

# Legislation Regulations 2023

SL 2023/57

Made by the Governor in Executive Council.

## Part 1 — Preliminary

### 1. Citation

These regulations are the *Legislation Regulations 2023*.

### 2. Commencement

These regulations come into operation on 1 July 2023.

## Part 2 — Laws and material to be published on WA legislation website

### 3. Subsidiary legislation that must be published as originally made and with amendments incorporated

For the purposes of section 10(1)(c) and (d) of the Act, the Parliamentary Counsel must publish on the WA legislation website the following subsidiary legislation that is made on or after 1 July 2023 —

- (a) regulations made by the Governor under an Act;
- (b) regulations made under the *Police Act 1892* section 9;
- (c) regulations made under the *Industrial Relations Act 1979* section 31(5), 96(13) or 113;
- (d) rules made under an Act by the following —
  - (i) the judges of the Supreme Court;
  - (ii) the judges of the District Court;
  - (iii) the judges of the Family Court;
  - (iv) the judge or judges of the Children’s Court;
  - (v) the magistrates of the Magistrates Court;
- (e) rules made under the following —
  - (i) the *Liquor Control Act 1988* section 22;
  - (ii) the *State Administrative Tribunal Act 2004* section 170;
  - (iii) the *Western Australian Marine Act 1982* section 106 or 108;

- (iv) the *Workers' Compensation and Injury Management Act 1981* section 293A or 293B;
- (f) by-laws made under the following —
  - (i) the *Energy Operators (Powers) Act 1979* section 124;
  - (ii) the *Government Railways Act 1904* section 23;
  - (iii) the *Parks and Reserves Act 1895* section 8;
  - (iv) the *Queen Elizabeth II Medical Centre Act 1966* section 20;
  - (v) the *Water Agencies (Powers) Act 1984* section 34;
- (g) orders made under the following —
  - (i) the *Electricity Corporations Act 2005* section 54(4);
  - (ii) the *Health Services Act 2016* section 56;
  - (iii) the *Local Government Act 1995* section 10.3;
- (h) notices made under the *Planning and Development Act 2005* section 20 or 285.

#### **4. Other laws that must be published**

For the purposes of section 10(1)(e) of the Act, the Parliamentary Counsel must publish on the WA legislation website the following laws —

- (a) each Imperial enactment that is part of the law of Western Australia because the enactment, or the Act under which the enactment is made, is adopted by 1 of the following Acts —
  - (i) the *Imperial Acts Adopting Act 1836*;
  - (ii) the *Imperial Acts Adopting Act 1844*;
  - (iii) the *Imperial Acts Adopting Ordinance 1867*;
- (b) each proclamation made on or after 1 July 2023 that brings 1 or more provisions of an Act into operation;
- (c) the *Letters Patent relating to the Office of Governor of the State of Western Australia 1986*.

#### **5. Other prescribed material that may be published**

For the purposes of section 10(2)(a) of the Act, the Parliamentary Counsel may publish on the WA legislation website the following material —

- (a) each proclamation that fixes a day for the repeal of an Act or 1 or more provisions of an Act;
- (b) each proclamation that postpones the expiry, repeal or cessation of an Act or 1 or more provisions of an Act;
- (c) each proclamation that extends the period during which an Act or 1 or more provisions of an Act have effect;

- (d) each proclamation made under the following —
  - (i) the *Fair Trading Act 2010* section 19C(2);
  - (ii) the *Legal Profession Uniform Law Application Act 2022* section 10(2);
- (e) the Dormant Commission under the Royal Sign Manual and the Public Seal of the State and dated 4 August 1998;
- (f) the *Dormant Commission Appointing the Chief Justice of Western Australia or the Most Senior Available Judge to be the Administrator 2018*.

### **Part 3 — Official versions of laws and material**

#### **6. Format and indications for official electronic versions of laws and material**

- (1) This regulation applies to the following material —
  - (a) a law published on the WA legislation website under section 10(1) of the Act;
  - (b) material published on the WA legislation website under section 10(2) of the Act.

Note for this subregulation:

In relation to paragraph (b), see section 10(3) of the Act.

- (2) For the purposes of section 15(a) of the Act, the format for the material is Portable Document Format (PDF).
- (3) For the purposes of section 15(b)(ii) of the Act, the WA legislation website indicates that an electronic version of the material is an official version by including a tick symbol on the PDF icon link for accessing or downloading the material.

Note for this subregulation:

Shown below, for information purposes only, is the PDF icon with the tick symbol as it appears on the WA legislation website.



#### **7. Indications on official electronic versions of Acts and subsidiary legislation**

- (1) This regulation applies to the following —
  - (a) an Act as originally passed that is passed on or after 1 July 2023;
  - (b) an Act with amendments made on or after 1 July 2023 incorporated;
  - (c) subsidiary legislation as originally made that is made on or after 1 July 2023;
  - (d) subsidiary legislation with amendments made on or after 1 July 2023 incorporated;

- (e) an Act or subsidiary legislation referred to in paragraph (a), (b), (c) or (d) that is no longer in force.

Note for this subregulation:

In relation to paragraph (e), see section 10(3) of the Act.

- (2) For the purposes of section 15(b)(i) of the Act, an electronic version of the Act or subsidiary legislation indicates that it is an official version by the coat of arms of the State appearing on the first page and the words “Official Version” appearing in the footer of each page.

## **8. Indications on official hard copy versions of Acts and subsidiary legislation**

- (1) For the purposes of section 16(a) of the Act, a hard copy version of an Act, including an Act that is no longer in force, indicates that it is an official version —
  - (a) for an Act as originally passed that is passed on or after 1 July 2023 — by the coat of arms of the State appearing on the first page of the Act and the words “Official Version” appearing in the footer of each page of the Act; or
  - (b) for an Act as originally passed that was passed before 1 July 2023 — by a statement indicating that the Act is printed by authority of the Government appearing on the final page of the Act; or
  - (c) for an Act with amendments made on or after 1 July 2023 incorporated — by the coat of arms of the State appearing on the first page of the Act and the words “Official Version” appearing in the footer of each page of the Act; or
  - (d) for an Act with amendments, other than amendments made on or after 1 July 2023, incorporated —
    - (i) by a statement that the Act is reprinted under the *Reprints Act 1984*, and a reference to the date as at which the Act is reprinted, appearing on the first page of the Act; or
    - (ii) by a statement that the Act is reprinted pursuant to the *Reprinting of Acts Authorisation Act 1953*, and the date of the authorisation to reprint, appearing at the top of the first page of the Act; or
    - (iii) by a statement that the Act is reprinted pursuant to the *Amendments Incorporation Act 1938*, and a list of the laws that amend the Act, appearing on the first page of the Act; or

- (iv) by a list of the laws that amend the Act appearing on the first page of the Act and a statement indicating that the Act is printed by authority of the Government appearing on the final page of the Act; or
- (v) by a statement that the Act incorporates amendments, and a reference to the law that provides authority to print the Act as amended, appearing on the first page of the Act.

Notes for this subregulation:

1. In relation to Acts that are no longer in force, see section 10(3) of the Act.
  2. In relation to paragraphs (b) and (d), see also the *Evidence Act 1906* section 53, which makes provision in relation to a document purporting to be a copy of an Act.
  3. In relation to paragraph (d)(i), see also section 46 of the Act.
- (2) For the purposes of section 16(a) of the Act, a hard copy version of subsidiary legislation, including subsidiary legislation that is no longer in force, indicates that it is an official version —
- (a) for subsidiary legislation as originally made that was made on or after 1 July 2023 — by the coat of arms of the State appearing on the first page of the subsidiary legislation and the words “Official Version” appearing in the footer of each page of the subsidiary legislation; or
  - (b) for subsidiary legislation with amendments made on or after 1 July 2023 incorporated — by the coat of arms of the State appearing on the first page of the subsidiary legislation and the words “Official Version” appearing in the footer of each page of the subsidiary legislation; or
  - (c) for subsidiary legislation with amendments, other than amendments made on or after 1 July 2023, incorporated —
    - (i) by a statement that the subsidiary legislation is reprinted under the *Reprints Act 1984*, and a reference to the date as at which the subsidiary legislation is reprinted, appearing on the first page of the subsidiary legislation; or
    - (ii) by a statement that the subsidiary legislation is reprinted pursuant to the *Reprinting of Regulations Act 1954*, and the date of the authorisation to reprint, appearing at the top right corner of the first page of the subsidiary legislation.

Notes for this subregulation:

1. In relation to subsidiary legislation that is no longer in force, see section 10(3) of the Act.

2. See also the *Evidence Act 1906* section 58(1)(a), which makes provision in relation to subsidiary legislation purporting to be contained in a copy of the *Gazette*.
3. In relation to paragraph (c)(i), see also section 46 of the Act.

V. MOLAN, Clerk of the Executive Council.