

Acts Amendment (Bankruptcy) Bill 2009

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Western Australia

LEGISLATIVE ASSEMBLY

Acts Amendment (Bankruptcy) Bill 2009

A Bill for

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

The Parliament of Western Australia enacts as follows:

1

Part 1 — Preliminary

2

1. Short title

3

This is the *Acts Amendment (Bankruptcy) Act 2009*.

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 — Interpretation Act 1984 amended**

2 **3. Act amended**

3 This Part amends the *Interpretation Act 1984*.

4 **4. Section 5 amended**

5 In section 5 insert in alphabetical order:

6 ***bankrupt*** and ***bankrupt or a person whose affairs are***
7 ***under insolvency laws*** have the meanings given in
8 section 13D;
9
10

11 **5. Section 13D inserted**

12 After section 13C insert:

13
14 **13D. Meaning of “bankrupt” and related expression**

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

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

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

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

28 (c) the person has, as a debtor, entered into a
29 personal insolvency agreement under Part X of
30 the *Bankruptcy Act 1966* (Commonwealth) and

s. 5

1 obligations created by the agreement remain to
2 be discharged; or
3 (d) the person has not yet entered a personal
4 insolvency agreement under Part X of the
5 *Bankruptcy Act 1966* (Commonwealth) but has
6 authorised a controlling trustee to perform
7 functions under that Part,
8 or that the person has a substantially similar status
9 under a law applicable in a place where the *Bankruptcy*
10 *Act 1966* (Commonwealth) does not apply.
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Part 3 — Other Acts amended

6. *Aboriginal Affairs Planning Authority Act 1972* amended

(1) This section amends the *Aboriginal Affairs Planning Authority Act 1972*.

(2) In the First Schedule clause 2:

(a) delete paragraph (b) and insert:

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

(b) after paragraph (a) insert:

or

7. *Agricultural Produce Commission Act 1988* amended

(1) This section amends the *Agricultural Produce Commission Act 1988*.

(2) In the Schedule clause 4:

(a) delete paragraph (c) and “or” after it and insert:

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

(b) after each of paragraphs (a) and (b) insert:

or

s. 8

1 **8. *Alcohol and Drug Authority Act 1974* amended**

2 (1) This section amends the *Alcohol and Drug Authority Act 1974*.

3 (2) In section 10:

4 (a) delete paragraph (d) and insert:

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

9
10 (b) after each of paragraphs (a) to (c) and (e) and (f) insert:

11
12 or

13
14 **9. *Animal Resources Authority Act 1981* amended**

15 (1) This section amends the *Animal Resources Authority Act 1981*.

16 (2) In the Schedule clause 2(2):

17 (a) delete paragraph (b) and “or” after it and insert:

18
19 (b) if he is, according to the *Interpretation Act 1984*
20 section 13D, a bankrupt or a person whose affairs
21 are under insolvency laws; or

22
23 (b) after paragraph (a) insert:

24
25 or

26
27 **10. *Anzac Day Act 1960* amended**

28 (1) This section amends the *Anzac Day Act 1960*.

- 1 (2) In section 13:
2 (a) delete paragraphs (a) and (b) and insert:
3
4 (a) if the person is, or has at any time within the
5 previous 6 years been, according to the
6 *Interpretation Act 1984* section 13D, a bankrupt
7 or a person whose affairs are under insolvency
8 laws; or
9 (b) if at any time that was within the previous
10 6 years and was before this section was
11 amended by the *Acts Amendment (Bankruptcy)*
12 *Act 2009* section 10 the person was ineligible
13 under paragraph (b) of this section as in force
14 before the amendment; or
15
16 (b) after paragraph (c) insert:
17
18 or
19
20 (3) In section 14(2) delete “becomes bankrupt” and insert:
21
22 would be ineligible under section 13(a) or (b) for
23 appointment
24
25 **11. *Betting Control Act 1954* amended**
26 (1) This section amends the *Betting Control Act 1954*.
27 (2) Delete section 11A(4)(b) and insert:
28
29 (b) is, according to the *Interpretation Act 1984*
30 section 13D, a bankrupt.
31

s. 12

- 1 (3) Delete section 11B(3)(b) and insert:
2
3 (b) is, according to the *Interpretation Act 1984*
4 section 13D, a bankrupt.
5
- 6 (4) Delete section 11B(5)(e) and insert:
7
8 (e) the person is not, according to the
9 *Interpretation Act 1984* section 13D, a
10 bankrupt.
11
- 12 (5) Delete section 11C(1)(b)(v) and insert:
13
14 (v) is, according to the *Interpretation*
15 *Act 1984* section 13D, a bankrupt;
16
- 17 (6) In section 11C(3)(f) delete “is not an undischarged bankrupt;”
18 and insert:
19
20 is not, according to the *Interpretation Act 1984*
21 section 13D, a bankrupt;
22
- 23 **12. *Bills of Sale Act 1899* amended**
- 24 (1) This section amends the *Bills of Sale Act 1899*.
- 25 (2) In section 25(1):
26 (a) in paragraph (b) delete “any statutory deed of
27 assignment for the benefit of the creditors of the
28 grantor,” and insert:
29
30 a personal insolvency agreement,
31

- 1 (b) delete “such deed of assignment,” and insert:
2
3 the personal insolvency agreement,
4
5 (3) In section 31:
6 (a) delete “any statutory assignment,” and insert:
7
8 a personal insolvency agreement,
9
10 (b) delete “assignment for the benefit of creditors” and
11 insert:
12
13 personal insolvency agreement
14
15 (4) In the Eleventh Schedule clause 3 delete “make any statutory
16 assignment for the benefit of his creditors.” and insert:
17
18 enter into a personal insolvency agreement.
19

20 **13. *Builders’ Registration Act 1939* amended**

- 21 (1) This section amends the *Builders’ Registration Act 1939*.
22 (2) In section 5B(1):
23 (a) delete paragraph (c) and insert:
24
25 (c) is, according to the *Interpretation Act 1984*
26 section 13D, a bankrupt or a person whose
27 affairs are under insolvency laws; or
28
29 (b) after each of paragraphs (a), (b) and (d) insert:
30
31 or
32

s. 14

1 **14. Cemeteries Act 1986 amended**

2 (1) This section amends the *Cemeteries Act 1986*.

3 (2) In Schedule 1 clause 2:

4 (a) delete paragraph (b) and insert:

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

9
10 (b) after paragraph (a) insert:

11

12 or

13

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

16 (1) This section amends the *Coal Industry Tribunal of Western*
17 *Australia Act 1992*.

18 (2) In section 9(2):

19 (a) delete paragraph (c) and “or” after it and insert:

20

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

24

25 (b) after each of paragraphs (a) and (b) insert:

26

27 or

28

29 **16. Coal Miners’ Welfare Act 1947 amended**

30 (1) This section amends the *Coal Miners’ Welfare Act 1947*.

- 1 (2) In section 11:
2 (a) delete paragraph (d) and “or” after it and insert:
3
4 (d) is, according to the *Interpretation Act 1984*
5 section 13D, a bankrupt or a person whose
6 affairs are under insolvency laws; or
7
8 (b) after each of paragraphs (a), (b) and (c) insert:
9
10 or
11
12 (c) after paragraph (c)(i) insert:
13
14 or
15

16 **17. *Commissioner for Children and Young People Act 2006***
17 **amended**

- 18 (1) This section amends the *Commissioner for Children and Young*
19 *People Act 2006*.
20 (2) In section 8(2):
21 (a) delete paragraph (c) and “or” after it and insert:
22
23 (c) is, according to the *Interpretation Act 1984*
24 section 13D, a bankrupt or a person whose
25 affairs are under insolvency laws; or
26
27 (b) after each of paragraphs (a) and (b) insert:
28
29 or
30

31 **18. *Companies (Co-operative) Act 1943* amended**

- 32 (1) This section amends the *Companies (Co-operative) Act 1943*.

s. 18

- 1 (2) In section 3 delete the definition of *Bankruptcy* and *bankrupt*
2 and insert:

3

4 *Bankrupt* has the meaning that the *Interpretation*
5 *Act 1984* section 13D gives to the term “bankrupt or a
6 person whose affairs are under insolvency laws”.

7

- 8 (3) In section 211(5) delete “bankrupt, or compounds or arranges
9 with his creditors,” and insert:

10

11 bankrupt

12

- 13 (4) Delete the Second Schedule Table A item 73(c) and “or” after it
14 and insert:

15

16 (c) becomes bankrupt; or

17

- 18 (5) In the Eleventh Schedule rule 8 of the rules under the heading
19 “Rules for Proceedings for Winding-up Companies by Order of
20 the Court” delete “bankrupt, or assigned their estate for the benefit
21 of, or compounded with, their creditors;” and insert:

22

23 bankrupt;

24

- 25 (6) In the Eleventh Schedule rule 7 of the rules under the heading
26 “Rules for meetings of creditors, contributories, or shareholders
27 of a company under liquidation.” delete “bankrupt or made an
28 assignment for the benefit of or compounded with his creditors,” and
29 insert:

30

31 bankrupt,

32

1 **19. *Conservation and Land Management Act 1984* amended**

2 (1) This section amends the *Conservation and Land Management*
3 *Act 1984*.

4 (2) In the Schedule clause 2:

5 (a) delete paragraph (b) and “or” after it and insert:

6

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

10

11 (b) after paragraph (a) insert:

12

13 or

14

15 **20. *Constitution Acts Amendment Act 1899* amended**

16 (1) This section amends the *Constitution Acts Amendment Act 1899*.

17 (2) In section 38(d) delete “assignment, composition,” and insert:

18

19 entering into a personal insolvency agreement

20

21 **21. *Construction Industry Portable Paid Long Service Leave***
22 ***Act 1985* amended**

23 (1) This section amends the *Construction Industry Portable Paid*
24 *Long Service Leave Act 1985*.

25 (2) In section 8(2):

26 (a) delete paragraph (a) and insert:

27

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

31

s. 22

1 (b) after each of paragraphs (b) to (e) insert:

2

3 or

4

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

6 (1) This section amends the *Control of Vehicles (Off-road Areas)*
7 *Act 1978*.

8 (2) In section 21(15):

9 (a) delete paragraph (d) and “or” after it and insert:

10

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

14

15 (b) after each of paragraphs (a) to (c) insert:

16

17 or

18

19 **23. *Corruption and Crime Commission Act 2003* amended**

20 (1) This section amends the *Corruption and Crime Commission*
21 *Act 2003*.

22 (2) In Schedule 2 clause 7:

23 (a) delete paragraph (d) and “or” after it and insert:

24

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

28

29 (b) after each of paragraphs (a) to (c) insert:

30

31 or

32

- 1 (3) In Schedule 3 clause 7:
2 (a) delete paragraph (c) and “or” after it and insert:
3
4 (c) becomes, according to the *Interpretation Act 1984*
5 section 13D, a bankrupt or a person whose affairs
6 are under insolvency laws; or
7
8 (b) after each of paragraphs (a) and (b) insert:
9
10 or
11
- 12 **24. *Country High School Hostels Authority Act 1960* amended**
- 13 (1) This section amends the *Country High School Hostels Authority*
14 *Act 1960*.
- 15 (2) In section 5(5):
16 (a) delete paragraph (a) and insert:
17
18 (a) becomes, according to the *Interpretation*
19 *Act 1984* section 13D, a bankrupt or a person
20 whose affairs are under insolvency laws; or
21
22 (b) after each of paragraphs (b) to (e) insert:
23
24 or
- 25 **25. *Credit (Administration) Act 1984* amended**
- 26 (1) This section amends the *Credit (Administration) Act 1984*.
- 27 (2) In section 12(2):
28 (a) delete paragraph (c) and insert:
29
30 (c) is, according to the *Interpretation Act 1984*
31 section 13D, a bankrupt; or
32

s. 26

1 (b) after each of paragraphs (a), (b), (d) and (e) insert:

2

3 or

4

5 **26. *The Criminal Code* amended**

6 (1) This section amends *The Criminal Code*.

7 (2) In section 546(1) delete “deed of arrangement,” and insert:

8

9 personal insolvency agreement,

10

11 (3) In section 546(3) delete “deed of arrangement,” and insert:

12

13 personal insolvency agreement,

14

15 **27. *Criminal Property Confiscation Act 2000* amended**

16 (1) This section amends the *Criminal Property Confiscation*
17 *Act 2000*.

18 (2) In section 124(1)(d) delete “becomes bankrupt;” and insert:

19

20 becomes, according to the *Interpretation*
21 *Act 1984* section 13D, a bankrupt;

22

23 **28. *Curtin University of Technology Act 1966* amended**

24 (1) This section amends the *Curtin University of Technology*
25 *Act 1966*.

- 1 (2) In section 10:
2 (a) delete paragraph (d) and insert:
3
4 (d) is, according to the *Interpretation Act 1984*
5 section 13D, a bankrupt or a person whose
6 affairs are under insolvency laws; or
7
8 (b) after each of paragraphs (a) to (c) and (e) to (eb) insert:
9
10 or
11
12 (c) after each of paragraph (g)(i) and (ii) insert:
13
14 or
15
16 (3) In section 21E:
17 (a) delete paragraph (d) and insert:
18
19 (d) he is, according to the *Interpretation Act 1984*
20 section 13D, a bankrupt or a person whose
21 affairs are under insolvency laws; or
22
23 (b) after each of paragraphs (a) to (c) and (e) insert:
24
25 or
26
27 (4) In Schedule 2 clause 4:
28 (a) delete paragraph (b) and insert:
29
30 (b) is, according to the *Interpretation Act 1984*
31 section 13D, a bankrupt or a person whose affairs
32 are under insolvency laws; or
33

s. 29

1 (b) after each of paragraphs (a) and (c) to (e) insert:

2

3 or

4

5 **29. *Dental Act 1939* amended**

6 (1) This section amends the *Dental Act 1939*.

7 (2) In section 10 delete “has his affairs under liquidation or is an
8 undischarged bankrupt or insolvent,” and insert:

9

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

14 **30. *Dental Prosthetists Act 1985* amended**

15 (1) This section amends the *Dental Prosthetists Act 1985*.

16 (2) In section 8(2):

17 (a) delete paragraph (a) and insert:

18

19 (a) is, according to the *Interpretation Act 1984*
20 section 13D, a bankrupt or a person whose
21 affairs are under insolvency laws; or
22

23 (b) after paragraph (b) insert:

24

25 or

26

27 **31. *Director of Public Prosecutions Act 1991* amended**

28 (1) This section amends the *Director of Public Prosecutions*
29 *Act 1991*.

- 1 (2) In Schedule 1 clause 6(1):
2 (a) delete paragraph (b) and insert:
3
4 (b) if the Director is, according to the *Interpretation*
5 *Act 1984* section 13D, a bankrupt or a person whose
6 affairs are under insolvency laws.
7
8 (b) after paragraph (a) insert:
9
10 or

11 **32. *East Perth Redevelopment Act 1991* amended**

- 12 (1) This section amends the *East Perth Redevelopment Act 1991*.
13 (2) In Schedule 2 clause 2:
14 (a) delete paragraph (b) and insert:
15
16 (b) is, according to the *Interpretation Act 1984*
17 section 13D, a bankrupt or a person whose affairs
18 are under insolvency laws; or
19
20 (b) after paragraph (a) insert:
21
22 or
23

24 **33. *Edith Cowan University Act 1984* amended**

- 25 (1) This section amends the *Edith Cowan University Act 1984*.
26 (2) In section 11:
27 (a) delete paragraph (d) and insert:
28
29 (d) he is, according to the *Interpretation Act 1984*
30 section 13D, a bankrupt or a person whose
31 affairs are under insolvency laws; or
32

s. 34

1 (b) after each of paragraphs (a) to (c) and (e) to (eb) insert:

2

3 or

4

5 **34. *Electoral Act 1907* amended**

6 (1) This section amends the *Electoral Act 1907*.

7 (2) In section 5C(2):

8 (a) delete paragraph (c) and “or” after it and insert:

9

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

13

14 (b) after each of paragraphs (a) and (b) insert:

15

16 or

17

18 **35. *Environmental Protection Act 1986* amended**

19 (1) This section amends the *Environmental Protection Act 1986*.

20 (2) In Schedule 7 clause 3(2) delete paragraph (b) and insert:

21

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

25

1 **36. *Equal Opportunity Act 1984* amended**

2 (1) This section amends the *Equal Opportunity Act 1984*.

3 (2) In section 76(2):

4 (a) delete paragraph (c) and insert:

5
6 (c) is, according to the *Interpretation Act 1984*
7 section 13D, a bankrupt or a person whose
8 affairs are under insolvency laws.

9
10 (b) after paragraph (a) insert:

11

12 or

13

14 **37. *Fisheries Adjustment Schemes Act 1987* amended**

15 (1) This section amends the *Fisheries Adjustment Schemes*
16 *Act 1987*.

17 (2) In Schedule 1 clause 1:

18 (a) delete paragraph (b) and insert:

19

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

23

24 (b) after paragraph (a) insert:

25

26 or

27

28 **38. *Guardianship and Administration Act 1990* amended**

29 (1) This section amends the *Guardianship and Administration*
30 *Act 1990*.

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- 1 (2) In section 85(1):
2 (a) delete paragraph (e) and “or” after it and insert:
3
4 (e) is, according to the *Interpretation Act 1984*
5 section 13D, a bankrupt or a person whose
6 affairs are under insolvency laws; or
7
8 (b) after each of paragraphs (a) to (d) insert:
9
10 or
11
12 (3) In section 92(1):
13 (a) delete paragraph (b) and “or” after it and insert:
14
15 (b) is, according to the *Interpretation Act 1984*
16 section 13D, a bankrupt or a person whose
17 affairs are under insolvency laws; or
18
19 (b) after paragraph (a) insert:
20
21 or
22
23 **39. *Hairdressers Registration Act 1946* amended**
24 (1) This section amends the *Hairdressers Registration Act 1946*.
25 (2) In section 5(10) delete “becomes bankrupt or compounds with
26 his creditors” and insert:
27
28 becomes, according to the *Interpretation Act 1984*
29 section 13D, a bankrupt or a person whose affairs are
30 under insolvency laws
31

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

2 (1) This section amends the *Health Services (Conciliation and*
3 *Review) Act 1995*.

4 (2) In Schedule 2 clause 5(1) delete paragraph (b) and insert:

5
6 (b) if the Director is, according to the *Interpretation*
7 *Act 1984* section 13D, a bankrupt or a person whose
8 affairs are under insolvency laws.
9

10 **41. *Heritage of Western Australia Act 1990* amended**

11 (1) This section amends the *Heritage of Western Australia*
12 *Act 1990*.

13 (2) In section 20(3) delete paragraph (a) and insert:

14
15 (a) is, according to the *Interpretation Act 1984*
16 section 13D, a bankrupt or a person whose
17 affairs are under insolvency laws; or
18

19 **42. *Hire-Purchase Act 1959* amended**

20 (1) This section amends the *Hire-Purchase Act 1959*.

21 (2) In section 28(1)(h) delete “becomes bankrupt or commits an act
22 of bankruptcy or executes a deed of assignment or a deed of
23 arrangement” and insert:

24
25 becomes, according to the *Interpretation*
26 *Act 1984* section 13D, a bankrupt or a person
27 whose affairs are under insolvency laws or
28 commits an act of bankruptcy
29

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1 **43. *Hospitals and Health Services Act 1927* amended**

2 (1) This section amends the *Hospitals and Health Services*
3 *Act 1927*.

4 (2) In the Schedule clause 2:

5 (a) delete paragraph (b) and insert:

6
7 (b) is, according to the *Interpretation Act 1984*
8 section 13D, a bankrupt or a person whose affairs
9 are under insolvency laws; or

10

11 (b) after paragraph (a) insert:

12

13 or

14

15 **44. *Human Reproductive Technology Act 1991* amended**

16 (1) This section amends the *Human Reproductive Technology*
17 *Act 1991*.

18 (2) In section 29(4) delete paragraph (a) and insert:

19

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

23

24 (3) In the Schedule clause 5(1):

25 (a) delete paragraph (b) and insert:

26

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

30

1 (b) after paragraph (a) insert:

2

3 or

4

5 **45. *Industrial Relations Act 1979* amended**

6 (1) This section amends the *Industrial Relations Act 1979*.

7 (2) In section 80O(5):

8 (a) delete paragraph (c) and insert:

9

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

13

14 (b) after each of paragraphs (a) and (b) insert:

15

16 or

17

18 **46. *Inspector of Custodial Services Act 2003* amended**

19 (1) This section amends the *Inspector of Custodial Services*
20 *Act 2003*.

21 (2) In section 9(1) delete paragraph (b) and insert:

22

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

27

28 **47. *Insurance Commission of Western Australia Act 1986***
29 **amended**

30 (1) This section amends the *Insurance Commission of Western*
31 *Australia Act 1986*.

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- 1 (2) In Schedule 1 clause 2(4):
2 (a) delete paragraph (b) and “or” after it and insert:
3
4 (b) if he is, according to the *Interpretation Act 1984*
5 section 13D, a bankrupt or a person whose affairs
6 are under insolvency laws; or
7
8 (b) after paragraph (a) insert:
9
10 or
11
12 (3) In Schedule 2 clause 2(4):
13 (a) delete paragraph (b) and “or” after it and insert:
14
15 (b) if he is, according to the *Interpretation Act 1984*
16 section 13D, a bankrupt or a person whose affairs
17 are under insolvency laws; or
18
19 (b) after paragraph (a) insert:
20
21 or
22
23 **48. *Land Administration Act 1997* amended**
24 (1) This section amends the *Land Administration Act 1997*.
25 (2) In section 172(7)(j) delete “deed of assignment or deed of
26 arrangement” and insert:
27
28 personal insolvency agreement
29
30 **49. *Land Valuers Licensing Act 1978* amended**
31 (1) This section amends the *Land Valuers Licensing Act 1978*.

- 1 (2) In section 7(4):
2 (a) delete paragraph (c) and insert:
3
4 (c) he is, according to the *Interpretation Act 1984*
5 section 13D, a bankrupt or a person whose
6 affairs are under insolvency laws; or
7
8 (b) after each of paragraphs (a), (b), (d) and (e) insert:
9
10 or
11

12 **50. *Legal Aid Commission Act 1976* amended**

- 13 (1) This section amends the *Legal Aid Commission Act 1976*.
14 (2) In section 8(5):
15 (a) delete paragraph (a) and insert:
16
17 (a) is, according to the *Interpretation Act 1984*
18 section 13D, a bankrupt or a person whose
19 affairs are under insolvency laws; or
20
21 (b) after paragraph (b) insert:
22
23 or
24

25 **51. *Liquor Control Act 1988* amended**

- 26 (1) This section amends the *Liquor Control Act 1988*.
27 (2) In section 34(2)(a):
28 (a) delete subparagraph (i) and insert:
29
30 (i) is, according to the *Interpretation*
31 *Act 1984* section 13D, a bankrupt or a

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1 person whose affairs are under
2 insolvency laws; or

3

4 (b) after each of subparagraphs (ii) and (iii) insert:

5

6 or

7

8 **52. *Litter Act 1979* amended**

9 (1) This section amends the *Litter Act 1979*.

10 (2) Delete the First Schedule clause 1(3)(a) and insert:

11

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

15

16 **53. *Local Government Grants Act 1978* amended**

17 (1) This section amends the *Local Government Grants Act 1978*.

18 (2) In section 6(2):

19 (a) delete paragraph (d) and insert:

20

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

24

25 (b) after each of paragraphs (a) to (c) insert:

26

27 or

28

1 **54. *Lotteries Commission Act 1990* amended**

2 (1) This section amends the *Lotteries Commission Act 1990*.

3 (2) In Schedule 1 clause 2:

4 (a) delete paragraph (c) and “or” after it and insert:

5
6 (c) is, according to the *Interpretation Act 1984*
7 section 13D, a bankrupt or a person whose affairs
8 are under insolvency laws; or
9

10 (b) after each of paragraphs (a) and (b) insert:

11
12 or
13

14 **55. *Magistrates Court Act 2004* amended**

15 (1) This section amends the *Magistrates Court Act 2004*.

16 (2) In Schedule 1 clause 14(1):

17 (a) delete paragraph (d) and insert:

18
19 (d) is, according to the *Interpretation Act 1984*
20 section 13D, a bankrupt or a person whose affairs
21 are under insolvency laws.
22

23 (b) after each of paragraphs (a) to (c) insert:

24
25 or
26

27 **56. *Midland Redevelopment Act 1999* amended**

28 (1) This section amends the *Midland Redevelopment Act 1999*.

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- 1 (2) In Schedule 2 clause 2:
2 (a) delete paragraph (b) and insert:
3
4 (b) is, according to the *Interpretation Act 1984*
5 section 13D, a bankrupt or a person whose affairs
6 are under insolvency laws; or
7
8 (b) after paragraph (a) insert:
9
10 or

11 **57. *Motor Vehicle Dealers Act 1973* amended**

- 12 (1) This section amends the *Motor Vehicle Dealers Act 1973*.
13 (2) In section 9(2):
14 (a) delete paragraph (a) and insert:
15
16 (a) is, according to the *Interpretation Act 1984*
17 section 13D, a bankrupt or a person whose
18 affairs are under insolvency laws; or
19
20 (b) after each of paragraphs (b) and (c) insert:
21
22 or

23 **58. *Murdoch University Act 1973* amended**

- 24 (1) This section amends the *Murdoch University Act 1973*.
25 (2) In section 15(3):
26 (a) delete paragraph (b) and insert:
27
28 (b) is, according to the *Interpretation Act 1984*
29 section 13D, a bankrupt or a person whose
30 affairs are under insolvency laws; or
31

1 (b) after each of paragraphs (a) and (c) insert:

2

3 or

4 **59. *National Environment Protection Council (Western Australia)***
5 ***Act 1996* amended**

6 (1) This section amends the *National Environment Protection*
7 *Council (Western Australia) Act 1996*.

8 (2) In section 45(2):

9 (a) delete paragraph (c) and insert:

10

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

14

15 (b) after each of paragraphs (a) and (b) insert:

16

17 or

18 **60. *Occupational Safety and Health Act 1984* amended**

19 (1) This section amends the *Occupational Safety and Health*
20 *Act 1984*.

21 (2) In section 10(b):

22 (a) delete subparagraph (iv) and insert:

23

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

28

29 (b) after each of subparagraphs (i) to (iii) insert:

30

31 or

32

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1 **61. *Painters' Registration Act 1961* amended**

2 (1) This section amends the *Painters' Registration Act 1961*.

3 (2) In section 7(3) delete “becomes bankrupt or compounds with his
4 creditors” and insert:

5
6 becomes, according to the *Interpretation Act 1984*
7 section 13D, a bankrupt or a person whose affairs are
8 under insolvency laws
9

10 **62. *Parliamentary Commissioner Act 1971* amended**

11 (1) This section amends the *Parliamentary Commissioner Act 1971*.

12 (2) In section 6(2):

13 (a) delete paragraph (c) and “or” after it and insert:

14
15 (c) is, according to the *Interpretation Act 1984*
16 section 13D, a bankrupt or a person whose
17 affairs are under insolvency laws; or
18

19 (b) after each of paragraphs (a) and (b) insert:

20

21 or
22

23 **63. *Partnership Act 1895* amended**

24 (1) This section amends the *Partnership Act 1895*.

25 (2) In section 9 delete “any arrangement or composition with his
26 creditors,” and insert:

27

28 a personal insolvency agreement under Part X of the
29 *Bankruptcy Act 1966* (Commonwealth) as a debtor,
30

31 **64. *Perth Market Act 1926* amended**

32 (1) This section amends the *Perth Market Act 1926*.

- 1 (2) Delete section 7(b) and “or” after it and insert:
2
3 (b) if he is, according to the *Interpretation*
4 *Act 1984* section 13D, a bankrupt or a person
5 whose affairs are under insolvency laws; or
6

7 **65. *Perth Theatre Trust Act 1979* amended**

- 8 (1) This section amends the *Perth Theatre Trust Act 1979*.
9 (2) In section 6(1):
10 (a) delete paragraph (f) and “or” after it and insert:
11
12 (f) he is, according to the *Interpretation Act 1984*
13 section 13D, a bankrupt or a person whose
14 affairs are under insolvency laws; or
15
16 (b) after each of paragraphs (a) to (e) insert:
17
18 or
19

20 **66. *Petroleum Products Pricing Act 1983* amended**

- 21 (1) This section amends the *Petroleum Products Pricing Act 1983*.
22 (2) In section 9(2):
23 (a) delete paragraph (a) and insert:
24
25 (a) is, according to the *Interpretation Act 1984*
26 section 13D, a bankrupt or a person whose
27 affairs are under insolvency laws; or
28
29 (b) after paragraph (b) insert:
30
31 or
32

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1 **67. Poisons Act 1964 amended**

2 (1) This section amends the *Poisons Act 1964*.

3 (2) In section 11(1):

4 (a) delete paragraph (a) and insert:

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

9
10 (b) after each of paragraphs (b) to (f) insert:

11

12 or

13

14 **68. Police Act 1892 amended**

15 (1) This section amends the *Police Act 1892*.

16 (2) Delete section 29 and insert:

17

18 **29. Forfeiture of office for financial difficulty**

19 A person who is a member of the Force forfeits the
20 person's office as a member of the Force if the person
21 is, according to the *Interpretation Act 1984*
22 section 13D, a bankrupt or a person whose affairs are
23 under insolvency laws.
24

25 **69. Professional Combat Sports Act 1987 amended**

26 (1) This section amends the *Professional Combat Sports Act 1987*.

- 1 (2) In section 5(1):
2 (a) delete paragraph (d) and insert:
3
4 (d) the member is, according to the *Interpretation*
5 *Act 1984* section 13D, a bankrupt or a person
6 whose affairs are under insolvency laws; or
7
8 (b) after each of paragraphs (a) to (c) and (e) insert:
9
10 or
11

12 **70. Professional Standards Act 1997 amended**

- 13 (1) This section amends the *Professional Standards Act 1997*.
14 (2) In Schedule 1 clause 5(1):
15 (a) delete paragraph (f) and insert:
16
17 (f) is, according to the *Interpretation Act 1984*
18 section 13D, a bankrupt or a person whose affairs
19 are under insolvency laws; or
20
21 (b) after each of paragraphs (a) to (e) insert:
22
23 or
24

25 **71. Public Sector Management Act 1994 amended**

- 26 (1) This section amends the *Public Sector Management Act 1994*.
27 (2) In section 18(4):
28 (a) delete paragraph (c) and “or” after it and insert:
29
30 (c) is, according to the *Interpretation Act 1984*
31 section 13D, a bankrupt or a person whose
32 affairs are under insolvency laws; or
33

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1 (b) after each of paragraphs (a) and (b) insert:

2

3 or

4

5 **72. *Racing Penalties (Appeals) Act 1990* amended**

6 (1) This section amends the *Racing Penalties (Appeals) Act 1990*.

7 (2) In the Schedule clause 4:

8 (a) delete paragraph (b) and “or” after it and insert:

9

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

13

14 (b) after paragraph (a) insert:

15

16 or

17

18 (c) after each of paragraph (a)(i) and (ii) insert:

19

20 or

21

22 **73. *Radiation Safety Act 1975* amended**

23 (1) This section amends the *Radiation Safety Act 1975*.

24 (2) In section 14(4):

25 (a) delete paragraph (b) and insert:

26

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

30

1 (b) after paragraph (a) insert:

2

3 or

4

5 **74. *Real Estate and Business Agents Act 1978* amended**

6 (1) This section amends the *Real Estate and Business Agents*
7 *Act 1978*.

8 (2) In section 8(4):

9 (a) delete paragraph (a) and insert:

10

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

14

15 (b) after each of paragraphs (b) and (c) insert:

16

17 or

18

19 **75. *Retail Trading Hours Act 1987* amended**

20 (1) This section amends the *Retail Trading Hours Act 1987*.

21 (2) In section 19(1):

22 (a) delete paragraph (b) and insert:

23

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

27

28 (b) after paragraph (a) insert:

29

30 or

31

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1 **76. Road Safety Council Act 2002 amended**

2 (1) This section amends the *Road Safety Council Act 2002*.

3 (2) In section 9(3):

4 (a) delete paragraph (c) and insert:

5
6 (c) is, according to the *Interpretation Act 1984*
7 section 13D, a bankrupt or a person whose
8 affairs are under insolvency laws.

9
10 (b) after paragraph (a) insert:

11

12 or

13

14 **77. Rottnest Island Authority Act 1987 amended**

15 (1) This section amends the *Rottnest Island Authority Act 1987*.

16 (2) In Schedule 1 clause 2:

17 (a) delete paragraph (b) and “or” after it and insert:

18

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

22

23 (b) after paragraph (a) insert:

24

25 or

26

27 **78. Salaries and Allowances Act 1975 amended**

28 (1) This section amends the *Salaries and Allowances Act 1975*.

- 1 (2) Delete section 5(4)(a) and insert:
2
3 (a) is, according to the *Interpretation Act 1984*
4 section 13D, a bankrupt or a person whose
5 affairs are under insolvency laws; or

6 **79. *Securities Industry Act 1975* amended**

- 7 (1) This section amends the *Securities Industry Act 1975*.
8 (2) In section 46(1):
9 (a) delete paragraph (a)(i) and insert:
10
11 (i) is, according to the *Interpretation*
12 *Act 1984* section 13D, a bankrupt or a
13 person whose affairs are under
14 insolvency laws; or
15

- 16 (b) after paragraph (b)(i) insert:
17

18 or
19

- 20 (c) after each of paragraphs (a) and (b) insert:
21

22 or
23

24 **80. *Settlement Agents Act 1981* amended**

- 25 (1) This section amends the *Settlement Agents Act 1981*.

- 26 (2) In section 7(5):

- 27 (a) delete paragraph (a) and insert:
28

- 29 (a) is, according to the *Interpretation Act 1984*
30 section 13D, a bankrupt or a person whose
31 affairs are under insolvency laws; or
32

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1 (b) after each of paragraphs (b) and (c) insert:

2

3 or

4

5 **81. *Small Business Development Corporation Act 1983* amended**

6 (1) This section amends the *Small Business Development*
7 *Corporation Act 1983*.

8 (2) In section 5(5):

9 (a) delete paragraph (a) and insert:

10

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

14

15 (b) after paragraph (b) insert:

16

17 or

18

19 **82. *Solicitor-General Act 1969* amended**

20 (1) This section amends the *Solicitor-General Act 1969*.

21 (2) In section 7:

22 (a) delete paragraph (c) and insert:

23

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

27

28 (b) after paragraph (a) insert:

29

30 or

31

1 **83. *Subiaco Redevelopment Act 1994* amended**

2 (1) This section amends the *Subiaco Redevelopment Act 1994*.

3 (2) In Schedule 2 clause 2:

4 (a) delete paragraph (b) and insert:

5 (b) is, according to the *Interpretation Act 1984*
6 section 13D, a bankrupt or a person whose affairs
7 are under insolvency laws; or
8

9
10 (b) after each of paragraphs (a) and (c) insert:

11
12 or
13

14 **84. *Swan Valley Planning Act 1995* amended**

15 (1) This section amends the *Swan Valley Planning Act 1995*.

16 (2) In Schedule 1 clause 2(1):

17 (a) delete paragraph (b) and “or” after it and insert:

18 (b) he or she is, according to the *Interpretation*
19 *Act 1984* section 13D, a bankrupt or a person whose
20 affairs are under insolvency laws; or
21

22
23 (b) after paragraph (a) insert:

24
25 or
26

27 **85. *Uniting Church in Australia Act 1976* amended**

28 (1) This section amends the *Uniting Church in Australia Act 1976*.

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- 1 (2) In section 15:
2 (a) delete paragraph (c) and insert:
3
4 (c) is, according to the *Interpretation Act 1984*
5 section 13D, a bankrupt or a person whose
6 affairs are under insolvency laws; or
7
8 (b) after each of paragraphs (a), (b), (d) and (e) insert:
9
10 or
11

12 **86. *University of Western Australia Act 1911* amended**

- 13 (1) This section amends the *University of Western Australia*
14 *Act 1911*.
15 (2) In section 11:
16 (a) delete paragraphs (b) and (c), and “or” after each of
17 them, and insert:
18
19 (c) is, according to the *Interpretation Act 1984*
20 section 13D, a bankrupt or a person whose
21 affairs are under insolvency laws; or
22
23 (b) after each of paragraphs (ca) and (cb) insert:
24
25 or
26

27 **87. *Veterinary Surgeons Act 1960* amended**

- 28 (1) This section amends the *Veterinary Surgeons Act 1960*.

- 1 (2) In section 10:
2 (a) delete paragraph (a) and insert:
3
4 (a) is, according to the *Interpretation Act 1984*
5 section 13D, a bankrupt or a person whose
6 affairs are under insolvency laws; or
7
8 (b) after each of paragraphs (b) to (e) insert:
9
10 or
11
- 12 **88. Vocational Education and Training Act 1996 amended**
- 13 (1) This section amends the *Vocational Education and Training*
14 *Act 1996*.
- 15 (2) In Schedule 1 clause 1(1):
16 (a) delete paragraph (c) and insert:
17
18 (c) the member is, according to the *Interpretation*
19 *Act 1984* section 13D, a bankrupt or a person whose
20 affairs are under insolvency laws; or
21
22 (b) after each of paragraphs (a) and (b) insert:
23
24 or
25
- 26 **89. Water Boards Act 1904 amended**
- 27 (1) This section amends the *Water Boards Act 1904*.

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1 (2) In section 10(2) delete “having his affairs under liquidation by
2 arrangement with his creditors, or being an uncertified or
3 undischarged bankrupt,” and insert:

4
5 who is, according to the *Interpretation Act 1984*
6 section 13D, a bankrupt or a person whose affairs are
7 under insolvency laws,

8 **90. *Western Australian Coastal Shipping Commission Act 1965***
9 **amended**

10 (1) This section amends the *Western Australian Coastal Shipping*
11 *Commission Act 1965*.

12 (2) In section 11(1):

13 (a) delete paragraph (a) and insert:

14
15 (a) is, according to the *Interpretation Act 1984*
16 section 13D, a bankrupt or a person whose
17 affairs are under insolvency laws; or

18
19 (b) after paragraph (b) insert:

20
21 or

22 **91. *Western Australian Greyhound Racing Association Act 1981***
23 **amended**

24 (1) This section amends the *Western Australian Greyhound Racing*
25 *Association Act 1981*.

26 (2) In Schedule 1 clause 1(4):

27 (a) delete paragraph (c) and insert:

28
29 (c) he is, according to the *Interpretation Act 1984*
30 section 13D, a bankrupt or a person whose affairs
31 are under insolvency laws; or

32

1 (b) after each of paragraphs (a), (b) and (d) insert:

2

3 or

4

5 **92. *Western Australian Sports Centre Trust Act 1986* amended**

6 (1) This section amends the *Western Australian Sports Centre Trust*
7 *Act 1986*.

8 (2) In Schedule 1 clause 1 delete “is an undischarged bankrupt or a
9 person whose property is subject to an order or arrangement under the
10 laws relating to bankruptcy.” and insert:

11

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

15

16 (3) In Schedule 1 clause 4:

17 (a) delete paragraph (b) and insert:

18

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

22

23 (b) after each of paragraphs (a), (c) and (d) insert:

24

25 or

26

27 **93. *Western Australian Tourism Commission Act 1983* amended**

28 (1) This section amends the *Western Australian Tourism*
29 *Commission Act 1983*.

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- 1 (2) In section 5(5):
2 (a) delete paragraph (a) and insert:
3
4 (a) is, according to the *Interpretation Act 1984*
5 section 13D, a bankrupt or a person whose
6 affairs are under insolvency laws; or
7
8 (b) after paragraph (b) insert:
9
10 or
11

12 **94. *Workers' Compensation and Injury Management Act 1981***
13 **amended**

14 (1) This section amends the *Workers' Compensation and Injury*
15 *Management Act 1981*.

- 16 (2) In section 96(5):
17 (a) delete paragraph (a) and insert:
18
19 (a) is, according to the *Interpretation Act 1984*
20 section 13D, a bankrupt or a person whose
21 affairs are under insolvency laws; or
22
23 (b) after paragraph (b) insert:
24
25 or
26

27 **95. *Zoological Parks Authority Act 2001* amended**

28 (1) This section amends the *Zoological Parks Authority Act 2001*.

- 1 (2) In Schedule 2 clause 2(1):
2 (a) delete paragraph (b) and “or” after it and insert:
3
4 (b) is, according to the *Interpretation Act 1984*
5 section 13D, a bankrupt or a person whose affairs
6 are under insolvency laws; or
7
8 (b) after paragraph (a) insert:
9
10 or
11
12 (3) In Schedule 3 clause 8(1):
13 (a) delete paragraph (b) and insert:
14
15 (b) if the Chief Executive Officer is, according to the
16 *Interpretation Act 1984* section 13D, a bankrupt or
17 a person whose affairs are under insolvency laws.
18
19 (b) after paragraph (a) insert:
20
21 or
22
23
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