

## Statutes (Repeals and Minor Amendments) Bill 2001

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Western Australia

LEGISLATIVE COUNCIL

*(As amended in Committee)*

**Statutes (Repeals and Minor Amendments)  
Bill 2001**

**A Bill for**

**An Act to amend the statute law by repealing the following Acts —**

- *Camballin Farms (AIL Holdings Pty. Ltd.) Agreement Act 1985;*
- *Daylight Saving Act 1991;*
- *Esperance Lands Agreement Act 1960;*
- *Imperial Acts Adopting Act 1839;*
- *Iron Ore (The Broken Hill Proprietary Company Limited) Agreement Act 1964;*
- *Irrigation (Dunham River) Agreement Act 1968;*
- *Kalgoorlie Country Club (Inc.) Act 1982;*
- *Liquid Petroleum Gas Act 1956;*
- *Northern Developments (Ord River) Pty. Ltd. Agreement Act 1960;*
- *Northern Developments Pty Limited Agreement Act 1957;*
- *Northern Developments Pty. Limited Agreement Act 1969;*
- *Recording of Evidence Act 1975;*
- *Recording of Proceedings Act 1980;*
- *Recovery of Debts Amendment Ordinance 1865;*

- *Stock (Brands and Movement) Amendment Act 1987;*
  - *Tallering Peak-Mullewa Railway Act 1961;*
  - *The Broken Hill Proprietary Company Limited (Export of Iron Ore) Act 1965;*
  - *The Wild Cattle Nuisance Act 1871;*
  - *The Wild Cattle Nuisance Act 1871 Amendment Act 1878;*
  - *The Wild Cattle Nuisance Act 1871 Amendment Act 1883; and*
  - *Timber Industry Regulation Act 1926,*
- and by making minor amendments to various enactments, 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 *Statutes (Repeals and Minor Amendments) Act 2001*.

### **5 2. Commencement**

This Act comes into operation on the day on which it receives the Royal Assent.

## **Part 2 — Acts repealed**

**3. *Camballin Farms (AIL Holdings Pty. Ltd.) Agreement Act 1985 repealed and agreement terminated***

- 5 (1) The agreement ratified by section 4(1) of the *Camballin Farms (AIL Holdings Pty. Ltd.) Agreement Act 1985* is terminated.
- (2) The *Camballin Farms (AIL Holdings Pty. Ltd.) Agreement Act 1985* is repealed.

**4. *Daylight Saving Act 1991 repealed***

The *Daylight Saving Act 1991* is repealed.

10 **5. *Esperance Lands Agreement Act 1960 repealed***

The *Esperance Lands Agreement Act 1960* is repealed.

**6. *Imperial Acts Adopting Act 1839 repealed***

The *Imperial Acts Adopting Act 1839* is repealed.

15 **7. *Iron Ore (The Broken Hill Proprietary Company Limited) Agreement Act 1964 repealed***

The *Iron Ore (The Broken Hill Proprietary Company Limited) Agreement Act 1964* is repealed.

**8. *Irrigation (Dunham River) Agreement Act 1968 repealed***

The *Irrigation (Dunham River) Agreement Act 1968* is repealed.

20 **9. *Kalgoorlie Country Club (Inc.) Act 1982 repealed***

The *Kalgoorlie Country Club (Inc.) Act 1982* is repealed.

**10. *Liquid Petroleum Gas Act 1956 repealed, and consequential amendments to other Acts***

- (1) The *Liquid Petroleum Gas Act 1956* is repealed.

- (2) Section 51(3) of the *Dampier to Bunbury Pipeline Act 1997*\* is amended by deleting “or the *Liquid Petroleum Gas Act 1956*”.

[\* Reprinted as at 17 November 2000.]

- (3) The *Energy Coordination Act 1994*\* is amended as follows:

(a) in section 7(a) —

(i) after subparagraph (ii) by inserting —

“ and ”; and

(ii) by deleting subparagraph (iii) and “and” after it;

(b) in section 11Z by deleting “and the *Liquid Petroleum Gas Act 1956*”.

[\* Reprinted as at 5 May 2000.]

- (4) Section 63(ea) of the *Explosives and Dangerous Goods Act 1961*\* is amended by deleting “the *Liquid Petroleum Gas Act 1956*,”.

[\* Reprinted as at 25 February 2000.

For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 147.]

- (5) Section 5(1)(a) of the *Gas Standards Act 1972*\* is deleted.

[\* Reprinted as at 7 July 2000.]

**11. *Northern Developments (Ord River) Pty. Ltd. Agreement Act 1960* repealed**

The *Northern Developments (Ord River) Pty. Ltd. Agreement Act 1960* is repealed.

**12. *Northern Developments Pty Limited Agreement Act 1957* repealed**

The *Northern Developments Pty Limited Agreement Act 1957* is repealed.

**s. 13**

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**13. *Northern Developments Pty. Limited Agreement Act 1969* repealed**

The *Northern Developments Pty. Limited Agreement Act 1969* is repealed.

5     **14. *Recording of Evidence Act 1975* repealed**

The *Recording of Evidence Act 1975* is repealed.

**15. *Recording of Proceedings Act 1980* repealed**

The *Recording of Proceedings Act 1980* is repealed.

**16. *Recovery of Debts Amendment Ordinance 1865* repealed**

10     The *Recovery of Debts Amendment Ordinance 1865* is repealed.

**17. *Stock (Brands and Movement) Amendment Act 1987* repealed**

The *Stock (Brands and Movement) Amendment Act 1987* is repealed.

**18. *Tallering Peak-Mullewa Railway Act 1961* repealed**

15     The *Tallering Peak-Mullewa Railway Act 1961* is repealed.

**19. *The Broken Hill Proprietary Company Limited (Export of Iron Ore) Act 1965* repealed**

The *Broken Hill Proprietary Company Limited (Export of Iron Ore) Act 1965* is repealed.

20     **20. *The Wild Cattle Nuisance Act 1871* and amending Acts repealed**

(1) *The Wild Cattle Nuisance Act 1871* is repealed.

(2) *The Wild Cattle Nuisance Act 1871 Amendment Act 1878* is repealed.

- (3) *The Wild Cattle Nuisance Act 1871 Amendment Act 1883* is repealed.

**21. *Timber Industry Regulation Act 1926* repealed, and consequential amendments to other Acts**

- 5 (1) *The Timber Industry Regulation Act 1926* is repealed.
- (2) Section 119A of the *Conservation and Land Management Act 1984*\* is amended by deleting “sawmill registered under the *Timber Industry Regulation Act 1926*” and inserting instead —
- 10 “
- place where any operation for the purpose of preparing, treating or processing timber is carried on
- ”.

[\* *Reprinted as at 26 March 1999.*

15 *For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 75.]*

- (3) Section 62 of the *Forest Products Act 2000*\* is amended by deleting the definition of “sawmill” and inserting the following definition instead —
- 20 “

“**sawmill**” means a place where any operation for the purpose of preparing, treating or processing timber is carried on.

”.

[\* *Act No. 34 of 2000.*]

## **Part 3 — Acts amended**

### **Division 1 — Miscellaneous amendments**

**22. Acts Amendment (Fixed Odds Betting) Act 1999 amended**

5 Section 23(2) of the *Acts Amendment (Fixed Odds Betting) Act 1999*\* is amended by deleting “under” and inserting instead —

“ pursuant to ”.

[\* *Act No. 40 of 1999.*]

**23. Acts Amendment (Occupational Health, Safety and Welfare) Act 1987 amended**

10 Section 33(2) of the *Acts Amendment (Occupational Health, Safety and Welfare) Act 1987*\* is repealed.

[\* *Act No. 41 of 1987.*]

**24. Acts Amendment (Water Authorities) Act 1985 amended**

15 Sections 12, 30, 33, 68(a), 73 and 94(a) of the *Acts Amendment (Water Authorities) Act 1985*\* are repealed.

[\* *Act No. 110 of 1985.*]

**25. Agricultural Products Act 1929 amended**

20 Section 3F(3)(d) of the *Agricultural Products Act 1929*\* is amended by deleting “the body known as the Standards Association of Australia” and inserting instead —

“ Standards Australia ”.

[\* *Reprinted as at 5 March 1999.*]



**26.     *Agriculture and Related Resources Protection Act 1976*  
          **amended****

5           Section 7(1) of the *Agriculture and Related Resources Protection Act 1976*\* is amended in the definition of “Protection Board” after “Agriculture Protection Board” by inserting —  
          “     of Western Australia     ”.

          [\* Reprinted as at 15 October 1999.]

**27.     *Agriculture Protection Board Act 1950* **amended****

10           Section 3 of the *Agriculture Protection Board Act 1950*\* is amended in the definition of “Protection Board” after “Agriculture Protection Board” by inserting —  
          “     of Western Australia     ”.

          [\* Reprinted as at 3 September 1999.]

**28.     *Anti-Corruption Commission Act 1988* **amended****

15           (1)   The amendments in this section are to the *Anti-Corruption Commission Act 1988*\*.

          [\* Reprinted as at 1 November 1996.

*For subsequent amendments see 2000 Index to Legislation of Western Australia, Table I, p. 24.]*

20           (2)   Section 5(10) is amended after “period of” by deleting “more than”.

          (3)   Section 6(8) is amended by deleting “section (6).” and inserting instead —

          “     subsection (6).     ”.

**29. *Bail Act 1982* amended**

Section 49(1)(e) of the *Bail Act 1982*\* is amended by deleting “paragraph (c)(i),” and inserting instead —

“ paragraph (c), ”.

5 [\* Reprinted as at 27 August 1999.  
For subsequent amendments see 2000 Index to Legislation of  
Western Australia, Table 1, p. 32.]

**30. *British Imperial Oil Company, Limited (Private) Act 1925*  
amended**

10 Section 3 of the *British Imperial Oil Company, Limited*  
(*Private*) *Act 1925*\* is amended after “*Port Authorities*  
*Act 1999*” by deleting the full stop.

[\* *Act No. 16° Geo. V Private Act.*  
For subsequent amendments see 2000 Index to Legislation of  
15 Western Australia, Table 1, p. 41.]

**31. *Business Names Act 1962* amended**

(1) The amendments in this section are to the *Business Names*  
*Act 1962*\*.

[\* Reprinted as at 16 February 2001.]

20 (2) After section 7(1)(c) the following paragraph is inserted —

“  
(ca) the address of the place in the State where a  
notice given under this Act may be served;  
”.

25 (3) Section 7(1)(d) is amended by deleting “in the State”.

(4) Section 8 is repealed.

- (5) Section 9(2) is amended by deleting “Attorney-General of the Commonwealth and the Attorney-General of each State of the Commonwealth.” and inserting instead —

“

5 Minister of the Commonwealth, the Minister of each State other than this State and the Minister of a Territory, responsible for the administration of an Act that relates to the registration of business names.

”.

- 10 (6) Section 12(1)(c) is deleted and the following paragraph is inserted instead —

“

15 (c) in relation to the address of the place in the State where a notice given under this Act may be served,

”.

- (7) Section 12(2) is amended by deleting “in the State”.

- (8) Section 12(4)(b) is amended by deleting “in the State”.

- (9) Section 12(5), (6) and (7) are repealed.

- 20 (10) Section 31 is amended as follows:

- (a) before paragraph (a), by inserting the following paragraph —

“

25 (aa) at the place shown in the register as the place in the State where a notice given under this Act may be served;

”.

- (b) at the end of paragraph (b), by deleting “; or” and inserting a full stop instead;

- 30 (c) by deleting paragraph (c).

**32. Cattle Industry Compensation Act 1965 amended**

Section 28(1) of the *Cattle Industry Compensation Act 1965*\* is amended by deleting “both cattle or carcasses” and inserting instead —

5 “ both cattle and carcasses ”.

[\* Reprinted as at 20 August 1999.]

**33. Charitable Collections Act 1946 amended**

After section 17 of the *Charitable Collections Act 1946*\* the following section is inserted —

10 “

**17A. Delegation**

- 15 (1) The Minister may, either generally or as provided by the instrument of delegation, delegate to any person any of the Minister’s functions under this Act except this power of delegation.
- (2) Performance of a function by a delegate is to be treated as performance by the Minister.
- 20 (3) A person purporting to act under this section as a delegate is taken to have acted in accordance with the terms of the delegation unless the contrary is shown.
- ”.

[\* Reprint authorised 24 March 1971.

*For subsequent amendments see 2000 Index to Legislation of Western Australia, Table I, p. 56.]*

**34. *Chattel Securities Act 1987* amended**

Section 3(1) of the *Chattel Securities Act 1987*\* is amended in the definition of “Commissioner” by deleting “of Consumer Affairs” and inserting instead —

5 “ for Fair Trading ”.

[\* *Act No. 101 of 1987.*

*For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 56.]*

**35. *Children’s Court of Western Australia Act 1988* amended**

10 Section 3 of the *Children’s Court of Western Australia Act 1988*\* is amended by deleting the definition of “CEO (Justice)” and inserting the following definition instead —

“  
15 “**CEO (Justice)**” means the chief executive officer of the department of the Public Service principally assisting the Minister;  
”.

[\* *Reprinted as at 25 August 2000.*

20 *For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 62.]*

**36. *Community Services Act 1972* amended**

Section 3 of the *Community Services Act 1972*\* is amended in paragraph (ff) of the definition of “child care service” by deleting “of a kind” in the second place where it occurs.

25 [\* *Reprinted as at 15 October 1986.*

*For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 70.]*

**37. Companies Co-operative Act 1943 amended**

Section 3 of the *Companies Co-operative Act 1943*\* is amended by deleting the definition of “Registrar” and inserting the following definition instead —

5

“

“**Registrar**” means the person holding or acting in the office of Commissioner for Fair Trading under section 15 of the *Consumer Affairs Act 1971*.

”.

10

[\* Reprinted as at 14 January 2000.]

**38. Competition Policy Reform (Western Australia) Act 1996 amended**

15

Section 45 of the *Competition Policy Reform (Western Australia) Act 1996*\* is amended in the definition of “State matter” by deleting “section 48” and inserting instead —

“ section 47 ”.

[\* Act No. 52 of 1996.

For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 73.]

20

**39. Conservation and Land Management Act 1984 amended, and related amendment to another Act**

- (1) The amendments in this section, other than subsection (11), are to the *Conservation and Land Management Act 1984*\*.

25

[\* Reprinted as at 26 March 1999.

For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 75.]

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- (2) Section 3 is amended as follows:
- (a) by deleting the semicolon at the end of the definition of “wildlife officer” and inserting instead a full stop;
  - (b) by deleting the definition of “wildlife sanctuary”.
- 5 (3) Section 5(1)(g) and (h) are amended by deleting “Commission, the Authority” and inserting instead —
- “ Conservation Commission ”.
- (4) Section 7(6) is amended by deleting “sections 19(2)” and inserting instead —
- 10 “ sections 19(3) ”.
- (5) Section 17(6) is amended by deleting “(other than land reserved under Part 4 of the *Land Administration Act 1997* as a marine reserve)”.
- (6) Section 19(1) is amended as follows:
- 15 (a) in paragraph (a) by deleting “section 5(g)” and inserting instead —
- “ section 5(1)(g) ”;
- (b) in paragraph (b) by deleting “section 5(h)” and inserting instead —
- 20 “ section 5(1)(h) ”.
- (7) Section 19(4) is amended by deleting “section 5(g)” and inserting instead —
- “ section 5(1)(g) ”.
- (8) Section 19(5) is amended by deleting “section 5(h)” and inserting instead —
- 25 “ section 5(1)(h) ”.
- (9) Section 33(1)(cb)(iii) is amended by deleting “section 5(g) or (h)” and inserting instead —
- “ section 5(1)(g) or (h) ”.

- (10) Section 99A(6) is amended by deleting “Authority” and inserting instead —

“ Conservation Commission ”.

- (11) Section 5 of the *Conservation and Land Management Amendment Act 2000*\* is repealed.

[\* *Act No. 35 of 2000.*]

**40. Consumer Affairs Act 1971 amended, and consequential amendment to another Act**

- (1) The amendments in this section, other than subsection (4), are to the *Consumer Affairs Act 1971*\*.

[\* *Reprinted as at 25 March 1999.*

*For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 89.*]

- (2) Section 23 is repealed and the following section is inserted instead —

“

**23. Delegation**

- (1) The Commissioner may, in writing, delegate the performance of any of the functions conferred on the Commissioner by this Act or any other Act.
- (2) A delegate cannot subdelegate the performance of any function unless the delegate is expressly authorised by the instrument of delegation to do so.
- (3) A function performed by a delegate of the Commissioner is taken to be performed by the Commissioner.
- (4) A delegate performing a function under this section is taken to do so in accordance with the terms of the delegation unless the contrary is shown.



- (5) Nothing in this section is to be read as limiting the ability of the Commissioner to act through officers and agents in the normal course of business.

”.

- 5 (3) Section 23U(2)(b) is amended by deleting “the body known as the Standards Association of Australia” and inserting instead —  
“ Standards Australia ”.

- (4) Section 53 of the *Credit (Administration) Act 1984*\* is amended as follows:

- 10 (a) in subsection (1), by deleting the subsection designation “(1)”;  
(b) by repealing subsection (2).

[\* *Reprinted as at 5 May 2000.*]

**41. Consumer Credit (Western Australia) Act 1996 amended**

- 15 Schedule 1 to the Consumer Credit (Western Australia) Code set out in the Appendix to the *Consumer Credit (Western Australia) Act 1996*\* is amended after paragraph (a) of the definition of “credit fees and charges” by deleting “or” in the second place where it occurs.

20 [\* *Act No. 30 of 1996.*  
*For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 89-90.*]

**42. Corporations (Western Australia) Act 1990 amended**

- 25 (1) The amendments in this section are to the *Corporations (Western Australia) Act 1990*\*.

[\* *Act No. 105 of 1990.*  
*For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 93, and Acts Nos. 26 of 1999 and 43 of 2000.*]

- (2) Section 60(2) is amended by deleting “ASC” in both places where it occurs and inserting instead —

“ ASIC ”.

- 5 (3) The heading to Part 11 Division 2 is amended by deleting “ASC” in both places where it occurs and inserting instead —

“ ASIC ”.

- (4) Section 80(2) is amended after “enactment of this” by inserting —

“ Act ”.

10 **43. *Court Security and Custodial Services (Consequential Provisions) Act 1999* amended**

Section 21 of the *Court Security and Custodial Services (Consequential Provisions) Act 1999*\* is repealed.

[\* *Act No. 47 of 1999.*]

15 **44. *East Perth Redevelopment Act 1991* amended**

Clause 2 of Schedule 2 to the *East Perth Redevelopment Act 1991*\* is amended as follows:

- (a) after paragraph (b) by deleting “or”;  
(b) after paragraph (c) by inserting —

20 “ or ”.

[\* *Reprinted as at 27 August 1999.*]

**45. Eastern Goldfields Transport Board Act 1984 amended**

Section 23(3) of the *Eastern Goldfields Transport Board Act 1984*\* is repealed and the following subsection is inserted instead —

- 5 “
- (3) In this section —
- “employee” includes former employees and the dependants of an employee or former employee.
- ”.

10 [\* Reprinted as at 7 January 2000.]

**46. Edith Cowan University Act 1984 amended, and transitional**

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

15 [\* Reprinted as at 1 October 1999.  
 For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 127.]

- (2) Section 19 is repealed and the following section is inserted instead —

- 20 “
- 19. ECU South West Campus (Bunbury)**
- (1) On and after the day on which section 46 of the *Statutes (Repeals and Minor Amendments) Act 2001* comes into operation (in this section referred to as “**the commencement day**”), the campus of the University constituted under this Act, as in force immediately before the commencement day, and known as the Bunbury Campus of the University continues to be so constituted but shall be known as the ECU South West Campus (Bunbury) of the University.
- 25
- (2) A reference to the Bunbury Campus of the University, or to the Bunbury Institute of Advanced Education,
- 30

whether by the use of that name or a similar or abbreviated form of that name —

- 5
- (a) in a written law passed or made before the commencement day;
  - (b) in any document or other instrument made, executed, entered into or done before the commencement day; or
  - (c) made before the commencement day in any other manner,

10 shall be construed as if it had been amended to be a reference to the ECU South West Campus (Bunbury) of the University, unless because of the context it would be inappropriate to construe the reference in that manner.

15 ”.

- (3) Section 20(1) is amended by deleting “a Bunbury Campus” and inserting instead —

“ an ECU South West Campus (Bunbury) ”.

- 20 (4) The provisions mentioned in the Table to this subsection are amended by deleting “Bunbury Campus” in each place where it occurs and inserting instead —

“ ECU South West Campus (Bunbury) ”.

**Table**

s. 9(1)(g)	s. 20(3) (in 3 places)
s. 20(2) (in 3 places)	s. 20(4)

- 5 (5) A person holding office as the chairperson or a member of the Bunbury Campus Advisory Board immediately before the commencement day continues to hold office on and after that day, subject to the Statute of the University under which the person was appointed, as the chairperson or a member of the ECU South West Campus (Bunbury) Advisory Board, as the case requires, for the remainder of the period for which he or she was appointed to the Bunbury Campus Advisory Board.

**47. *Electoral Act 1907* amended**

- 10 (1) The amendments in this section are to the *Electoral Act 1907*\*.  
[\* Reprinted as at 15 December 2000.]

- (2) Section 81A(2)(c) is amended by deleting “bank” and inserting instead —  
“ financial institution ”.

- 15 (3) The Table to section 190 is amended in the third last item (the item beginning “The wearing or”) by inserting after “day” —  
“ of ”.

**48. *Electricity Act 1945* amended**

- (1) The amendments in this section are to the *Electricity Act 1945*\*.  
20 [\* Reprinted as at 26 February 1997.  
For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 133.]

- (2) Section 32(3)(h)(ii) and 33AA(3) are amended by deleting “the Standards Association of Australia” and inserting instead —  
25 “ Standards Australia ”.

- (3) Section 33E(1)(f) is deleted and the following paragraph is inserted instead —

“

- (f) provide that the requirements of this Act, or the specific requirements prescribed, are to be deemed to have been complied with if the apparatus or installation in question has been approved under, or is labelled in accordance with, the relevant provisions of a law of another State, or of a Territory, specified for the purpose of this paragraph by notice published in the *Gazette*;

”.

**49. *Electricity Corporation Act 1994* amended**

Section 3 of the *Electricity Corporation Act 1994*\* is amended in paragraph (a) of the definition of “subsidiary” by deleting “if the corporation were a body corporate to which the Corporations Act applies”.

[\* Reprinted as at 4 January 2000.

For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 134, and Act No. 43 of 2000.]

**50. *Energy Coordination Act 1994* amended**

- (1) The amendments in this section are to the *Energy Coordination Act 1994*\*.

[\* Reprinted as at 5 May 2000.]

- (2) Section 11E(b) is amended by deleting “a supply area,” and inserting instead —

“ one or more supply areas, ”.

- (3) Section 11M(4) is amended by deleting “Subject to subsection (3), the” and inserting instead —

“ The ”.

- (4) Section 24A(2) is amended by deleting “the *Energy Coordination Act 1994*,” and inserting instead —  
 “ this Act, ”.

**51. *Energy Operators (Powers) Act 1979* amended, and related amendments to another Act**

- (1) The amendments in this section, other than subsection (4), are to the *Energy Operators (Powers) Act 1979*\*.

[\* Reprinted as at 15 September 2000.]

- (2) Section 124 is amended as follows:

- (a) in subsection (4)(k) by deleting “in the case of by-laws made by the Western Power Corporation,”;
- (b) in subsection (5) by deleting “Western Power Corporation” in both places where it occurs and inserting instead —  
 “ corporation ”.

- (3) Section 125(1)(b)(ii) is amended by deleting “the Standards Association of Australia” and inserting instead —

“ Standards Australia ”.

- (4) Section 92(c)(i) and (d) of the *Gas Corporation (Business Disposal) Act 1999*\* are deleted.

[\* Act No. 58 of 1999.]

**52. *Explosives and Dangerous Goods Act 1961* amended**

Section 63(ea) of the *Explosives and Dangerous Goods Act 1961*\* is amended by inserting after “*Electricity Act 1945*,” —

“ the *Energy Coordination Act 1994*, ”.

[\* Reprinted as at 25 February 2000.

For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 147.]

**53. Fair Trading Act 1987 amended**

- (1) The amendments in this section are to the *Fair Trading Act 1987*\*.

[\* *Act No. 108 of 1987.*

5       *For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 148.]*

- (2) Section 5(1) is amended in the definition of “published” by deleting paragraph (g)(i) and inserting the following subparagraph instead —

10       “ (i) Standards Australia; ”.

- (3) Section 50(3)(a)(i) is deleted and the following subparagraph is inserted instead —

“ (i) of Standards Australia; ”.

- (4) Section 59(3)(a)(i) is deleted and the following subparagraph is inserted instead —

15       “ (i) of Standards Australia; ”.

**54. Fertilizers Act 1977 amended**

Section 33(4) of the *Fertilizers Act 1977*\* is amended by deleting “Registrar” and inserting instead —

20       “ chief executive officer ”.

[\* *Act No. 11 of 1977.*

*For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 149-50.]*

**55. Financial Administration and Audit Act 1985 amended**

25       Schedule 1 to the *Financial Administration and Audit Act 1985*\* is amended by deleting the item “Coal Mines Accident Relief Fund Trust”.



[\* Reprinted as at 24 November 2000.

*For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 157, and Gazette 29 May 2001.]*

5     **56.     *Fish Resources Management Act 1994 amended***

- (1) The amendments in this section are to the *Fish Resources Management Act 1994*\*.

[\* Reprinted as at 28 April 2000.

10     *For subsequent amendments see 2001 Index to Legislation of Western Australia, Table 1, p. 141, and Act No. 2 of 2002.]*

- (2) Section 4(1) is amended as follows —

- (a) by deleting the definition of “Aboriginal person” and inserting the following definition instead —

“

15             **“Aboriginal person”** means a member of the Aboriginal race of Australia;

”.

and

- 20             (b) by deleting the definition of “rights of traditional usage”.

- (3) Section 33(2)(i) is amended by deleting “a person of Aboriginal descent” and inserting instead —

“ an Aboriginal person ”.

- (4) Section 101 is repealed.

- 25             (5) The heading to Part 14 Division 1 is repealed.

- (6) The provisions listed in the Table to this subsection are amended by deleting “Division” and inserting instead —

“ Part ”.

**Table**

s. 146  
s. 147(1)(g)  
s. 148(1)(e)  
s. 162(1) and (2)(c)

5

- (7) Part 14 Division 2 is repealed.
- (8) Section 238(5)(m) is amended by deleting “Division 1 of”.
- (9) Section 253 is repealed.

**57. *Gaming and Betting (Contracts and Securities) Act 1985*  
amended**

10

- (1) The amendments in this section are to the *Gaming and Betting (Contracts and Securities) Act 1985*\*.

[\* *Act No. 28 of 1985.*

*For subsequent amendments see 2000 Index to Legislation of  
Western Australia, Table 1, p. 174.]*

15

- (2) Section 3(2) is amended in the definition of “prescribed bet” by inserting after paragraph (a) the following paragraph —

“

- (aa) a bet made with a totalisator operated by the committee of a racing club or other authority controlling the racecourse on which that club conducts race meetings in accordance with an authority granted under the *Betting Control Act 1954*;

20

25

”.

- (3) The Schedule is amended as follows:

- (a) by deleting these items —

- (i) “Totalisator Act 1883”;
- (ii) “Totalisator Regulation Act 1911”;
- (iii) “Race Meetings (Two-up Gaming) Act 1985”;

30

- (b) by inserting before the item “Police Act 1892” the following item —

“ *Gaming Commission Act 1987* ”.

**58. *Gas Corporation (Business Disposal) Act 1999* amended**

- 5 (1) The amendments in this section are to the *Gas Corporation (Business Disposal) Act 1999*\*.

[\* *Act No. 58 of 1999.*]

- (2) Section 2(8) is repealed.

- (3) Part 6 Division 5 is repealed.

10 **59. *Gas Pipelines Access (Western Australia) Act 1998* amended**

- (1) The amendments in this section are to the *Gas Pipelines Access (Western Australia) Act 1998*\*.

[\* *Reprinted as at 11 August 2000.*]

- 15 (2) Section 12(3) is amended by deleting “Appendix 1” and inserting instead —

“ Appendix ”.

- (3) Schedule 1 clause 17(3) is amended after “If” by inserting —

“ the ”.

**60. *Gas Standards Act 1972* amended**

- 20 Section 13A(3)(h)(ii) of the *Gas Standards Act 1972*\* is amended by deleting “the Standards Association of Australia” and inserting instead —

“ Standards Australia ”.

[\* *Reprinted as at 7 July 2000.*]

**61. Gender Reassignment Act 2000 amended**

- (1) The amendments in this section are to the *Gender Reassignment Act 2000*\*.

[\* *Act No. 2 of 2000.*]

- 5 (2) The long title is amended by deleting “*Registration of Births, Deaths and Marriages Act 1961*” and inserting instead —

“ *Births, Deaths and Marriages Registration Act 1998* ”.

- (3) Section 3 is amended by deleting the definition of “Registrar General” and inserting the following definition instead —

10 “

“**Registrar**” means the Registrar of Births, Deaths and Marriages, referred to in section 5 of the *Births, Deaths and Marriages Registration Act 1998*.

”.

- 15 (4) Sections 17 and 18 are amended by deleting “General” in each place where it occurs.

- (5) Section 29(1) is repealed.

**62. Government Railways Act 1904 amended**

20 Section 96(1) of the *Government Railways Act 1904*\* is amended as follows:

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

“ or ”;

- (b) at the end of paragraph (e) by deleting “, or” and inserting a full stop instead.

25 [\* *Reprinted as at 10 December 1999.*

*For subsequent amendments see 2000 Index to Legislation of Western Australia, Table I, p. 186.*]

**63. Harbours and Jetties Act 1928 amended**

Section 2 of the *Harbours and Jetties Act 1928*\* is amended after “compulsory” by deleting the comma.

[\* Reprint approved 12 July 1960.

5       For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 192.]

**64. Health Act 1911 amended**

(1) The amendments in this section are to the *Health Act 1911*\*.

[\* Reprinted as at 31 March 2000.

10       For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 197.]

(2) Section 344A(1) is amended by deleting “the body known as the Standards Association of Australia” and inserting instead —

“ Standards Australia ”.

15       (3) Schedule 5 Part IV is amended by deleting “246E,”.

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

Section 37(2) of the *Health Services (Conciliation and Review) Act 1995*\* is amended by deleting “Director must include in the notice” and inserting instead —

20       “ notice must include ”.

[\* Reprinted as at 1 June 2001.]

**66. Home Building Contracts Act 1991 amended**

Section 25E(2) of the *Home Building Contracts Act 1991*\* is amended after “commencement of” by inserting —

25       “ the ”.

[\* Reprinted as at 30 October 1998.

For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 201.]

**67. Hospitals and Health Services Act 1927 amended**

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

[\* Reprinted as at 15 October 1999.

5       For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 203, and Act No. 43 of 2000.]

- (2) Section 18(1b) is amended by deleting “Subject to subsection (1c), the” and inserting instead —

“ The ”.

- 10       (3) Section 26J(2)(b) is amended by deleting “the Standards Association of Australia” and inserting instead —

“ Standards Australia ”.

**68. Industrial Relations Act 1979 amended**

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

[\* Reprinted as at 4 February 2000.

For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 213.]

- 20       (2) Section 65(b)(iii) is amended by deleting “sources and application of funds” and inserting instead —

“ cash flow ”.

- (3) Section 71(1) is amended in the definition of “State organization” by deleting “of employees”.

**69. Interpretation Act 1984 amended**

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

[\* Reprinted as at 1 January 1999.

*For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 216.]*

- 5 (2) Section 5 is amended after the definition of “sitting days” by inserting the following definition —

“

10 “**Standards Australia**” means Standards Australia International Limited (ACN 087 326 690) and includes a reference to the Standards Association of Australia as constituted before 1 July 1999;

”.

- (3) After section 13 the following section is inserted —

“

**13A. References to Standards Association of Australia**

15 A reference in a written law (other than this Act) to the Standards Association of Australia shall be read as a reference to Standards Australia.

”.

- (4) Section 26(1)(a) is amended after “(if any)” by inserting —

20 “ given to it or ”.

**70. Jetties Act 1926 amended**

Section 4A(a) of the *Jetties Act 1926*\* is amended by deleting “the Standards Association of Australia” and inserting instead —

25 “ Standards Australia ”.

[\* Reprinted as at 4 February 2000.]

**71. Justices Act 1902 amended**

Section 206E(3) of the *Justices Act 1902*\* is repealed.

[\* Reprinted as at 2 October 1999.

*For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 230.]*

**72. Land Administration Act 1997 amended**

- 5 (1) The amendments in this section are to the *Land Administration Act 1997*\*.

[\* Act No. 30 of 1997.

10 *For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 234-5, and Act No. 59 of 2000.]*

- (2) Section 10(5) is deleted and the following subsection is inserted instead —

“

- 15 (5) Subject to this Act, any proceeds received by the Minister from exercising powers or performing duties in relation to land, or providing land administration expertise and services, under subsection (1) are —

- 20 (a) for the purposes of the *Financial Administration and Audit Act 1985*, to be taken to be moneys lawfully received by the Department; and
- (b) subject to section 23A of that Act, to be credited to the Consolidated Fund.

”.

- 25 (3) Section 178(1)(f) is amended by deleting “brought” and inserting instead —

“ registered ”.

- (4) Section 241(1) is amended by deleting “this Part,” and inserting instead —

30 “ Part 9, ”.



**73.     *Land Valuation Tribunals Act 1978* amended**

Section 6(1)(b) of the *Land Valuation Tribunals Act 1978*\* is amended by deleting “Australian Institute of Valuers” and inserting instead —

5           “   Australian Property Institute   ”.

[\* *Act No. 75 of 1978.*

*For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 240.]*

**74.     *Land Valuers Licensing Act 1978* amended**

10       (1)   The amendments in this section are to the *Land Valuers Licensing Act 1978*\*.

[\* *Act No. 55 of 1978.*

*For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 240.]*

15       (2)   Section 4 is amended as follows:

          (a)   by inserting in the appropriate alphabetical position the following definition —

“

20               **“Australian Property Institute”** means the  
                  incorporated association known as the Australian  
                  Property Institute;

”.

          (b)   in the definition of “member” by deleting “Institute of Valuers” and inserting instead —

25               “   Australian Property Institute   ”;

          (c)   at the end of the definition of “The Board” by deleting the semicolon and inserting a full stop instead;

          (d)   by deleting the definition of “the Institute of Valuers”.

- (3) Sections 6(1)(c) and (d), 6(4)(b) and 19(1)(b) are amended by deleting “Institute of Valuers” and inserting instead —  
“ Australian Property Institute ”.

**75. Legal Aid Commission Act 1976 amended**

- 5 (1) The amendments in this section are to the *Legal Aid Commission Act 1976*\*.  
[\* Reprinted as at 5 March 1999.  
For subsequent amendments see 2000 Index to Legislation of  
Western Australia, Table I, p. 243.]
- 10 (2) Section 4(1) is amended as follows:  
(a) by deleting the definition of “Barristers’ Board”;  
(b) by inserting after the definition of “the Fund” the  
following definition —  
“
- 15 “**The Legal Practice Board**” means the Board  
constituted under Part I of the *Legal Practitioners Act 1893*;  
”.
- 20 (3) Section 56(2)(f) is amended by deleting “the Barristers Board”  
and inserting instead —  
“ The Legal Practice Board ”.
- (4) The provisions mentioned in the Table to this subsection are  
amended by deleting “the Barristers’ Board” and inserting  
instead —
- 25 “ The Legal Practice Board ”.

**Table**

s. 40(6a)	s. 64(4)(c)
s. 64(2c)	

**76.     *Legal Contribution Trust Act 1967* amended**

- (1) The amendments in this section are to the *Legal Contribution Trust Act 1967*\*.

[\* Reprinted as at 5 February 1999.

5       For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 244.]

- (2) Section 56(1) is amended by deleting “Without limiting the power to make rules under, and for the purposes of, Part V, the” and inserting instead —

10       “   The   ”.

- (3) Section 56(2)(g) is amended after “require a matter” by deleting “or thing” in the second place where it occurs.

**77.     *Legal Practitioners Amendment Act 1976* amended**

15       Section 5 of the *Legal Practitioners Amendment Act 1976*\* is repealed.

[\* Act No. 113 of 1976.]

**78.     *Liquor Licensing Act 1988* amended**

Section 56(1) of the *Liquor Licensing Act 1988*\* is amended after paragraph (a) by deleting “or”.

20       [\* Reprinted as at 23 February 2001.]

**79.     *Local Government Act 1995* amended**

Section 3.8(1)(c) of the *Local Government Act 1995*\* is amended by deleting “the Standards Association of Australia” and inserting instead —

25       “   Standards Australia   ”.

[\* Reprinted as at 18 February 2000.

For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 257.]

**80. *Marine and Harbours Act 1981* amended**

Section 19(2) of the *Marine and Harbours Act 1981*\* is amended by deleting “the Standards Association of Australia” and inserting instead —

5 “ Standards Australia ”.

[\* Reprinted as at 25 November 1996.

*For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 270.]*

**81. *Metropolitan Region Town Planning Scheme Act 1959* amended**

10 Section 36B(3) of the *Metropolitan Region Town Planning Scheme Act 1959*\* is amended by deleting “Australian Institute of Valuers Incorporated” and inserting instead —

“ Australian Property Institute ”.

[\* Reprinted as at 4 February 2000.

15 *For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 283.]*

**82. *Metropolitan Water Supply, Sewerage, and Drainage Act 1909* amended**

20 (1) This section amends the *Metropolitan Water Supply, Sewerage, and Drainage Act 1909*\*.

[\* Reprinted as at 29 January 1999.

*For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 288.]*

(2) After section 124A the heading “Part IX — Finance” is deleted.

25 (3) Section 146(1)(20) is amended by deleting “Board.” and inserting instead —

“ Corporation. ”.

(4) Section 152A is amended by deleting “Except as provided in section 146A and notwithstanding” and inserting instead —

30 “ Notwithstanding ”.

**83.     *Mines Safety and Inspection Act 1994* amended**

Section 104(6) of the *Mines Safety and Inspection Act 1994*\* is amended by deleting “the Standards Association of Australia” and inserting instead —

5       “   Standards Australia   ”.

[\* *Reprinted as at 17 March 2000.*

*For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 292.]*

**84.     *Minimum Conditions of Employment Act 1993* amended**

10       Schedule 1 to the *Minimum Conditions of Employment Act 1993*\* is amended in the item that refers to Foundation Day by deleting “(the day appointed by proclamation published in the *Gazette* under the *Public and Bank Holidays Act 1972*)”.

[\* *Reprinted as at 4 June 1997.*]

15   **85.     *Mining Amendment Act 1994* amended**

Section 5 of the *Mining Amendment Act 1994*\* is repealed.

[\* *Act No. 58 of 1994.*]

**86.     *Murdoch University Act 1973* amended**

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

[\* *Reprinted as at 26 February 1999.*

*For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 304.]*

- (2) Section 18(1) is amended by deleting “any committee appointed under this Act or a Statute, or to any officer or officers of the University.” and inserting instead —

“

5

any —

(a) committee, council or other body; or

(b) officer or officers,

of the University.

”.

- 10 (3) Section 25(1)(b) is amended by deleting “10 weeks” and inserting instead —

“ 16 weeks ”.

- (4) Section 26(2) is amended by deleting “Registrar” and inserting instead —

15

“ Secretary ”.

**87. Occupational Safety and Health Act 1984 amended, and savings and consequential amendment to another Act**

- (1) The amendments in this section, other than subsection (7), are to the *Occupational Safety and Health Act 1984*\*.

20

[\* Reprinted as at 22 March 1999.

*For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 311.]*

- (2) The long title is amended by deleting “WorkSafe Western Australia Commission,” and inserting instead —

25

“ **Commission for Occupational Safety and Health,** ”.

- (3) Section 3(1) is amended in the definition of “Commission” by deleting “WorkSafe Western Australia Commission” and inserting instead —

“ Commission for Occupational Safety and Health ”.

- 5 (4) The heading to Part II is deleted and the following heading is inserted instead —

“

**Part II — Commission for Occupational Safety  
and Health**

10

”.

- (5) Section 6(1) is amended by deleting “WorkSafe Western Australia Commission.” and inserting instead —

“ Commission for Occupational Safety and Health. ”.

15

- (6) The amendment made by subsection (5) to the name of the Commission referred to in that subsection does not affect the appointment of a member of that Commission who holds office immediately before the commencement of this section.

- (7) Section 90(3)(g) of the *Mines Safety and Inspection Act 1994*\* is amended by deleting “WorkSafe Western Australia Commission” and inserting instead —

20

“ Commission for Occupational Safety and Health ”.

[\* *Reprinted as at 17 March 2000.*

*For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 292.]*

25 **88. Occupational Therapists Registration Act 1980 amended**

The subsection of section 42 of the *Occupational Therapists Registration Act 1980*\* that is designated as subsection (2) and begins “A person referred to in subsection (7)” is amended by

deleting the subsection designation “(2)” and inserting instead the subsection designation “(8)”.

[\* *Act No. 89 of 1980.*

*For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 312.]*

**89. Osteopaths Act 1997 amended**

Section 90(3)(a) of the *Osteopaths Act 1997*\* is amended by deleting “subsection (2)(c), (d) or (e);” and inserting instead —

“ subsection (2)(c) or (d); ”.

[\* *Act No. 58 of 1997.*

*For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 315.]*

**90. Parks and Reserves Act 1895 amended**

Section 12 of the *Parks and Reserves Act 1895*\* is amended by inserting after “operations” —

“ if the Board is listed in Schedule 1 to that Act ”.

[\* *Reprinted as at 5 March 1999.*]

**91. Parliamentary Commissioner Act 1971 amended, validation and savings**

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

[\* *Reprinted as at 16 March 2001.*]

(2) Section 4 is amended by inserting the following definition in the appropriate alphabetical position —

“

“**staff**”, in relation to the Commissioner, means officers of the Commissioner and persons whose services are used under section 9(2a);

”.



- (3) Section 9(1) is amended by deleting “Governor may, on the recommendation of the Commissioner,” and inserting instead —  
“ Commissioner may ”.
- (4) Section 9(2) is amended by deleting “Governor” and inserting instead —  
“ Commissioner ”.
- (5) The amendments made by subsections (2) and (3) do not affect the appointment, or terms and conditions of service, of a person appointed and holding office under section 9 of the  
*Parliamentary Commissioner Act 1971*, as in force immediately before the commencement of this section, except that the person is taken to have been appointed under section 9 of that Act, as amended by this section.
- (6) After section 9(2) the following subsection is inserted —  
“  
(2a) The Commissioner may by arrangement with the employing authority of the officer or employee, make use, either full-time or part-time, of the services of any officer or employee employed in the Public Service or in a State instrumentality or otherwise in the service of the Crown in right of the State.  
”.
- (7) The purported exercises by the Governor of the power conferred by section 9(1) of the *Parliamentary Commissioner Act 1971*, as in force immediately before the commencement of this section, to appoint officers on secondment are validated and all such appointments are taken to be secondments effected by the Commissioner under section 9(2a) of the *Parliamentary Commissioner Act 1971* as if that subsection had been in force at the time the appointments were purportedly made.

- (8) Section 9(3) is amended by deleting “An officer of the Commissioner” and inserting instead —

“ A member of the Commissioner’s staff ”.

- (9) After section 9(3) the following subsections are inserted —

“

- (4) The Commissioner may by arrangement with an employing authority, State instrumentality or other statutory office holder, agree to that authority, instrumentality or office holder making use, either full-time or part-time, of the services of any officer of the Commissioner.

- (5) In this section —

“**employing authority**” means an employing authority within the meaning of the *Public Sector Management Act 1994*.

”.

- (10) Section 10(5) is amended as follows:

- (a) by deleting “Where a Commissioner or Deputy Commissioner immediately prior to his appointment occupied an office under Part 3 of the *Public Sector Management Act 1994*,” and inserting instead —

“

Where —

- (a) the Commissioner or Deputy Commissioner; or  
(b) an officer of the Commissioner who is appointed for a fixed term,

immediately prior to his appointment under this Act, occupied an office under Part 3 of the *Public Sector Management Act 1994* for an indefinite period as a permanent officer,

”.

- (b) by deleting “or Deputy Commissioner,” and inserting instead —

“

, Deputy Commissioner or officer of the  
Commissioner,

”.

- (11) After section 10(5) the following subsection is inserted —

“

- (6) Subsection (5) applies to an officer of the  
Commissioner irrespective of whether the officer was  
appointed before or after the day on which subsection  
(5)(b) commenced.

”.

- (12) Section 11(1) is amended by deleting “officer of the  
Commissioner” and inserting instead —

“ member of the Commissioner’s staff ”.

- (13) Section 22A(2) is amended by deleting “or his officers” and  
inserting instead —

“

, the Deputy Commissioner or a member of the  
Commissioner’s staff

”.

- (14) Section 22B is amended as follows —

- (a) by deleting “an officer of the Commissioner” and  
inserting instead —

“ a member of the Commissioner’s staff ”.

- (b) by deleting “or his officers” and inserting instead —

“

, the Deputy Commissioner or a member of the  
Commissioner’s staff

”.

**Statutes (Repeals and Minor Amendments) Bill 2001**

**Part 3** Acts amended

**Division 1** Miscellaneous amendments

**s. 91**

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- (15) Section 23(1) is amended by deleting “or his officers” and inserting instead —

“

, the Deputy Commissioner or a member of the  
Commissioner’s staff

”.

- (16) Section 23A is amended by deleting “or his officers” in both places where it occurs and inserting instead —

“

, the Deputy Commissioner or a member of the  
Commissioner’s staff

”.

- (17) Section 30(1) is amended by deleting “nor any of his officers” and inserting instead —

“

, the Deputy Commissioner nor any member of the  
Commissioner’s staff

”.

- (18) Section 30(2) is amended by deleting “or any of his officers” and inserting instead —

“

, the Deputy Commissioner or any member of the  
Commissioner’s staff

”.

- (19) Section 30(4) is amended by deleting “nor any of his officers” and inserting instead —

“

, the Deputy Commissioner nor any member of the  
Commissioner’s staff

”.

(20) Schedule 1 is amended as follows:

- (a) by deleting the item relating to the Commissioner for Public Sector Standards;
- (b) by inserting after the item relating to the Inspector of Custodial Services the following item —

“

The Commissioner for Public Sector Standards under the *Public Sector Management Act 1994* to the extent of the Commissioner’s functions other than that of chief executive officer of the department of the Public Service principally assisting the Commissioner in the performance of the Commissioner’s functions under that Act.

”.

**92. *Perth Market Act 1926* amended**

Section 13A of the *Perth Market Act 1926*\* is amended in the definition of “alleged offender” by inserting after “infringement” —

“ notice ”.

[\* *Reprinted as at 17 November 2000.*]

**93. *Port Authorities Act 1999* amended**

- (1) The amendments in this section are to the *Port Authorities Act 1999*\*.

[\* *Act No. 22 of 1999.*

*For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 353, and Act No. 43 of 2000.*]

- (2) Section 3(1) is amended in paragraph (a) of the definition of “subsidiary” by deleting “if the port authority were a body corporate to which the Corporations Act applies”.

- (3) Section 38(3) is amended by deleting “section 35(7)” and inserting instead —

“ section 35(8) ”.

- (4) Section 141(1)(b) is amended by deleting “the Standards Association of Australia” and inserting instead —

“ Standards Australia ”.

- (5) Schedule 6 clause 1.4(1)(c) is amended by deleting “3” and inserting instead —

“ not more than 5 ”.

10 **94. Prisons Act 1981 amended**

- (1) The amendments in this section are to the *Prisons Act 1981*\*.

[\* Reprinted as at 22 December 2000.]

- (2) Section 9 is amended as follows:

- (a) subsection 4 (beginning “Where under subsection (2)”) is repealed;

- (b) the last 3 subsections, numbered (5), (4) and (5), are renumbered as subsections (4), (5) and (6) respectively.

- (3) The renumbered section 9(5) is amended as follows:

- (a) in paragraph (c) by inserting after “to do so” —

“ , as mentioned in subsection (4) ”;

- (b) in paragraph (d) by inserting after “as mentioned” —

“ in section 10(1) or (2), as the case requires ”.

- (4) Section 10(3) is amended by deleting “section 9(4)” and inserting instead —

“ section 9(5) ”.

**95. Professional Standards Act 1997 amended**

Section 17 of the *Professional Standards Act 1997*\* is amended as follows:

- 5           (a) in subsection (1), by deleting the subsection designation “(1)”;
- (b) by repealing subsection (2).

[\* *Act No. 22 of 1997.*]

**96. Public and Bank Holidays Act 1972 amended**

10           Section 8(4) of the *Public and Bank Holidays Act 1972*\* is repealed.

[\* *Act No. 63 of 1972.*

*For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 361.]*

**97. Public Sector Management Act 1994 amended**

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

[\* *Reprinted as at 9 February 2001.*

*For subsequent amendments see Act No. 43 of 2000.]*

20           (2) Section 64(4) is amended before “in a daily newspaper” by inserting —

“ in public service notices or ”.

(3) Section 95(3) is amended by deleting “section 29(b)” and inserting instead —

“ section 29(1)(b) ”.

25           **98. Public Works Act 1902 amended**

Part II of the *Public Works Act 1902*\* is amended after the Part heading by deleting the heading “*Power to take*”.

[\* *Reprinted as at 27 August 1999.*

30           *For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 370.]*

**99. Radiation Safety Act 1975 amended**

Section 58(2)(e) of the *Radiation Safety Act 1975*\* is amended by deleting “the Standards Association of Australia” and inserting instead —

5 “ Standards Australia ”.

[\* Reprinted as at 25 February 2000.]

**100. Rail Safety Act 1998 amended**

10 Section 3(1) of the *Rail Safety Act 1998*\* is amended in the definition of “Australian Rail Safety Standard” by deleting “the Standards Association of Australia” and inserting instead —

“ Standards Australia ”.

[\* Act No. 32 of 1998.]

**101. Real Estate and Business Agents Act 1978 amended**

15 Section 91 of the *Real Estate and Business Agents Act 1978*\* is amended by deleting “or any person authorised by him under section 89”.

[\* Reprinted as at 9 March 2001.]

**102. Reprints Act 1984 amended**

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

20 [\* Reprinted as at 18 September 1996.

For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 382.]

(2) Section 4(1) is amended by deleting the definition of “direct textual amendment”.



(3) After section 7(5)(a) the following paragraphs are inserted —

“

(aa) amend a list of definitions in a written law by changing the sequence in which the definitions are listed;

(ab) amend an address, a telephone number or other contact details in a written law to reflect changes or additions to those details;

”.

10 **103. *Rights in Water and Irrigation Act 1914* amended**

(1) The amendments in this section are to the *Rights in Water and Irrigation Act 1914*\*.

[\* Reprinted as at 10 January 2001.]

(2) Section 26H(1) is amended as follows:

(a) by deleting “and for its preservation from pollution,”;

(b) by deleting “, use, or pollution” and inserting instead —  
“ or use ”.

(3) Section 26J(2) is amended by deleting “or pollution”.

20 **104. *Rights in Water and Irrigation Act Amendment Act 1978* amended**

(1) The amendments in this section are to the *Rights in Water and Irrigation Act Amendment Act 1978*\*.

[\* Act No. 98 of 1978.

For subsequent amendments see Act No. 119 of 1984.]

(2) Section 3 is repealed.

(3) Sections 15 to 35 are repealed.

**105. Road Traffic Act 1974 amended**

- (1) The amendments in this section are to the *Road Traffic Act 1974*\*.

[\* Reprinted as at 17 September 1999.

5       For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 393, and Acts Nos. 39 and 51 of 2000.]

- (2) Section 5(5) is amended after “interpretation” by inserting —  
“ of ”.

- 10       (3) Section 86(1) is amended before paragraph (b) by deleting “and”.

- (4) Section 106(3)(b) is amended after “against” by inserting —  
“ section ”.

**106. Rottnest Island Authority Act 1987 amended**

15       Section 45(4)(b) of the *Rottnest Island Authority Act 1987*\* is amended by deleting “section 343(5) and 345(2)(a)(2)” and inserting instead —

“ section 343A ”.

[\* Reprinted as at 4 January 2000.]

**107. School Education Act 1999 amended, and related amendment to another Act**

20

- (1) The amendments in this section, other than subsection (5), are to the *School Education Act 1999*\*.

[\* Act No. 36 of 1999.

25       For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 403, and Act No. 43 of 2000.]

- (2) Section 93(1) is amended after “section 92(3)(a)” by inserting —

“ or 96(4)(a) ”.

- (3) Section 113(5) is amended by deleting the definition of “bank” and inserting the following definition instead —

“

“**bank**” means —

- 5 (a) an ADI (authorised deposit-taking institution) as defined in section 5 of the *Banking Act 1959* of the Commonwealth; or  
(b) a bank constituted by a law of a State, a Territory or the Commonwealth.

10

”.

- (4) Section 138(3) is amended by deleting “subsection (1)” and inserting instead —

“ subsection (2) ”.

- 15 (5) Section 101 of the *Acts Amendment and Repeal (Financial Sector Reform) Act 1999*\* is repealed.

[\* *Act No. 26 of 1999.*]

**108. *Sea-Carriage Documents Act 1997* amended**

20 Section 8(4)(b) of the *Sea-Carriage Documents Act 1997*\* is amended by deleting “as a result of the re-endorsement of the bill”.

[\* *Act No. 6 of 1997.*]

**109. *Settlement Agents Act 1981* amended**

25 Section 81 of the *Settlement Agents Act 1981*\* is amended by deleting “bank other” and inserting instead —

“ bank or other ”.

[\* *Reprinted as at 3 November 2000.*]

**110. *Shipping and Pilotage Act 1967* amended**

Section 12(2)(c) of the *Shipping and Pilotage Act 1967*\* is amended by deleting “the Standards Association of Australia” and inserting instead —

5 “ Standards Australia ”.

[\* *Reprint approved 9 November 1984.*

*For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 409-10.]*

10 **111. *State Superannuation (Transitional and Consequential Provisions) Act 2000* amended**

Sections 41 and 61 of the *State Superannuation (Transitional and Consequential Provisions) Act 2000*\* are repealed.

[\* *Act No. 43 of 2000.*]

**112. *Strata Titles Act 1985* amended**

15 (1) The amendments in this section are to the *Strata Titles Act 1985*\*.

[\* *Reprinted as at 1 July 1999.*

*For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 433.]*

20 (2) Section 3(1) is amended by deleting the definition of “resumption”.

(3) Section 3(1) is amended by inserting after the definition of “survey-strata scheme” the following definition —

25 “**“take”, “taken” and “taking”** have the same meanings as they have for the purposes of Parts 9 and 10 of the *Land Administration Act 1997* and include a reference to the compulsory acquisition of land under any Act of the Commonwealth  
30 authorising the compulsory acquisition of land;

”.

(4) Section 27(3)(c) is amended before “the failure” by inserting —  
“ subject to section 25A(3), ”.

(5) The provisions mentioned in the Table to this subsection are amended by deleting “resumption” and inserting instead —

5 “ taking ”.

**Table**

s. 28(5)(b)	s. 29B(1) (in 2 places)
s. 29	s. 29B(2)(a)

(6) The provisions mentioned in the Table to this subsection are amended by deleting “resumed” and inserting instead —

“ taken ”.

10 **Table**

s. 29A(1)	s. 29B(1)
-----------	-----------

(7) Section 29B(1) is amended by deleting “relevant” and inserting instead —

“ acquiring ”.

(8) Section 29B(4) is repealed and the following subsection is inserted instead —

15

“

(4) In subsection (1) —

“**acquiring authority**”, in relation to the taking of land, means —

20

(a) the Minister who makes the taking order in relation to the land under section 177 of the *Land Administration Act 1997*; or

(b) where the land is taken for the purposes of a local government, the local government.

25

”.

- (9) Section 29C(1) is amended as follows:
- (a) by deleting “Governor may in a resumption notice” and inserting instead —  
“ Minister for Lands may in a taking order ”;
  - (b) by deleting “publication of that notice.” and inserting instead —  
“ registration of that order. ”.
- (10) Section 29C(2) is amended by deleting “resumption notice.” and inserting instead —  
“ taking order. ”.
- (11) Section 29C(3) is repealed and the following subsection is inserted instead —  
“
- (3) In this section —  
“**Minister for Lands**” means the Minister to whom the administration of the *Land Administration Act 1997* is for the time being committed by the Governor;  
“**taking order**” means a taking order made under section 177 of the *Land Administration Act 1997*. ”.
- (12) Section 39(1)(c) is amended by deleting “or (d)”.
- (13) Section 74 is amended after “referee to act in” by deleting “the” in the second place where it occurs.
- (14) Section 103J(2) is amended by deleting “55(1)(c),” and inserting instead —  
“ 55(1), ”.
- (15) Schedule 1 is amended after by-law 1(2)(a) by deleting “and”.

- (16) Schedule 1 is amended in by-law 3(1) after “sub-by-law (2)” by inserting —  
 “ of this by-law ”.
- 5 (17) Schedule 1 is amended in by-law 5(1) and (4)(a) by deleting “Part I” and inserting instead —  
 “ this Schedule ”.
- (18) Schedule 1 is amended in by-law 5(8) as follows:  
 (a) by deleting “rule (9),” and inserting instead —  
 “ sub-by-law (9) of this by-law, ”;  
 10 (b) by deleting “Part I” and inserting instead —  
 “ this Schedule ”.
- (19) Schedule 1 is amended in by-law 5(9) by deleting “rule (8)” and inserting instead —  
 “ sub-by-law (8) of this by-law ”.
- 15 (20) Schedule 1 is amended in by-law 7(1) and (3) after “sub-by-law (2)” by inserting —  
 “ of this by-law ”.
- (21) Schedule 1 is amended in by-law 12(4a) after “Sub-by-laws (3) and (4)” by inserting —  
 20 “ of this by-law ”.
- (22) Schedule 2 is amended in by-law 12(c) by inserting before “keep” —  
 “ subject to section 42(15) of the Act, ”.
- 113. Street Collections (Regulation) Act 1940 amended**
- 25 (1) The amendments in this section are to the *Street Collections (Regulation) Act 1940\**.  
 [\* Act No. 55 of 1940.]

- (2) Section 2 is amended by deleting the definition of “Chief Secretary”.
- (3) Section 3(1) is amended as follows:
- (a) by deleting “Notwithstanding the provisions of the *War Funds Regulation Act 1939*, it” and inserting instead —
- “ It ”;
- (b) by deleting “Chief Secretary” in both places where it occurs and inserting instead —
- “ Minister ”.
- (4) Section 4(1) is amended by deleting “Chief Secretary” and inserting instead —
- “ Minister ”.
- (5) Section 5 is amended by deleting “Chief Secretary” in both places where it occurs and inserting instead —
- “ Minister ”.
- (6) After section 6 the following section is inserted —
- “
- 6A. Delegation**
- (1) The Minister may, either generally or as provided by the instrument of delegation, delegate to any person any of the Minister’s functions under this Act except this power of delegation.
- (2) Performance of a function by a delegate is to be treated as performance by the Minister.
- (3) A person purporting to act under this section as a delegate is taken to have acted in accordance with the terms of the delegation unless the contrary is shown.

”.



**114. *Suitors' Fund Act 1964* amended**

Section 8(2)(c) of the *Suitors' Fund Act 1964*\* is amended by deleting "the Barristers' Board" and inserting instead —

" The Legal Practice Board ".

5 [\* Reprinted as at 29 October 1999.]

**115. *Swan River Trust Act 1988* amended**

Section 61(2) of the *Swan River Trust Act 1988*\* is amended after "do so and" by deleting "it" and inserting instead —

" in ".

10 [\* Reprinted as at 1 December 2000.]

**116. *Texas Company (Australasia) Limited (Private) Act 1928* amended**

Section 3 of the *Texas Company (Australasia) Limited (Private) Act 1928*\* is amended by deleting "*Port Authorities Act 1997*." and inserting instead —

15

" *Port Authorities Act 1999* ".

[\* Act No. 19° Geo. V. (Private Act).

For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 446-7.]

20 **117. *The Commonwealth Oil Refineries Limited (Private) Act 1940* amended**

Section 3(b) of *The Commonwealth Oil Refineries Limited (Private) Act 1940*\* is amended after "*Port Authorities Act 1999*" by deleting the full stop.

25

[\* Act No. 4 and 5 Geo. VI. (Private Act)

For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 69.]

(1) The amendments in this section are to the *Totalisator Agency Board Betting Act 1960*\*.

5 *For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 451.]*

10           (3)   Section 28(5) is amended after “subsection (3)” by inserting —  
                   “   or section 27B(f)   ”.

“

“

20 Section 6(3) of the *Totalisator Agency Board Betting  
(Modification of Operation) Act 2000*\* is amended by deleting  
“section 27B(1)(f)” and inserting instead —

[\* *Act No. 56 of 2000.*]

25 Section 62 of the *Transfer of Land Act 1893*\* is amended after  
“section in which members of” by deleting “any”.

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**121.     *Transport Co-ordination Act 1966* amended**

- (1) The amendments in this section are to the *Transport Co-ordination Act 1966*\*.

[\* *Reprinted as at 11 May 2001.*

5           *For subsequent amendments see Act No. 43 of 2000.]*

- (2) Section 15B(2) is amended as follows:

(a) by deleting “General —” and inserting instead —  
“   General to —   ”;

10           (b) in paragraph (a) by deleting “to” in the first place where it occurs.

- (3) Section 15C(1) is amended as follows:

(a) after paragraph (ca) (the paragraph so designated that refers to the *Perth Parking Management Act 1999*), by deleting “and”;

15           (b) in paragraph (ca) (the paragraph so designated that refers to the *Rail Safety Act 1998*), by deleting the paragraph designation “(ca)” and inserting instead the paragraph designation “(cb)”.

- (4) Section 36 is amended after paragraph (a) by deleting “and”.

20   **122.     *Trustees Act 1962* amended**

Section 28A(2)(c) of the *Trustees Act 1962*\* is amended by deleting “Australian Institute of Valuers” and inserting instead —

“   Australian Property Institute   ”.

25           [\* *Reprint approved 14 September 1981.*

*For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 465-6.]*

**123. Valuation of Land Act 1978 amended**

Sections 6(3) and 25(2) of the *Valuation of Land Act 1978*\* are amended by deleting “Australian Institute of Valuers” and inserting instead —

5 “ Australian Property Institute ”.

[\* Reprinted as at 23 April 1996.

For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 473.]

**124. Veterinary Preparations and Animal Feeding Stuffs Act 1976 amended**

Section 60(2) of the *Veterinary Preparations and Animal Feeding Stuffs Act 1976*\* is amended after “person requires” by inserting —

“ , the first-mentioned person ”.

15 [\* Reprinted as at 20 August 1999.

For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 474.]

**125. Water Agencies (Powers) Act 1984 amended**

(1) The amendments in this section are to the *Water Agencies (Powers) Act 1984*\*.

[\* Reprinted as at 4 January 2000.]

(2) Section 36(1)(b)(ii) is amended by deleting “the Standards Association of Australia” and inserting instead —

“ Standards Australia ”.

25 (3) Section 85(1) is amended after “local government under” by deleting “of”.

**126.     *Water and Rivers Commission Act 1995* amended**

- (1) The amendments in this section are to the *Water and Rivers Commission Act 1995*\*.

[\* *Act No. 71 of 1995.*

5       *For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 479.]*

- (2) Section 16 is amended in the definition of “authorized person” by inserting after “member of the staff” —

“     , or other person,     ”.

- 10     (3) After section 33(6) the following subsection is inserted —

“

- (6a) A document executed by a person under this section without the common seal of the Commission is not to be regarded as a deed unless the person executes it as a deed and is authorised under subsection (5) to do so.

15

”.

**127.     *Water Corporation Act 1995* amended**

- (1) The amendments in this section are to the *Water Corporation Act 1995*\*.

20       [\* *Reprinted as at 4 May 2001.*]

- (2) Section 3 is amended in paragraph (a) of the definition of “subsidiary” by deleting “if the corporation were a body corporate to which the Corporations Act applies”.

- 25     (3) Section 41(2) is amended by deleting “3 months” and inserting instead —

“     2 months     ”.

- (4) Section 50(2) is amended by deleting “3 months” and inserting instead —

“     2 months     ”.

- (5) Schedule 3 clause 1(1) is amended in the definition of “Board” by deleting “of the Commonwealth;” in the second place where it occurs.

**128. *Water Services Coordination Act 1995* amended**

- 5 Section 59L(1)(b) of the *Water Services Coordination Act 1995*\* is amended by deleting “the body known as the Standards Association of Australia” and inserting instead —  
“ Standards Australia ”.

[\* Reprinted as at 28 July 2000.]

10 **129. *Western Australian Land Authority Act 1992* amended**

Section 24(3) of the *Western Australian Land Authority Act 1992*\* is amended after paragraph (a) by deleting “and”.

[\* Reprinted as at 16 April 1999.

- 15 For subsequent amendments see 2000 Index to Legislation of Western Australia, Table I, p. 490.]

**130. *Western Australian Marine Act 1982* amended**

Section 115(1)(a) of the *Western Australian Marine Act 1982*\* is amended by deleting “the Standards Association of Australia” and inserting instead —

- 20 “ Standards Australia ”.

[\* Reprinted as at 28 January 2000.]

**131. *Western Australian Planning Commission Act 1985* amended**

- (1) The amendments in this section are to the *Western Australian Planning Commission Act 1985*\*.

- 25 [\* Reprinted as at 16 March 2001.]

- (2) Section 12(5) is repealed.

- (3) Section 24(2) is amended by deleting “paragraph (a)” and inserting instead —

“ subsection (1)(a) ”.

**132. *Western Australian Treasury Corporation Act 1986* amended**

- 5 (1) The amendments in this section are to the *Western Australian Treasury Corporation Act 1986*\*.

[\* Reprinted as at 5 January 2001.]

- (2) Section 9(2) is amended after “financial management” by deleting “and” in the second place where it occurs.

- 10 (3) Section 14(2) is repealed and the following subsection is inserted instead —

“

- (2) The Corporation may lend in such manner and on such terms and conditions as it thinks fit any of the moneys credited to the Account —

15

- (a) to an authority or authorities; or  
(b) so as to enable the exercise of a power to borrow moneys from the Corporation conferred by a written law.

20

”.

**133. *Wildlife Conservation Act 1950* amended**

Section 28(1) of the *Wildlife Conservation Act 1950*\* is amended as follows:

- (a) by inserting after paragraph (i) —  
25 “ and ”;  
(b) by deleting the semicolon at the end of paragraph (j) and “and” after that paragraph and inserting a full stop instead.

[\* Reprinted as at 20 November 1998.]

**134. *Workers' Compensation and Rehabilitation Act 1981* amended**

- (1) The amendments in this section are to the *Workers' Compensation and Rehabilitation Act 1981*\*.

5 [\* Reprinted as at 29 January 1999.  
For subsequent amendments see 2000 Index to Legislation of  
Western Australia, Table I, p. 503.]

- (2) Section 76(6) is amended before “and if it appears to the Director” by deleting “and”.

- 10 (3) Section 176(5) is amended by deleting “the Standards Association of Australia” and inserting instead —  
“ Standards Australia ”.

- (4) Section 193 (the section so designated in Part XII) is amended  
15 by deleting the section designation “193.” and inserting instead  
the section designation “**192A.**”.

**135. *Workmen's Wages Act 1898* amended**

Section 22 of the *Workmen's Wages Act 1898*\* is amended by deleting “, or in default of payment thereof to imprisonment for a period not exceeding one calendar month”.

20 [\* Act No. 62 Vict., No. 35.  
For subsequent amendments see 2000 Index to Legislation of  
Western Australia, Table I, p. 504.]



**Division 2 — Amendments relating to the short title of  
various Acts**

**136.     *The Grand Jury Abolition Act Amendment Act 1883* amended**

Section 1 of *The Grand Jury Abolition Act Amendment Act 1883*\*  
is repealed and the following section is inserted instead —

“

**1.           Short title**

This Act may be cited as the *Grand Jury Abolition Act  
Amendment Act 1883*.

”.

[\* *Act No. 47 Vict., No. 6.*

*For subsequent amendments see 2000 Index to Legislation of  
Western Australia, Table I, p. 188.]*

**137.     *The Guildford-Greenough Flats Railway Act 1886* amended**

Section 1 of *The Guildford-Greenough Flats Railway Act 1886*\*  
is amended by deleting “ ‘The Guildford-Greenough Flats  
Railway Act, 1886.’ ” and inserting instead —

“   the *Guildford-Greenough Flats Railway Act 1886*.   ”.

[\* *Act No. 50 Vict., No. 24.*]

**138.     *The Kalgoorlie and Boulder Racing Clubs Act 1904* amended,  
and consequential amendment to another Act**

(1) Section 1 of *The Kalgoorlie and Boulder Racing Clubs  
Act 1904*\* is amended by deleting “*The Kalgoorlie and Boulder  
Racing Clubs Act, 1904.*” and inserting instead —

“   the *Kalgoorlie and Boulder Racing Clubs Act 1904*.   ”.

[\* *Act No. 4 Edw. VII.*

*For subsequent amendments see 2000 Index to Legislation of  
Western Australia, Table I, p. 232, and Act No. 59 of 2000.]*

- (2) Section 2 of the *Kalgoorlie and Boulder Racing Clubs Act Amendment Act 1953*\* is repealed and the following section is inserted instead —

“

5           **2.           Citation of principal Act**

The principal Act, as amended by this Act, may be cited as the *Kalgoorlie and Boulder Racing Clubs Act 1904*.

”

10           [\* Act No. 2°Elizabeth II.]

**139.       The Local Government Water Supply Preservation Act 1892 amended**

Section 1 of *The Local Government Water Supply Preservation Act 1892*\* is repealed and the following section is inserted instead —

“

1.           **Short title**

This Act may be cited as the *Local Government Water Supply Preservation Act 1892*.

20

”

[\* Act No. 55 Vict., No. 37.

*For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 265.]*

25           **140.       The Magisterial Districts Act 1886 amended, and consequential amendment to another Act**

- (1) Section 6 of *The Magisterial Districts Act 1886*\* is repealed and the following section is inserted instead —

“

6.           **Short title**

30

This Act may be cited as the *Magisterial Districts Act 1886*.

”

[\* *Act No. 50. Vict., No. 17.*

*For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 267.]*

- 5 (2) Section 24(1) of the *Justices Act 1902*\* is amended by deleting “*The*” and inserting instead —  
“ the ”.

[\* *Reprinted as at 2 October 1999.*

*For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 230]*

10 **141. *The Midland Railway Company of Western Australia Limited Acquisition Agreement Act 1963* amended**

Section 1 of *The Midland Railway Company of Western Australia Limited Acquisition Agreement Act 1963*\* is amended by deleting “*The*” and inserting instead —

15 “ the ”.

[\* *Act No. 47 of 1963.*

*For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 228.]*

20 **142. *The Newspaper Libel and Registration Act 1884* amended, and consequential amendments to other Acts**

- (1) Section 20 of *The Newspaper Libel and Registration Act 1884*\* is amended by deleting “*The*” and inserting instead —

“ the ”.

[\* *Reprinted as at 15 December 1988.*]

- 25 (2) Section 69 of the *Evidence Act 1906*\* is amended by deleting “*The*” and inserting instead —

“ the ”.

[\* *Reprinted as at 4 January 2001.*]

- (3) *The Newspaper Libel and Registration Act 1884 Amendment Act 1888\** is amended as follows:

(a) in the long title, by deleting “*The*” and inserting instead —

“ **the** ”;

(b) in section 2, by deleting “with *The*” and inserting instead —

“ with the ”.

[\* Reprinted as at 15 December 1988.

For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 308.]

**143. *The Newspaper Libel and Registration Act 1884 Amendment Act 1888* amended**

Section 1 of *The Newspaper Libel and Registration Act 1884 Amendment Act 1888\** is amended by deleting “*The*” and inserting instead —

“ the ”.

[\* Reprinted as at 15 December 1988.

For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 308.]

**144. *The Partnership Act 1895* amended, and consequential amendments to other Acts**

- (1) Section 1 of *The Partnership Act 1895\** is repealed and the following section is inserted instead —

**1. Short title**

This Act may be cited as the *Partnership Act 1895*.

[\* Reprinted as at 26 July 1985.

For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 326.]

- (2) Section 4 of the *Professional Standards Act 1997*\* is amended in the definition of “partner” by deleting “*The*” and inserting instead —

“ the ”.

5 [\* *Act No. 22 of 1997.*]

- (3) Section 139 of the *Supreme Court Act 1935*\* is amended by deleting “*The*” and inserting instead —

“ the ”.

[\* *Reprinted as at 9 February 2001.*]

10 **145. *The Perth Diocesan Trustees (Special Fund) Act 1944* amended**

Section 1 of *The Perth Diocesan Trustees (Special Fund) Act 1944*\* is amended by deleting “*The*” and inserting instead —

15 “ the ”.

[\* *Act No. 25 of 1944.*]

**146. *The Public Institutions and Friendly Societies Lands Improvement Act 1892* amended, and consequential amendments to other Acts**

- 20 (1) Section 1 of *The Public Institutions and Friendly Societies Lands Improvement Act 1892*\* is repealed and the following section is inserted instead —

“

**1. Short title**

25 This Act may be cited as the *Public Institutions and Friendly Societies Lands Improvement Act 1892*.

”.

[\* *Act No. 56 Vict., No. 7.*

30 *For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 362.*]

- (2) Section 17(1) of the *Hospitals and Health Services Act 1927*\* is amended by deleting “*The*” and inserting instead —

“ the ”.

[\* *Reprinted as at 15 October 1999.*

*For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 203, and Act No. 43 of 2000.]*

- (3) The long title to *The Public Institutions and Friendly Societies Lands Improvement Act 1892 Amendment Act 1893*\* is amended by deleting “ ‘The Public’ ” and inserting instead —

“ the ‘Public’ ”.

[\* *Act No. 57 Vict., No. 27.*]

**147. *The Public Institutions and Friendly Societies Lands Improvement Act 1892 Amendment Act 1893* amended**

Section 1 of *The Public Institutions and Friendly Societies Lands Improvement Act 1892 Amendment Act 1893*\* is amended by deleting “ ‘The Public’ ” in both places where it occurs and inserting in each place instead —

“ the ‘Public’ ”.

[\* *Act No. 57 Vict., No. 27.*]

**148. *The Public Officers Act 1879* amended**

Section 5 of *The Public Officers Act 1879*\* is amended by deleting “ ‘The Public Officers Act, 1879.’ ” and inserting instead —

“ the *Public Officers Act 1879.* ”.

[\* *Act No. 43 Vict., No. 1.*

*For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 362.]*

**149.    *The Roman Catholic Church Lands Act 1895* amended, and consequential amendments to other Acts**

- (1) Section 1 of *The Roman Catholic Church Lands Act 1895*\* is repealed and the following section is inserted instead —

5    “

**1.           Short title**

          This Act may be cited as the *Roman Catholic Church Lands Act 1895*.

”.

10

[\* *Act No. 59 Vict., (Private Act)*.

*For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 395.*]

15

- (2) The Second Schedule to the *Roman Catholic Bishop of Broome Property Act 1957*\* is amended in the item that begins “The Roman” by deleting “The”.

[\* *Act No. 32 of 1957*.

*For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 395.*]

20

- (3) The Second Schedule to the *Roman Catholic Bunbury Church Property Act 1955*\* is amended in the item that begins “The Roman” by deleting “The”.

[\* *Act No. 28 of 1955*.]

**150.    *The Sale of Goods Act 1895* amended, and consequential amendment to another Act**

- 25    (1) Section 62 of *The Sale of Goods Act 1895*\* is repealed and the following section is inserted instead —

“

**62.           Short title**

          This Act may be cited as the *Sale of Goods Act 1895*.

30

”.

[\* Reprinted as at 7 July 2000.]

- (2) Section 694 of *The Criminal Code*\* is amended by deleting “*The*” and inserting instead —

“ the ”.

5 [\* Reprinted as at 9 February 2001 as the Schedule to the *Criminal Code Act 1913* appearing in Appendix B to the *Criminal Code Compilation Act 1913*.]

**151. The Standard Time Act 1895 amended**

10 Section 1 of *The Standard Time Act 1895*\* is repealed and the following section is inserted instead —

“

**1. Short title**

This Act may be cited as the *Standard Time Act 1895*.

”.

15 [\* Act No. 59 Vict., No. 2.

*For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 424.*]

**152. The Trustee Ordinance 1854 Amendment Act 1895 amended**

20 Section 2 of *The Trustee Ordinance 1854 Amendment Act 1895*\* is amended by deleting “ ‘The Trustee Ordinance, 1854, Amendment Act, 1895,’ ” and inserting instead —

“ the *Trustee Ordinance 1854 Amendment Act 1895* ”.

[\* Act No. 59 Vict., No. 28, 1895.]

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