

Western Australia

**Statutes (Repeals and Miscellaneous
Amendments) Act 2009**

As at 21 May 2009

No. 8 of 2009

Extract from www.slp.wa.gov.au, see that website for further information

Statutes (Repeals and Miscellaneous Amendments) Act 2009

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Western Australia

Statutes (Repeals and Miscellaneous Amendments) Act 2009

No. 8 of 2009

An Act to amend the statute law by —

- **repealing various Acts; and**
- **making minor amendments to various other written laws,
and for related purposes.**

[Assented to 21 May 2009]

The Parliament of Western Australia enacts as follows:

Part 1 — Preliminary

1. Short title

This is the *Statutes (Repeals and Miscellaneous Amendments) Act 2009*.

2. Commencement

This Act comes into operation as follows —

- (a) Part 1 — on the day on which this Act receives the Royal Assent;
- (b) the rest of the Act — on the day after that day.

Part 2 — Repeals

Division 1 — Repeals without consequential amendments

3. Various Acts repealed

These Acts are repealed:

- (a) *Land Act Amendment Act 1928*;
- (b) *Life Assurance Companies Act 1889*;
- (c) *Sailors and Soldiers' Scholarship Fund Act 1938*;
- (d) *The Bankruptcy Act 1892*.

Division 2 — Companies legislation repealed and consequential amendments

4. Acts repealed

These Acts are repealed:

- (a) *Companies Act 1961*;
- (b) *Companies (Acquisition of Shares) (Application of Laws) Act 1981*;
- (c) *Companies (Application of Laws) Act 1981*;
- (d) *Companies and Securities (Interpretation and Miscellaneous Provisions) (Application of Laws) Act 1981*;
- (e) *Futures Industry (Application of Laws) Act 1986*;
- (f) *Marketable Securities Transfer Act 1970*;
- (g) *Securities Industry Act 1975*;
- (h) *Securities Industry (Application of Laws) Act 1981*;
- (i) *Securities Industry (Release of Sureties) Act 1977*;

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Part 2 Repeals

Division 2 Companies legislation repealed and consequential amendments

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- (j) *Companies Act (Interstate Corporate Affairs Commission) Amendment Act 1975.*

[Note: The repeal of the Acts referred to in paragraphs (b) to (e) and (h) will terminate the following Codes —

- *Companies (Western Australia) Code;*
- *Futures Industry (Western Australia) Code;*
- *Securities Industry (Western Australia) Code;*
- *Companies (Acquisition of Shares) (Western Australia) Code;*
- *Companies and Securities (Interpretation and Miscellaneous Provisions) (Western Australia) Code.]*

5. Bills of Sale Act 1899 amended

- (1) This section amends the *Bills of Sale Act 1899*.
- (2) Delete section 3(2) and (3).

6. Companies (Administration) Act 1982 amended

- (1) This section amends the *Companies (Administration) Act 1982*.
- (2) In the long title delete “**to establish the Companies Auditors and Liquidators Disciplinary Board,**”.
- (3) Delete sections 13 and 14.

7. Evidence Act 1906 amended

- (1) This section amends the *Evidence Act 1906*.
- (2) In section 79(1):
 - (a) delete “Kingdom or in any State or Territory of the Commonwealth,” and insert:

Kingdom,

- (b) in paragraph (a) delete “Ireland, or in that State or Territory; or” and insert:

Ireland; or

- (c) in paragraph (b) delete “peace of such State or Territory,” and insert:

peace,

- (3) In section 79(2) delete the passage that begins with “or in any State” and ends with “any such office”.
- (4) In section 79(3):
- (a) delete paragraph (a) and “and” after it;
 - (b) in paragraph (b) delete “or in any State or Territory of the Commonwealth”;
 - (c) in paragraph (b) delete “*Act 1982, the Companies Act 1961,*” and insert:

Act 1982

8. *Mining Act 1978* amended

- (1) This section amends the *Mining Act 1978*.
- (2) In section 101(1):
- (a) delete “Law, the *Companies (Western Australia) Code* or the *Companies Act 1961,*” and insert:

Law
 - (b) delete “section 371(2) of that Code or of section 230(3) of that Act,”.

9. *Supreme Court Act 1935* amended

- (1) This section amends the *Supreme Court Act 1935*.
- (2) Delete section 11E(2)(b).

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Part 2 Repeals

Division 3 Public Institutions and Friendly Societies Lands Improvement Act 1892 repealed and consequential amendments

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10. *Transfer of Land Act 1893* amended

- (1) This section amends the *Transfer of Land Act 1893*.
- (2) In section 143(1):
 - (a) after “duplicate,” insert:

or
 - (b) delete the passage that begins with “*Act 1896*, or a copy” and ends with “previous enactment with” and insert:

Act 1896 with

11. *Unclaimed Money Act 1990* amended

- (1) This section amends the *Unclaimed Money Act 1990*.
- (2) Delete section 9(1)(n), (o), (p) and (q).

Division 3 — *Public Institutions and Friendly Societies Lands Improvement Act 1892* repealed and consequential amendments

12. *Public Institutions and Friendly Societies Lands Improvement Act 1892* repealed

These Acts are repealed:

- (a) *Public Institutions and Friendly Societies Lands Improvement Act 1892*;
- (b) *Public Institutions and Friendly Societies Lands Improvement Act 1892, Amendment Act 1893*.

13. *Hospitals and Health Services Act 1927* amended

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

- (2) Delete section 17(1).
- (3) In section 17(2a) after “incidental thereto,” insert:

or the improvement of any land held by the board,

14. *Pharmacy Act 1964* amended

- (1) This section amends the *Pharmacy Act 1964*.
- (2) Delete section 8(3).
- (3) After section 9(1) insert:
 - (1A) The Council may, with the approval of the Governor —
 - (a) borrow money for the purpose of erecting, altering or adding to any building on, or otherwise improving, land held by the Council; and
 - (b) mortgage land held by the Council as security for any such borrowing.

Part 3 — Amendments

15. *Acts Amendment (Equality of Status) Act 2003* amended

- (1) This section amends the *Acts Amendment (Equality of Status) Act 2003*.
- (2) Delete Part 64.

16. *Acts Amendment (Federal Courts and Tribunals) Act 2001* amended

- (1) This section amends the *Acts Amendment (Federal Courts and Tribunals) Act 2001*.
- (2) Delete Part 9.

17. *Acts Amendment (Lesbian and Gay Law Reform) Act 2002* amended

- (1) This section amends the *Acts Amendment (Lesbian and Gay Law Reform) Act 2002*.
- (2) Delete section 88(3)(c).

18. *Adoption Act 1994* amended

- (1) This section amends the *Adoption Act 1994*.
- (2) In section 42(2) delete “Director-General” and insert:

CEO

- (3) In section 52(1):
 - (a) delete paragraph (a)(iii) and insert:
 - (iii) satisfies the age differential requirement set out in subsection (3);

- (b) delete paragraph (a)(iia) to (iie) and “or” after subparagraph (iic);
- (c) after each of paragraphs (a) to (c), paragraph (a)(i) to (va) and paragraph (c)(i) insert:

and

- (4) In section 52(2) delete “affected by any provision of, and” and insert:

affected, and

- (5) After section 52(2) insert:

- (3) For the purposes of subsection (1)(a)(iii) the age differential requirement is that the prospective adoptive parent —
 - (a) is not more than 45 years older than the child in the case where the prospective adoptive parent is the younger of prospective joint adoptive parents who, as a couple, have not adopted a child before; or
 - (b) is not more than 50 years older than the child in the case where the prospective adoptive parent is the older of prospective joint adoptive parents who, as a couple, have not adopted a child before; or
 - (c) is not more than 50 years older than the child in the case where the prospective adoptive parent is the younger of prospective joint adoptive parents who, as a couple, have adopted a child before; or

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- (d) is not more than 55 years older than the child in the case where the prospective adoptive parent is the older of prospective joint adoptive parents who, as a couple, have adopted a child before; or
- (e) is not more than 45 years older than the child in the case where the prospective adoptive parent is a prospective sole adoptive parent and has not adopted a child before (whether as a joint or sole adoptive parent); or
- (f) is not more than 50 years older than the child in the case where the prospective adoptive parent is a prospective sole adoptive parent and has adopted a child before (whether as a joint or sole adoptive parent).

19. *Agricultural and Veterinary Chemicals (Western Australia) Act 1995 amended*

- (1) This section amends the *Agricultural and Veterinary Chemicals (Western Australia) Act 1995*.
- (2) In section 3 delete the definition of *NRA*.
- (3) In section 3 insert in alphabetical order:

APVMA means the Australian Pesticides and Veterinary Medicines Authority continued in existence by the Agricultural and Veterinary Chemicals (Administration) Act section 6;

- (4) In the provisions listed in the Table delete “NRA” (each occurrence) and insert:

APVMA

Table

s. 16(2)	s. 21(1) and (2)
s. 22(1) and (2)	s. 23
s. 24	s. 28(1)
s. 30	s. 31(1)(c), (d)(i), (e)(i), (f), (g)(i) and (2)

Notes:

1. The heading to amended section 21 is to read:

Conferral of functions and powers on APVMA

2. The heading to amended section 30 is to read:

Documents or substances held by previous registering authority may be given to APVMA

20. *Agricultural Practices (Disputes) Act 1995* amended

- (1) This section amends the *Agricultural Practices (Disputes) Act 1995*.
- (2) In section 3 in the definition of *rural land* delete “defined the” and insert:

defined in the

21. *Architects Act 2004* amended

- (1) This section amends the *Architects Act 2004*.
- (2) In section 58(2) delete “2003.” and insert:

2004.

22. *Art Gallery Act 1959* amended

- (1) This section amends the *Art Gallery Act 1959*.
- (2) In section 20A(5) delete “as Treasurer” and insert:

as the Treasurer

23. *Bank Mergers Act 1997* amended

- (1) This section amends the *Bank Mergers Act 1997*.
- (2) In section 3 in the definition of *bank* delete “of a an ADI” and insert:

of an ADI

24. *Bank of Western Australia Act 1995* amended

- (1) This section amends the *Bank of Western Australia Act 1995*.
- (2) Delete section 11.

25. *Betting Control Act 1954* amended

- (1) This section amends the *Betting Control Act 1954*.
- (2) In section 20(3)(e) delete “(ii) the RWWA Act” and insert:

(iii) the RWWA Act

26. *Caravan Parks and Camping Grounds Act 1995* amended

- (1) This section amends the *Caravan Parks and Camping Grounds Act 1995*.
- (2) Delete section 34(1) and (2).
- (3) Delete Schedule 2 item 3.

27. Cemeteries Act 1986 amended

- (1) This section amends the *Cemeteries Act 1986*.
- (2) In section 39 delete “redevelops portion” and insert:

redevelops a portion

28. Charitable Collections Act 1946 amended

- (1) This section amends the *Charitable Collections Act 1946*.
- (2) In section 6(1):

- (a) delete “(i) the holder” and insert:

- (e) the holder

- (b) delete “(ii) a member” and insert:

- (f) a member

- (c) delete “(iii) authorised to” and insert:

- (g) authorised to

- (3) In section 6(3) delete “subsection (1)(i), (ii) or (iii),” and insert:

subsection (1)(e), (f) or (g),

- (4) In section 13(2) delete “of opinion —” and insert:

of the opinion —

29. Consequential amendment to Pawnbrokers and Second-hand Dealers Regulations 1996

- (1) This section amends the *Pawnbrokers and Second-hand Dealers Regulations 1996*.
- (2) In regulation 5(1) in the Table in item 3 delete “paragraph (i), (ii) or (iii) of section 6(1)” and insert:

section 6(1)(e), (f) or (g)

30. Chattel Securities Act 1987 amended

- (1) This section amends the *Chattel Securities Act 1987*.
- (2) In section 24(3)(b) delete “to be” (first occurrence).

31. Child Welfare Amendment Act 1990 amended

- (1) This section amends the *Child Welfare Amendment Act 1990*.
- (2) Delete section 9.

32. Children and Community Services Act 2004 amended

- (1) This section amends the *Children and Community Services Act 2004*.
- (2) In section 3 insert in alphabetical order:

judge means a judge of the Court;

- (3) In the provisions listed in the Table before “magistrate” (each occurrence) insert:

judge or

Table

s. 34(1) and (3)	s. 35(1) and (3)
s. 52(2) and (4)	s. 85(1) and (3)
s. 86(1) and (3)	s. 120(4), (5), (6), (7), (8), (9) and (10)
s. 135(3) and (5)	s. 136(4)(a) and (5)

- (4) Delete Schedule 2 clause 25.

33. *Civil Liability Act 2002* amended

- (1) This section amends the *Civil Liability Act 2002*.
- (2) In section 4(2):
- (a) in paragraph (a) delete “Wage Cost Index,” and insert:

Labour Price Index (formerly known as the
Wage Cost Index),

- (b) in paragraph (a) delete “*the WCI*” and insert:

the *LPI*

- (3) In section 4(2)(b) delete “WCI” and insert:

LPI

34. *Conservation and Land Management Act 1984* amended

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

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- (2) Delete section 131A(3) and insert:
 - (3) A copy of a direction transmitted to the Clerk of a House is taken to have been laid before that House.
- (3) In section 131A(4) delete “regarded as having occurred under subsection (3)(a)” and insert:

taken to have occurred under subsection (3)

35. *Conservation and Land Management Amendment Act 1991* amended

- (1) This section amends the *Conservation and Land Management Amendment Act 1991*.
- (2) Delete section 51.
- (3) Delete the Schedule items 1, 2 and 6.

36. *Conspiracy and Protection of Property Act of 1900* amended

- (1) This section amends the *Conspiracy and Protection of Property Act of 1900*.
- (2) In section 6 delete “either”.

37. *Constitution Acts Amendment Act 1899* amended

- (1) This section amends the *Constitution Acts Amendment Act 1899*.
- (2) In section 51 delete “or other the order” and insert:

or any other order

38. Construction Contracts Act 2004 amended

- (1) This section amends the *Construction Contracts Act 2004*.
- (2) In section 33(1)(b) delete “*Supreme Court Act 1935* section 142,” and insert:

Civil Judgments Enforcement Act 2004 section 8(1)(a),

- (3) In section 39(2) delete “*Supreme Court Act 1935* section 142” and insert:

Civil Judgments Enforcement Act 2004 section 8(1)(a)

- (4) In Schedule 1 clause 8(3) delete “*Supreme Court Act 1935* section 142.” and insert:

Civil Judgments Enforcement Act 2004 section 8(1)(a).

39. Construction Industry Portable Paid Long Service Leave Act 1985 amended

- (1) This section amends the *Construction Industry Portable Paid Long Service Leave Act 1985*.
- (2) In section 6(1)(b) delete “The Confederation of Western Australian Industry (Incorporated); and” and insert:

the Chamber of Commerce and Industry of
Western Australia (Inc); and

40. Control of Vehicles (Off-road Areas) Act 1978 amended

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

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- (2) In section 3(1) after the definition of *road* delete “and”.

41. *Corruption and Crime Commission Act 2003* amended

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

- (2) In section 27A(3) delete “of Part 2”.

- (3) In section 27B(1):

- (a) in paragraph (a) delete “paragraph (a),” and insert:

section 27A(1)(a),

- (b) in paragraph (b) delete “paragraph (b),” and insert:

section 27A(1)(b),

- (4) In section 67(1) delete “this Part — ” and insert:

this Division —

- (5) In section 102 delete “this Part —” and insert:

this Division —

- (6) In section 145(1) delete “a Commission” and insert:

the Commission

- (7) In section 150(2) delete “either or both” and insert:

any or all

- (8) In section 158(b) delete “this section,” and insert:

section 94 or 95,

- (9) In Schedule 1 clause 1 in the item relating to section 393 of *The Criminal Code* after “imprisonment for” insert:

10 years or

42. Country Areas Water Supply Act 1947 amended

- (1) This section amends the *Country Areas Water Supply Act 1947*.

- (2) In section 12:

- (a) delete “health district constituted under” and insert:

district for the purposes of

- (b) delete “such district under that Act.” and insert:

that district.

- (3) In section 12E(3) delete “determined at the time at which the claim for compensation is made in respect of judgment debts pursuant to section 142 of the *Supreme Court Act 1935*.” and insert:

prescribed under section 8(1)(a) of the *Civil Judgments Enforcement Act 2004* at the time at which the claim for compensation is made.

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- (4) In section 81 delete “recoverable action” and insert:

recoverable by action

43. *Court Security and Custodial Services Act 1999* amended

- (1) This section amends the *Court Security and Custodial Services Act 1999*.
- (2) In section 25(1) in the definition of *justice officer* after each of paragraphs (a) to (e) insert:

or

44. *Credit Act 1984* amended

- (1) This section amends the *Credit Act 1984*.
- (2) Delete section 91(3).

45. *Curriculum Council Act 1997* amended

- (1) This section amends the *Curriculum Council Act 1997*.
- (2) In section 6(2)(f):
- (a) in subparagraphs (i) and (ii) after “officer of” insert:
- the
- (b) in subparagraph (v) delete “the University” and insert:
- The University

46. *Dampier to Bunbury Pipeline Act 1997* amended

- (1) This section amends the *Dampier to Bunbury Pipeline Act 1997*.
- (2) In Schedule 2 clause 5(2) delete “determined under section 142 of the *Supreme Court Act 1935* in respect of judgment debts that applies” and insert:

prescribed under section 8(1)(a) of the *Civil Judgments Enforcement Act 2004*

47. *Dog Act 1976* amended

- (1) This section amends the *Dog Act 1976*.
- (2) In section 33G(6)(a)(i) delete “Local Court;” and insert:

State Administrative Tribunal;

- (3) In section 33J(c) delete “the the” and insert:

the

48. *Economic Regulation Authority Act 2003* amended

- (1) This section amends the *Economic Regulation Authority Act 2003*.
- (2) Delete section 60(2) and insert:
 - (2) A copy of a document transmitted to the Clerk of a House is taken to have been laid before that House.

s. 49

- (3) In section 60(3) delete “regarded as having occurred under subsection (2)(a)” and insert:

taken to have occurred under subsection (2)

49. *Electricity Act 1945* amended

- (1) This section amends the *Electricity Act 1945*.
(2) In section 32(3)(f) delete “and powers,” and insert:

and powers),

50. *Electricity Corporations Act 2005* amended

- (1) This section amends the *Electricity Corporations Act 2005*.
(2) After section 37(3) insert:

(4) If —

(a) the sources of energy used to generate electricity are a combination of renewable sources and diesel or renewable sources and gas; and

(b) the renewable sources comprise a substantial proportion of those sources of energy,

then for the purposes of subsection (2) the electricity is taken to be generated from renewable sources.

- (3) In Schedule 5 clause 21(2)(a):
(a) after subparagraph (i) delete “and”;
(b) delete subparagraph (ii).

51. *Employment Agents Act 1976* amended

- (1) This section amends the *Employment Agents Act 1976*.
- (2) In section 25(4) delete “licence to the in accordance” and insert:

licence in accordance

- (3) In section 31(b) delete the phrase that begins with “of the Commissioner” and ends with “shall be” and insert:

of the Commissioner or a person appointed by
the Commissioner shall be

- (4) In section 40 delete “the the” and insert:

the

52. *Energy Coordination Act 1994* amended

- (1) This section amends the *Energy Coordination Act 1994*.
- (2) In section 11L(2):
 - (a) after paragraph (a) insert “and”;
 - (b) delete paragraph (b) and insert:

(b) in the case of an application for a trading licence, the methods or principles that the applicant proposes to apply in determining its prices or charges; and

(3) In Schedule 1A:

(a) delete paragraph (k) and insert:

(k) if the licence is a trading licence, specifying any limitation on the capacity of the parties by express agreement to exclude, modify or restrict the terms and conditions of the customer contract; and

(b) after each of paragraphs (a) to (j) and (l), paragraph (j)(i) and paragraph (n)(i) to (iv) insert:

and

53. *Environmental Protection Act 1986* amended

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

(2) In section 3(1) in the definition of *scheme Act* delete “means” and insert:

means the

54. *Environmental Protection Amendment Act 2003* amended

(1) This section amends the *Environmental Protection Amendment Act 2003*.

(2) Delete section 111(4).

(3) In section 111(5) delete “Section” and insert:

Sections 70(3) to (11) and

55. *Exotic Diseases of Animals Act 1993* amended

- (1) This section amends the *Exotic Diseases of Animals Act 1993*.
- (2) In section 46(a) delete “the *Public Service Act 1978*” and insert:

the *Public Sector Management Act 1994* Part 3

56. *Fair Trading Act 1987* amended

- (1) This section amends the *Fair Trading Act 1987*.
- (2) In section 5(1) delete the definition of ***product information standard*** and insert:

product information standard means a standard prescribed by regulations referred to in section 59;

57. *Fire and Emergency Services Authority of Western Australia Act 1998* amended

- (1) This section amends the *Fire and Emergency Services Authority of Western Australia Act 1998*.
- (2) Delete section 36U(3).

58. *Firearms Act 1973* amended

- (1) This section amends the *Firearms Act 1973*.
- (2) In section 19AA(1) and (2) delete “an indictable offence” and insert:

a crime

59. *Firearms Amendment Act 2004* amended

- (1) This section amends the *Firearms Amendment Act 2004*.

s. 60

(2) Delete section 22(4)(a).

(3) Delete section 26.

60. *Fish Resources Management Act 1994* amended

(1) This section amends the *Fish Resources Management Act 1994*.

(2) In section 126(c) delete “authorisation, aquaculture” and insert:

authorisation or aquaculture

61. *Fisheries Adjustment Schemes Act 1987* amended

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

(2) In section 11(3)(b) delete “a fisheries” and insert:

a voluntary fisheries

62. *Forest Products Act 2000* amended

(1) This section amends the *Forest Products Act 2000*.

(2) Delete section 69(2) and insert:

(2) A copy of a document transmitted to the Clerk of a House is taken to have been laid before that House.

(3) In section 69(3) delete “subsection (2)(a)” and insert:

subsection (2)

- (4) In Schedule 1 clause 5 delete “as it thinks” and insert:

as they think

63. *Gaming and Wagering Commission Act 1987* amended

- (1) This section amends the *Gaming and Wagering Commission Act 1987*.
- (2) In section 8(2) after each of paragraphs (a) to (da), paragraph (c)(i) and (ii) and paragraph (d)(i) and (iii) insert:

and

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

- (1) This section amends the *Gas Pipelines Access (Western Australia) Act 1998*.
- (2) In Schedule 1 clause 13(7) in the definition of *associate* delete “Law” and insert:

Act

65. *Gold Corporation Act 1987* amended

- (1) This section amends the *Gold Corporation Act 1987*.
- (2) In section 3(1) in the definition of *subsidiary* delete paragraph (c) and insert:

- (c) a body determined to be a subsidiary of Gold Corporation under subsection (3);

(3) After section 3(2) insert:

(3) Part 1.2 Division 6 of the Corporations Act applies for the purpose of determining whether a body is a subsidiary of Gold Corporation.

66. Governor's Establishment Act 1992 amended

(1) This section amends the *Governor's Establishment Act 1992*.

(2) In section 3 in the definition of *member of the Governor's Establishment* after "means" insert:

a

67. Grain Marketing Act 2002 amended

(1) This section amends the *Grain Marketing Act 2002*.

(2) Delete section 17(4) and insert:

(4) A copy of a direction transmitted to the Clerk of a House is taken to have been laid before that House.

(3) In section 17(5) delete "regarded as having occurred under subsection (4)(a)" and insert:

taken to have occurred under subsection (4)

68. Guardianship and Administration Act 1990 amended

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

- (2) In section 3(1) after the definition of *determination* delete “and”.
- (3) In section 3(1) in the definition of *guardian* paragraph (c) delete “Guardian” and insert:

Advocate

69. *Hairdressers Registration Act 1946* amended

- (1) This section amends the *Hairdressers Registration Act 1946*.
- (2) Delete section 3(1) and insert:
 - (1) Subject to subsection (2), this Act applies only within —
 - (a) the South West Division under the *Land Administration Act 1997*; and
 - (b) the area that is within 8 km of the Post Office at Kalgoorlie.

70. *Hairdressers Registration Act 1946*: proclamations revoked

The proclamations made under the *Hairdressers Registration Act 1946* section 3(2) and published in the *Gazette* before 9 March 2004 are revoked.

71. *Health Act 1911* amended

- (1) This section amends the *Health Act 1911*.
- (2) In section 55(3) delete “one inch to 2 miles,” and insert:

1:1 000,

s. 72

(3) In section 212B(1):

(a) delete paragraph (zd) and insert:

(zd) the registration of any body corporate, whether formed or incorporated, or taken to be registered (within the meaning of the *Corporations Act 2001* (Commonwealth), in or outside the State, carrying on within the State the business of importing pet meat in carcass or boneless form into the State; and

(b) after each of paragraphs (a) to (zc) and (ze) to (zr) insert:

and

(4) In the provisions listed in the Table delete “the University” and insert:

The University

Table

s. 340B(3)(a)	s. 340L(1)
s. 340AB(3)(a)	s. 340AL(1)
s. 340BB(3)(c) (first occurrence) and (4)(f)	s. 340BL(1)

72. *Health Amendment Act 1987* amended

(1) This section amends the *Health Amendment Act 1987*.

(2) Delete section 4(d).

(3) Delete section 83.

- (4) Delete section 90.

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

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

- (2) Delete section 57(1) and insert:

- (1) If either House of Parliament is not sitting the Director may place a report before that House for the purposes of section 56(1) by giving the report to the Clerk of that House, and that report is taken to have been placed before that House.

- (3) In section 57(2) delete “subsection (1)(a)” and insert:

subsection (1)

74. *Hire-Purchase Act 1959* amended

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

- (2) In section 36(1) delete “it is claimed” and insert:

claiming

75. *Home Building Contracts Act 1991* amended

- (1) This section amends the *Home Building Contracts Act 1991*.

- (2) In section 25E(2) delete the passage that begins with “before” and ends with “Act 1996.” and insert:

before the commencement of the *Home Building Contracts Amendment Act 1996*.

s. 76

76. *Human Reproductive Technology Act 1991* amended

- (1) This section amends the *Human Reproductive Technology Act 1991*.
- (2) In section 29(3):
 - (a) delete “it with”;
 - (b) delete “it may require.” and insert:

the CEO requires.

77. *Industrial Relations Act 1979* amended

- (1) This section amends the *Industrial Relations Act 1979*.
- (2) In section 32(4)(a) delete “subsection (3),” and insert:

subsection (8),
- (3) In section 32(4)(b) delete “subsection (3) —” and insert:

subsection (8) —
- (4) In section 32(4)(c) delete “subsection (3)” and insert:

subsection (8)
- (5) In section 90(1):
 - (a) in paragraph (a) delete “is not on an” and insert:

is not an

(b) in paragraph (b) before “erroneous” insert:

on the ground that the decision is

78. *Inspector of Custodial Services Act 2003* amended

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

(2) In section 26(1):

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

(c) an investigation or other action taken by the
Corruption and Crime Commission under the
Corruption and Crime Commission Act 2003;
or

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

or

(3) In section 44(1) delete “Anti-Corruption Commission,” and insert:

Corruption and Crime Commission,

(4) In section 45:

(a) delete paragraph (a) and insert:

(a) is disclosed to a person who is —

(i) a member of the Corruption and Crime
Commission; or

(ii) an officer or a seconded officer of the
Corruption and Crime Commission

authorised for the purposes of this subparagraph by the Corruption and Crime Commission,

and concerns a matter that is relevant to the functions of the Corruption and Crime Commission; or

- (b) in paragraph (b) delete “Anti-Corruption Commission” and insert:

Corruption and Crime Commission

79. *Insurance Commission of Western Australia Act 1986* amended

- (1) This section amends the *Insurance Commission of Western Australia Act 1986*.
- (2) In section 6:
- (a) delete paragraph (b) and insert:
- (b) to issue and undertake liability under policies of insurance as required by the *Workers’ Compensation and Injury Management Act 1981* section 163; and
- (b) after each of paragraphs (a) and (c) to (f) insert:
- and
- (3) Delete section 16(3).

- (4) In section 44:
- (a) delete “(the *WCR Act*),” and insert:

(the *WC&IM Act*),
 - (b) delete “WCR Act” (second and third occurrences) and insert:

WC&IM Act
 - (c) delete “WCR Act.” and insert:

WC&IM Act.

80. *Iron Ore (Marillana Creek) Agreement Act 1991 amended*

- (1) This section amends the *Iron Ore (Marillana Creek) Agreement Act 1991*.
- (2) In section 4A(1), (2) and (3) before “Variation” insert:

First

81. *Jetties Act 1926 amended*

- (1) This section amends the *Jetties Act 1926*.
- (2) In section 7(2) delete “to the an officer” and insert:

to an officer

82. *Jurisdiction of Courts (Cross-vesting) Act 1987* amended

- (1) This section amends the *Jurisdiction of Courts (Cross-vesting) Act 1987*.
- (2) In section 6A(1)(c)(ii) after “determination” insert:

in

83. *Land Administration Act 1997* amended

- (1) This section amends the *Land Administration Act 1997*.
- (2) In section 35(8)(a) delete “determined under section 142(1) of the *Supreme Court Act 1935*” and insert:

prescribed under section 8(1)(a) of the *Civil Judgments Enforcement Act 2004*

- (3) In section 241(11) delete “payable in respect of judgment debts as determined under section 142 of the *Supreme Court Act 1935* ruling” and insert:

prescribed under section 8(1)(a) of the *Civil Judgments Enforcement Act 2004*

84. *Law Reform (Miscellaneous Provisions) Act 1941* amended

- (1) This section amends the *Law Reform (Miscellaneous Provisions) Act 1941*.
- (2) In the long title delete “**action, and to amend the law of property known as the Rule against Perpetuities.**” and insert:

action.

- (3) In section 4(1) delete “other or to claims under section 94 of the *Supreme Court Act 1935*, for damages on the ground of adultery.” and insert:

other.

85. *Legal Practitioners Act Amendment Act 1944* amended

- (1) This section amends the *Legal Practitioners Act Amendment Act 1944*.
- (2) Delete the provisions relating to the Legal Practitioners’ Guarantee Fund (which have not been proclaimed).

86. *Litter Act 1979* amended

- (1) This section amends the *Litter Act 1979*.
- (2) In section 9(1)(b), (d), (e) and (f) delete “The Confederation” and insert:

the Chamber of Commerce and Industry

- (3) Delete section 9(6) and insert:

- (6) In this section —
Chamber of Commerce and Industry means the Chamber of Commerce and Industry of Western Australia (Inc).

87. *Local Government Act 1995* amended

- (1) This section amends the *Local Government Act 1995*.

- (2) In the heading to Part 3 Division 3 Subdivision 4 before “goods” insert:

abandoned vehicle wrecks and

88. *Local Government Amendment Act 2004* amended

- (1) This section amends the *Local Government Amendment Act 2004*.
- (2) Delete section 16(1), (2), (3) and (5).

89. *Lotteries Commission Act 1990* amended

- (1) This section amends the *Lotteries Commission Act 1990*.
- (2) In section 22(2)(e)(ii) delete “the University” and insert:

The University

90. *Maritime Archaeology Act 1973* amended

- (1) This section amends the *Maritime Archaeology Act 1973*.
- (2) In the First Schedule in the item for the ship called the “Zuytdorp” delete “Forty miles” and insert:

33.5 nautical miles

91. *Metric Conversion Act 1972* amended

- (1) This section amends the *Metric Conversion Act 1972*.

- (2) After section 6 insert:

7. Power to amend subsidiary legislation

- (1) The Governor, on the recommendation of the Minister, may make regulations amending any subsidiary legislation made under any Act.
- (2) The Minister may make a recommendation under subsection (1) only if the Minister considers that each amendment proposed to be made by the regulations is solely for the purpose of amending a reference in the subsidiary legislation to a physical quantity that is not expressed in terms of a unit or units in the metric system of measurement by substituting for that reference a reference to a physical quantity expressed in terms of a unit or units in the metric system of measurement.
- (3) The quantity to be substituted need not be the exact metric equivalent of the quantity being replaced but must not be more than 10% greater or less than the quantity being replaced.

92. *Mine Workers' Relief Act 1932* amended

- (1) This section amends the *Mine Workers' Relief Act 1932*.
- (2) In Schedule 3 clause 2(f) delete "receive and payment" and insert:

receive any payment

93. *Mining Amendment Act 1996* amended

- (1) This section amends the *Mining Amendment Act 1996*.
- (2) Delete section 9.

s. 94

94. *Motor Vehicle Dealers Act 1973* amended

(1) This section amends the *Motor Vehicle Dealers Act 1973*.

(2) In section 19(3) delete “licence” and insert:

authorisation

(3) In section 37A(5) delete “copy order” and insert:

copy of the order

95. *National Environment Protection Council (Western Australia) Act 1996* amended

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

(2) In section 53(1) delete “by Parliament” and insert:

by the Parliament

96. *National Trust of Australia (W.A.) Act 1964* amended

(1) This section amends the *National Trust of Australia (W.A.) Act 1964*.

(2) In the Schedule paragraph (b) delete “the University” and insert:

The University

97. *Painters’ Registration Act 1961* amended

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

- (2) In section 7(1)(c) delete “The Confederation of Western Australian Industry (Incorporated)” and insert:

the Chamber of Commerce and Industry of
Western Australia (Inc)

98. *Parks and Reserves Act 1895* amended

- (1) This section amends the *Parks and Reserves Act 1895*.
(2) In section 3(6) delete “Subject to section 5(3), (4), (4a) and (5), if” and insert:

If

99. *Perth Theatre Trust Act 1979* amended

- (1) This section amends the *Perth Theatre Trust Act 1979*.
(2) In section 17(3) delete “award under the *Industrial Arbitration Act 1979* or to any relevant award or agreement under the *Public Service Arbitration Act 1966*.” and insert:

award, order or industrial agreement under the
Industrial Relations Act 1979.

- (3) In section 17A(2) delete “award under the *Industrial Arbitration Act 1979*,” and insert:

award, order or industrial agreement under the
Industrial Relations Act 1979,

100. *Planning and Development Act 2005* amended

- (1) This section amends the *Planning and Development Act 2005*.

s. 101

- (2) In section 111(2)(b) delete “that proposed region scheme,” and insert:

that proposed local planning scheme,

- (3) In section 127(1)(b) delete “to forward” and insert:

forward

- (4) In section 187(1) delete “section 174(1)(a) or (b),” and insert:

section 174(1),

- (5) In section 225(1) delete “against section 220”.

- (6) In Schedule 2 clause 7(2)(a) delete “section 10(1)(c)(iii);” and insert:

section 10(1)(b)(iii);

101. *Poisons Act 1964* amended

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

- (2) In section 8(3)(a) delete “the University” and insert:

The University

102. Port Authorities Act 1999 amended

- (1) This section amends the *Port Authorities Act 1999*.
- (2) In section 3(1) in the definition of *subsidiary* delete paragraph (a) and “and” after it and insert:
 - (a) a body determined to be a subsidiary of a port authority under subsection (4); or
- (3) After section 3(3) insert:
 - (4) Part 1.2 Division 6 of the Corporations Act applies for the purpose of determining whether a body is a subsidiary of a port authority.
- (4) Delete section 133(2) and insert:
 - (2) A copy of a document transmitted to the Clerk of a House is taken to have been laid before that House.
- (5) In section 133(3) delete “subsection (2)(a)” and insert:

subsection (2)

103. Public and Bank Holidays Act 1972 amended

- (1) This section amends the *Public and Bank Holidays Act 1972*.
- (2) In the Second Schedule in the item beginning “Celebration Day” delete “annually” and insert:

for each year

s. 104

104. *Public Interest Disclosure Act 2003* amended

(1) This section amends the *Public Interest Disclosure Act 2003*.

(2) Delete section 12(2) and insert:

(2) If a person makes a disclosure of public interest information under this Act to the Parliamentary Commissioner, the *Parliamentary Commissioner Act 1971* section 26 applies as if the disclosure were the making of a complaint under that Act.

(3) In section 16(1):

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

or

(b) in paragraph (f) delete “*Act 2003*; or” and insert:

Act 2003.

105. *Queen Elizabeth II Medical Centre Act 1966* amended

(1) This section amends the *Queen Elizabeth II Medical Centre Act 1966*.

(2) In section 16(4)(c) delete “the University” and insert:

The University

106. *Racing and Wagering Western Australia Act 2003* amended

(1) This section amends the *Racing and Wagering Western Australia Act 2003*.

(2) Delete section 117(2) and insert:

(2) A copy of the text of a document transmitted to the Clerk of a House is taken to have been laid before that House.

(3) In section 117(3) delete “regarded as having occurred under subsection (2)(a)” and insert:

taken to have occurred under subsection (2)

107. *Radiation Safety Act 1975* amended

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

(2) In section 57 delete “(2) Where by any provision” and insert:

(2A) Where by any provision

108. *Real Property (Foreign Governments) Act 1951* amended

(1) This section amends the *Real Property (Foreign Governments) Act 1951*.

(2) In section 3(3) delete “100 acres” and insert:

40.5 hectares

109. *Referendums Act 1983* amended

(1) This section amends the *Referendums Act 1983*.

s. 110

- (2) In section 30(1) delete “return the writ to the Clerk of the Writs who shall transmit it to the Governor.” and insert:

in the case of a referendum as to a Bill, transmit the writ to the Governor.

110. Retirement Villages Act 1992 amended

- (1) This section amends the *Retirement Villages Act 1992*.
(2) In section 44(1) delete “Tribunal Tribunal” and insert:

Tribunal

111. Road Traffic Amendment (Vehicle Licensing) (Taxing) Act 2001 amended

- (1) This section amends the *Road Traffic Amendment (Vehicle Licensing) (Taxing) Act 2001*.
(2) In section 1 delete “Amendment”.

112. Road Traffic Amendment Act (No. 2) 1987 amended

- (1) This section amends the *Road Traffic Amendment Act (No. 2) 1987*.
(2) Delete section 11(b).

113. Rural Business Development Corporation Act 2000 amended

- (1) This section amends the *Rural Business Development Corporation Act 2000*.
(2) Delete section 16(5) and insert:

(5) A copy of a direction transmitted to the Clerk of a House is taken to have been laid before that House.

- (3) In section 16(6) delete “regarded as having occurred under subsection (5)(a)” and insert:

taken to have occurred under subsection (5)

114. *Salaries and Allowances Act 1975* amended

- (1) This section amends the *Salaries and Allowances Act 1975*.
(2) In section 7(1) delete “the Commissioner appointed under the *Corruption and Crime Commission Act 2003*,”.

115. *Sentencing Act 1995* amended

- (1) This section amends the *Sentencing Act 1995*.
(2) In section 9(1) delete “Subject to subsection (4),”.
(3) In Schedule 1:
(a) in the item for the *Murdoch University Act 1973* delete “the”;
(b) in the item for the *University of Notre Dame Australia Act 1989* delete “the University” and insert:

The University

- (c) in the item for the *University of Western Australia Act 1911*, delete “the University” and insert:

The University

116. *Sentencing Legislation Amendment and Repeal Act 2003* amended

- (1) This section amends the *Sentencing Legislation Amendment and Repeal Act 2003*.

s. 117

- (2) Delete section 40(3).
- (3) Delete section 44.
- (4) Delete section 45.

117. *Settlement Agents Act 1981* amended

- (1) This section amends the *Settlement Agents Act 1981*.
- (2) In section 3(1) delete both definitions of **business** and insert:

business means —

- (a) subject to paragraph (b), the business of a settlement agent; and
- (b) in the definition of **business transaction** and in section 45(a), any commercial undertaking or enterprise in respect of any profession, trade, employment, vocation or calling within the State;

118. *Sports Drug Testing Act 2001* amended

- (1) This section amends the *Sports Drug Testing Act 2001*.
- (2) In section 3 in the definition of **WA competitor**:
 - (a) delete “competitor, who — ” and insert:

competitor —

- (b) at the beginning of paragraphs (a) and (b) insert:

who

- (3) In section 4(4)(e) delete “within and” and insert:

within or

119. Stamp Act 1921 amended

- (1) This section amends the *Stamp Act 1921*.
(2) In section 76B(2) delete “or (5a)(a);” and insert:

or (5a)(a)

120. State Administrative Tribunal Act 2004 amended

- (1) This section amends the *State Administrative Tribunal Act 2004*.
(2) In Schedule 1 delete “*Architects Act 1921*” and insert:

Architects Act 2004

121. Statutory Corporations (Liability of Directors) Act 1996 amended

- (1) This section amends the *Statutory Corporations (Liability of Directors) Act 1996*.
(2) In section 4 in the definition of **director** paragraph (a) delete “corporation;” and insert:

corporation or, if the corporation is governed by one person, that person; or

122. Surveillance Devices Act 1998 amended

- (1) This section amends the *Surveillance Devices Act 1998*.

s. 123

- (2) In section 41(3) delete the phrase that begins with “Police,” and ends with “and the” and insert:

Police, the Corruption and Crime Commission and the

123. *Swan Valley Planning Legislation Amendment Act 2006* amended

- (1) This section amends the *Swan Valley Planning Legislation Amendment Act 2006*.
- (2) Delete section 20(1) and (2).
- (3) Delete Schedule 1 Division 1.
- (4) Delete Schedule 1 Division 3 item 3.

124. *Taxation (Staff Arrangements) Act 1969* amended

- (1) This section amends the *Taxation (Staff Arrangements) Act 1969*.
- (2) In section 5(1) before “chief executive” insert:

the

125. *Travel Agents Act 1985* amended

- (1) This section amends the *Travel Agents Act 1985*.
- (2) In section 24(2) delete “subsection (4)(b) or (c)” and insert:

subsection (1)

126. *Trustees Act 1962* amended

- (1) This section amends the *Trustees Act 1962*.

- (2) In section 101(5) delete “*Bills of Exchange Act 1903* of the Commonwealth and its amendments.” and insert:

Bills of Exchange Act 1909 (Commonwealth).

127. *University Colleges Act 1926* amended

- (1) This section amends the *University Colleges Act 1926*.
(2) In section 3 delete “five acres.” and insert:

2.03 hectares.

128. *Valuation of Land Act 1978* amended

- (1) This section amends the *Valuation of Land Act 1978*.
(2) In section 35(1) delete “such decision”.

129. *Veterinary Surgeons Act 1960* amended

- (1) This section amends the *Veterinary Surgeons Act 1960*.
(2) In section 24(1) delete “removal of name” and insert:

removal of the name

130. *Video Tapes Classification and Control Amendment Act 1991* amended

- (1) This section amends the *Video Tapes Classification and Control Amendment Act 1991*.
(2) Delete sections 4 to 12.

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131. Water Boards Act 1904 amended

- (1) This section amends the *Water Boards Act 1904*.
- (2) In section 91 delete “objection or the appeal.” and insert:

objection.

Note: The heading to amended section 91 is to read:

Objection not to affect liability to pay rates

132. Water Corporation Act 1995 amended

- (1) This section amends the *Water Corporation Act 1995*.
- (2) In section 3:
 - (a) delete “In this Act,” and insert:

(1) In this Act,

(b) in the definition of *subsidiary* delete paragraph (a) and “and” after it and insert:

(a) a body determined to be a subsidiary of the corporation under subsection (2); or

(3) At the end of section 3 insert:

(2) Part 1.2 Division 6 of the Corporations Act applies for the purpose of determining whether a body is a subsidiary of the corporation.

(4) Delete section 87(2) and insert:

(2) A copy of a document transmitted to the Clerk of a House is taken to have been laid before that House.

(5) In section 87(3) delete “subsection (2)(a)” and insert:

subsection (2)

(6) In Schedule 3 clause 28(6) delete the passage that begins with “transmitted is to be — ” and ends with “authority of that House.” and insert:

transmitted is taken to have been laid before that House.

(7) In Schedule 3 clause 28(7) delete “subclause (6)(a)” and insert:

subclause (6)

133. *Water Services Licensing Act 1995* amended

(1) This section amends the *Water Services Licensing Act 1995*.

(2) In section 27 delete “at the its” and insert:

at its

(3) In section 46M(2) delete “section 112A of the *Public Works Act 1902*.” and insert:

the *Land Administration Act 1997* Part 9 Division 4.

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- (4) Delete section 59E(5) and insert:
 - (5) A copy of a direction transmitted to the Clerk of a House is taken to have been laid before that House.
- (5) In section 59E(6) delete “subsection (5)(a)” and insert:
 - subsection (5)

134. *Western Australian Coastal Shipping Commission Act 1965* amended

- (1) This section amends the *Western Australian Coastal Shipping Commission Act 1965*.
- (2) Delete section 20(2).

135. *Western Australian College of Teaching Act 2004* amended

- (1) This section amends the *Western Australian College of Teaching Act 2004*.
- (2) In section 9(1)(d):
 - (a) in subparagraphs (i) and (ii) after “officer of” insert:
 - the
 - (b) in subparagraphs (iv) and (v) delete “the University” and insert:
 - The University

136. *Western Australian Land Authority Act 1992* amended

- (1) This section amends the *Western Australian Land Authority Act 1992*.

(2) Delete section 45A(2) and insert:

(2) A copy of a document transmitted to the Clerk of a House is taken to have been laid before that House.

(3) In section 45A(3) delete “subsection (2)(a)” and insert:

subsection (2)

137. *Western Australian Marine Act 1982* amended

(1) This section amends the *Western Australian Marine Act 1982*.

(2) In section 64(5) delete “subsection (1)” and insert:

subsection (4)

(3) In section 104(5) delete “to and in a” and insert:

to and in relation to a

138. *Western Australian Treasury Corporation Act 1986* amended

(1) This section amends the *Western Australian Treasury Corporation Act 1986*.

(2) Delete section 16Q(2) and insert:

(2) A copy of a document transmitted to the Clerk of a House is taken to have been laid before that House.

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- (3) In section 16Q(3) delete “subsection (2)(a)” and insert:

subsection (2)

139. Workers’ Compensation and Injury Management Act 1981 amended

- (1) This section amends the *Workers’ Compensation and Injury Management Act 1981*.

- (2) In section 5(1) in the definition of ***NRE amount***:

- (a) in paragraph (c)(i) delete “Wages Cost Index,” and insert:

Labour Price Index (formerly known as the Wages Cost Index),

- (b) in paragraph (c)(i) delete “(WCI)” and insert:

(the ***LPI***)

- (c) in paragraph (c)(ii) delete “WCI” and insert:

LPI

- (3) In section 5(1) in the definition of ***prescribed amount***:

- (a) in paragraph (b)(i) delete “Wages Cost Index,” and insert:

Labour Price Index (formerly known as the Wages Cost Index),

(b) in paragraph (b)(i) delete “(the *WCI*)” and insert:

(the *LPI*)

(c) in paragraph (b)(ii) delete “WCI” and insert:

LPI

(4) In section 93F(8) in the definition of *Amount A*:

(a) in paragraph (b)(i) delete “Wages Cost Index,” and insert:

Labour Price Index (formerly known as
the Wages Cost Index),

(b) in paragraph (b)(i) delete “(the *WCI*)” and insert:

(the *LPI*)

(c) in paragraph (b)(ii) delete “WCI” and insert:

LPI

**140. Working with Children (Criminal Record Checking) Act 2004
amended**

(1) This section amends the *Working with Children (Criminal Record Checking) Act 2004*.

(2) In Schedule 1 in the item relating to *The Criminal Code* section 329(3) delete “activity” and insert:

behaviour

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- (3) In Schedule 2:
- (a) in the item relating to *The Criminal Code* section 329(3) delete “activity” and insert:

behaviour
 - (b) in the item relating to *The Criminal Code* section 329(5) delete “engage in sexual activity” and insert:

do indecent act
 - (c) in the item relating to the *Criminal Code Act 1995* of the Commonwealth section 474.22 delete “child” (first occurrence).

141. Zoological Parks Authority Act 2001 amended

- (1) This section amends the *Zoological Parks Authority Act 2001*.
- (2) Delete section 14(4) and insert:

 - (4) A copy of a direction transmitted to the Clerk of a House is taken to have been laid before that House.
- (3) In section 14(5) delete “regarded as having occurred under subsection (4)(a)” and insert:

taken to have occurred under subsection (4)