsection is inserted
instead —

30 “
(1) An agency special purpose account called the Fisheries
Adjustment Schemes Trust Account is established
under section 16 of the *Financial Management
Act 2006*.
”.

- (3) Section 5(2)(ba) is amended by deleting “Fund” in both places where it occurs and inserting instead —

“ Account ”.

- (4) Section 9(aa) and (c) are amended by deleting “Fund” in each place where it occurs and inserting instead —

“ Account ”.

- (5) Section 10 is amended as follows:

- (a) by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the Auditor
General Act 2006

”;

- (b) by deleting “section 52 of that Act” and inserting instead —

“

section 52 of the *Financial Management Act 2006*

”.

70. *Forest Products Act 2000*

- (1) Section 14(4) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*.” and inserting instead —

“ Part 5 of the *Financial Management Act 2006*. ”.

- (2) Section 42(1) is repealed and the following subsection is inserted instead —

“

- (1) An account called the Forest Products Account is to be established —

- (a) as an agency special purpose account under section 16 of the *Financial Management Act 2006*; or

cl. 71

(b) with the approval of the Treasurer, at a bank as defined in section 3 of that Act,

to which the funds referred to in section 41 are to be credited.

5

”.

(3) Section 50 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the Auditor
General Act 2006

10

”.

71. Gaming and Wagering Commission Act 1987

(1) Section 9(2) is repealed and the following subsection is inserted instead —

15

“

(2) An account called the Gaming and Wagering Commission Account is to be established —

(a) as an agency special purpose account under section 16 of the *Financial Management Act 2006*; or

20

(b) with the approval of the Treasurer, at a bank as defined in section 3 of that Act,

to which, subject to subsection (2a), the moneys received by the Commission are to be credited.

25

”.

(2) Section 10 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the Auditor
General Act 2006

30

”.

- (3) Section 109A is amended by deleting the definition of “the Trust Fund” and inserting instead —

“

“**the Trust Account**” means the Gaming Community Trust Account referred to in section 109C;

”.

- (4) Section 109C(1) is repealed and the following subsection is inserted instead —

“

(1) An agency special purpose account called the Gaming Community Trust Account is established under section 16 of the *Financial Management Act 2006* to which moneys that are unclaimed winnings —

(a) to which section 109B(3) or (4) applies; or

(b) to which section 15(3) or (4) of the *Casino Control Act 1984* applies,

are to be credited.

”.

- (5) Section 109C(2) is amended by deleting “Fund” and inserting instead —

“ Account ”.

- (6) Section 109C(3) is amended as follows:

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

“ Account ”;

(b) in paragraph (a), by deleting “section 54 of the *Financial Administration and Audit Act 1985*,” and inserting instead —

“

section 52 of the *Financial Management Act 2006*;

”;

cl. 72

- (c) in paragraph (b), by deleting “Division 14 of Part II” and inserting instead —
“ Part 5 ”.
- 5 (7) Section 109D(2) is amended by deleting “Fund” and inserting instead —
“ Account ”.
- (8) Section 110A(1) is repealed and the following subsection is inserted instead —
“
- 10 (1) An account called the Sports Wagering Account is to be established —
- (a) as an agency special purpose account under section 16 of the *Financial Management Act 2006*; or
- 15 (b) with the approval of the Treasurer, at a bank as defined in section 3 of that Act,
- to which moneys paid by RWWA under section 104 or 107 of the RWWA Act are to be credited.
- ”.
- 20 **72. *Gas Corporation (Business Disposal) Act 1999***
- (1) Section 28(2) is amended by deleting “section 91 of the *Financial Administration and Audit Act 1985*.” and inserting instead —
“ section 46(2) of the *Auditor General Act 2006*. ”.
- 25 (2) Section 37(4) is amended by deleting “section 95 of the *Financial Administration and Audit Act 1985*” and inserting instead —
“ section 24 of the *Auditor General Act 2006* ”.
- 73. *Gas Pipelines Access (Western Australia) Act 1998***
- (1) Section 75(5) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*.” and inserting instead —
- 30 “ Part 5 of the *Financial Management Act 2006*. ”.

- (2) Section 84(1) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the Auditor
General Act 2006

”.

- (3) Section 84(2) is amended by deleting “Instructions (issued under section 58 of the *Financial Administration and Audit Act 1985*)” and inserting instead —

“

instructions (issued under section 78 of the *Financial Management Act 2006*)

”.

74. *Gas Standards Act 1972*

Section 13CA is amended by deleting “the *Financial Administration and Audit Act 1985*” and inserting instead —

“ Part 5 of the *Financial Management Act 2006* ”.

75. *Gene Technology Act 2006*

Section 128(2) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“ *Financial Management Act 2006* ”.

76. *Gold Corporation Act 1987*

- (1) Section 6(6) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*.” and inserting instead —

“ Part 5 of the *Financial Management Act 2006*. ”.

- (2) Section 9C(4) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*.” and inserting instead —

“ Part 5 of the *Financial Management Act 2006*. ”.

cl. 77

- (3) Section 54 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the *Auditor General Act 2006*

”.

77. Government Employees’ Housing Act 1964

- (1) Section 5 is amended as follows:

- (a) by inserting in the appropriate alphabetical position —

“

“**Account**” means the Government Employees’ Housing Authority Account referred to in section 24;

”;

- (b) by deleting the definition of “Fund”.

- (2) Section 24(1) is repealed and the following subsections are inserted instead —

“

- (1) An agency special purpose account called the Government Employees’ Housing Authority Account is established under section 16 of the *Financial Management Act 2006*.

- (1a) All moneys received by or for the Authority are to be credited to the Account, and all costs of operation and administration of this Act are to be charged to the Account.

”.

- (1) Section 24(2), (3) and (5) are amended by deleting “Fund” in each place where it occurs and inserting instead —

“ Account ”.

- (2) Section 25 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the Auditor
General Act 2006

”.

78. *Government Financial Responsibility Act 2000*

- (1) Section 14B(3) is repealed.
(2) Section 15(1) is amended after “The” by inserting —

“ Under ”.

79. *Grain Marketing Act 2002*

- (1) Section 6(d) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“ *Financial Management Act 2006* ”.

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

(a) in paragraph (a), by deleting “*Financial Administration and Audit Act 1985* section 52” and inserting instead —

“ *Financial Management Act 2006* section 52 ”;

(b) in paragraph (b), by deleting “Part II Division 14” and inserting instead —

“ Part 5 ”.

- (3) Section 15(2) is amended by deleting “*Financial Administration and Audit Act 1985* section 23A” and inserting instead —

“ *Financial Management Act 2006* section 23 ”.

- (4) Section 17(6) is amended by deleting “officer of the Department under the *Financial Administration and Audit Act 1985* section 66.” and inserting instead —

“

authority of the Department under the *Financial Management Act 2006* Part 5.

”.

cl. 80

80. Health Act 1911

- (1) Section 246F(4)(a) and “or” after it are deleted and the following is inserted instead —

“

- 5 (a) in the case of fees paid to or recovered by the
Executive Director, Public Health, to an
account called the State Meat Inspection
Account established as an agency special
purpose account under section 16 of the
10 *Financial Management Act 2006*; or

”.

- (2) Section 247E is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

- 15 *Financial Management Act 2006* and the Auditor
General Act 2006

”.

81. Health Legislation Administration Act 1984

- 20 Section 10 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the Auditor
General Act 2006

”.

25 **82. Health Services (Conciliation and Review) Act 1995**

- (1) Section 11(3)(b) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*.” and inserting instead —

“ Part 5 of the *Financial Management Act 2006*. ”.

- (2) Section 13(1) and (2) are repealed and the following subsection is inserted instead —

“

(1) An agency special purpose account called the Office of Health Review Account is established under section 16 of the *Financial Management Act 2006* to which —

- (a) all funds of the Office are to be credited; and
(b) all expenditure incurred by the Office is to be charged.

”.

- (3) Section 13(3) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the Auditor
General Act 2006

”.

- (4) Section 56(2) is amended by deleting “Division 14 of Part II of the *Financial Administration and Audit Act 1985*.” and inserting instead —

“ Part 5 of the *Financial Management Act 2006*. ”.

83. *Heritage of Western Australia Act 1990*

- (1) Section 3(1) is amended by deleting the definition of “the Fund” and inserting instead —

“

“the Account” means the Heritage Account established under section 14;

”.

- (2) Section 6(4) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*.” and inserting instead —

“ Part 5 of the *Financial Management Act 2006*. ”.

cl. 83

- (3) Section 13 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the *Auditor General Act 2006*

”.

- (4) Section 14(4) is repealed and the following subsections are inserted instead —

“

(4) An agency special purpose account called the Heritage Account is established under section 16 of the *Financial Management Act 2006* to which, subject to this Division, all moneys received by the Council are to be credited.

(4a) Subject to any direction given by the Minister, the Account is to be controlled by the Council and may be operated in such manner as the Treasurer approves.

”.

- (5) The provisions listed in the Table to this subclause are amended by deleting “Fund” and inserting instead —

“ Account ”.

Table

s. 7(1)(k)	s. 14(7)
s. 7(2)(a)	s. 14(10)
s. 14(6)	s. 33(4)

- (6) Section 14(5) is amended as follows:

(a) by deleting “in the Fund a trust account” and inserting instead —

“

under section 16 of the *Financial Management Act 2006* an agency special purpose account

”;

(b) after “and such other” by inserting —

“ agency special purpose ”;

- (c) in paragraph (d), by deleting “sections 27 and 29 of the *Financial Administration and Audit Act 1985*” and inserting instead —

“

5

sections 26 and 30 of the *Financial Management Act 2006*

”.

- (7) Section 14(6) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

10

“ *Financial Management Act 2006* ”.

- (8) Section 16(8) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*.” and inserting instead —

“ Part 5 of the *Financial Management Act 2006*. ”.

84. *Hope Valley-Wattleup Redevelopment Act 2000*

15

Section 15(7)(b) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*.” and inserting instead —

“ Part 5 of the *Financial Management Act 2006*. ”.

85. *Hospital Fund Act 1930*

20

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

“

- (2) All moneys belonging to the Fund are to be credited to an agency special purpose account established under section 16 of the *Financial Management Act 2006*.

25

”.

- (2) Section 20 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

30

Financial Management Act 2006 and the *Auditor General Act 2006*

”.

cl. 86

86. *Hospitals and Health Services Act 1927*

(1) Section 7B(5)(f) is amended as follows:

(a) by deleting “section 54 of the *Financial Administration and Audit Act 1985*” and inserting instead —

5

“

section 55 of the *Financial Management Act 2006*

”;

(b) by deleting “section 66” and inserting instead —

10

“ Part 5 ”.

(2) Section 7B(6) is amended by deleting “Division 14 of Part II of the *Financial Administration and Audit Act 1985*” and inserting instead —

“ Part 5 of the *Financial Management Act 2006* ”.

15

(3) Section 7D(3) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*.” and inserting instead —

“ Part 5 of the *Financial Management Act 2006*. ”.

(4) Section 7F(2) is repealed and the following subsection is inserted instead —

20

“

(2) An account called the (*name of agency*) Account is to be established for the relevant agency —

(a) as an agency special purpose account under section 16 of the *Financial Management Act 2006*; or

25

(b) with the approval of the Treasurer, at a bank as defined in section 3 of that Act,

to which the funds referred to in subsection (1) are to be credited.

30

”.

- (5) Section 71 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the Auditor
General Act 2006

”.

- (6) Section 16(4)(f) is amended as follows:

- (a) by deleting “section 54 of the *Financial Administration and Audit Act 1985*” and inserting instead —

“

section 55 of the *Financial Management Act 2006*

”;

- (b) by deleting “section 66” and inserting instead —

“ Part 5 ”.

- (7) Section 16(8) is amended by deleting “Division 14 of Part II of the *Financial Administration and Audit Act 1985*” and inserting instead —

“ Part 5 of the *Financial Management Act 2006* ”.

- (8) Section 16(9) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*” and inserting instead —

“ Part 5 of the *Financial Management Act 2006* ”.

- (9) Section 24(1) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the Auditor
General Act 2006

”.

- (10) Section 24(2) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“ *Financial Management Act 2006* ”.

cl. 87

- (11) Section 24(3) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“ *Financial Management Act 2006* ”.

87. *Housing Act 1980*

- 5 (1) Section 5(1)(a) is amended as follows:

(a) by inserting in the appropriate alphabetical position —

“

“**the Account**” means The State Housing Commission
Account referred to in section 62;

10

”;

(b) by deleting the definition of “the Fund”.

- (2) Section 11A(6) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*.” and inserting instead —

“ Part 5 of the *Financial Management Act 2006*. ”.

15

- (3) Section 22(1)(b) is amended by deleting “Fund” and inserting instead —

“ Account ”.

- (4) Section 24 is amended by deleting “Fund” and inserting instead —

“ Account ”.

20

- (5) Section 62(2) is repealed and the following subsection is inserted instead —

“

(2) All such moneys are —

25

(a) to be credited to an agency special purpose
account called The State Housing Commission
Account established under section 16 of the
Financial Management Act 2006; and

(b) to be applied to the purposes of this Act.

”.

(6) Section 62(4), (5), (6) and (8) are amended by deleting “The State Housing Commission Fund” and inserting instead —

“ the Account ”.

(7) Section 65 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the Auditor
General Act 2006

”.

10 **88. *Human Reproductive Technology Act 1991***

Clause 11(2)(c) of the Schedule is amended by deleting “the *Financial Administration and Audit Act 1985*.” and inserting instead —

“ Part 5 of the *Financial Management Act 2006*. ”.

15 **89. *Industry and Technology Development Act 1998***

(1) Section 15(1) is repealed and the following subsection is inserted instead —

“

(1) An agency special purpose account called the Western Australian Industry and Technology Development Account is established under section 16 of the *Financial Management Act 2006*.

”.

(2) Section 15(4) is repealed.

(3) Section 19 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the Auditor
General Act 2006

”.

30

cl. 90

- (4) Section 26(3) is amended by deleting “officer of the department under the *Financial Administration and Audit Act 1985*” and inserting instead —

“

5

authority of the department under Part 5 of the
Financial Management Act 2006

”.

- (5) Section 29(3)(b) is amended by deleting “*Financial Administration and Audit Act 1985*,” and inserting instead —

10

“ *Financial Management Act 2006*, ”.

- (6) Section 29(4) is amended by deleting “Section 58C of the *Financial Administration and Audit Act 1985* is” and inserting instead —

“

15

Sections 81 and 82 of the *Financial Management Act 2006* are

”.

90. *Inspector of Custodial Services Act 2003*

- (1) Section 33(2)(a) is amended as follows:

20

- (a) by deleting “if the *Financial Administration and Audit Act 1985* applies” and inserting instead —

“

if the *Financial Management Act 2006* and the
Auditor General Act 2006 apply

”;

25

- (b) in subparagraph (i), by deleting “by section 66 of that Act as that section” and inserting instead —

“

under Part 5 Division 2 of the *Financial Management Act 2006* as that Division

30

”;

- (c) by deleting subparagraph (ii) and inserting the following subparagraph instead —

“

35

- (ii) the opinion prepared and signed by the
Auditor General under the *Auditor*

General Act 2006 section 15 (if applicable) on the financial statements and other information submitted for that period under the *Financial Management Act 2006* section 63 as that section applies in respect of the office under section 38 of this Act;

”.

(2) Section 38 is amended as follows:

(a) by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“ *Financial Management Act 2006* ”;

(b) by deleting “Part II Division 14” and inserting instead —

“ Part 5 Division 2 ”.

(3) Schedule 1 is repealed and the following Schedule is inserted instead —

Schedule 1 — Application of *Financial Management Act 2006* to office of the Inspector

[s. 38]

For the purposes of section 38 of this Act, the *Financial Management Act 2006* Part 5 Division 2 is to be read as follows —

Division 2 — Reports by accountable authority of office of Inspector of Custodial Services

61. Reports by accountable authority of office of Inspector of Custodial Services

(1) The accountable authority of the office of the Inspector of Custodial Services is to prepare, as part of the report referred to in the *Inspector of Custodial Services Act 2003* section 33(2), an annual report that contains —

(a) financial statements for the relevant financial year; and

cl. 90

- 5
- (b) key performance indicators; and
 - (c) a report on the operations of the office during the relevant financial year; and
 - (d) any information prescribed by the Treasurer's instructions; and
 - (e) if applicable, the report referred to in subsection (2).
- (2) If the relevant financial year is covered by a resource agreement, the accountable authority of the office of the Inspector of Custodial Services is to include in the annual report a report on the extent to which the office achieved any objectives described in the resource agreement.
- 10

62. Financial statements

- 15
- (1) Unless the Treasurer approves otherwise, the financial statements referred to in section 61(1)(a) are to be prepared in accordance with the accounting standards and other requirements issued by the Australian Accounting Standards Board.
- 20
- (2) Without limiting subsection (1), the financial statements referred to in section 61(1)(a) —
- (a) are to include any financial statements and information prescribed by the Treasurer's instructions; and
 - (b) are to be certified in the manner prescribed by the Treasurer's instructions.
- 25
- (3) In subsection (1) —
- “Australian Accounting Standards Board”** means the body of that name continued in existence under the Commonwealth *Australian Securities and Investments Commission Act 2001*.

30

63. Accountable authority to submit financial reports and other information

- The accountable authority of the office of the Inspector of Custodial Services is to submit to the Auditor General —
- 35
- (a) the financial statements and key performance indicators referred to in section 61(1)(a) and (b); and

- (b) any other information referred to in section 61(1)(d) that is required by the Treasurer's instructions to be submitted to the Auditor General under this section.

”
”.

5

91. *Insurance Commission of Western Australia Act 1986*

- (1) Section 10(2) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*.” and inserting instead —

“ Part 5 of the *Financial Management Act 2006*. ”.

10

- (2) Section 14C(4) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*.” and inserting instead —

“ Part 5 of the *Financial Management Act 2006*. ”.

- (3) Section 16(7) is repealed and the following subsection is inserted instead —

15

“

- (7) One or more accounts are to be established in respect of each Fund —

- (a) as agency special purpose accounts under section 16 of the *Financial Management Act 2006*; or

20

- (b) with the approval of the Treasurer under section 7(2)(c), at a bank (as defined in section 3 of the *Financial Management Act 2006*) or banks.

25

”.

- (4) Section 16(8) is amended by deleting “maintained” and inserting instead —

“ established ”.

- (5) Section 18(2) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

30

“ *Financial Management Act 2006* ”.

92. *Interpretation Act 1984*

Section 5 is amended as follows:

- (a) by deleting the definition of “Auditor General” and inserting instead —

5

“

“Auditor General” means the person holding the office of Auditor General for Western Australia continued by section 6 of the *Auditor General Act 2006*;

10

”;

- (b) by deleting the definition of “Consolidated Fund” and inserting instead —

“

“Consolidated Account” means the Consolidated Account referred to in section 64 of the *Constitution Act 1889*;

15

”.

93. *Land Administration Act 1997*

- (1) Section 8(3) is repealed and the following subsection is inserted instead —

20

“

- (3) The Minister may, with the prior approval of the Treasurer, establish under section 16 of the *Financial Management Act 2006* an agency special purpose account called the International Program Trust Account for the purposes of the Program.

25

”.

- (2) Section 8(7) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

30

“

Financial Management Act 2006 and the *Auditor General Act 2006*

”.

cl. 94

- (3) Section 8(8) is amended by deleting “section 52 of the *Financial Administration and Audit Act 1985*” and inserting instead —
“ section 52 of the *Financial Management Act 2006* ”.
- (4) Section 10(5) is amended as follows:
- 5 (a) in paragraph (a), by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —
“ *Financial Management Act 2006* ”;
- (b) in paragraph (b), by deleting “section 23A” and inserting
10 instead —
“ section 23 ”.
- (5) Section 96(2) is amended by deleting “officer of the Department
under section 66 of the *Financial Administration and Audit Act 1985*.” and inserting instead —
“
15 authority of the Department under Part 5 of the
Financial Management Act 2006.
”.
- (6) Section 159(g) is amended by deleting “*Financial Administration and Audit Act 1985*,” and inserting instead —
20 “ *Financial Management Act 2006*, ”.
- (7) Section 160(1)(g) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —
“ *Financial Management Act 2006* ”.
- 94. Land Information Authority Act 2006**
- 25 (1) Section 65(3) is amended by deleting “*Financial Administration and Audit Act 1985* section 66.” and inserting instead —
“ *Financial Management Act 2006* Part 5. ”.
- (2) Section 68(1) is amended as follows:
- 30 (a) in paragraph (a), by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —
“ *Financial Management Act 2006* ”;

- (b) by deleting “*Financial Administration and Audit Act 1985* section 69” and inserting instead —
“ *Financial Management Act 2006* section 64 ”;
- 5 (3) Section 70 is amended by deleting the passage from and including
“held — ” to the end of the section and inserting instead —
“
that is to be established —
(a) as an agency special purpose account under the
Financial Management Act 2006 section 16; or
10 (b) with the Treasurer’s approval, at a bank as
defined in section 3 of that Act.
”.
- (4) Section 73 is amended by deleting “held as part of the Trust Fund
15 constituted under the *Financial Administration and Audit Act 1985*
section 9 and are not”.
- (5) Section 81 is amended by deleting “*Financial Administration and
Audit Act 1985*” and inserting instead —
“
20 *Financial Management Act 2006* and the Auditor
General Act 2006
”.
- (6) Section 82(1)(a) is amended by deleting “*Financial Administration
and Audit Act 1985*,” and inserting instead —
“
25 *Financial Management Act 2006* or the Auditor
General Act 2006;
”.
- 95. Law Reform Commission Act 1972**
- 30 (1) Section 13 is amended by deleting “*Financial Administration and
Audit Act 1985*” and inserting instead —
“
Financial Management Act 2006 and the Auditor
General Act 2006
”.

cl. 96

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

“

- (2) An agency special purpose account called the Law Reform Commission Account is established under section 16 of the *Financial Management Act 2006* to which the moneys referred to in subsection (1) are to be credited.

”.

10 **96. *Legal Aid Commission Act 1976***

- (1) Section 37(4g) is amended by deleting “*Financial Administration and Audit Act 1985* section 66” and inserting instead —

“ *Financial Management Act 2006* Part 5 ”.

- (2) Section 52(1) is repealed and the following subsection is inserted instead —

“

- (1) An agency special purpose account called the Legal Aid Fund of Western Australia is established under section 16 of the *Financial Management Act 2006*, and the Fund is to be administered by the Commission.

”.

- (3) Section 56(1) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the *Auditor General Act 2006*

”.

- (4) Section 58(1) and (2) are repealed and the following subsection is inserted instead —

“

- (1) One or more accounts may be established for the Commission —
- (a) as agency special purpose accounts under section 16 of the *Financial Management Act 2006*; or

(b) at a bank (as defined in section 3 of that Act) or banks,

to which all moneys received by the Commission are to be credited.

5 ”.

(5) Section 58(3) is amended as follows:

- (a) by deleting “payment or”;
- (b) by deleting “into or”.

(6) Section 58(4) is amended by deleting “paid into or”.

10 **97. *Legal Contribution Trust Act 1967***

(1) Section 15(1) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the Auditor
General Act 2006

15 ”.

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

- (a) by deleting “*Financial Administration and Audit Act 1985*” in the first place where it occurs and inserting instead —

20 “ *Financial Management Act 2006* ”;

- (b) by deleting “by section 66 of the *Financial Administration and Audit Act 1985*” and inserting instead —

“

under Part 5 of the *Financial Management Act 2006*

25 ”.

(3) Section 15(3) is amended by deleting “by section 69 of the *Financial Administration and Audit Act 1985*” and inserting instead —

“ under Part 5 of the *Financial Management Act 2006* ”.

(4) Section 32 is amended by deleting “by section 69 of the *Financial Administration and Audit Act 1985*” and inserting instead —

30 “ under Part 5 of the *Financial Management Act 2006* ”.

cl. 98

98. *Legal Practice Act 2003*

- (1) Section 218(2) is repealed and the following subsection is inserted instead —

“

- 5 (2) An account called the Legal Costs Committee Account is to be established —

(a) as an agency special purpose account under section 16 of the *Financial Management Act 2006*; or

- 10 (b) with the approval of the Treasurer, at a bank as defined in section 3 of that Act,

to which the funds referred to in subsection (1) are to be credited.

”.

- 15 (2) Section 219 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the *Auditor General Act 2006*

20

”.

99. *Library Board of Western Australia Act 1951*

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

(a) by inserting in the appropriate alphabetical position —

“

25 “**Account**” means The Library Board of Western Australia Account established by section 16;

”;

(b) by deleting the definition of “Fund”.

- 30 (2) Section 16(1)(d) and (3) are amended by deleting “Fund” and inserting instead —

“ Account ”.

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

“

- (2) All such moneys are —

- 5 (a) to be credited to an agency special purpose
 account called The Library Board of Western
 Australia Account established under section 16
 of the *Financial Management Act 2006*; and
- 10 (b) to be applied to the purposes of this Act.

”.

- (4) Section 17 is amended as follows:

- (a) by deleting “Fund” in both places where it occurs and inserting instead —

“ Account ”;

- 15 (b) by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“ *Financial Management Act 2006* ”.

- (5) Section 20 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

20

“

Financial Management Act 2006 and the Auditor
General Act 2006

”.

100. *Litter Act 1979*

- 25 (1) Section 18(2) is repealed and the following subsection is inserted instead —

“

- (2) An account called the Keep Australia Beautiful Council (W.A.) Fund Account is to be established —

- 30 (a) as an agency special purpose account under section 16 of the *Financial Management Act 2006*; or

cl. 101

(b) with the approval of the Treasurer, at a bank as defined in section 3 of that Act,

to which all moneys from time to time belonging to the Fund are to be credited.

5

”.

(2) Section 21 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the *Auditor General Act 2006*

10

”.

101. *Loans (Co-operative Companies) Act 2004*

(1) Section 4(1) is repealed and the following subsection is inserted instead —

15

“

(1) An agency special purpose account called the Co-operative Companies Loans Account is established under section 16 of the *Financial Management Act 2006*.

20

”.

(2) Section 4(2) and (3) are amended by deleting “Fund” and inserting instead —

“ Account ”.

(3) Section 6(2) is amended by deleting “Loans Fund.” and inserting instead —

25

“ Loans Account. ”.

102. *Local Government Act 1995*

Section 6.26(2)(i) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

30

“ *Financial Management Act 2006* ”.

cl. 104

104. Main Roads Act 1930

- (1) Section 19A is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —
- 5 “ *Financial Management Act 2006* and the *Auditor General Act 2006* ”.
- (2) Section 19B(2) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*.” and inserting instead —
- 10 “ Part 5 of the *Financial Management Act 2006*. ”.
- (3) The heading before section 31 is amended by deleting “Fund” and inserting instead —
- “ **Account** ”.
- (4) Section 31(1) is amended by deleting “the fund maintained at the Treasury, forming part of the Trust Fund constituted under section 9 of the *Financial Administration and Audit Act 1985*, and known as the Main Roads Trust Fund — ” and inserting instead —
- 15 “
- 20 an agency special purpose account called the Main Roads Trust Account established under section 16 of the *Financial Management Act 2006* — ”.
- (5) Section 31(1)(d) is amended by deleting “fund” and inserting instead —
- 25 “ Main Roads Trust Account ”.
- (6) Section 31(2) is repealed and the following subsection is inserted instead —
- “
- 30 (2) Subject to this Act, such other agency special purpose accounts as the Treasurer may from time to time approve are to be established under section 16 of the *Financial Management Act 2006*. ”.

(7) Section 32(1) is amended by deleting “Trust Fund” and inserting instead —

“ Trust Account ”.

(8) Section 32(5)(f) is amended as follows:

5 (a) by deleting “credit of the Main Roads Trust Fund” and inserting instead —

“ credit of the Main Roads Trust Account ”;

(b) by deleting “accounts to be maintained by the Commissioner within the Main Roads Trust Fund” and inserting instead —

10

“

agency special purpose accounts established under section 16 of the *Financial Management Act 2006*

”.

15

(9) Section 32(9)(b) is amended by deleting “account within the Main Roads Trust Fund.” and inserting instead —

“

agency special purpose account established under section 16 of the *Financial Management Act 2006*.

”.

20

(10) Section 32A(1) is amended by deleting “account within the Main Roads Trust Fund” and inserting instead —

“

25

agency special purpose account established under section 16 of the *Financial Management Act 2006*

”.

(11) The provisions listed in the Table to this subclause are amended by deleting “Fund” in each place where it occurs and inserting instead —

30

“ Account ”.

cl. 105

Table

s. 16(3)	s. 32(11)
s. 24(8)	s. 32(14)
s. 32(3)(b)	s. 32(15)
s. 32(5)(b)	First Schedule cl. 6

105. *Marine and Harbours Act 1981*

(1) Section 14(1) is amended by deleting “trust accounts forming part of the Trust Fund referred to in section 9 of the *Financial Administration and Audit Act 1985* may be established” and inserting instead —

“

agency special purpose accounts may be established under section 16 of the *Financial Management Act 2006*

”.

(2) Section 14(2) is amended by deleting “Section 14 of the *Financial Administration and Audit Act 1985*” and inserting instead —

“ Section 20 of the *Financial Management Act 2006* ”.

106. *Marketing of Potatoes Act 1946*

(1) Section 5(1) is amended as follows:

(a) after the definition of “sell” by inserting —

“

“**the Account**” means the Potato Marketing Corporation Account referred to in section 20(1);

”;

(b) by deleting the definition of “the Fund”.

- (2) Section 20(1) is repealed and the following subsection is inserted instead —

“

- (1) An account called the Potato Marketing Corporation Account is to be established —

(a) as an agency special purpose account under section 16 of the *Financial Management Act 2006*; or

(b) with the approval of the Treasurer, at a bank as defined in section 3 of that Act,

and the cost of the administration of this Act, and of any other activity under this Act assumed by the Corporation, is to be paid from that account.

”.

- (3) Section 20(2) and (3) are amended by deleting “Fund” in each place where it occurs and inserting instead —

“ Account ”.

- (4) Section 20A(2) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*.” and inserting instead —

“ Part 5 of the *Financial Management Act 2006*. ”.

- (5) Section 37(1) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the Auditor General Act 2006

”.

- (6) Section 37(2) and (3) are repealed.

107. Midland Redevelopment Act 1999

- (1) Section 21(3) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*” and inserting instead —

“ Part 5 of the *Financial Management Act 2006* ”.

cl. 108

- (2) Section 28(2)(b) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*.” and inserting instead —
“ Part 5 of the *Financial Management Act 2006*. ”.
- 5 (3) Section 32(7)(b) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*.” and inserting instead —
“ Part 5 of the *Financial Management Act 2006*. ”.
- (4) Section 35(6)(b) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*.” and inserting instead —
“ Part 5 of the *Financial Management Act 2006*. ”.
- 10 (5) Section 58(1) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —
“ *Financial Management Act 2006* ”.
- (6) Section 63 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —
15 “
“ *Financial Management Act 2006* and the *Auditor General Act 2006*
”.
- 108. Minerals and Energy Research Act 1987**
- 20 (1) Section 28 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —
“
“ *Financial Management Act 2006* and the *Auditor General Act 2006*
25 ”.
- (2) Section 35(3)(b) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —
“ *Financial Management Act 2006* ”.
- 30 (3) Section 35(5)(b) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —
“ *Financial Management Act 2006* ”.

109. Motor Vehicle Dealers Act 1973

- (1) Section 32L(2)(b) and “and” after it are deleted and the following is inserted instead —

“

- 5 (b) credit the money or balance to a separate agency special purpose account established for the Board under section 16 of the *Financial Management Act 2006*; and

”.

- 10 (2) Section 32L(3) is amended after “separate” by inserting —

“ agency special purpose ”.

- (3) Section 32N(2)(a) is amended by deleting “account to be kept at the Treasury as part of the Trust Fund constituted under section 9 of the *Financial Administration and Audit Act 1985*,” and inserting

15 instead —

“

Treasurer’s special purpose account established under section 10 of the *Financial Management Act 2006*;

20

”.

- (4) Section 32N(4)(a) is deleted and the following paragraph is inserted instead —

“

- 25 (a) the separate Treasurer’s special purpose account;

”.

110. Motor Vehicle Repairers Act 2003

- (1) Section 89 is amended in the definition of “Compensation Fund” by deleting “Fund” and inserting instead —

30

“ **Account** ”.

cl. 110

- (2) Section 90(2) and (3) are repealed and the following subsections are inserted instead —

“

5 (2) An agency special purpose account called the Motor Vehicle Repair Industry Compensation Account is established under section 16 of the *Financial Management Act 2006*.

(3) The Compensation Account is to be administered by the Director General.

”.

- 10 (3) Section 107(1) is amended as follows:

(a) by deleting the definition of “Fund” and inserting instead —

“

15 “**Account**” means the Motor Vehicle Repair Industry Education and Research Account established by subsection (2);

”;

(b) in the definition of “purposes of the Fund”, by deleting “Fund” and inserting instead —

20 “ **Account** ”.

- (4) Section 107(2) and (3) are repealed and the following subsections are inserted instead —

“

25 (2) An agency special purpose account called the Motor Vehicle Repair Industry Education and Research Account is established under section 16 of the *Financial Management Act 2006*.

(3) The Account is to be administered by the Director General.

”.

- 30 (5) The provisions listed in the Table to this subclause are amended by deleting “Fund” in each place where it occurs and inserting instead —

“ Account ”.

Table

s. 90(4)	s. 96(1)
s. 90(5)	s. 107(4)
s. 90(6)	s. 107(5)
s. 92(1)	s. 107(7)
s. 93(5)	s. 107(8)
s. 95(1)	s. 107(9)

111. *Murdoch University Act 1973*

- (1) Section 34(1) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —
- 5 “
- Financial Management Act 2006* and the Auditor
General Act 2006
- ”.
- (2) Section 34(3) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —
- 10 “ *Financial Management Act 2006* ”.
- (3) Section 34(4) is repealed and the following subsection is inserted instead —
- 15 “
- (4) Notwithstanding the provisions of the *Financial Management Act 2006* —
- (a) sections 13, 14 and 40 do not have effect in relation to the University; and
- (b) section 78(1) of that Act has effect in relation to
- 20 the University as if it had been enacted in the following form —
- “
- (1) The Treasurer may issue, amend or revoke instructions concerning —
- 25 (a) the annual report required to be prepared under Part 5; and

cl. 112

- 5
- (b) the establishment and keeping of the accounts of statutory authorities, including the accounts of subsidiary bodies and related bodies; and
- (c) the form and content of financial statements and reports on the operations of statutory authorities and their subsidiary bodies and related bodies, including information to be disclosed in respect of affiliated bodies; and
- 10 (d) the preparation of key performance indicators of statutory authorities and their subsidiary bodies and related bodies.

”
”

112. Museum Act 1969

- 15 (1) Section 33(2) is repealed and the following subsection is inserted instead —

“

- 20 (2) An agency special purpose account called the Western Australian Museum Account is established under section 16 of the *Financial Management Act 2006* to which the moneys referred to in subsection (1) are to be credited.

”

- 25 (2) Section 35 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the *Auditor General Act 2006*

”

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

Section 58 is amended by deleting “*Financial Administration and Audit Act 1985* does” and inserting instead —

5

“

Financial Management Act 2006 and the Auditor
General Act 2006 do

”.

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

10

Section 23 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the Auditor
General Act 2006

15

”.

115. *Native Title (State Provisions) Act 1999*

(1) Section 6.38(1) is repealed and the following subsection is inserted instead —

“

20

(1) An account called the Native Title Commission Account is to be established —

(a) as an agency special purpose account under section 16 of the *Financial Management Act 2006*; or

25

(b) with the approval of the Treasurer, at a bank as defined in section 3 of that Act,

to which the funds referred to in section 6.37 are to be credited.

”.

30

(2) Section 6.39 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the Auditor
General Act 2006

35

”.

cl. 116

116. Nuclear Waste Storage and Transportation (Prohibition) Act 1999

- (1) Section 3(1) is amended by deleting the definition that begins “public moneys” and “moneys of a statutory authority” and inserting instead —

5

“

“public money” and **“statutory authority money”**
have the meanings given to them by section 3 of
the *Financial Management Act 2006*;

”.

10

- (2) Section 9 is amended by deleting “public moneys or moneys of a statutory authority are” and inserting instead —

“ no public money or statutory authority money is ”.

117. Parks and Reserves Act 1895

15

Section 12 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the *Auditor General Act 2006*

”.

20

118. Parliamentary Commissioner Act 1971

- (1) Section 27(1) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“ *Financial Management Act 2006* ”.

25

- (2) Schedule 1 is amended in the item relating to the Auditor General by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“ *Auditor General Act 2006* ”.

119. *Pawnbrokers and Second-hand Dealers Act 1994*

Section 92(1) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

5

Financial Management Act 2006 and the *Auditor General Act 2006*

”.

120. *Pearling Act 1990*

10 (1) Section 3(1) is amended by deleting the definition of “Fisheries Research and Development Fund” and inserting instead —

“

“Fisheries Research and Development Account”
means account referred to in section 238 of the
Fish Resources Management Act 1994;

15

”.

(2) Section 27(7)(b) is amended by deleting “Fund.” and inserting instead —

“ Account. ”.

(3) Section 31(2) is amended by deleting “Fund.” and inserting instead —

20

“ Account. ”.

(4) Section 37(3) is amended by deleting “Fund.” and inserting instead —

“ Account. ”.

(5) Section 41 is amended by deleting “Fund” and inserting instead —

“ Account ”.

25

(6) Section 54(2) is amended by deleting “Fund.” and inserting instead —

“ Account. ”.

(7) Section 55(2), (3), (4) and (5) are amended by deleting “Fund” in each place where it occurs and inserting instead —

“ Account ”.

cl. 121

121. Perry Lakes Redevelopment Act 2005

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

(a) by inserting in the appropriate alphabetical position —

“

5

“**Account**” means the Perry Lakes Trust Account established under section 41;

”;

(b) by deleting the definition of “Fund”.

(2) Section 41(1) is repealed and the following subsection is inserted instead —

10

“

(1) An agency special purpose account called the Perry Lakes Trust Account is established under the *Financial Management Act 2006* section 16.

15

”.

(3) Section 41(3) is amended by deleting “*Financial Administration and Audit Act 1985* section 52” and inserting instead —

“ *Financial Management Act 2006* section 52 ”.

(4) Section 43(2) is repealed and the following subsection is inserted instead —

20

“

(2) The sum charged to the Account under subsection (1)(f) must be credited to a Treasurer’s special purpose account established for the purposes referred to in subsection (1)(f) under section 10 of the *Financial Management Act 2006*.

25

”.

(5) The provisions listed in the Table to this subclause are amended by deleting “Fund” in each place where it occurs and inserting instead —

30

“ Account ”.

Table

s. 41(2)	s. 45(2)
s. 41(3)	s. 45(3)
s. 42	s. 46
s. 43(1)	s. 47
s. 45(1)	s. 48

122. *Perth International Centre for Application of Solar Energy Act 1994*

- 5 (1) Section 22(3) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*.” and inserting instead —
- “ Part 5 of the *Financial Management Act 2006*. ”.
- (2) Section 29 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —
- 10 “
- Financial Management Act 2006* and the *Auditor General Act 2006*
- ”.

123. *Perth Market Act 1926*

- 15 (1) Section 3A(2) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*.” and inserting instead —
- “ Part 5 of the *Financial Management Act 2006*. ”.
- (2) Section 17 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —
- 20 “
- Financial Management Act 2006* and the *Auditor General Act 2006*
- ”.

cl. 124

124. Perth Parking Management Act 1999

Section 23(1) is amended by deleting “a trust account under the *Financial Administration and Audit Act 1985* section 15B,” and inserting instead —

5

“

an agency special purpose account under the *Financial Management Act 2006* section 16,

”.

125. Perth Theatre Trust Act 1979

10

(1) Section 21(1) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the *Auditor General Act 2006*

15

”.

(2) Section 21(2) is amended by deleting “*Financial Administration and Audit Act 1985*.” and inserting instead —

“ *Financial Management Act 2006*. ”.

20

(3) Section 23(2) is repealed and the following subsection is inserted instead —

“

(2) An agency special purpose account called the Perth Theatre Trust Account is established under section 16 of the *Financial Management Act 2006* to which the funds referred to in subsection (1) are to be credited.

25

”.

126. Petroleum Products Pricing Act 1983

Section 7(5) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

30

“

Financial Management Act 2006 and the *Auditor General Act 2006*

”.

127. *Planning and Development Act 2005*

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

- (a) by deleting the definition of “Fund”;
- (b) by inserting in the appropriate alphabetical position —

5

“

“MRI Account” means the Metropolitan Region Improvement Account established under section 198;

”.

10

(2) Section 17(6) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*.” and inserting instead —

“ Part 5 of the *Financial Management Act 2006*. ”.

15

(3) Section 198(1) is amended by deleting “a fund called the Metropolitan Region Improvement Fund is established as an account forming part of the Trust Fund constituted under section 9 of the *Financial Administration and Audit Act 1985*.” and inserting instead —

“

20

an agency special purpose account called the Metropolitan Region Improvement Account is established under section 16 of the *Financial Management Act 2006*.

”.

25

(4) Section 201(2) is amended by deleting “Improvement Fund” and inserting instead —

“ Improvement Account ”.

(5) The provisions listed in the Table to this subclause are amended by deleting “Fund” in each place where it occurs and inserting instead —

“ MRI Account ”.

Table

s. 198(2)	s. 199(1)
s. 198(3)	s. 199(2)

cl. 128

(6) Section 203(2) is amended by deleting the passage from and including “held — ” to the end of the subsection and inserting instead —

“

that is to be established —

5

(a) as an agency special purpose account under section 16 of the *Financial Management Act 2006*; or

(b) with the approval of the Treasurer, at a bank as defined in section 3 of that Act.

10

”.

(7) Section 208 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the *Auditor General Act 2006*

15

”.

128. *Plant Diseases Act 1914*

(1) Section 35AA(1) is repealed and the following subsection is inserted instead —

20

“

(1) An agency special purpose account called the Plant Diseases Modified Penalties Revenue Account (in this section and section 35AB referred to as the “**Account**”) is established under section 16 of the *Financial Management Act 2006*.

25

”.

(2) The provisions listed in the Table to this subclause are amended by deleting “Fund” and inserting instead —

“ Account ”.

30

Table

s. 35(9)	s. 35AB(2)
s. 35AA(2)	s. 35AB(3)
s. 35AB(1)	

129. *Plant Pests and Diseases (Eradication Funds) Act 1974*

- (1) Section 5(1) is repealed and the following subsection is inserted instead —

“

- 5 (1) An agency special purpose account called the Skeleton Weed Eradication Fund is established under section 16 of the *Financial Management Act 2006*.

”.

- 10 (2) Section 7(2) is amended by deleting “section 19 of the *Financial Administration and Audit Act 1985*” and inserting instead —

“ section 11 of the *Financial Management Act 2006* ”.

- (3) Section 8A(1) is repealed and the following subsection is inserted instead —

“

- 15 (1) An agency special purpose account called the Resistant Grain Insects Eradication Fund is established under section 16 of the *Financial Management Act 2006*.

”.

- 20 (4) Section 8D(1) is repealed and the following subsection is inserted instead —

“

- 25 (1) An agency special purpose account called the Plant Diseases Eradication Fund is established under section 16 of the *Financial Management Act 2006*.

”.

- (5) Section 8F(2) is amended by deleting “section 19 of the *Financial Administration and Audit Act 1985*” and inserting instead —

“ section 11 of the *Financial Management Act 2006* ”.

“**Public Bank Account**” has the meaning given by
section 3 of the *Financial Management Act 2006*.

”.

- 5 (2) Section 79(3) is repealed and the following subsections are inserted
instead —

“

- (3) An account maintained by a port authority may form
part of the Public Bank Account.

- (3a) Without limiting section 90 —

- 10 (a) sections 12 and 35 of the *Financial
Management Act 2006* do not apply to an
account maintained by a port authority that
forms part of the Public Bank Account; and
15 (b) section 37(1) of that Act does not apply to
money standing to the credit of an account
referred to in paragraph (a).

”.

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

- 20 (a) by deleting “*Financial Administration and Audit Act 1985*
that Act,” and inserting instead —

“

Financial Management Act 2006 or the *Auditor
General Act 2006*, those Acts,

”;

- 25 (b) by deleting “does not” and inserting instead —
“ do not ”.

- (4) Section 90(2) is amended by deleting “section 58C of the *Financial
Administration and Audit Act 1985*” and inserting instead —

“

- 30 sections 81 and 82 of the *Financial Management
Act 2006*

”.

cl. 132

(5) Schedule 5 clause 37(2) is amended by deleting “Section 92 of the *Financial Administration and Audit Act 1985*” and inserting instead —

“ Section 21 of the *Auditor General Act 2006* ”.

5 (6) Schedule 5 clause 44(4) is amended as follows:

(a) by deleting “sections 78 to 80 and 82 to 91 and section 95 of the *Financial Administration and Audit Act 1985*” and inserting instead —

10 “ sections 14, 16 to 18, 24 to 37, 45 and 46 of the *Auditor General Act 2006*

”;

(b) by deleting “of that Act.” and inserting instead —

“ to the *Financial Management Act 2006*. ”.

15 **132. Prisons Act 1981**

Section 11(1) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

20 *Financial Management Act 2006* and the *Auditor General Act 2006*

”.

133. Professional Combat Sports Act 1987

(1) Section 12(1) is repealed and the following subsection is inserted instead —

25 “

(1) An account called the Professional Combat Sports Commission Account is to be established —

(a) as an agency special purpose account under section 16 of the *Financial Management Act 2006*; or

30

(b) with the approval of the Treasurer, at a bank as defined in section 3 of that Act,

to which the funds of the Commission are to be credited.

”.

- 5 (2) Section 13 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the Auditor
General Act 2006

”.

10 **134. *Professional Standards Act 1997***

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

“

- 15 (2) An account called the Professional Standards Council Account is to be established —

(a) as an agency special purpose account under section 16 of the *Financial Management Act 2006*; or

- 20 (b) with the approval of the Treasurer, at a bank as defined in section 3 of that Act,

to which the funds referred to in subsection (1) are to be credited.

”.

- (2) Section 16(3) is amended by deleting “Fund” and inserting instead —

25 “ Account ”.

- (3) Section 17 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

30 *Financial Management Act 2006* and the Auditor
General Act 2006

”.

cl. 135

- (4) Section 19(2) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*.” and inserting instead —
“ Part 5 of the *Financial Management Act 2006*. ”.

135. Public Education Endowment Act 1909

- 5 Section 14 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —
“
10 *Financial Management Act 2006* and the *Auditor General Act 2006*
”.

136. Public Interest Disclosure Act 2003

Section 3(1) is amended by deleting the definition of “Auditor General”.

137. Public Sector Management Act 1994

- 15 (1) Section 31(1) is amended by deleting the passage from and including “submitted — ” to the end of paragraph (b) and inserting instead —
“
20 submitted by the accountable authority of the relevant department or organisation under Part 5 of the *Financial Management Act 2006*
”.

- (2) Section 31(2) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —
“ *Financial Management Act 2006* ”.

25 **138. Public Transport Authority Act 2003**

- (1) Section 27(3) is amended by deleting “*Financial Administration and Audit Act 1985* section 66.” and inserting instead —
“ *Financial Management Act 2006* Part 5. ”.

cl. 139

139. Public Trustee Act 1941

(1) Section 40(1) is amended by deleting “**Common Fund**”) to be kept at the Treasury, forming part of the Trust Fund constituted under section 9 of the *Financial Administration and Audit Act 1985*,” and inserting instead —

“
“**Common Account**”) established as an agency special purpose account under section 16 of the *Financial Management Act 2006*,
”.

(2) The provisions listed in the Table to this subclause are amended by deleting “Fund” in each place where it occurs and inserting instead —

“ Account ”.

Table

s. 38(2)(b)	s. 40(5)
s. 38(2a)	s. 41(1)
s. 40(1)	s. 42
s. 40(2a)	s. 44(1)
s. 40(3a)	s. 44(5)
s. 40(4)	

(3) Section 48 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“
Financial Management Act 2006 and the *Auditor General Act 2006*
”.

140. Public Works Act 1902

(1) Section 5B(1)(db) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“ *Financial Management Act 2006* ”.

- (2) Section 9E(5) is amended by deleting “*Financial Administration and Audit Act 1985*.” and inserting instead —

“ *Financial Management Act 2006*. ”.

- (3) Section 9G is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the Auditor
General Act 2006

”.

10 **141. *Queen Elizabeth II Medical Centre Act 1966***

Section 15(1) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the Auditor
General Act 2006

”.

15 **142. *Racing and Wagering Western Australia Act 2003***

- (1) Section 88(1) is repealed and the following subsection is inserted instead —

“

- (1) In this section —

“**account**” means —

- (a) an agency special purpose account
established under section 16 of the *Financial
Management Act 2006*; or
- (b) an account held, with the approval of the
Treasurer, at a bank as defined in section 3
of that Act.

”.

cl. 143

(2) Section 90 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“ *Financial Management Act 2006* ”.

(3) Section 108(1) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the Auditor
General Act 2006

”.

(4) Section 108(2) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“ *Financial Management Act 2006* ”.

143. *Racing Penalties (Appeals) Act 1990*

(1) Section 9(4) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“ *Financial Management Act 2006* ”.

(2) Section 24(8) is repealed and the following subsection is inserted instead —

“

(8) One or more accounts are to be established in respect of the funds of the Tribunal —

(a) as agency special purpose accounts under section 16 of the *Financial Management Act 2006*; or

(b) with the approval of the Treasurer, at a bank as defined in section 3 of that Act,

to which all amounts received by the Tribunal are to be credited and all expenditure charged.

”.

- (3) Section 24(9) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the Auditor
General Act 2006

”.

- (4) Section 24(10) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“ *Financial Management Act 2006* ”.

10 **144. *Rail Freight System Act 2000***

Section 18 is amended by deleting “section 91 of the *Financial Administration and Audit Act 1985*” and inserting instead —

“ section 46(2) of the *Auditor General Act 2006* ”.

15 **145. *Rail Safety Act 1998***

Section 23(1) is amended by deleting “a trust account under the *Financial Administration and Audit Act 1985* section 15B.” and inserting instead —

“

an agency special purpose account under the *Financial Management Act 2006* section 16.

”.

20 **146. *Rates and Charges (Rebates and Deferments) Act 1992***

- (1) Section 9(6) is amended as follows:

- (a) by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“ *Financial Management Act 2006* ”;

- (b) in paragraph (b), by deleting “section 66” and inserting instead —

“ Part 5 ”.

cl. 147

- (2) Section 15(1)(d) is amended by deleting “section 58B” and inserting instead —

“ section 80 ”.

147. Real Estate and Business Agents Act 1978

- 5 (1) Section 4(1) is amended as follows:

- (a) by deleting the definition of “Assistance Fund” and inserting instead —

“

10 “**Assistance Account**” means the Home Buyers
Assistance Account established under
section 131B;

”;

- (b) by deleting the definition of “Fidelity Fund” and inserting instead —

15 “

“**Fidelity Account**” means the Real Estate and
Business Agents Fidelity Guarantee Account
established under section 107;

”;

- 20 (c) by deleting the definition of “General Purpose Fund” and inserting instead —

“

25 “**General Purpose Account**” means the Education and
General Purpose Account established under
section 124A;

”.

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

“ Account ”.

Table

s. 11	s. 119
s. 23(2)(e)	s. 120(1)
s. 23A(9)	s. 120(2)
s. 70(7)	s. 120(3)
s. 90(1)	s. 122
s. 90(2)	s. 123(3)
s. 108(1)	s. 124A(2)
s. 108(2)	s. 124B
s. 109	s. 124C
s. 110	s. 124D(1)
s. 112	s. 124D(2)
s. 113(3)	s. 127(b)
s. 114	s. 131C(1)
s. 115(1)	s. 131C(2)
s. 116(1)	s. 131D
s. 116(2)	s. 131E
s. 117(1)	s. 131G
s. 117(2)	s. 131KA
s. 117(3)	s. 131N(1)
s. 117(4)	s. 136A
s. 117(5)	s. 145(2)(i)
s. 118	s. 145(2)(j)

- (3) Section 12A(2) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*.” and inserting instead —
“ Part 5 of the *Financial Management Act 2006*. ”.

cl. 147

- (4) Section 93(3)(b)(ii) is amended by deleting “account at the Treasury, forming part of the Trust Fund constituted under section 9 of the *Financial Administration and Audit Act 1985*, in the name of the Board;” and inserting instead —

5

“

agency special purpose account
established for the Board under
section 16 of the *Financial Management
Act 2006*;

10

”.

- (5) Section 93(4) is amended after “separate” in both places where it occurs by inserting —

“ agency special purpose ”.

- (6) Section 98(2)(a) is amended by deleting “account to be kept at the Treasury as part of the Trust Fund constituted under section 9 of the *Financial Administration and Audit Act 1985*;” and inserting instead —

15

“

Treasurer’s special purpose account established
under section 10 of the *Financial Management
Act 2006*;

20

”.

- (7) Section 98(4) is amended by deleting “account at the Treasury,” and inserting instead —

25

“ Treasurer’s special purpose account, ”.

- (8) The heading to Part VIII is amended by deleting “Fund” and inserting instead —

“ **Account** ”.

- (9) Section 107 is repealed and the following section is inserted instead —

“

107. Real Estate and Business Agents Fidelity Guarantee Account established

An account called the Real Estate and Business Agents Fidelity Guarantee Account is to be established —

- (a) as an agency special purpose account under section 16 of the *Financial Management Act 2006*; or
- (b) with the approval of the Treasurer, at a bank as defined in section 3 of that Act.

”.

- (10) Section 108(1) is amended by deleting the passage from and including “as —” to the end of the subsection and inserting instead —

“

as trust funds may be invested in accordance with Part III of the *Trustees Act 1962*.

”.

- (11) The heading to Part VIIIA is amended by deleting “Fund” and inserting instead —

“ **Account** ”.

- (12) Section 124A(1) is repealed and the following subsection is inserted instead —

“

(1) An account called the Education and General Purpose Account is to be established —

- (a) as an agency special purpose account under section 16 of the *Financial Management Act 2006*; or
- (b) with the approval of the Treasurer, at a bank as defined in section 3 of that Act.

”.

cl. 147

- (13) Section 124D(1) is amended by deleting the passage from and including “as — ” to the end of the subsection and inserting instead —

“

5 as trust funds may be invested in accordance with
Part III of the *Trustees Act 1962*.

”.

- (14) Section 125(1) is repealed and the following subsection is inserted instead —

10 “

- (1) An account called the Board Interest Account is to be established —

15 (a) as an agency special purpose account under
section 16 of the *Financial Management
Act 2006*; or

(b) with the approval of the Treasurer, at a bank as
defined in section 3 of that Act.

”.

- 20 (15) Section 128(1) is amended by deleting the passage from and including
“as — ” to the end of the subsection and inserting instead —

“

as trust funds may be invested in accordance with
Part III of the *Trustees Act 1962*.

”.

- 25 (16) Section 131B is repealed and the following section is inserted
instead —

“

131B. Home Buyers Assistance Account established

30 An account called the Home Buyers Assistance
Account is to be established —

(a) as an agency special purpose account under
section 16 of the *Financial Management
Act 2006*; or

(b) with the approval of the Treasurer, at a bank as defined in section 3 of that Act.

”.

5 (17) Section 131C(1) is amended by deleting the passage from and including “as — ” to the end of the subsection and inserting instead —

“

as trust funds may be invested in accordance with Part III of the *Trustees Act 1962*.

10

”.

(18) Section 135(1) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the Auditor General Act 2006

15

”.

148. *Regional Development Commissions Act 1993*

(1) Section 25(2) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*.” and inserting instead —

20

“ Part 5 of the *Financial Management Act 2006*. ”.

(2) Section 31(2) is repealed and the following subsection is inserted instead —

“

(2) An agency special purpose account called the (*name of region*) Development Commission Account is established for each commission under section 16 of the *Financial Management Act 2006* to which the funds for each commission referred to in subsection (1) are to be credited.

25

30

”.

cl. 149

- (3) Section 32(1) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the Auditor
General Act 2006

”.

149. Residential Tenancies Act 1987

- (1) Section 79(16)(b) is deleted and the following paragraph is inserted instead —

“

- (b) “**Rental Accommodation Account**” means the Rental Accommodation Account referred to in clause 3 of Schedule 1.

”.

- (2) Schedule 1 clause 3(1) is repealed and the following subclause is inserted instead —

“

- (1) An agency special purpose account called the Rental Accommodation Account is established under section 16 of the *Financial Management Act 2006*, which is to be administered by the bond administrator.

”.

- (3) Schedule 1 clause 3(2) is amended by deleting “fund” in both places where it occurs and inserting instead —

“ account ”.

- (4) Schedule 1 clause 3(6) is repealed.

- (5) The provisions listed in the Table to this subclause are amended by deleting “Fund” and inserting instead —

“ Account ”.

Table

s. 7(3)(e)	Schedule 1 cl. 3(5)
s. 79(5)	Schedule 1 cl. 4(a)
s. 79(6)	Schedule 1 cl. 6(1)(c)
s. 79(11)	Schedule 1 cl. 6(1)(d)
s. 79(12)	Schedule 1 cl. 7(5)
Schedule 1 cl. 3(2)	

150. *Rights in Water and Irrigation Act 1914*

5 Schedule 1 clause 12(5) is amended by deleting “section 66 of the
Financial Administration and Audit Act 1985.” and inserting
instead —

 “ Part 5 of the *Financial Management Act 2006.* ”.

151. *Road Safety Council Act 2002*

10 (1) Section 3 is amended in the definition of “the Account” by deleting
“ “Road Trauma Trust Fund” ” and inserting instead —

 “ “Road Trauma Trust Account” ”.

 (2) Section 12(1) is repealed and the following subsection is inserted
instead —

 “

15 (1) An agency special purpose account called the Road
Trauma Trust Account is established under the
Financial Management Act 2006 section 16.

 ”.

 (3) Section 12(2)(d) is deleted and the following paragraph is inserted
instead —

20 “

 (d) the amount of any income determined by the
Treasurer (at a rate determined by the
Treasurer) to be attributable to the investment
under the *Financial Management Act 2006*

cl. 152

section 37 of money standing to the credit of
the Account.

”.

- 5 (4) Section 12(5) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the Auditor
General Act 2006

”.

10 **152. *Rottnest Island Authority Act 1987***

- (1) Section 33(3) is repealed and the following subsection is inserted
instead —

“

- 15 (3) An account called the Rottnest Island Authority
Account is to be established —

(a) as an agency special purpose account under
section 16 of the *Financial Management
Act 2006*; or

- 20 (b) with the approval of the Treasurer, at a bank as
defined in section 3 of that Act,

to which the moneys referred to in subsection (1) are to
be credited.

”.

- 25 (2) Section 40 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the Auditor
General Act 2006

”.

153. *Rural Business Development Corporation Act 2000*

- (1) Section 16(7) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*.” and inserting instead —
- “ Part 5 of the *Financial Management Act 2006*. ”.
- 5 (2) Section 24(1) is repealed and the following subsection is inserted instead —
- “
- (1) An account called the Rural Business Development Corporation Operating Account (the “**Account**”) is to
- 10 be established —
- (a) as an agency special purpose account under section 16 of the *Financial Management Act 2006*; or
- (b) with the approval of the Treasurer, at a bank as
- 15 defined in section 3 of that Act,
- to which the funds referred to in section 23 are to be credited.
- ”.
- 20 (3) Section 29(1) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —
- “
- Financial Management Act 2006* and the *Auditor General Act 2006*
- ”.
- 25 (4) Section 29(2) is amended by deleting “section 66” and inserting instead —
- “ Part 5 ”.

154. *School Education Act 1999*

- 30 (1) Section 114 is amended by deleting “sections 6 and 34 of the *Financial Administration and Audit Act 1985*” and inserting instead —
- “ sections 8 and 34 of the *Financial Management Act 2006* ”.

cl. 155

- (2) Section 115 is amended by deleting “certain public moneys may be invested under section 38 of the *Financial Administration and Audit Act 1985*.” and inserting instead —

“

5 money standing to the credit of the Public Bank
Account may be invested under section 37 of the
Financial Management Act 2006.

”.

- (3) Section 188(3) is amended by deleting “a trust account established and administered under section 15B of the *Financial Administration and Audit Act 1985*.” and inserting instead —

“

15 an agency special purpose account established and
maintained under section 16 of the *Financial
Management Act 2006*.

”.

- (4) Section 227 is amended as follows:

- (a) in paragraph (a), by deleting “section 52 of the *Financial Administration and Audit Act 1985*,” and inserting instead —

“

20 section 52 of the *Financial Management
Act 2006*;

”;

- (b) in paragraph (b), by deleting “Division 13 of Part II” and inserting instead —

“ Part 5 ”.

155. Sentence Administration Act 2003

Section 92 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

30 “ *Financial Management Act 2006* ”.

156. *Settlement Agents Act 1981*

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

(a) by deleting the definition of “ “Fidelity Guarantee Fund” or “Fund” ” and inserting instead —

5

“

“Fidelity Guarantee Account” or “Account” means
the account established under section 87;

”;

(b) by deleting the definition of “General Purpose Fund” and inserting instead —

10

“

“General Purpose Account” means the Education and
General Purpose Account established under
section 102A;

15

”.

(2) The provisions listed in the Table to this subclause are amended by deleting “Fund” in each place where it occurs and inserting instead —

“ Account ”.

Table

s. 11	s. 95(5)
s. 23(2)	s. 96
s. 34(2)(b)	s. 97
s. 71(2)	s. 98(1)
s. 88	s. 98(2)
s. 89(1)	s. 98(3)
s. 89(2)	s. 100
s. 90	s. 101(3)
s. 92(2)	s. 102A(2)
s. 93(1)	s. 102B
s. 93(2)	s. 102C
s. 94(1)	s. 102D(1)
s. 95(1)	s. 102D(2)

cl. 156

s. 95(2)	s. 105(b)
s. 95(3)	s. 114
s. 95(4)	s. 123(2)(j)

- (3) Section 12B(2) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*.” and inserting instead —
“ Part 5 of the *Financial Management Act 2006*. ”.
- 5 (4) Section 74(3)(b)(ii) and “and” after it are deleted and the following is inserted instead —
“
10 (ii) credit such moneys, or such balance, to a separate agency special purpose account established for the Board under section 16 of the *Financial Management Act 2006*; and
”.
- (5) Section 74(4) is amended after “separate” in both places where it occurs by inserting —
15 “ agency special purpose ”.
- (6) Section 79(2)(a) is amended by deleting “account to be kept at the Treasury as part of the Trust Fund constituted under section 9 of the *Financial Administration and Audit Act 1985*;” and inserting instead —
20 “
Treasurer’s special purpose account established under section 10 of the *Financial Management Act 2006*;
”.
- 25 (7) Section 79(4) is amended by deleting “account at the Treasury,” and inserting instead —
“ Treasurer’s special purpose account, ”.

(8) The heading to Part V is amended by deleting “Fund” and inserting instead —

“ **Account** ”.

(9) Section 87 is repealed and the following section is inserted instead —

5 “

87. Settlement Agents Fidelity Guarantee Account

An account called the Settlement Agents Fidelity Guarantee Account is to be established —

10 (a) as an agency special purpose account under section 16 of the *Financial Management Act 2006*; or

(b) with the approval of the Treasurer, at a bank as defined in section 3 of that Act,

which is to be administered by the Board.

15

”.

(10) Section 89(1) is amended by deleting the passage from and including “as —” to the end of the subsection and inserting instead —

“

20 as trust funds may be invested in accordance with Part III of the *Trustees Act 1962*.

”.

(11) The heading to Part VA is amended by deleting “Fund” and inserting instead —

“ **Account** ”.

cl. 156

(12) Section 102A(1) is repealed and the following subsection is inserted instead —

“

(1) An account called the Education and General Purpose Account is to be established —

(a) as an agency special purpose account under section 16 of the *Financial Management Act 2006*; or

(b) with the approval of the Treasurer, at a bank as defined in section 3 of that Act.

”

(13) Section 102D(1) is amended by deleting the passage from and including “as — ” to the end of the subsection and inserting instead —

“

as trust funds may be invested in accordance with Part III of the *Trustees Act 1962*.

”

(14) Section 103(1) is repealed and the following subsection is inserted instead —

“

(1) An account called the Board Interest Account is to be established —

(a) as an agency special purpose account under section 16 of the *Financial Management Act 2006*; or

(b) with the approval of the Treasurer, at a bank as defined in section 3 of that Act.

”

- (15) Section 106(1) is amended by deleting the passage from and including “as —” to the end of the subsection and inserting instead —

“

as money standing to the credit of the Public Bank
Account may be invested under section 37 of the
Financial Management Act 2006.

”.

- (16) Section 112(1) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the Auditor
General Act 2006

”.

157. *Small Business Development Corporation Act 1983*

- (1) Section 11B(2)(b) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*.” and inserting instead —

“ Part 5 of the *Financial Management Act 2006*. ”.

- (2) Section 19(2) is repealed and the following subsection is inserted instead —

“

- (2) An account called the Small Business Development Corporation Account is to be established —

(a) as an agency special purpose account under section 16 of the *Financial Management Act 2006*; or

(b) with the approval of the Treasurer, at a bank as defined in section 3 of that Act,

to which the moneys referred to in subsection (1) are to be credited.

”.

cl. 158

- (3) Section 20 is amended by deleting “approved under the *Financial Administration and Audit Act 1985* for the investment of moneys” and inserting instead —

“

5

authorised under section 37 of the *Financial Management Act 2006* for the investment of money

”.

- (4) Section 21 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

10

Financial Management Act 2006 and the *Auditor General Act 2006*

”.

158. Soil and Land Conservation Act 1945

15

- (1) Section 4 is amended by deleting the definition of “the Trust Fund” and inserting instead —

“

“the Trust Account” means the Landcare Trust Account established under section 41B.

20

”.

- (2) Section 25C(1) is repealed and the following subsection is inserted instead —

“

25

- (1) An account called the Land Conservation Districts Account is established under section 16 of the *Financial Management Act 2006*.

”.

- (3) Section 25E(1) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

30

Financial Management Act 2006 and the *Auditor General Act 2006*

”.

- (4) Section 25G is amended by deleting “that officer” and inserting instead —
“ that authority ”.
- 5 (5) Section 41B(1) is repealed and the following subsection is inserted instead —
“
10 (1) An agency special purpose account called the Landcare Trust Account is established under section 16 of the *Financial Management Act 2006* to which the moneys received by the Trust for the purposes referred to in section 41A(1)(a) are to be credited.
”.
- 15 (6) Section 41B(4) is amended by deleting “sections 40 and 41 of the *Financial Administration and Audit Act 1985*” and inserting instead —
“ section 39 of the *Financial Management Act 2006* ”.
- (7) Section 41C(2) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*.” and inserting instead —
“ Part 5 of the *Financial Management Act 2006*. ”.
- 20 (8) Section 41G is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —
“
25 *Financial Management Act 2006* and the *Auditor General Act 2006*
”.
- (9) The provisions listed in the Table to this subclause are amended by deleting “Fund” in each place where it occurs and inserting instead —
“ Account ”.

Table

s. 25C(3a)	s. 41B(2)
s. 25D(3)	s. 41B(3)
s. 41A(1)(b)	s. 41B(4)

cl. 159

159. State Records Act 2000

(1) Section 3(1) is amended in the definition of “parliamentary department” by deleting “*Financial Administration and Audit Act 1985* by regulations made under section 3(2)” and inserting
5 instead —

“

Financial Management Act 2006 by regulations made for the purposes of section 5(1)

”.

10 (2) Section 10(1) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“ *Financial Management Act 2006* ”.

(3) Section 58(a) is amended by deleting “*Financial Administration and Audit Act 1985*,” and inserting instead —

15 “ *Auditor General Act 2006*; ”.

160. State Superannuation Act 2000

(1) Section 33C(4) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*.” and inserting instead —

“ Part 5 of the *Financial Management Act 2006*. ”.

20 (2) Section 35(3) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*.” and inserting instead —

“ Part 5 of the *Financial Management Act 2006*. ”.

(3) Schedule 2 clause 12(4) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*.” and inserting
25 instead —

“ Part 5 of the *Financial Management Act 2006*. ”.

161. State Supply Commission Act 1991

(1) Section 7(2)(b) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*.” and inserting instead —

30 “ Part 5 of the *Financial Management Act 2006*. ”.

- (2) Section 26E(2) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the Auditor
General Act 2006

”.

- (3) Section 30(2) is repealed and the following subsection is inserted instead —

“

- (2) An agency special purpose account called the State Supply Commission Account is established under section 16 of the *Financial Management Act 2006* to which the funds referred to in subsection (1) are to be credited.

”.

- (4) Section 32 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the Auditor
General Act 2006

”.

162. State Trading Concerns Act 1916

- (1) Section 4A(1) is amended in the definition of “Minister responsible” by deleting “*Financial Administration and Audit Act 1985.*” and inserting instead —

“ *Financial Management Act 2006.* ”.

- (2) Section 4B(1) is amended in the definition of “accountable authority” by deleting “*Financial Administration and Audit Act 1985;*” and inserting instead —

“ *Financial Management Act 2006;* ”.

cl. 163

(3) Section 4B(9) is amended by deleting “*Financial Administration and Audit Act 1985.*” and inserting instead —

“ *Financial Management Act 2006.* ”.

(4) Section 7(1) is repealed and the following subsection is inserted instead —

“

(1) An agency special purpose account is established for each trading concern under section 16 of the *Financial Management Act 2006*, in the name of the concern.

”.

(5) Section 12 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“ *Financial Management Act 2006* ”.

(6) Section 14 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the *Auditor General Act 2006*

”.

20 **163. Subiaco Redevelopment Act 1994**

(1) Section 22(3) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*” and inserting instead —

“ Part 5 of the *Financial Management Act 2006* ”.

(2) Section 29(2)(b) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985.*” and inserting instead —

“ Part 5 of the *Financial Management Act 2006.* ”.

(3) Section 33(7)(b) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985.*” and inserting instead —

“ Part 5 of the *Financial Management Act 2006.* ”.

(4) Section 36(6)(b) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*.” and inserting instead —

“ Part 5 of the *Financial Management Act 2006*. ”.

(5) Section 57(1) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“ *Financial Management Act 2006* ”.

(6) Section 61 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the *Auditor General Act 2006*

”.

164. *Suitors’ Fund Act 1964*

(1) Section 4(1) is repealed and the following subsection is inserted instead —

“

(1) An agency special purpose account called the Suitors’ Fund is established under section 16 of the *Financial Management Act 2006*.

”.

(2) Section 4(9) is amended by deleting “appointed under the *Financial Administration and Audit Act 1985*”.

(3) Section 4A is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the *Auditor General Act 2006*

”.

cl. 165

165. Swan and Canning Rivers Management Act 2006

- (1) Section 29(8)(b) is amended by deleting “operating account of the department established and administered under the *Financial Administration and Audit Act 1985*.” and inserting instead —
- 5 “
- agency special purpose account of the department established and maintained under the *Financial Management Act 2006* section 16.
- ”.
- 10 (2) Section 34(2) is amended by deleting “*Financial Administration and Audit Act 1985* section 66.” and inserting instead —
- “ *Financial Management Act 2006* Part 5. ”.
- (3) Section 42(1) is repealed and the following subsection is inserted instead —
- 15 “
- (1) An account called the Swan River Trust Account is to be established —
- (a) as an agency special purpose account under the *Financial Management Act 2006* section 16; or
- 20 (b) with the approval of the Treasurer, at a bank as defined in section 3 of that Act,
- to which the funds referred to in section 41 must be credited.
- ”.
- 25 (4) Section 44 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —
- “
- Financial Management Act 2006* and the *Auditor General Act 2006*
- ”.
- 30 (5) Section 66(4) is amended by deleting “*Financial Administration and Audit Act 1985* section 66.” and inserting instead —
- “ *Financial Management Act 2006* Part 5. ”.

- (6) Section 131(1) is repealed and the following subsection is inserted instead —

“

- (1) An account called the Swan and Canning Rivers
Foundation Account is to be established —

- (a) as an agency special purpose account under the
Financial Management Act 2006 section 16; or
(b) with the approval of the Treasurer, at a bank as
defined in section 3 of that Act,

to which the funds received by the Foundation must be
credited.

”.

- (7) Section 131(4)(a) is amended by deleting “*Financial Administration and Audit Act 1985* section 54;” and inserting instead —

“ *Financial Management Act 2006* section 52; ”.

- (8) Section 131(4)(b) is amended by deleting “Part II Division 14” and inserting instead —

“ Part 5 ”.

166. *Taxation Administration Act 2003*

Section 58 is amended by deleting “*Financial Administration and Audit Act 1985*.” and inserting instead —

“ *Financial Management Act 2006*. ”.

167. *Taxi Act 1994*

- (1) Section 5(2) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*.” and inserting instead —

“ Part 5 of the *Financial Management Act 2006*. ”.

cl. 168

- (2) Section 41(1) is amended by deleting “a trust account under the *Financial Administration and Audit Act 1985* section 15B.” and inserting instead —

“

5 an agency special purpose account under the *Financial Management Act 2006* section 16.

”.

168. Tobacco Products Control Act 2006

- 10 (1) Section 67(6) is amended by deleting “*Financial Administration and Audit Act 1985* section 66.” and inserting instead —

“ *Financial Management Act 2006* Part 5. ”.

- (2) Section 71(3) is repealed and the following subsection is inserted instead —

“

15 (3) An agency special purpose account called the Western Australian Health Promotion Account is established under the *Financial Management Act 2006* section 16 to which the funds referred to in subsection (1) are to be credited.

20

”.

- (3) Section 72 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“ *Financial Management Act 2006* ”.

- 25 (4) Section 73 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the *Auditor General Act 2006*

”.

cl. 171

171. University of Notre Dame Australia Act 1989

Section 25D(3) is amended by deleting the definition of “operating account” and inserting instead —

“

5

“**operating account**” means an agency special purpose account established and maintained under section 16 of the *Financial Management Act 2006*.

”.

172. University of Western Australia Act 1911

10

(1) Section 31(4)(b) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*” and inserting instead —

“ Part 5 of the *Financial Management Act 2006* ”.

(2) Section 41(1) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

15

“

Financial Management Act 2006 and the *Auditor General Act 2006*

”.

20

(3) Section 41(2) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“ *Financial Management Act 2006* ”.

(4) Section 41(3) is repealed and the following subsection is inserted instead —

“

25

(3) Notwithstanding the provisions of the *Financial Management Act 2006* —

(a) sections 13, 14 and 40 do not have effect in relation to the University; and

(b) section 78(1) of that Act has effect in relation to the University as if it had been enacted in the following form —

“

- 5 (1) The Treasurer may issue, amend or revoke instructions concerning —
- (a) the annual report required to be prepared under Part 5; and
- 10 (b) the establishment and keeping of the accounts of statutory authorities, including the accounts of subsidiary bodies and related bodies; and
- (c) the form and content of financial statements and reports on the operations of statutory authorities and their subsidiary bodies and related bodies, including information to be disclosed in respect of affiliated bodies; and
- 15 (d) the preparation of key performance indicators of statutory authorities and their subsidiary bodies and related bodies.

”.

”.

173. *Veterinary Chemical Control and Animal Feeding Stuffs Act 1976*

- (1) Section 10(3) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*.” and inserting instead —

25 “ Part 5 of the *Financial Management Act 2006*. ”.

- (2) Section 59A is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

30 *Financial Management Act 2006* and the *Auditor General Act 2006*

”.

cl. 174

174. Vocational Education and Training Act 1996

- (1) Section 11(5)(b) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*.” and inserting instead —
- “ Part 5 of the *Financial Management Act 2006*. ”.
- 5 (2) Section 15(1) is repealed and the following subsection is inserted instead —
- “
- (1) An agency special purpose account called the Vocational Education and Training Trust Account is established under section 16 of the *Financial Management Act 2006*, which is to be administered by the chief executive.
- 10 ”.
- (3) Section 16(1) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —
- 15 “
- Financial Management Act 2006* and the *Auditor General Act 2006*
- ”.
- (4) Section 16(2) is amended by deleting “section 52 of the *Financial Administration and Audit Act 1985*” and inserting instead —
- 20 “ section 52 of the *Financial Management Act 2006* ”.
- (5) Section 16(3) is repealed and the following subsection is inserted instead —
- 25 “
- (3) Section 20 of the *Financial Management Act 2006* does not apply to the Vocational Education and Training Trust Account.
- ”.

- (6) Section 17B(3) is amended in the definition of “operating account” by deleting “a trust account established and administered under section 15B of the *Financial Administration and Audit Act 1985*.” and inserting instead —

5

“

an agency special purpose account established under section 16 of the *Financial Management Act 2006*.

”.

10

- (7) Section 49(1) is repealed and the following subsection is inserted instead —

“

- (1) An account called the (*name of College*) Trust Account (referred to in this Division as a “**college Trust Account**”) is to be established for each college —

15

(a) as an agency special purpose account under section 16 of the *Financial Management Act 2006*; or

20

(b) with the approval of the Treasurer, at a bank as defined in section 3 of that Act,

to which the monies referred to in section 48 are to be credited.

”.

- (8) Section 52 is amended as follows:

25

- (a) by deleting “Where, under section 49(1)(b), a college Trust Fund” and inserting instead —

“ If a college Trust Account ”;

- (b) by deleting “*Financial Administration and Audit Act 1985*.” and inserting instead —

30

“ *Financial Management Act 2006*. ”.

cl. 174

- (9) Section 54(1) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —
- “
- Financial Management Act 2006* and the Auditor
General Act 2006
- ”.
- (10) Section 54(2) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —
- “ *Financial Management Act 2006* ”.
- (11) Section 54(4) is repealed and the following subsection is inserted instead —
- “
- (4) Section 20 of the *Financial Management Act 2006* does not apply to a college Trust Account.
- ”.
- (12) Section 66(4) is amended as follows:
- (a) by deleting “section 54 of the *Financial Administration and Audit Act 1985*” and inserting instead —
- “
- section 55 of the *Financial Management Act 2006*
- ”;
- (b) by deleting “section 66” and inserting instead —
- “ Part 5 ”;
- (c) by deleting “Division 14 of Part II” and inserting instead —
- “ Part 5 ”.
- (13) The provisions listed in the Table to this subclause are amended by deleting “Fund” in each place where it occurs and inserting instead —
- “ Account ”.

Table

s. 15(2)	s. 16(2)
s. 15(3)	s. 49(2)
s. 16(1)	s. 53

175. *Water and Rivers Commission Act 1995*

(1) Section 14(2) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*.” and inserting instead —
“ Part 5 of the *Financial Management Act 2006*. ”.

5 (2) Section 26(1) is repealed and the following subsection is inserted instead —

“

(1) An account called the Water and Rivers Commission Account is to be established —

- 10 (a) as an agency special purpose account under section 16 of the *Financial Management Act 2006*; or
- (b) with the approval of the Treasurer, at a bank as defined in section 3 of that Act,

15 to which the funds referred to in section 25 are to be credited.

”.

(3) Section 31 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

20 “

Financial Management Act 2006 and the *Auditor General Act 2006*

”.

176. *Water Boards Act 1904*

25 (1) Section 130 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the *Auditor General Act 2006*

30 “

”.

cl. 177

- (2) Section 131(1) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —
“ *Financial Management Act 2006* ”.

177. Water Corporation Act 1995

- 5 (1) Section 73(1) is repealed and the following subsection is inserted instead —
“
- 10 (1) An account is to be established —
(a) as an agency special purpose account under section 16 of the *Financial Management Act 2006*; or
(b) with the approval of the Treasurer, at a bank as defined in section 3 of that Act,
15 to which the funds of the Corporation are to be credited.
”.
- (2) Section 85 is amended as follows:
(a) by deleting “*Financial Administration and Audit Act 1985* that Act,” and inserting instead —
20 “ *Financial Management Act 2006* or the *Auditor General Act 2006*, those Acts,
”;
- (b) by deleting “does not” and inserting instead —
25 “ do not ”.
- (3) Schedule 3 clause 38(2) is amended by deleting “Section 92 of the *Financial Administration and Audit Act 1985*” and inserting instead —
“ Section 21 of the *Auditor General Act 2006* ”.

(4) Schedule 3 clause 45(4) is amended as follows:

- (a) by deleting “sections 78 to 80 and 82 to 91 and section 95 of the *Financial Administration and Audit Act 1985*” and inserting instead —

5

“

sections 14, 16 to 18, 24 to 37, 45 and 46 of the *Auditor General Act 2006*

”;

- (b) by deleting “of that Act.” and inserting instead —

10

“ to the *Financial Management Act 2006*. ”.

178. *Water Services Licensing Act 1995*

(1) Section 59E(7) is amended by deleting “officer of the department under section 66 of the *Financial Administration and Audit Act 1985*.” and inserting instead —

15

“

authority of the department under Part 5 of the *Financial Management Act 2006*.

”.

(2) Section 59H(1) is amended as follows:

20

- (a) in paragraph (a), by deleting “section 52 of the *Financial Administration and Audit Act 1985*,” and inserting instead —

“

section 52 of the *Financial Management Act 2006*;

25

”;

- (b) in paragraph (b), by deleting “Division 13 of Part II” and inserting instead —

“ Part 5 ”.

179. *Waterways Conservation Act 1976*

30

Section 43(2) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“ *Financial Management Act 2006* ”.

cl. 180

180. Western Australian Coastal Shipping Commission Act 1965

- (1) Section 5(6) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*.” and inserting instead —
- “ Part 5 of the *Financial Management Act 2006*. ”.
- 5 (2) Section 25(2) is repealed and the following subsection is inserted instead —
- “
- (2) An account called The Western Australian Coastal Shipping Account is to be established —
- 10 (a) as an agency special purpose account under section 16 of the *Financial Management Act 2006*; or
- (b) with the approval of the Treasurer, at a bank as defined in section 3 of that Act,
- 15 to which the funds referred to in subsection (1) are to be credited. ”.
- (3) Section 29 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —
- 20 “ *Financial Management Act 2006* ”.
- (4) Section 31(1) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —
- “
- 25 *Financial Management Act 2006* and the *Auditor General Act 2006* ”.

181. *Western Australian Greyhound Racing Association Act 1981*

- (1) Section 19(1) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

5

Financial Management Act 2006 and the Auditor
General Act 2006

”.

- (2) Section 19(2) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

10

“ *Financial Management Act 2006* ”.

182. *Western Australian Land Authority Act 1992*

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

(a) at the end of the definition of “Treasurer” by deleting the semicolon and inserting a full stop instead;

15

(b) by deleting the definition of “Trust Fund”.

- (2) Section 31(1) is repealed and the following subsection is inserted instead —

“

- (1) In this section —

20

“**account**” means —

(a) an agency special purpose account established under section 16 of the *Financial Management Act 2006*; or

25

(b) an account held, with the approval of the Treasurer, at a bank as defined in section 3 of that Act.

”.

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- (3) Section 33 is amended by deleting “account held as part of the Trust Fund” and inserting instead —

“

agency special purpose account established under
section 16 of the *Financial Management Act 2006*

”.

- (4) Section 39(1) is amended as follows:

- (a) by deleting “*Financial Administration and Audit Act 1985*, that Act,” and inserting instead —

“

Financial Management Act 2006 or the *Auditor General Act 2006*, those Acts,

”;

- (b) by deleting “does not” and inserting instead —

“ do not ”.

- (5) Section 39(2) is amended by deleting “section 58C of the *Financial Administration and Audit Act 1985*” and inserting instead —

“

sections 81 and 82 of the *Financial Management Act 2006*

”.

- (6) Schedule 3A clause 33(2) is amended by deleting “Section 92 of the *Financial Administration and Audit Act 1985*” and inserting instead —

“ Section 21 of the *Auditor General Act 2006* ”.

- (7) Schedule 3A clause 34(2) is amended as follows:

- (a) by deleting “sections 78 to 80 and 82 to 91 and section 95 of the *Financial Administration and Audit Act 1985*” and inserting instead —

“

sections 14, 16 to 18, 24 to 37, 45 and 46 of the *Auditor General Act 2006*

”;

- (b) by deleting “that Act.” and inserting instead —
“ the *Financial Management Act 2006*. ”.

183. *Western Australian Meat Industry Authority Act 1976*

- (1) Section 5 is amended as follows:

- 5 (a) after the definition of “abattoir” by inserting —
“

“Account” means Western Australian Meat Industry
Authority Account established under section 15B;

”;

- 10 (b) by deleting the definition of “Fund”.

- (2) Section 15A(1) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the *Auditor General Act 2006*

15

”.

- (3) Section 15A(2) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*.” and inserting instead —

“ Part 5 of the *Financial Management Act 2006*. ”.

- 20 (4) Section 15B(1) is repealed and the following subsection is inserted instead —

“

- (1) An account called the Western Australian Meat
Industry Authority Account is to be established —

- 25 (a) as an agency special purpose account under
section 16 of the *Financial Management Act 2006*; or

- (b) with the approval of the Treasurer, at a bank as
defined in section 3 of that Act,

30 and the cost of the administration of this Act, and of
the control or management of any abattoir, saleyard or

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other undertaking or activity assumed by the Authority,
is to be charged to that account.

”.

- 5 (5) The provisions listed in the Table to this subclause are amended by deleting “Fund” in each place where it occurs and inserting instead —
“ Account ”.

Table

s. 15B(2)

s. 15B(3)

184. Western Australian Sports Centre Trust Act 1986

- 10 (1) Section 14(3) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*.” and inserting instead —

“ Part 5 of the *Financial Management Act 2006*. ”.

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

“

- 15 (2) An agency special purpose account called the Western Australian Sports Centre Trust Account is established under section 16 of the *Financial Management Act 2006* to which the funds referred to in subsection (1) are to be credited.

20

”.

- (3) Section 15(4) is amended by deleting “section 21 of the *Financial Administration and Audit Act 1985*.” and inserting instead —

“ section 13 of the *Financial Management Act 2006*. ”.

- 25 (4) Section 17 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the *Auditor General Act 2006*

”.

185. Western Australian Tourism Commission Act 1983

- (1) Section 16(2) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*.” and inserting instead —
- “ Part 5 of the *Financial Management Act 2006*. ”.
- 5 (2) Section 25 is amended by deleting “*Financial Administration and Audit Act 1985*.” and inserting instead —
- “ *Financial Management Act 2006*. ”.
- (3) Section 26(5) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —
- 10 “ *Financial Management Act 2006* ”.
- (4) Section 28 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —
- “
- 15 “ *Financial Management Act 2006* and the *Auditor General Act 2006* ”.

186. Western Australian Treasury Corporation Act 1986

- (1) Section 20(3) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*.” and inserting instead —
- 20 “ Part 5 of the *Financial Management Act 2006*. ”.
- (2) Section 21 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —
- “
- 25 “ *Financial Management Act 2006* and the *Auditor General Act 2006* ”.

187. Wildlife Conservation Act 1950

- (1) Section 6(1) is amended by deleting the definition of “Fund”.

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(2) Section 20A(2) is amended by deleting “*Financial Administration and Audit Act 1985*,” and inserting instead —

“ *Financial Management Act 2006*, ”.

(3) Section 23C(4)(a) is amended by deleting “Fund;” and inserting instead —

“

Nature Conservation and National Parks Account
referred to in the *Conservation and Land Management Act 1984* section 68(1);

”.

188. *Witness Protection (Western Australia) Act 1996*

(1) Section 14(2) is amended by deleting “section 82 of the *Financial Administration and Audit Act 1985*” and inserting instead —

“ section 29 of the *Auditor General Act 2006* ”.

(2) Section 34(1) is amended by deleting “*Financial Administration and Audit Act 1985*.” and inserting instead —

“ *Auditor General Act 2006*. ”.

(3) Section 37(3) is amended by deleting “section 58C of the *Financial Administration and Audit Act 1985*.” and inserting instead —

“

sections 81 and 82 of the *Financial Management Act 2006*.

”.

(4) Section 37(5) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*, the report required by that section” and inserting instead —

“

Part 5 of the *Financial Management Act 2006*, the
annual report required under that Part

”.

189. *Workers' Compensation and Injury Management Act 1981*

(1) Section 5(1) is amended as follows:

- (a) by deleting the definition of "General Fund" and inserting instead —

5

“

“General Account” means the Workers’
Compensation and Injury Management General
Account established under this Act;

”;

10

- (b) by deleting the definition of "Trust Fund" and inserting instead —

“

“Trust Account” means the Workers’ Compensation
and Injury Management Trust Account established
under this Act;

15

”.

(2) Section 105 is amended by deleting "*Financial Administration and Audit Act 1985*" and inserting instead —

“

20

Financial Management Act 2006 and the *Auditor
General Act 2006*

”.

(3) Section 106(1) is repealed and the following subsection is inserted instead —

25

“

(1) For the purposes of this Act, an account called the
Workers’ Compensation and Injury Management
General Account is to be established —

30

- (a) as an agency special purpose account under
section 16 of the *Financial Management
Act 2006*; or

- (b) with the approval of the Treasurer, at a bank as
defined in section 3 of that Act.

”.

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- (4) Section 106(2)(d) is amended by deleting “General Fund” and inserting instead —
“ General Account ”.
- 5 (5) Section 107(1) is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —
“ *Financial Management Act 2006* ”.
- (6) Section 110(1) is repealed and the following subsection is inserted instead —
“
- 10 (1) For the purposes of this Act, an account called the Workers’ Compensation and Injury Management Trust Account is to be established —
- 15 (a) as an agency special purpose account under section 16 of the *Financial Management Act 2006*; or
(b) with the approval of the Treasurer, at a bank as defined in section 3 of that Act.
- ”.
- 20 (7) Section 111(2) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*.” and inserting instead —
“ Part 5 of the *Financial Management Act 2006*. ”.
- (8) Section 323(1)(i) is amended by deleting “General Fund;” and inserting instead —
“ General Account; ”.
- 25 (9) The provisions listed in the Table to this subclause are amended by deleting “Fund” in each place where it occurs and inserting instead —
“ Account ”.

Table

s. 37	s. 110(7)
s. 58(5)(a)	s. 110(8)
s. 100(a)	s. 145G(2)
s. 100A(5)	s. 146Q(2)
s. 101(c)	s. 146W(2)
s. 106(2) (except in para. (d))	s. 158G(4)
s. 106(3) (except in para. (da))	s. 170(2)
s. 107(1)	s. 170(2b)
s. 107(2)	s. 174(1)
s. 107(3)	s. 174(3)
s. 107(4)	s. 174(6)
s. 108	s. 174AA(1)
s. 109(1)	s. 174AC
s. 109(4)	s. 252(2)
s. 110(2)	s. 292(1)(e)
s. 110(3)	s. 312
s. 110(4)	s. 323(1)(j)
s. 110(5)	Schedule 7 cl. 7(3)
s. 110(6)	

190. *Zoological Parks Authority Act 2001*

- (1) Section 14(6) is amended by deleting “section 66 of the *Financial Administration and Audit Act 1985*.” and inserting instead —

5 “ Part 5 of the *Financial Management Act 2006*. ”.

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- (2) Section 33(1) is repealed and the following subsection is inserted instead —

“

- (1) An account called the Zoological Parks Authority Account is to be established —

(a) as an agency special purpose account under section 16 of the *Financial Management Act 2006*; or

(b) with the approval of the Treasurer, at a bank (as defined in section 3 of that Act) or other financial institution,

to which the funds referred to in section 32 are to be credited.

”.

- (3) Section 38 is amended by deleting “*Financial Administration and Audit Act 1985*” and inserting instead —

“

Financial Management Act 2006 and the *Auditor General Act 2006*

”.

Schedule 2 — Transitional provisions

[s. 19]

Division 1 — Preliminary

1. Interpretation

- 5 (1) In this Schedule —
- “commencement day” means the day on which this Schedule comes into operation;
- “FAA Act” means the *Financial Administration and Audit Act 1985*;
- “FM Act” means the *Financial Management Act 2006*.
- 10 (2) Unless the contrary intention appears, words and expressions used in this Schedule have the same respective meaning as they have in the FAA Act or the FM Act, as the case requires.

2. Application of *Interpretation Act 1984*

- 15 (1) The provisions of the *Interpretation Act 1984* (for example, sections 16, 36 and 38) about the repeal of written laws and the substitution of other written laws for those so repealed apply to the repeal of the *Financial Administration and Audit Act 1985* as if —
- (a) Part II of that Act were repealed and re-enacted by the *Financial Management Act 2006*; and
- 20 (b) Part III of that Act were repealed and re-enacted by the *Auditor General Act 2006*.
- (2) The other provisions of this Schedule are additional to the provisions applied by subclause (1) and do not affect the operation of the provisions applied by that subclause.

25 Division 2 — Transitional provisions for the *Financial Administration and Audit Act 1985*

3. *Financial Administration and Audit Act 1985* section 6 (Consolidated Fund)

- 30 A determination made by the Treasurer as to moneys that may be credited to the Consolidated Fund under the FAA Act section 6(3)(d)

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that has effect immediately before the commencement day continues to have effect, on and after that day, as if it were a determination made by the Treasurer as to amounts that may be credited to the Consolidated Account under the FM Act section 8(3)(a).

5 **4. *Financial Administration and Audit Act 1985 section 9 (trust accounts)***

10 A trust account, forming part of the Trust Fund constituted under the FAA Act section 9 and established under subsection (2)(c) of that section, that is operative immediately before the commencement day continues to operate, on and after that day, as —

- (a) a Treasurer's special purpose account under the FM Act section 10(a) or (f); or
- (b) an agency special purpose account under the FM Act section 16(1)(c) or (d),

15 as the case requires.

5. *Financial Administration and Audit Act 1985 section 10 (trust statements)*

20 (1) Unless the Treasurer directs otherwise and subject to subclause (2), a trust statement approved by the Treasurer under the FAA Act section 10 that has effect immediately before the commencement day continues to have effect, on and after that day, as if it were a special purpose statement or a trust statement, as the case requires, approved by the Treasurer under the FM Act section 17.

25 (2) A trust statement prepared for the Hospital Fund established under the *Hospital Fund Act 1930* section 3 that —

- (a) is approved by the Treasurer under the FAA Act section 10; and
- (b) has effect immediately before the commencement day,

continues to have effect, on and after that day, as if —

30 (c) it were a special purpose statement approved by the Treasurer under the FM Act section 17; and

(d) the FM Act section 17(1)(a) were amended to read as follows —

“

5 (a) a special purpose statement for an agency special purpose account operated by the agency that is referred to in section 16(1)(a);

”.

6. *Financial Administration and Audit Act 1985 section 15B (operating accounts)*

10 An operating account established for the purposes of the operations of a department under the FAA Act section 15B that is operative immediately before the commencement day continues to operate, on and after that day, as an agency special purpose account established for the purposes of the operations of the department under the FM Act
15 section 16(1)(a).

7. *Financial Administration and Audit Act 1985 section 21 (bank accounts)*

20 (1) A bank account maintained immediately before the commencement day under an authorisation given by the Treasurer under the FAA Act section 21 is taken, on and after that day, to be maintained under an authorisation given by the Treasurer under the FM Act section 13.

25 (2) Despite the FM Act section 13, a bank account to which subclause (1) applies that, immediately before the commencement day, does not form part of the Public Bank Account continues, on and after that day, not to form part of the Public Bank Account.

8. *Financial Administration and Audit Act 1985 section 23A (prescribed revenue)*

30 A determination made by the Treasurer in respect of prescribed revenue under the FAA Act section 23A that has effect immediately before the commencement day continues to have effect, on and after that day, as if it were a determination made by the Treasurer in respect of prescribed receipts under the FM Act section 23.

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**9. *Financial Administration and Audit Act 1985* section 39
(investment income)**

5 A determination made by the Treasurer in respect of investment income under the FAA Act section 39(5) that has effect immediately before the commencement day continues to have effect, on and after that day, as if it were a determination made by the Treasurer in respect of money received from investment under the FM Act section 38(5).

**10. *Financial Administration and Audit Act 1985* section 58
(Treasurer's Instructions)**

10 (1) Subject to subclause (3), a Treasurer's Instruction issued under the FAA Act section 58 that has effect immediately before the commencement day continues to have effect, on and after that day, as if it were a Treasurer's instruction issued under the FM Act section 78.

15 (2) Without limiting subclause (1) and subject to subclause (3), an exemption provided by a Treasurer's Instruction or by the written direction of the Treasurer under the FAA Act section 58(3)(e) that has effect immediately before the commencement day continues to have effect on and after that day.

20 (3) A Treasurer's Instruction or exemption that continues to have effect under this clause does not have effect to the extent of any inconsistency with the FM Act.

11. References to the *Financial Administration and Audit Act 1985*

25 A reference in a written law or other document or instrument to the *Financial Administration and Audit Act 1985* may, where the context so requires, be read as if it had been amended to be a reference to the *Financial Management Act 2006* or to the *Auditor General Act 2006*, or to both those Acts, as the case requires.

Division 3 — Other transitional provisions

30 **12. Treasurer's Advance Authorisation Act payments and advances**

An authorisation for the Treasurer to make payments or advances in a financial year under a Treasurer's Advance Authorisation Act that has

effect on the commencement day continues to have effect, after that day, as if it were an authorisation —

- (a) to make payments in that financial year under the *Financial Management Act 2006* section 27; or
- 5 (b) to make advances in that financial year under the *Financial Management Act 2006* section 28,

as the case requires.

13. References to the Consolidated Fund

- (1) In this clause —
 - 10 **“Consolidated Account”** means the account of that name established by the *Constitution Act 1889* section 64 as amended under Part 2;
 - 15 **“Consolidated Fund”** means the fund of that name established by the *Constitution Act 1889* section 64 before the commencement of Part 2.
- (2) A reference in a written law or other document or instrument to the Consolidated Fund may, where the context so requires, be read as if it had been amended to be a reference to the Consolidated Account.

14. Transitional regulations

- 20 (1) If this Schedule does not provide sufficiently for a matter or issue of a transitional nature that arises as a result of —
 - (a) the repeal of the *Financial Administration and Audit Act 1985* and the enactment of the *Financial Management Act 2006* or the *Auditor General Act 2006*; or
 - 25 (b) the amendments effected by this Act,

the Governor may make regulations under this clause (**“transitional regulations”**) prescribing all matters that are required, necessary or convenient to be prescribed for providing for the matter or issue.
- 30 (2) If the transitional regulations provide that a state of affairs specified or described in the regulations is taken to have existed, or not to have existed, on and from a day that is earlier than the day on which the regulations are published in the *Gazette* but not earlier than the

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commencement day, the regulations have effect according to their terms.

(3) If the transitional regulations contain a provision referred to in subclause (2), the provision does not operate so as —

- 5 (a) to affect in a manner prejudicial to any person (other than the State or an authority of the State) the rights of that person existing before the day of publication of those regulations; or
- 10 (b) to impose liabilities on any person (other than the State or an authority of the State) in respect of anything done or omitted to be done before the day of publication of those regulations.

15. Power to amend subsidiary legislation

- (1) The Governor, on the recommendation of the Treasurer, may make regulations amending subsidiary legislation made under any Act.
- 15 (2) The Treasurer may make a recommendation under subclause (1) only if the Treasurer considers that each amendment proposed to be made by the regulations is necessary or desirable as a consequence of the enactment of the *Financial Management Act 2006*, the *Auditor General Act 2006* or this Act.
- 20 (3) Nothing in this clause prevents subsidiary legislation from being amended in accordance with the Act under which it was made.

