

Miscellaneous Amendments (Bankruptcy) Bill 2008

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Western Australia

LEGISLATIVE ASSEMBLY

**Miscellaneous Amendments (Bankruptcy)
Bill 2008**

A Bill for

**An Act to amend various Acts to reflect changes made to the
Bankruptcy Act 1966 of the Commonwealth and for related purposes.**

The Parliament of Western Australia enacts as follows:

Part 1 — Preliminary

1. Short title

This is the *Miscellaneous Amendments (Bankruptcy) Act 2008*.

2. Commencement

5 This Act comes into operation as follows:

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

Part 2 — Interpretation Act 1984 amended

3. Interpretation Act 1984 amended

(1) The amendments in this section are to the *Interpretation Act 1984*.

5 (2) Section 5 is amended by inserting in its appropriate alphabetical position —

“

10 “**bankrupt**” and “**bankrupt or a person whose affairs are under insolvency laws**” have the meanings given to those terms in section 13D;

”.

(3) Before section 14 the following section is inserted —

“

13D. Meaning of bankrupt and related expression

15 (1) A reference in a written law to a person being a bankrupt means that the person is a bankrupt as defined in the *Bankruptcy Act 1966* of the Commonwealth or has a substantially similar status under a law applicable in a place where that Act does not apply.

20 (2) A reference in a written law to a person being a bankrupt or a person whose affairs are under insolvency laws means that —

(a) the person is a bankrupt as described in subsection (1); or

25 (b) the person is a party, as a debtor, to a debt agreement under the *Bankruptcy Act 1966* of the Commonwealth; or

30 (c) the person has, as a debtor, entered into a personal insolvency agreement under Part X of the *Bankruptcy Act 1966* of the Commonwealth and obligations created by the agreement remain to be discharged; or

s. 3

5

(d) the person has not yet entered a personal insolvency agreement under Part X of the *Bankruptcy Act 1966* of the Commonwealth but has authorised a controlling trustee to perform functions under that Part,

or that the person has a substantially similar status under a law applicable in a place where the *Bankruptcy Act 1966* of the Commonwealth does not apply.

”.

Part 3 — Other Acts amended

4. *Aboriginal Affairs Planning Authority Act 1972* amended

(1) The amendments in this section are to the *Aboriginal Affairs Planning Authority Act 1972*.

5 (2) The First Schedule clause 2 is amended as follows:

(a) by deleting paragraph (b) and inserting instead —

“

(b) is, according to the *Interpretation Act 1984*
section 13D, a bankrupt or a person whose affairs
10 are under insolvency laws; or

”;

(b) by inserting after paragraph (a) —

“ or ”.

5. *Agricultural Produce Commission Act 1988* amended

15 (1) The amendments in this section are to the *Agricultural Produce Commission Act 1988*.

(2) The Schedule clause 4 is amended as follows:

(a) by deleting paragraph (c) and “or” after it and inserting
instead —

“

(c) is, according to the *Interpretation Act 1984*
section 13D, a bankrupt or a person whose affairs
20 are under insolvency laws; or

”;

25 (b) by inserting after each of paragraphs (a) and (b) —

“ or ”.

6. *Alcohol and Drug Authority Act 1974* amended

(1) The amendments in this section are to the *Alcohol and Drug Authority Act 1974*.

s. 7

(2) Section 10 is amended as follows:

(a) by deleting paragraph (d) and inserting instead —

“

(d) is, according to the *Interpretation Act 1984*
section 13D, a bankrupt or a person whose
affairs are under insolvency laws; or

”;

(b) by inserting after each of paragraphs (a) to (c) and (e)
and (f) —

“ or ”.

7. *Animal Resources Authority Act 1981* amended

(1) The amendments in this section are to the *Animal Resources Authority Act 1981*.

(2) The Schedule clause 2(2) is amended as follows:

(a) by deleting paragraph (b) and “or” after it and inserting
instead —

“

(b) if he is, according to the *Interpretation Act 1984*
section 13D, a bankrupt or a person whose affairs
are under insolvency laws; or

”;

(b) by inserting after paragraph (a) —

“ or ”.

8. *Anzac Day Act 1960* amended

(1) The amendments in this section are to the *Anzac Day Act 1960*.

(2) Section 13 is amended as follows:

(a) by deleting paragraphs (a) and (b) and inserting
instead —

“

(a) if the person is, or has at any time within the
previous 6 years been, according to the

Interpretation Act 1984 section 13D, a bankrupt or a person whose affairs are under insolvency laws; or

5 (b) if at any time that was within the previous 6 years and was before this section was amended by the *Miscellaneous Amendments (Bankruptcy) Act 2008* section 8 the person was ineligible under paragraph (b) of this section as in force before the amendment; or

10 ”;

(b) by inserting after paragraph (c) —

“ or ”.

(3) Section 14(2) is amended by deleting “becomes bankrupt” and inserting instead —

15 “
would be ineligible under section 13(a) or (b) for appointment
”.

9. Betting Control Act 1954 amended

20 (1) The amendments in this section are to the *Betting Control Act 1954*.

(2) The Act is amended by deleting “an undischarged bankrupt” in each place where it occurs that is specified in the Table to this section and inserting instead —

25 “
, according to the *Interpretation Act 1984* section 13D, a bankrupt
”.

Table

s. 11A(4)(b)	s. 11B(3)(b)
s. 11B(5)(e)	s. 11C(1)(b)(v)
s. 11C(3)(f)	

s. 10

10. Bills of Sale Act 1899 amended

(1) The amendments in this section are to the *Bills of Sale Act 1899*.

(2) Section 25(1) is amended as follows:

5 (a) in paragraph (b) by deleting “any statutory deed of assignment for the benefit of the creditors of the grantor” and inserting instead —

“ a personal insolvency agreement ”;

(b) by deleting “such deed of assignment” and inserting instead —

10 “ the personal insolvency agreement ”.

(3) Section 31 is amended as follows:

(a) by deleting “any statutory assignment” and inserting instead —

“ a personal insolvency agreement ”;

15 (b) by deleting “assignment for the benefit of creditors” and inserting instead —

“ personal insolvency agreement ”.

(4) The Eleventh Schedule clause 3 is amended by deleting “make any statutory assignment for the benefit of his creditors.” and inserting instead —

20 “ enter into a personal insolvency agreement. ”.

11. Builders’ Registration Act 1939 amended

(1) The amendments in this section are to the *Builders’ Registration Act 1939*.

25 (2) Section 5B(1) is amended as follows:

(a) by deleting paragraph (c) and inserting instead —

“

(c) is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or

”;

- (b) by inserting after each of paragraphs (a), (b) and (d) —
“ or ”.

12. Cemeteries Act 1986 amended

(1) The amendments in this section are to the *Cemeteries Act 1986*.

5 (2) Schedule 1 clause 2 is amended as follows:

(a) by deleting paragraph (b) and inserting instead —

“

(b) he is, according to the *Interpretation Act 1984*
section 13D, a bankrupt or a person whose affairs
10 are under insolvency laws; or

”;

(b) by inserting after paragraph (a) —

“ or ”.

**13. Coal Industry Tribunal of Western Australia Act 1992
15 amended**

(1) The amendments in this section are to the *Coal Industry
Tribunal of Western Australia Act 1992*.

(2) Section 9(2) is amended as follows:

(a) by deleting paragraph (c) and “or” after it and inserting
20 instead —

“

(c) the member is, according to the *Interpretation
Act 1984* section 13D, a bankrupt or a person
whose affairs are under insolvency laws; or

”;

(b) by inserting after each of paragraphs (a) and (b) —

“ or ”.

14. Coal Miners’ Welfare Act 1947 amended

(1) The amendments in this section are to the *Coal Miners’ Welfare
30 Act 1947*.

s. 15

(2) Section 11 is amended as follows:

(a) by deleting paragraph (d) and “or” after it and inserting instead —

“

5

(d) is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or

”;

(b) by inserting after each of paragraphs (a), (b) and (c) —

10

“ or ”.

15. Commissioner for Children and Young People Act 2006 amended

(1) The amendments in this section are to the *Commissioner for Children and Young People Act 2006*.

15

(2) Section 8(2) is amended as follows:

(a) by deleting paragraph (c) and “or” after it and inserting instead —

“

20

(c) is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or

”;

(b) by inserting after each of paragraphs (a) and (b) —

“ or ”.

25

16. Companies (Co-operative) Act 1943 amended

(1) The amendments in this section are to the *Companies (Co-operative) Act 1943*.

(2) Section 3 is amended by deleting the definition of “Bankruptcy” and “bankrupt” and inserting instead —

30

“

“Bankrupt” has the meaning that the *Interpretation Act 1984* section 13D gives to the term “bankrupt

or a person whose affairs are under insolvency laws”.

”.

5 (3) Section 211(5) is amended by deleting “, or compounds or arranges with his creditors,”.

(4) The Second Schedule Table A item 73(c) and “or” after it is deleted and the following is inserted instead —

“

10 (c) becomes bankrupt; or

”.

(5) The Eleventh Schedule rule 8 of the rules under the heading “Rules for Proceedings for Winding-up Companies by Order of the Court” is amended by deleting “, or assigned their estate for the benefit of, or compounded with, their creditors”.

15 (6) The Eleventh Schedule rule 7 of the rules under the heading “Rules for meetings of creditors, contributories, or shareholders of a company under liquidation.” is amended by deleting “or made an assignment for the benefit of or compounded with his creditors”.

20 **17. *Conservation and Land Management Act 1984* amended**

(1) The amendments in this section are to the *Conservation and Land Management Act 1984*.

(2) The Schedule clause 2 is amended as follows:

25 (a) by deleting paragraph (b) and “or” after it and inserting instead —

“

(b) he is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or

30 ”;

(b) by inserting after paragraph (a) —

“ or ”.

s. 18

18. Constitution Acts Amendment Act 1899 amended

(1) The amendments in this section are to the *Constitution Acts Amendment Act 1899*.

5 (2) Section 38(d) is amended by deleting “assignment, composition,” and inserting instead —
“ entering into a personal insolvency agreement ”.

19. Construction Industry Portable Paid Long Service Leave Act 1985 amended

10 (1) The amendments in this section are to the *Construction Industry Portable Paid Long Service Leave Act 1985*.

(2) Section 8(2) is amended as follows:

(a) by deleting paragraph (a) and inserting instead —

15 “
(a) he is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or
”;

(b) by inserting after each of paragraphs (b) to (e) —

“ or ”.

20 **20. Control of Vehicles (Off-road Areas) Act 1978 amended**

(1) The amendments in this section are to the *Control of Vehicles (Off-road Areas) Act 1978*.

(2) Section 21(15) is amended as follows:

25 (a) by deleting paragraph (d) and “or” after it and inserting instead —

30 “
(d) he is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or
”;

- (b) by inserting after each of paragraphs (a) to (c) —
“ or ”.

21. Corruption and Crime Commission Act 2003 amended

5 (1) The amendments in this section are to the *Corruption and Crime Commission Act 2003*.

(2) Schedule 2 clause 7 is amended as follows:

- (a) by deleting paragraph (d) and “or” after it and inserting instead —

10 “
(d) becomes, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or
”;

- (b) by inserting after each of paragraphs (a) to (c) —
15 “ or ”.

(3) Schedule 3 clause 7 is amended as follows:

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

20 “
(c) becomes, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or
”;

- (b) by inserting after each of paragraphs (a) and (b) —
25 “ or ”.

22. Country High School Hostels Authority Act 1960 amended

(1) The amendments in this section are to the *Country High School Hostels Authority Act 1960*.

s. 23

(2) Section 5(5) is amended as follows:

(a) by deleting paragraph (a) and inserting instead —

“

(a) becomes, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or

”;

(b) by inserting after each of paragraphs (b) to (e) —

“ or ”.

10 **23. *Credit (Administration) Act 1984* amended**

(1) The amendments in this section are to the *Credit (Administration) Act 1984*.

(2) Section 12(2) is amended as follows:

(a) by deleting paragraph (c) and inserting instead —

“

(c) is, according to the *Interpretation Act 1984* section 13D, a bankrupt; or

”;

(b) by inserting after each of paragraphs (a), (b), (d) and (e) —

“ or ”.

24. *The Criminal Code* amended

(1) The amendments to this section are to *The Criminal Code*.

(2) Section 546(1) and (3) are each amended by deleting “deed of arrangement” and inserting instead —

“ personal insolvency agreement ”.

25. *Criminal Property Confiscation Act 2000* amended

(1) The amendment in this section is to the *Criminal Property Confiscation Act 2000*.

(2) Section 124(1)(d) is amended by inserting before “bankrupt” —

“

, according to the *Interpretation Act 1984*
section 13D, a

5

”.

26. Curtin University of Technology Act 1966 amended

(1) The amendments in this section are to the *Curtin University of Technology Act 1966*.

(2) Section 10 is amended as follows:

10

(a) by deleting paragraph (d) and inserting instead —

“

(d) is, according to the *Interpretation Act 1984*
section 13D, a bankrupt or a person whose
affairs are under insolvency laws; or

15

”;

(b) by inserting after each of paragraphs (a) to (c) and (e)
to (eb) —

“ or ”;

20

(c) in paragraph (g), by inserting after each of
subparagraphs (i) and (ii) —

“ or ”.

(3) Section 21E is amended as follows:

(a) by deleting paragraph (d) and inserting instead —

“

25

(d) he is, according to the *Interpretation Act 1984*
section 13D, a bankrupt or a person whose
affairs are under insolvency laws; or

”;

(b) by inserting after each of paragraphs (a) to (c) and (e) —

30

“ or ”.

s. 27

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

(a) by deleting paragraph (b) and inserting instead —

“

(b) is, according to the *Interpretation Act 1984*
section 13D, a bankrupt or a person whose affairs
are under insolvency laws; or

”;

(b) by inserting after each of paragraphs (a) and (c) to (e) —

“ or ”.

10 **27. Dental Act 1939 amended**

(1) The amendments in this section are to the *Dental Act 1939*.

(2) Section 10 is amended by deleting “has his affairs under
liquidation or is an undischarged bankrupt or insolvent” and
inserting instead —

15 “

is, according to the *Interpretation Act 1984*
section 13D, a bankrupt or a person whose affairs are
under insolvency laws

”.

20 **28. Dental Prosthetists Act 1985 amended**

(1) The amendments in this section are to the *Dental Prosthetists
Act 1985*.

(2) Section 8(2) is amended as follows:

(a) by deleting paragraph (a) and inserting instead —

25 “

(a) is, according to the *Interpretation Act 1984*
section 13D, a bankrupt or a person whose
affairs are under insolvency laws; or

”;

(b) by inserting after paragraph (b) —

30 “ or ”.

29. Director of Public Prosecutions Act 1991 amended

(1) The amendments in this section are to the *Director of Public Prosecutions Act 1991*.

(2) Schedule 1 clause 6(1) is amended as follows:

5 (a) by deleting paragraph (b) and inserting instead —

“

(b) if the Director is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws.

10

”;

(b) by inserting after paragraph (a) —

“ or ”.

30. East Perth Redevelopment Act 1991 amended

15 (1) The amendments in this section are to the *East Perth Redevelopment Act 1991*.

(2) Schedule 2 clause 2 is amended as follows:

(a) by deleting paragraph (b) and inserting instead —

“

(b) is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or

20

”;

(b) by inserting after paragraph (a) —

“ or ”.

25 **31. Eastern Goldfields Transport Board Act 1984 amended**

(1) The amendments in this section are to the *Eastern Goldfields Transport Board Act 1984*.

s. 32

(2) The Schedule clause 2(1) is amended as follows:

(a) by deleting paragraph (b) and inserting instead —

“

(b) he is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or

”;

(b) by inserting after paragraph (a) —

“ or ”.

10 **32. *Edith Cowan University Act 1984* amended**

(1) The amendments in this section are to the *Edith Cowan University Act 1984*.

(2) Section 11 is amended as follows:

(a) by deleting paragraph (d) and inserting instead —

“

(d) he is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or

”;

(b) by inserting after each of paragraphs (a) to (c) and (e) to (eb) —

“ or ”.

33. *Electoral Act 1907* amended

(1) The amendments in this section are to the *Electoral Act 1907*.

(2) Section 5C(2) is amended as follows:

(a) by deleting paragraph (c) and “or” after it and inserting instead —

“

(c) is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or

”;

(b) by inserting after each of paragraphs (a) and (b) —
“ or ”.

34. *Environmental Protection Act 1986* amended

- 5 (1) The amendments in this section are to the *Environmental Protection Act 1986*.
- (2) Schedule 7 clause 3(2) is amended by deleting paragraph (b) and inserting instead —
- “
- 10 (b) if the Appeals Convenor is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws.
- ”.

35. *Equal Opportunity Act 1984* amended

- 15 (1) The amendments in this section are to the *Equal Opportunity Act 1984*.
- (2) Section 76(2) is amended as follows:
- (a) by deleting paragraph (c) and inserting instead —
- “
- 20 (c) is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws.
- ”;
- (b) by inserting after paragraph (a) —
- “ or ”.

25 **36. *Fisheries Adjustment Schemes Act 1987* amended**

- (1) The amendments in this section are to the *Fisheries Adjustment Schemes Act 1987*.

s. 37

(2) Schedule 1 clause 1 is amended as follows:

(a) by deleting paragraph (b) and inserting instead —

“

(b) he is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or

”;

(b) by inserting after paragraph (a) —

“ or ”.

10 **37. Guardianship and Administration Act 1990 amended**

(1) The amendments in this section are to the *Guardianship and Administration Act 1990*.

(2) Section 85(1) is amended as follows:

(a) by deleting paragraph (e) and “or” after it and inserting instead —

“

(e) is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or

”;

(b) by inserting after each of paragraphs (a) to (d) —

“ or ”.

(3) Section 92(1) is amended as follows:

(a) by deleting paragraph (b) and “or” after it and inserting instead —

“

(b) is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or

”;

(b) by inserting after paragraph (a) —

“ or ”.

38. *Hairdressers Registration Act 1946* amended

- (1) The amendments in this section are to the *Hairdressers Registration Act 1946*.
- (2) Section 5(10) is amended by deleting “bankrupt or compounds with his creditors” and inserting instead —

“
 , according to the *Interpretation Act 1984* section 13D,
 a bankrupt or a person whose affairs are under
 insolvency laws
”.

39. *Health Services (Conciliation and Review) Act 1995* amended

- (1) The amendments in this section are to the *Health Services (Conciliation and Review) Act 1995*.
- (2) Schedule 2 clause 5(1) is amended by deleting paragraph (b) and inserting instead —

“
 (b) if the Director is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws.
”.

40. *Heritage of Western Australia Act 1990* amended

- (1) The amendments in this section are to the *Heritage of Western Australia Act 1990*.
- (2) Section 20(3) is amended by deleting paragraph (a) and inserting instead —

“
 (a) is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or
”.

s. 41

41. Hire-Purchase Act 1959 amended

(1) The amendments in this section are to the *Hire-Purchase Act 1959*.

5 (2) Section 28(1)(h) is amended by deleting “bankrupt or commits an act of bankruptcy or executes a deed of assignment or a deed of arrangement” and inserting instead —

“
10 , according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws or commits an act of bankruptcy
”.

42. Hospitals and Health Services Act 1927 amended

15 (1) The amendments in this section are to the *Hospitals and Health Services Act 1927*.

(2) The Schedule clause 2 is amended as follows:

(a) by deleting paragraph (b) and inserting instead —

“
20 (b) is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or
”;

(b) by inserting after paragraph (a) —

“ or ”.

25 **43. Human Reproductive Technology Act 1991 amended**

(1) The amendments in this section are to the *Human Reproductive Technology Act 1991*.

(2) Section 29(4) is amended by deleting paragraph (a) and inserting instead —

“

5

(a) is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or

”.

(3) The Schedule clause 5(1) is amended as follows:

(a) by deleting paragraph (b) and inserting instead —

10

“

(b) the member is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or

”;

15

(b) by inserting after paragraph (a) —

“ or ”.

44. *Industrial Relations Act 1979* amended

(1) The amendments in this section are to the *Industrial Relations Act 1979*.

20

(2) Section 80O(5) is amended as follows:

(a) by deleting paragraph (c) and inserting instead —

“

25

(c) he is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or

”;

(b) by inserting after each of paragraphs (a) and (b) —

“ or ”.

45. *Inspector of Custodial Services Act 2003* amended

30

(1) The amendments in this section are to the *Inspector of Custodial Services Act 2003*.

s. 46

- (2) Section 9(1) is amended by deleting paragraph (b) and inserting instead —

“

- (b) if the Inspector is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws.

”.

46. Insurance Commission of Western Australia Act 1986 amended

- (1) The amendments in this section are to the *Insurance Commission of Western Australia Act 1986*.

- (2) Schedule 1 clause 2(4) is amended as follows:

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

“

- (b) if he is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or

”;

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

“ or ”.

- (3) Schedule 2 clause 2(4) is amended as follows:

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

“

- (b) if he is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or

”;

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

“ or ”.

47. Land Administration Act 1997 amended

- (1) The amendments in this section are to the *Land Administration Act 1997*.
- (2) Section 172(7)(j) is amended by deleting “deed of assignment or deed of arrangement” and inserting instead —
- “ personal insolvency agreement ”.

48. Land Valuers Licensing Act 1978 amended

- (1) The amendments in this section are to the *Land Valuers Licensing Act 1978*.
- (2) Section 7(4) is amended as follows:
- (a) by deleting paragraph (c) and inserting instead —
- “
- (c) he is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or

- (b) by inserting after each of paragraphs (a), (b), (d), and (e) —
- “ or ”.

49. Legal Aid Commission Act 1976 amended

- (1) The amendments in this section are to the *Legal Aid Commission Act 1976*.
- (2) Section 8(5) is amended as follows:
- (a) by deleting paragraph (a) and inserting instead —
- “
- (a) is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or
- (b) by inserting after paragraph (b) —
- “ or ”.

s. 50

50. *Liquor Control Act 1988* amended

(1) The amendments in this section are to the *Liquor Control Act 1988*.

(2) Section 34(2)(a) is amended as follows:

5 (a) by deleting subparagraph (i) and inserting instead —

“

10 (i) is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or

”;

(b) by inserting after each of subparagraphs (ii) and (iii) —

“ or ”.

51. *Litter Act 1979* amended

15 (1) The amendments in this section are to the *Litter Act 1979*.

(2) The First Schedule clause 1(3) is amended by deleting paragraph (a) and inserting instead —

“

20 (a) is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or

”.

52. *Local Government Grants Act 1978* amended

25 (1) The amendments in this section are to the *Local Government Grants Act 1978*.

(2) Section 6(2) is amended as follows:

(a) by deleting paragraph (d) and inserting instead —

“

30 (d) he is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or

”;

- (b) by inserting after each of paragraphs (a) to (c) —
“ or ”.

53. *Lotteries Commission Act 1990* amended

5 (1) The amendments in this section are to the *Lotteries Commission Act 1990*.

(2) Schedule 1 clause 2 is amended as follows:

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

10 “
(c) is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or
”;

15 (b) by inserting after each of paragraphs (a) and (b) —
“ or ”.

54. *Magistrates Court Act 2004* amended

(1) The amendments in this section are to the *Magistrates Court Act 2004*.

(2) Schedule 1 clause 14(1) is amended as follows:

20 (a) by deleting paragraph (d) and inserting instead —

“
(d) is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws.
”;

25 (b) by inserting after each of paragraphs (a) to (c) —
“ or ”.

55. *Midland Redevelopment Act 1999* amended

30 (1) The amendments in this section are to the *Midland Redevelopment Act 1999*.

s. 56

(2) Schedule 2 clause 2 is amended as follows:

(a) by deleting paragraph (b) and inserting instead —

“

5 (b) is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or

”;

(b) by inserting after paragraph (a) —

“ or ”.

10 **56. *Motor Vehicle Dealers Act 1973* amended**

(1) The amendments in this section are to the *Motor Vehicle Dealers Act 1973*.

(2) Section 9(2) is amended as follows:

(a) by deleting paragraph (a) and inserting instead —

15 “

(a) is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or

”;

20 (b) by inserting after each of paragraphs (b) and (c) —

“ or ”.

57. *Murdoch University Act 1973* amended

(1) The amendments in this section are to the *Murdoch University Act 1973*.

25 (2) Section 15(3) is amended as follows:

(a) by deleting paragraph (b) and inserting instead —

“

30 (b) is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or

”;

(b) by inserting after each of paragraphs (a) and (c) —
“ or ”.

58. National Environment Protection Council (Western Australia) Act 1996 amended

5 (1) The amendments in this section are to the *National Environment Protection Council (Western Australia) Act 1996*.

(2) Section 45(2) is amended as follows:

(a) by deleting paragraph (c) and inserting instead —

“

10 (c) is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or

”;

(b) by inserting after each of paragraphs (a) and (b) —

15 “ or ”.

59. Occupational Safety and Health Act 1984 amended

(1) The amendments in this section are to the *Occupational Safety and Health Act 1984*.

(2) Section 10(b) is amended as follows:

20 (a) by deleting subparagraph (iv) and inserting instead —

“

(iv) is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or

25

”;

(b) by inserting after each of subparagraphs (i) to (iii) —

“ or ”.

60. Painters' Registration Act 1961 amended

30 (1) The amendments in this section are to the *Painters' Registration Act 1961*.

s. 61

- (2) Section 7(3) is amended by deleting “bankrupt or compounds with his creditors” and inserting instead —

“

, according to the *Interpretation Act 1984* section 13D,
a bankrupt or a person whose affairs are under
insolvency laws

”.

61. *Parliamentary Commissioner Act 1971* amended

- (1) The amendments in this section are to the *Parliamentary Commissioner Act 1971*.

- (2) Section 6(2) is amended as follows:

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

“

(c) is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or

”;

- (b) by inserting after each of paragraphs (a) and (b) —

“ or ”.

62. *Partnership Act 1895* amended

- (1) The amendments in this section are to the *Partnership Act 1895*.

- (2) Section 9 is amended by deleting “any arrangement or composition with his creditors,” and inserting instead —

“

a personal insolvency agreement under Part X of the *Bankruptcy Act 1966* of the Commonwealth as a debtor,

”.

63. *Perth Market Act 1926* amended

- (1) The amendments in this section are to the *Perth Market Act 1926*.

- (2) Section 7 is amended by deleting paragraph (b) and “or” after it and inserting instead —

“

5

- (b) if he is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or

”.

64. Perth Theatre Trust Act 1979 amended

10

- (1) The amendments in this section are to the *Perth Theatre Trust Act 1979*.

- (2) Section 6(1) is amended as follows:

- (a) by deleting paragraph (f) and “or” after it and inserting instead —

“

15

- (f) he is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or

”;

- (b) by inserting after each of paragraphs (a) to (e) —

20

“ or ”.

65. Petroleum Products Pricing Act 1983 amended

- (1) The amendments in this section are to the *Petroleum Products Pricing Act 1983*.

- (2) Section 9(2) is amended as follows:

25

- (a) by deleting paragraph (a) and inserting instead —

“

30

- (a) is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or

”;

- (b) by inserting after paragraph (b) —
“ or ”.

66. Poisons Act 1964 amended

(1) The amendments in this section are to the *Poisons Act 1964*.

5 (2) Section 11(1) is amended as follows:

- (a) by deleting paragraph (a) and inserting instead —

“

10 (a) he is, according to the *Interpretation Act 1984*
section 13D, a bankrupt or a person whose
affairs are under insolvency laws; or

”;

- (b) by inserting after each of paragraphs (b) to (f) —

“ or ”.

67. Police Act 1892 amended

15 (1) The amendments in this section are to the *Police Act 1892*.

(2) Section 29 is repealed and the following section is inserted
instead —

“

29. Forfeiture of office for financial difficulty

20 A person who is a member of the Force forfeits the
person’s office as a member of the Force if the person
is, according to the *Interpretation Act 1984*
section 13D, a bankrupt or a person whose affairs are
under insolvency laws.

25

”.

68. Professional Combat Sports Act 1987 amended

(1) The amendments in this section are to the *Professional Combat
Sports Act 1987*.

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

(a) by deleting paragraph (d) and inserting instead —

“

(d) the member is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or

”;

(b) by inserting after each of paragraphs (a) to (c) and (e) —

“ or ”.

10 **69. Professional Standards Act 1997 amended**

(1) The amendments in this section are to the *Professional Standards Act 1997*.

(2) Schedule 1 clause 5(1) is amended as follows:

(a) by deleting paragraph (f) and inserting instead —

“

(f) is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or

”;

(b) by inserting after each of paragraphs (a) to (e) —

“ or ”.

70. Public Sector Management Act 1994 amended

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

(2) Section 18(4) is amended as follows:

(a) by deleting paragraph (c) and “or” after it and inserting instead —

“

(c) is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or

”;

s. 71

- (b) by inserting after each of paragraphs (a) and (b) —
“ or ”.

71. Racing Penalties (Appeals) Act 1990 amended

5 (1) The amendments in this section are to the *Racing Penalties (Appeals) Act 1990*.

(2) The Schedule clause 4 is amended as follows:

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

“

10 (b) if the person is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or

”;

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

15 “ or ”;

- (c) in paragraph (a), by inserting after each of subparagraphs (i) and (ii) —

“ or ”.

72. Radiation Safety Act 1975 amended

20 (1) The amendments in this section are to the *Radiation Safety Act 1975*.

(2) Section 14(4) is amended as follows:

- (a) by deleting paragraph (b) and inserting instead —

“

25 (b) is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or

”;

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

30 “ or ”.

73. Real Estate and Business Agents Act 1978 amended

(1) The amendments in this section are to the *Real Estate and Business Agents Act 1978*.

(2) Section 8(4) is amended as follows:

5 (a) by deleting paragraph (a) and inserting instead —

“

(a) is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or

10

”;

(b) by inserting after each of paragraphs (b) and (c) —

“ or ”.

74. Retail Trading Hours Act 1987 amended

(1) The amendments in this section are to the *Retail Trading Hours Act 1987*.

15

(2) Section 19(1) is amended as follows:

(a) by deleting paragraph (b) and inserting instead —

“

(b) is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or

20

”;

(b) by inserting after paragraph (a) —

“ or ”.

25 **75. Road Safety Council Act 2002 amended**

(1) The amendments in this section are to the *Road Safety Council Act 2002*.

s. 76

(2) Section 9(3) is amended as follows:

(a) by deleting paragraph (c) and inserting instead —

“

(c) is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws.

”;

(b) by inserting after paragraph (a) —

“ or ”.

10 **76. *Rottnest Island Authority Act 1987* amended**

(1) The amendments in this section are to the *Rottnest Island Authority Act 1987*.

(2) Schedule 1 clause 2 is amended as follows:

(a) by deleting paragraph (b) and “or” after it and inserting instead —

“

(b) he is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or

”;

(b) by inserting after paragraph (a) —

“ or ”.

77. *Salaries and Allowances Act 1975* amended

(1) The amendments in this section are to the *Salaries and Allowances Act 1975*.

(2) Section 5(4) is amended by deleting paragraph (a) and inserting instead —

“

(a) is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or

”.

78. Securities Industry Act 1975 amended

(1) The amendments in this section are to the *Securities Industry Act 1975*.

(2) Section 46(1) is amended as follows:

5 (a) in paragraph (a), by deleting subparagraph (i) and inserting instead —

“

10 (i) is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or

”;

(b) in paragraph (b), by inserting after subparagraph (i) —

“ or ”;

15 (c) by inserting after each of paragraphs (a) and (b) —

“ or ”.

79. Settlement Agents Act 1981 amended

(1) The amendments in this section are to the *Settlement Agents Act 1981*.

20 (2) Section 7(5) is amended as follows:

(a) by deleting paragraph (a) and inserting instead —

“

25 (a) is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or

”;

(b) by inserting after each of paragraphs (b) and (c) —

“ or ”.

80. Small Business Development Corporation Act 1983 amended

30 (1) The amendments in this section are to the *Small Business Development Corporation Act 1983*.

s. 81

(2) Section 5(5) is amended as follows:

(a) by deleting paragraph (a) and inserting instead —

“

(a) is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or

”;

(b) by inserting after paragraph (b) —

“ or ”.

10 **81. *Solicitor-General Act 1969* amended**

(1) The amendments in this section are to the *Solicitor-General Act 1969*.

(2) Section 7 is amended as follows:

(a) by deleting paragraph (c) and inserting instead —

“

(c) is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws.

”;

(b) by inserting after paragraph (a) —

“ or ”.

82. *Subiaco Redevelopment Act 1994* amended

(1) The amendments in this section are to the *Subiaco Redevelopment Act 1994*.

(2) Schedule 2 clause 2 is amended as follows:

(a) by deleting paragraph (b) and inserting instead —

“

(b) is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or

”;

- (b) by inserting after each of paragraphs (a) and (c) —
“ or ”.

83. *Swan Valley Planning Act 1995* amended

5 (1) The amendments in this section are to the *Swan Valley Planning Act 1995*.

(2) Schedule 1 clause 2(1) is amended as follows:

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

10 “
(b) he or she is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or
”;

15 (b) by inserting after paragraph (a) —
“ or ”.

84. *Uniting Church in Australia Act 1976* amended

(1) The amendments in this section are to the *Uniting Church in Australia Act 1976*.

(2) Section 15 is amended as follows:

20 (a) by deleting paragraph (c) and inserting instead —
“

(c) is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or
25 ”;

(b) by inserting after each of paragraphs (a), (b), (d) and (e) —
“ or ”.

s. 85

85. University of Western Australia Act 1911 amended

(1) The amendments in this section are to the *University of Western Australia Act 1911*.

(2) Section 11 is amended as follows:

5 (a) by deleting paragraphs (b) and (c), and “or” after each of them, and inserting instead —

“

10 (c) is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or

”;

(b) by inserting after each of paragraphs (ca) and (cb) —

“ or ”.

86. Veterinary Surgeons Act 1960 amended

15 (1) The amendments in this section are to the *Veterinary Surgeons Act 1960*.

(2) Section 10 is amended as follows:

(a) by deleting paragraph (a) and inserting instead —

“

20 (a) is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or

”;

(b) by inserting after each of paragraphs (b) to (e) —

25 “ or ”.

87. Vocational Education and Training Act 1996 amended

(1) The amendments in this section are to the *Vocational Education and Training Act 1996*.

(2) Schedule 1 clause 1(1) is amended as follows:

(a) by deleting paragraph (c) and inserting instead —

“

(c) the member is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or

”;

(b) by inserting after each of paragraphs (a) and (b) —

“ or ”.

10 **88. *Water Boards Act 1904* amended**

(1) The amendments in this section are to the *Water Boards Act 1904*.

(2) Section 10(2) is amended by deleting “having his affairs under liquidation by arrangement with his creditors, or being an uncertified or undischarged bankrupt” and inserting instead —

“

who is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws

”.

20

89. *Western Australian Coastal Shipping Commission Act 1965* amended

(1) The amendments in this section are to the *Western Australian Coastal Shipping Commission Act 1965*.

(2) Section 11(1) is amended as follows:

(a) by deleting paragraph (a) and inserting instead —

“

(a) is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or

”;

30

s. 90

(b) by inserting after paragraph (b) —
“ or ”.

90. Western Australian Greyhound Racing Association Act 1981 amended

5 (1) The amendments in this section are to the *Western Australian Greyhound Racing Association Act 1981*.

(2) Schedule 1 clause 1(4) is amended as follows:

(a) by deleting paragraph (c) and inserting instead —

10 “
(c) he is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or
”;

(b) by inserting after each of paragraphs (a), (b) and (d) —

15 “ or ”.

91. Western Australian Sports Centre Trust Act 1986 amended

(1) The amendments in this section are to the *Western Australian Sports Centre Trust Act 1986*.

20 (2) Schedule 1 clause 1 is amended by deleting “is an undischarged bankrupt or a person whose property is subject to an order or arrangement under the laws relating to bankruptcy.” and inserting instead —

25 “
is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws.
”.

(3) Schedule 1 clause 4 is amended as follows:

(a) by deleting paragraph (b) and inserting instead —

“

(b) he is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or

”;

(b) by inserting after each of paragraphs (a), (c) and (d) —

“ or ”.

10 **92. *Western Australian Tourism Commission Act 1983* amended**

(1) The amendments in this section are to the *Western Australian Tourism Commission Act 1983*.

(2) Section 5(5) is amended as follows:

(a) by deleting paragraph (a) and inserting instead —

“

(a) is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or

”;

(b) by inserting after paragraph (b) —

“ or ”.

93. *Workers' Compensation and Injury Management Act 1981* amended

(1) The amendments in this section are to the *Workers' Compensation and Injury Management Act 1981*.

(2) Section 96(5) is amended as follows:

(a) by deleting paragraph (a) and inserting instead —

“

(a) is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or

”;

s. 94

(b) by inserting after paragraph (b) —
“ or ”.

94. Zoological Parks Authority Act 2001 amended

5 (1) The amendments in this section are to the *Zoological Parks Authority Act 2001*.

(2) Schedule 2 clause 2(1) is amended as follows:

(a) by deleting paragraph (b) and “or” after it and inserting instead —

10 “
(b) is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or
”;

15 (b) by inserting after paragraph (a) —
“ or ”.

(3) Schedule 3 clause 8(1) is amended as follows:

(a) by deleting paragraph (b) and inserting instead —

20 “
(b) if the Chief Executive Officer is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws.
”;

(b) by inserting after paragraph (a) —
“ or ”.

25
