



Western Australia

Corporations (Ancillary Provisions) Act 2001

Corporations (Ancillary Provisions) Regulations 2001

Reprint 1: The regulations as at 21 January 2005

Guide for using this reprint

What the reprint includes



Endnotes, Compilation table, and Table of provisions that have not come into operation

1. Details about the original regulations and legislation that has amended its text are shown in the Compilation table in endnote 1, at the back of the reprint. The table also shows any previous reprint.
2. Transitional, savings, or other provisions identified in the Compilation table may be important. The table may refer to another endnote setting out the text of these provisions in full.
3. A table of provisions that have not come into operation, to be found in endnote 1a if it is needed, lists any provisions of the regulations being reprinted that have not come into operation and any amendments that have not come into operation. The full text is set out in another endnote that is referred to in the table.

Notes amongst text (italicised and within square brackets)

1. If the reprint includes a regulation that was inserted, or has been amended, since the regulations being reprinted were made, editorial notes at the foot of the regulation give some history of how the regulation came to be as it is. If the regulation replaced an earlier regulation, no history of the earlier regulation is given (the full history of the regulations is in the Compilation table).

Notes of this kind may also be at the foot of Schedules or headings.

2. The other kind of editorial note shows something has been —
 - removed (because it was repealed or deleted from the law); or
 - omitted under the *Reprints Act 1984* s. 7(4) (because, although still technically part of the text, it no longer has any effect).

The text of anything removed or omitted can be found in an earlier reprint (if there is one) or one of the written laws identified in the Compilation table.

Reprint numbering and date

1. The reprint number (in the footer of each page of the document) shows how many times the regulations have been reprinted. For example, numbering a reprint as “Reprint 3” would mean that the reprint was the 3rd reprint since the regulations were published. Reprint numbering was implemented as from 1 January 2003.
2. The information in the reprint is current on the date shown as the date as at which the regulations are reprinted. That date is not the date when the reprint was published by the State Law Publisher and it is probably not the date when the most recent amendment had effect.

Reprinted under the
Reprints Act 1984 as
at 21 January 2005

Western Australia

Corporations (Ancillary Provisions) Regulations 2001

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Corporations (Ancillary Provisions) Act 2001

Corporations (Ancillary Provisions) Regulations 2001

1. Citation

These regulations may be cited as the *Corporations (Ancillary Provisions) Regulations 2001*¹.

2. Commencement

These regulations come into operation, or are deemed to have come into operation, at the same time that the *Corporations (Ancillary Provisions) Act 2001* comes into operation¹.

3. Definition

In these regulations —

“**new reference**” means a reference to —

- (a) the new corporations legislation;
- (b) the new ASIC legislation; or
- (c) a provision or group of provisions of that legislation.

4. Application of section 11(1) of the *Corporations (Ancillary Provisions) Act 2001*

[(1) repealed]

(1a) Section 11(1) of the Act does not apply to any regulations, rules or by-laws, other than the following —

[(a)-(e) deleted]

(f) the *Gas Pipelines Access (Western Australia) Regulations 2000*;

[(g)-(j) deleted]

(k) the *Rules of the Supreme Court 1971*.

(2) Section 11(1) of the Act does not apply to a reference in a provision of an instrument made under an Act that provides for the commencement of such an instrument.

(2a) Subregulation (3) does not apply to any regulations, rules or by-laws, other than those listed in subregulation (1a).

(3) Unless the contrary intention appears or the context otherwise requires, section 11(1) of the Act applies to the following references in instruments made under Acts as if the words “to be a reference” in that subsection were substituted for the words “to include a reference” —

(a) a reference in a provision that gives a meaning to a term or phrase by reference to a provision, or group of provisions, of the old Corporations Law;

(b) a reference in a provision that operates by reference to a status of a person under the old Corporations Law but only if the context of the reference indicates that a current status is being referred to;

(c) a reference in a provision that provides that a person has a certain status as if the old Corporations Law applied to the person, or another person in relation to whom the first person has that status, but only if the context of the reference indicates that a current status is being referred to;

- (d) a reference in a provision that applies a provision, or a group of provisions, of the old Corporations Law as a law of the State.
- (4) The kinds of references referred to in each of the paragraphs in subregulation (3) are not to be regarded as necessarily mutually exclusive.

[Regulation 4 amended in Gazette 28 Sep 2001 p. 5352 and 5355; 7 Dec 2001 p. 6187; 8 Oct 2002 p. 5096; 1 Aug 2003 p. 3295.]

5. Application of section 11(5) of the Corporations (Ancillary Provisions) Act 2001

- (1) Section 11(5) of the Act does not apply to the following —
 - (a) the *Corporations (Ancillary Provisions) Act 2001*;
 - (b) the *Corporations (Consequential Amendments) Act 2001*;
 - (c) the *Corporations (Consequential Amendments) Act (No. 2) 2003*.
- (2) Section 11(5) of the Act does not apply to a new reference in a provision of an Act or an instrument made under an Act if, immediately before the relevant time, the provision did not expressly refer (or was not taken to be or include) a reference to a corresponding provision of the national scheme law of this jurisdiction.

Note: Immediately before the relevant time (when the *Corporations Act 2001* of the Commonwealth comes into operation), certain references to the *Companies Act 1961* and other corporation laws in force in the State before the co-operative scheme laws did not include references to the national scheme law. Some of these references were replaced in the *Corporations (Consequential Amendments) Act 2001* and the *Corporations (Consequential Amendments) Act (No. 2) 2003* by references to the new corporations legislation and the new ASIC legislation.

- (3) Unless the contrary intention appears or the context of the reference otherwise requires, any new reference in a provision to which subregulation (2) applies is taken to include a reference

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to a previous State corporations law (or provision of such a law) to which it referred immediately before the relevant time in relation to events, circumstances or things that happened or arose before the relevant time.

[Regulation 5 amended in Gazette 1 Aug 2003 p. 3296.]

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Notes

- ¹ This reprint is a compilation as at 21 January 2005 of the *Corporations (Ancillary Provisions) Regulations 2001* and includes the amendments made by the other written laws referred to in the following table. The table also contains information about any reprint.

Compilation table

Citation	Gazettal	Commencement
<i>Corporations (Ancillary Provisions) Regulations 2001</i>	29 Jun 2001 p. 3258-60	15 Jul 2001 (see r. 2 and Cwlt <i>Gazette</i> 13 Jul 2001 No. S285)
<i>Corporations (Ancillary Provisions) Amendment Regulations 2001</i>	28 Sep 2001 p. 5352	28 Sep 2001 (see r. 2 and <i>Gazette</i> 28 Sep 2001 p. 5352)
<i>Corporations (Consequential Amendments) Regulations 2001 Pt. 5</i>	28 Sep 2001 p. 5353-8	15 Jul 2001 (see r. 2 and Cwlt <i>Gazette</i> 13 Jul 2001 No. S285)
<i>Corporations (Ancillary Provisions) Amendment Regulations (No. 2) 2001</i>	7 Dec 2001 p. 6186-7	7 Dec 2001
<i>Corporations (Ancillary Provisions) Amendment Regulations 2002</i>	8 Oct 2002 p. 5096	8 Oct 2002
<i>Corporations (Ancillary Provisions) Amendment Regulations 2003</i>	1 Aug 2003 p. 3295-6	1 Aug 2003

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(includes amendments listed above)
