

**9B. Western Australian Building Management Authority established as body corporate**

- (1) From the commencement of the *Public Works Amendment Act 1994*<sup>1</sup>, the Western Australian Building Authority previously established by this section continues in existence as a body corporate but is called the Western Australian Building Management Authority.
- (1a) The change of name of the body corporate does not affect its legal identity.
- (2) The Building Management Authority —
  - (a) consists of the Minister for Works referred to in section 5 (3); and
  - (b) under its corporate name —
    - (i) has perpetual succession and a common seal;
    - (ii) may sue and be sued in any court; and
    - (iii) subject to this Part, is capable of doing and suffering all such acts and things as bodies corporate may lawfully do and suffer.
- (3) The common seal of the Building Management Authority shall —
  - (a) be kept in such custody as the Building Management Authority directs; and
  - (b) not be used except as authorized by the Building Management Authority.
- (4) When a document purporting to bear the common seal of the Building Management Authority is produced before any court, judge or person acting judicially, that court, judge or person shall, unless the contrary is proved, presume that —
  - (a) that document bears that common seal; and
  - (b) that common seal was duly affixed to that document.
- (5) The Building Management Authority is an agent of the Crown in right of the State and, except as provided in section 9C (7), enjoys the status, immunities and privileges of the Crown.

*[Section 9B inserted by No. 123 of 1984 s.4; amended by No. 59 of 1994 ss.6 and 9.]*