

Western Australia

# Government Railways Amendment Bill 2021

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Western Australia

LEGISLATIVE ASSEMBLY

## **Government Railways Amendment Bill 2021**

**A Bill for**

**An Act to amend the *Government Railways Act 1904*.**

The Parliament of Western Australia enacts as follows:

**s. 1**

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1   **1.     Short title**

2           This is the *Government Railways Amendment Act 2021*.

3   **2.     Commencement**

4           This Act comes into operation as follows —

5           (a) sections 1 and 2 — on the day on which this Act  
6           receives the Royal Assent;

7           (b) the rest of the Act — on a day fixed by proclamation.

8   **3.     Act amended**

9           This Act amends the *Government Railways Act 1904*.

10 **4.     Section 23 amended**

11           In section 23(1)(ze) delete “penalties, not exceeding \$50,” and  
12           insert:

13

14           penalties

15

16 **5.     Section 44 deleted**

17           Delete section 44.

18 **6.     Section 48 amended**

19           (1) In section 48:

20           (a) delete “If any” and insert:

21

22           (1) A person commits an offence if the  
23

- 1 (b) in paragraph (b) delete “railway;” and insert:  
2  
3 railway.  
4  
5 (c) delete paragraph (c);  
6 (d) delete the passage that begins with “he shall,” and  
7 continues to the end of the section and insert:  
8

9 Penalty for this subsection: a fine of \$200.  
10

11 (2) At the end of section 48 insert:  
12

- 13 (2) A person commits an offence if the person trespasses,  
14 or causes or procures a trespass, upon any part of a  
15 railway not being —  
16 (a) a station, platform or railway crossing; or  
17 (b) another part to which the public are allowed  
18 access by law.

19 Penalty for this subsection: a fine of \$5 000.  
20

21 **7. Section 53A amended**

22 After section 53A(4) insert:  
23

- 24 (4A) The modified penalty that may be prescribed under  
25 section 23(1)(ze) for an offence is not to exceed 20%  
26 of the maximum penalty that could be imposed for that  
27 offence by a court.  
28

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