

## Statutes (Repeals) Bill 2016

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Western Australia

LEGISLATIVE COUNCIL

## **Statutes (Repeals) Bill 2016**

**A Bill for**

**An Act to repeal the following Acts —**

- **the *Coal Industry Tribunal of Western Australia Act 1992*;**
- **the *Labour Relations Reform Act 2002*;**
- **the *Spear-guns Control Act 1955*;**
- **the *Western Australian Marine (Sea Dumping) Act 1981*;**
- **the *Escheat and forfeiture of real and personal property (1834) (Imp)*,**

**and to amend several Acts as a consequence of those repeals.**

The Parliament of Western Australia enacts as follows:

1

**Part 1 — Preliminary**

2

**1. Short title**

3

This is the *Statutes (Repeals) Act 2016*.

4

**2. Commencement**

5

This Act comes into operation as follows —

6

(a) Part 1 — on the day on which this Act receives the  
Royal Assent;

7

8

(b) the rest of the Act — on the day after that day.

1 **Part 2 — *Coal Industry Tribunal of Western Australia***  
2 ***Act 1992 repealed***

3 **Division 1 — *Repeal of the Coal Industry Tribunal of Western***  
4 ***Australia Act 1992***

5 **3. *Coal Industry Tribunal of Western Australia Act 1992***  
6 ***repealed***

7 The *Coal Industry Tribunal of Western Australia Act 1992* is  
8 repealed.

9 **Division 2 — *Consequential amendments to the Constitution***  
10 ***Acts Amendment Act 1899***

11 **4. *Act amended***

12 This Division amends the *Constitution Acts Amendment*  
13 *Act 1899*.

14 **5. *Schedule V amended***

15 (1) In Schedule V Part 1 Division 1 delete “Chairperson or deputy  
16 chairperson of the Coal Industry Tribunal of Western Australia  
17 constituted under the *Coal Industry Tribunal of Western Australia*  
18 *Act 1992*.”.

19 (2) In Schedule V Part 2 Division 1 delete “Member, or deputy of a  
20 member, of the Coal Industry Tribunal of Western Australia  
21 constituted under the *Coal Industry Tribunal of Western Australia*  
22 *Act 1992*.”.

23 **Division 3 — *Consequential amendments to the Industrial***  
24 ***Relations Act 1979***

25 **6. *Act amended***

26 This Division amends the *Industrial Relations Act 1979*.

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**Part 2** Coal Industry Tribunal of Western Australia Act 1992 repealed

**Division 4** Consequential amendment to the Workers' Compensation and Injury Management Act 1981

**s. 7**

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1 **7. Section 97U amended**

2 In section 97U(1) delete the definition of *award* and insert:

3

4 *award*, except in section 97UG(2)(c), Division 6  
5 Subdivision 1 and sections 97YA(1)(a) and  
6 97YB(2)(a), includes an industrial agreement or order  
7 of the Commission under this Act;

8

9 **8. Section 97UF amended**

10 Delete section 97UF(4).

11 **9. Section 97UG amended**

12 In section 97UG(7) delete the definition of *award* and insert:

13

14 *award* includes an enterprise order.

15

16 **10. Section 97VR amended**

17 In section 97VR delete the definition of *award*.

18 **11. Section 97YA amended**

19 Delete section 97YA(3).

20 **Division 4 — Consequential amendment to the *Workers'***  
21 ***Compensation and Injury Management Act 1981***

22 **12. Act amended**

23 This Division amends the *Workers' Compensation and Injury*  
24 *Management Act 1981*.

25 **13. Section 5 amended**

26 In section 5(1) in the definition of *industrial award* delete  
27 paragraph (c).

1 **Part 3 — *Labour Relations Reform Act 2002* repealed**

2 **Division 1 — Repeal of the *Labour Relations Reform Act 2002***

3 **14. *Labour Relations Reform Act 2002* repealed**

4 The *Labour Relations Reform Act 2002* is repealed.

5 **Division 2 — Consequential amendments to the *Industrial***  
6 ***Relations Act 1979***

7 **15. Act amended**

8 This Division amends the *Industrial Relations Act 1979*.

9 **16. Section 49N amended**

10 In section 49N(3) delete “agreement, whether made or  
11 registered before or after the coming into operation of  
12 section 146 of the *Labour Relations Reform Act 2002*,” and  
13 insert:

14  
15 agreement  
16

17 **17. Section 97YI amended**

18 Delete section 97YI(2) and insert:

19  
20 (2) A review is to be carried out at such times as the  
21 Minister may in writing request.  
22

**Statutes (Repeals) Bill 2016**

**Part 3** Labour Relations Reform Act 2002

**Division 3** Consequential amendment to the Minimum Conditions of  
Employment Act 1993

**s. 18**

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1 **Division 3 — Consequential amendment to the *Minimum***  
2 ***Conditions of Employment Act 1993***

3 **18. Act amended**

4 This Division amends the *Minimum Conditions of Employment*  
5 *Act 1993*.

6 **19. Section 7 amended**

7 Delete section 7(a).





1 **Part 5 — *Western Australian Marine (Sea Dumping)***  
2 ***Act 1981* repealed**

3 **23. *Western Australian Marine (Sea Dumping) Act 1981* repealed**

4 The *Western Australian Marine (Sea Dumping) Act 1981* is  
5 repealed.

1     **Part 6 — Repeal of *Escheat and forfeiture of real and***  
2                                    ***personal property (1834) (Imp)***

3     **24.     Imperial Act repealed**

4         (1)    The Imperial Act, 1834 (4 & 5 Will. IV c. 23) [*The Escheat and*  
5                *forfeiture of real and personal property (1834)*] adopted by the  
6                *Imperial Acts Adopting Act 1844* (7 Vict. No. 13 item 2), is  
7                repealed in so far as it is part of the law of Western Australia.

8         (2)    In respect of the Imperial Act referred to in subsection (1), the  
9                *Interpretation Act 1984* Part V applies as if a reference in that  
10               Part to the repeal of a written law or to the repeal of an  
11               enactment were a reference to the repeal of that Imperial Act.

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