

Western Australia

**Acts Amendment (Bankruptcy) Act 2009**

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No. 18 of 2009

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## Acts Amendment (Bankruptcy) Act 2009

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Western Australia

## **Acts Amendment (Bankruptcy) Act 2009**

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**No. 18 of 2009**

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

*[Assented to 16 September 2009]*

The Parliament of Western Australia enacts as follows:

## **Part 1 — Preliminary**

**1. Short title**

This is the *Acts Amendment (Bankruptcy) 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 — Interpretation Act 1984 amended**

### **3. Act amended**

This Part amends the *Interpretation Act 1984*.

### **4. Section 5 amended**

In section 5 insert in alphabetical order:

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

### **5. Section 13D inserted**

After section 13C insert:

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

- (1) A reference in a written law to a person being a bankrupt means that the person is a bankrupt as defined in the *Bankruptcy Act 1966* (Commonwealth) or has a substantially similar status under a law applicable in a place where that Act does not apply.
- (2) A reference in a written law to a person being a bankrupt or a person whose affairs are under insolvency laws means that —
  - (a) the person is a bankrupt as described in subsection (1); or
  - (b) the person is a party, as a debtor, to a debt agreement under the *Bankruptcy Act 1966* (Commonwealth); or
  - (c) the person has, as a debtor, entered into a personal insolvency agreement under Part X of the *Bankruptcy Act 1966* (Commonwealth) and

obligations created by the agreement remain to be discharged; or

- (d) the person has not yet entered a personal insolvency agreement under Part X of the *Bankruptcy Act 1966* (Commonwealth) but has authorised a controlling trustee to perform functions under that Part,

or that the person has a substantially similar status under a law applicable in a place where the *Bankruptcy Act 1966* (Commonwealth) does not apply.

### **Part 3 — Other Acts amended**

**6. *Aboriginal Affairs Planning Authority Act 1972* amended**

- (1) This section amends the *Aboriginal Affairs Planning Authority Act 1972*.
- (2) In the First Schedule clause 2:
  - (a) delete paragraph (b) and insert:
    - (b) is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or
  - (b) after paragraph (a) insert:
    - or

**7. *Agricultural Produce Commission Act 1988* amended**

- (1) This section amends the *Agricultural Produce Commission Act 1988*.
- (2) In the Schedule clause 4:
  - (a) delete paragraph (c) and “or” after it and insert:
    - (c) is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or
  - (b) after each of paragraphs (a) and (b) insert:
    - or

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

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

(2) In section 10:

(a) delete paragraph (d) and insert:

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

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

or

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

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

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

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

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

(b) after paragraph (a) insert:

or

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

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

- (2) In section 13:
- (a) delete paragraphs (a) and (b) and insert:
    - (a) if the person is, or has at any time within the previous 6 years been, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or
    - (b) if at any time that was within the previous 6 years and was before this section was amended by the *Acts Amendment (Bankruptcy) Act 2009* section 10 the person was ineligible under paragraph (b) of this section as in force before the amendment; or
  - (b) after paragraph (c) insert:

or
- (3) In section 14(2) delete “becomes bankrupt” and insert:
- would be ineligible under section 13(a) or (b) for appointment

**11. *Betting Control Act 1954* amended**

- (1) This section amends the *Betting Control Act 1954*.
- (2) Delete section 11A(4)(b) and insert:
  - (b) is, according to the *Interpretation Act 1984* section 13D, a bankrupt.

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(3) Delete section 11B(3)(b) and insert:

(b) is, according to the *Interpretation Act 1984* section 13D, a bankrupt.

(4) Delete section 11B(5)(e) and insert:

(e) the person is not, according to the *Interpretation Act 1984* section 13D, a bankrupt.

(5) Delete section 11C(1)(b)(v) and insert:

(v) is, according to the *Interpretation Act 1984* section 13D, a bankrupt;

(6) In section 11C(3)(f) delete “is not an undischarged bankrupt;” and insert:

is not, according to the *Interpretation Act 1984* section 13D, a bankrupt;

**12. Bills of Sale Act 1899 amended**

(1) This section amends the *Bills of Sale Act 1899*.

(2) In section 25(1):

(a) in paragraph (b) delete “any statutory deed of assignment for the benefit of the creditors of the grantor,” and insert:

a personal insolvency agreement,

(b) delete “such deed of assignment,” and insert:

the personal insolvency agreement,

(3) In section 31:

(a) delete “any statutory assignment,” and insert:

a personal insolvency agreement,

(b) delete “assignment for the benefit of creditors” and insert:

personal insolvency agreement

(4) In the Eleventh Schedule clause 3 delete “make any statutory assignment for the benefit of his creditors.” and insert:

enter into a personal insolvency agreement.

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

(1) This section amends the *Builders’ Registration Act 1939*.

(2) In section 5B(1):

(a) delete paragraph (c) and insert:

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

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

or

**14. Cemeteries Act 1986 amended**

- (1) This section amends the *Cemeteries Act 1986*.
- (2) In Schedule 1 clause 2:
  - (a) delete paragraph (b) and insert:
    - (b) he is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or
  - (b) after paragraph (a) insert:

or

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

- (1) This section amends the *Coal Industry Tribunal of Western Australia Act 1992*.
- (2) In section 9(2):
  - (a) delete paragraph (c) and “or” after it and insert:
    - (c) the member is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or
  - (b) after each of paragraphs (a) and (b) insert:

or

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

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



- (2) In section 11:
- (a) delete paragraph (d) and “or” after it and insert:
    - (d) is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or
  - (b) after each of paragraphs (a), (b) and (c) insert:

or
  - (c) after paragraph (c)(i) insert:

or

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

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

or

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

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

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

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

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

bankrupt

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

(c) becomes bankrupt; or

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

bankrupt;

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

bankrupt,

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

- (1) This section amends the *Conservation and Land Management Act 1984*.
- (2) In the Schedule clause 2:
  - (a) delete paragraph (b) and “or” after it and insert:
    - (b) he is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or
  - (b) after paragraph (a) insert:

or

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

- (1) This section amends the *Constitution Acts Amendment Act 1899*.
- (2) In section 38(d) delete “assignment, composition,” and insert:

entering into a personal insolvency agreement

**21. 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 8(2):
  - (a) delete paragraph (a) and insert:
    - (a) he is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or

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

or

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

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

(2) In section 21(15):

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

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

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

or

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

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

(2) In Schedule 2 clause 7:

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

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

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

or

- (3) In Schedule 3 clause 7:
- (a) delete paragraph (c) and “or” after it and insert:
    - (c) becomes, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or
  - (b) after each of paragraphs (a) and (b) insert:

or

**24. *Country High School Hostels Authority Act 1960* amended**

- (1) This section amends the *Country High School Hostels Authority Act 1960*.
- (2) In section 5(5):
- (a) delete paragraph (a) and insert:
    - (a) becomes, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or
  - (b) after each of paragraphs (b) to (e) insert:

or

**25. *Credit (Administration) Act 1984* amended**

- (1) This section amends the *Credit (Administration) Act 1984*.
- (2) In section 12(2):
- (a) delete paragraph (c) and insert:
    - (c) is, according to the *Interpretation Act 1984* section 13D, a bankrupt; or

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

or

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

- (1) This section amends *The Criminal Code*.
- (2) In section 546(1) delete “deed of arrangement,” and insert:

personal insolvency agreement,

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

personal insolvency agreement,

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

- (1) This section amends the *Criminal Property Confiscation Act 2000*.
- (2) In section 124(1)(d) delete “becomes bankrupt;” and insert:

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

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

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

- (2) In section 10:
- (a) delete paragraph (d) and insert:
    - (d) is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or
  - (b) after each of paragraphs (a) to (c) and (e) to (eb) insert:

or
  - (c) after each of paragraph (g)(i) and (ii) insert:

or
- (3) In section 21E:
- (a) delete paragraph (d) and insert:
    - (d) he is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or
  - (b) after each of paragraphs (a) to (c) and (e) insert:

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

**s. 29**

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

or

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

- (1) This section amends the *Dental Act 1939*.
- (2) In section 10 delete “has his affairs under liquidation or is an undischarged bankrupt or insolvent,” and insert:

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

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

- (1) This section amends the *Dental Prosthetists Act 1985*.
- (2) In section 8(2):
  - (a) delete paragraph (a) and insert:
    - (a) is, according to the *Interpretation Act 1984*  
section 13D, a bankrupt or a person whose  
affairs are under insolvency laws; or
  - (b) after paragraph (b) insert:

or

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

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



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

or

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

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

or

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

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

**s. 34**

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

or

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

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

(2) In section 5C(2):

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

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

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

or

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

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

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

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

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

- (1) This section amends the *Equal Opportunity Act 1984*.
- (2) In section 76(2):
  - (a) delete paragraph (c) and insert:
    - (c) is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws.
  - (b) after paragraph (a) insert:

or

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

- (1) This section amends the *Fisheries Adjustment Schemes Act 1987*.
- (2) In Schedule 1 clause 1:
  - (a) delete paragraph (b) and insert:
    - (b) he is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or
  - (b) after paragraph (a) insert:

or

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

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

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- (2) In section 85(1):
- (a) delete paragraph (e) and “or” after it and insert:
    - (e) is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or
  - (b) after each of paragraphs (a) to (d) insert:

or
- (3) In section 92(1):
- (a) delete paragraph (b) and “or” after it and insert:
    - (b) is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or
  - (b) after paragraph (a) insert:

or

**39. *Hairdressers Registration Act 1946* amended**

- (1) This section amends the *Hairdressers Registration Act 1946*.
- (2) In section 5(10) delete “becomes bankrupt or compounds with his creditors” and insert:

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

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

- (1) This section amends the *Health Services (Conciliation and Review) Act 1995*.
- (2) In Schedule 2 clause 5(1) delete paragraph (b) and insert:
  - (b) if the Director is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws.

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

- (1) This section amends the *Heritage of Western Australia Act 1990*.
- (2) In section 20(3) delete paragraph (a) and insert:
  - (a) is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or

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

- (1) This section amends the *Hire-Purchase Act 1959*.
- (2) In section 28(1)(h) delete “becomes bankrupt or commits an act of bankruptcy or executes a deed of assignment or a deed of arrangement” and insert:

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

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

- (1) This section amends the *Hospitals and Health Services Act 1927*.
- (2) In the Schedule clause 2:
  - (a) delete paragraph (b) and insert:
    - (b) is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or
  - (b) after paragraph (a) insert:

or

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

- (1) This section amends the *Human Reproductive Technology Act 1991*.
- (2) In section 29(4) delete paragraph (a) and insert:
  - (a) is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or
- (3) In the Schedule clause 5(1):
  - (a) delete paragraph (b) and insert:
    - (b) the member is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or

(b) after paragraph (a) insert:

or

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

- (1) This section amends the *Industrial Relations Act 1979*.
- (2) In section 80O(5):
  - (a) delete paragraph (c) and insert:
    - (c) he is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or
  - (b) after each of paragraphs (a) and (b) insert:

or

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

- (1) This section amends the *Inspector of Custodial Services Act 2003*.
- (2) In section 9(1) delete paragraph (b) and insert:
  - (b) if the Inspector is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws.

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

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

- (2) In Schedule 1 clause 2(4):
- (a) delete paragraph (b) and “or” after it and insert:
    - (b) if he is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or
  - (b) after paragraph (a) insert:

or
- (3) In Schedule 2 clause 2(4):
- (a) delete paragraph (b) and “or” after it and insert:
    - (b) if he is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or
  - (b) after paragraph (a) insert:

or

**48. *Land Administration Act 1997* amended**

- (1) This section amends the *Land Administration Act 1997*.
- (2) In section 172(7)(j) delete “deed of assignment or deed of arrangement” and insert:

personal insolvency agreement

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

- (1) This section amends the *Land Valuers Licensing Act 1978*.



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

or

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

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

or

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

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

person whose affairs are under  
insolvency laws; or

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

or

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

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

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

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

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

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

(2) In section 6(2):

(a) delete paragraph (d) and insert:

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

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

or

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

- (1) This section amends the *Lotteries Commission Act 1990*.
- (2) In Schedule 1 clause 2:
  - (a) delete paragraph (c) and “or” after it and insert:
    - (c) is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or
  - (b) after each of paragraphs (a) and (b) insert:

or

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

- (1) This section amends the *Magistrates Court Act 2004*.
- (2) In Schedule 1 clause 14(1):
  - (a) delete paragraph (d) and insert:
    - (d) is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws.
  - (b) after each of paragraphs (a) to (c) insert:

or

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

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

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

or

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

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

or

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

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

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

or

**59. *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 45(2):

(a) delete paragraph (c) and insert:

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

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

or

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

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

(2) In section 10(b):

(a) delete subparagraph (iv) and insert:

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

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

or

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

- (1) This section amends the *Painters' Registration Act 1961*.
- (2) In section 7(3) delete “becomes bankrupt or compounds with his creditors” and insert:

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

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

- (1) This section amends the *Parliamentary Commissioner Act 1971*.
- (2) In section 6(2):

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

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

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

or

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

- (1) This section amends the *Partnership Act 1895*.
- (2) In section 9 delete “any arrangement or composition with his creditors,” and insert:

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

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

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

(2) Delete section 7(b) and “or” after it and insert:

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

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

(1) This section amends the *Perth Theatre Trust Act 1979*.

(2) In section 6(1):

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

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

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

or

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

(1) This section amends the *Petroleum Products Pricing Act 1983*.

(2) In section 9(2):

(a) delete paragraph (a) and insert:

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

(b) after paragraph (b) insert:

or

**67. Poisons Act 1964 amended**

- (1) This section amends the *Poisons Act 1964*.
- (2) In section 11(1):
  - (a) delete paragraph (a) and insert:
    - (a) he is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or
    - (b) after each of paragraphs (b) to (f) insert:

or

**68. Police Act 1892 amended**

- (1) This section amends the *Police Act 1892*.
- (2) Delete section 29 and insert:

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

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

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

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



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

**70. Professional Standards Act 1997 amended**

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

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

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

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

or

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

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

(2) In the Schedule clause 4:

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

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

(b) after paragraph (a) insert:

or

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

or

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

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

(2) In section 14(4):

(a) delete paragraph (b) and insert:

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

(b) after paragraph (a) insert:

or

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

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

(2) In section 8(4):

(a) delete paragraph (a) and insert:

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

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

or

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

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

(2) In section 19(1):

(a) delete paragraph (b) and insert:

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

(b) after paragraph (a) insert:

or

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

- (1) This section amends the *Road Safety Council Act 2002*.
- (2) In section 9(3):
  - (a) delete paragraph (c) and insert:
    - (c) is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws.
  - (b) after paragraph (a) insert:

or

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

- (1) This section amends the *Rottnest Island Authority Act 1987*.
- (2) In Schedule 1 clause 2:
  - (a) delete paragraph (b) and “or” after it and insert:
    - (b) he is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or
  - (b) after paragraph (a) insert:

or

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

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

(2) Delete section 5(4)(a) and insert:

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

**79. Securities Industry Act 1975 amended**

(1) This section amends the *Securities Industry Act 1975*.

(2) In section 46(1):

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

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

(b) after paragraph (b)(i) insert:

or

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

or

**80. Settlement Agents Act 1981 amended**

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

(2) In section 7(5):

(a) delete paragraph (a) and insert:

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

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

or

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

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

(2) In section 5(5):

(a) delete paragraph (a) and insert:

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

(b) after paragraph (b) insert:

or

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

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

(2) In section 7:

(a) delete paragraph (c) and insert:

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

(b) after paragraph (a) insert:

or

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

- (1) This section amends the *Subiaco Redevelopment Act 1994*.
- (2) In Schedule 2 clause 2:
  - (a) delete paragraph (b) and insert:
    - (b) is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or
  - (b) after each of paragraphs (a) and (c) insert:

or

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

- (1) This section amends the *Swan Valley Planning Act 1995*.
- (2) In Schedule 1 clause 2(1):
  - (a) delete paragraph (b) and “or” after it and insert:
    - (b) he or she is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or
  - (b) after paragraph (a) insert:

or

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

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

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

or

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

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

or

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

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



- (2) In section 10:
- (a) delete paragraph (a) and insert:
    - (a) is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or
  - (b) after each of paragraphs (b) to (e) insert:
    - or

**88. Vocational Education and Training Act 1996 amended**

- (1) This section amends the *Vocational Education and Training Act 1996*.
- (2) In Schedule 1 clause 1(1):
- (a) delete paragraph (c) and insert:
    - (c) the member is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or
  - (b) after each of paragraphs (a) and (b) insert:
    - or

**89. Water Boards Act 1904 amended**

- (1) This section amends the *Water Boards Act 1904*.

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

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

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

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

- (2) In section 11(1):

(a) delete paragraph (a) and insert:

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

(b) after paragraph (b) insert:

or

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

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

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

(a) delete paragraph (c) and insert:

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

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

or

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

- (1) This section amends the *Western Australian Sports Centre Trust Act 1986*.
- (2) In Schedule 1 clause 1 delete “is an undischarged bankrupt or a person whose property is subject to an order or arrangement under the laws relating to bankruptcy.” and insert:

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

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

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

or

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

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

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

or

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

- (1) This section amends the *Workers' Compensation and Injury Management Act 1981*.
- (2) In section 96(5):
- (a) delete paragraph (a) and insert:
    - (a) is, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or
  - (b) after paragraph (b) insert:

or

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

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

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

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

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

(b) after paragraph (a) insert:

or

(3) In Schedule 3 clause 8(1):

(a) delete paragraph (b) and insert:

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

(b) after paragraph (a) insert:

or

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