

Daylight Saving Bill 2006

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Western Australia

LEGISLATIVE ASSEMBLY

(Introduced by Mr D'Orazio, MLA)

Daylight Saving Bill 2006

A Bill for

**An Act to provide for daylight saving throughout the State of
Western Australia from 1 December 2006 and for related purposes.**

The Parliament of Western Australia enacts as follows:

Part 1 — Preliminary

1. Short title

This Act may be cited as the *Daylight Saving Act 2006*.

2. Commencement

5 The provisions of this Act shall come into operation on the day on which this Act receives the Royal Assent.

3. Interpretation

In this Act unless the contrary intention appears —

10 “**standard time**” means the time declared by the *Standard Time Act 2005* to be standard time throughout the State;

“**summer time**” means the time to be observed throughout the State as provided by sections 4 and 5;

“**the hour of 2 a.m.**” means that hour as determined by standard time.

Part 2 — Summer time

4. Initial period of daylight saving

5 Notwithstanding the *Standard Time Act 2005*, from the hour of 2 a.m. on 1 December 2006 until the hour of 2 a.m. on 25 March 2007 summer time shall, throughout the State, be one hour in advance of standard time and shall be observed accordingly.

5. Summer time to be one hour in advance every successive year

10 Following the initial period set out in section 4, notwithstanding the *Standard Time Act 2005*, from the hour of 2 a.m. on the last Sunday in October in each year until the hour of 2 a.m. on the last Sunday in March of the following year, summer time shall, throughout the State, be one hour in advance of standard time and shall be observed accordingly.

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6. Construction of expression of time in enactments, etc.

Notwithstanding anything contained in —

- (a) any enactment;
 - (b) any contract or agreement, whether made orally or in writing; or
 - (c) any deed or other instrument of any kind,
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25 in which any time or period of time is prescribed, specified, or stipulated as the time at which, or the period of time for which or during which, or any part of which the doing of any act, matter, or thing is required, permitted or forbidden, that time, period of time, or part of a period of time, as the case may be, shall, with respect to any period during which summer time is declared by this Act to be in advance of standard time, be held to be, and shall be determined by reference to, summer time unless the contrary is expressed, provided, or stipulated in that

30 enactment, contract, agreement, deed or instrument.

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7. Act not to affect use of standard time for certain purposes

- (1) Except as otherwise expressly provided in this Act, the *Standard Time Act 2005* is not affected by this Act.
- (2) Nothing in this Act affects the use of standard time for the purposes of astronomy, meteorology, or navigation, or the construction of any document mentioning or referring to a point of time in connection with any of those purposes.

8. Regulations as to trading hours, etc.

- (1) The Governor, on the recommendation of the Minister, may make regulations declaring —
- (a) the trading hours of any organization (however described) whose hours of trade are regulated under the *Retail Trading Hours Act 1987*;
 - (b) the hours of work of any employee (however described) whose hours of work are regulated under the *Industrial Relations Act 1979*;
 - (c) the trading hours of any person licensed under the *Liquor Licensing Act 1988*;
 - (d) the hours of operation of any school regulated under the *School Education Act 1999*; or
 - (e) such other matters as are, in the opinion of the Governor, necessary to be declared to moderate the effect of summer time.
- (2) Regulations made under subsection (1) in relation to trading hours, hours of work or hours of operation shall not —
- (a) increase or decrease those hours; or
 - (b) declare those hours to commence or terminate more than one hour after the time of commencement or termination prescribed under the relevant written law.

- (3) Regulations made under subsection (1) have effect —
- (a) in such region or area; and
 - (b) during such period,

5 as is specified in the regulations, but have no effect outside the period from the hour of 2 a.m. on the last Sunday in October in a year to the hour of 2 a.m. on the last Sunday in March of the following year.

- 10 (4) Regulations made under subsection (1) have effect according to their tenor notwithstanding any written law or other law, or any award or agreement, or any order or ruling of any court, tribunal, commission or body.

9. Expiry and Review of Act

- (1) This Act shall continue in force until 31 March 2009.
- 15 (2) After the expiry of this Act, the Parliament shall cause an investigation and review of this Act to be conducted, a report as to the operation and effectiveness of the Act to be prepared and presented to both Houses of Parliament by no later than 31 July 2009.

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