

Western Australia

Statutes (Repeals) Act 2014

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Western Australia

Statutes (Repeals) Act 2014

No. 32 of 2014

An Act —

- **to repeal various obsolete Acts; and**
- **to repeal various obsolete Imperial Acts in so far as they are part of the law of Western Australia; and**
- **to consequentially amend various Acts, and for related purposes.**

[Assented to 3 December 2014]

The Parliament of Western Australia enacts as follows:

Part 1 — Preliminary

1. Short title

This is the *Statutes (Repeals) Act 2014*.

2. Commencement

This Act comes into operation as follows —

- (a) sections 1 and 2 — 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 — Repeal of WA Acts with no consequential amendments

3. WA Acts repealed

The Acts listed in Schedule 1 are repealed.

Division 2 — Repeal of WA Acts with consequential amendments or other provisions

Subdivision 1 — *Advance Bank (Merger with St. George Bank) (Taxing) Act 1998* repealed and consequential amendments

4. *Advance Bank (Merger with St. George Bank) (Taxing) Act 1998* repealed

The *Advance Bank (Merger with St. George Bank) (Taxing) Act 1998* is repealed.

5. *Advance Bank (Merger with St. George Bank) Act 1998* amended

- (1) This section amends the *Advance Bank (Merger with St. George Bank) Act 1998*.
- (2) In section 2(2) delete “(other than section 12)”.
- (3) Delete section 2(3).
- (4) In section 3 delete the definition of *Taxing Act*.
- (5) In section 9(1) delete “Subject to subsection (2), on” and insert:

On

- (6) Delete section 9(2), (3), (4) and (5).
- (7) Delete sections 12 and 13.

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Part 2 Repeals

Division 2 Repeal of WA Acts with consequential amendments or other provisions

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(8) In section 18(1) and (2) delete “12 or”.

Subdivision 2 — *Midland Junction-Welshpool Railway Act 1957* repealed and savings provision

6. *Midland Junction-Welshpool Railway Act 1957* repealed

(1) In this section —

railway includes the marshalling yards referred to in section 2 of the repealed Act;

repealed Act means the Act repealed by subsection (2).

(2) The *Midland Junction-Welshpool Railway Act 1957* is repealed.

(3) For the purposes of the *Public Works Act 1902* sections 96 and 99, the railway made under the authority of the repealed Act, to the extent that that railway was not discontinued by the *Railway Discontinuance Act 2006*, continues to be a railway authorised by a special Act.

Subdivision 3 — *Racing and Gambling Legislation Amendment and Repeal Act 2003* repealed and consequential amendments

7. *Racing and Gambling Legislation Amendment and Repeal Act 2003* repealed

The *Racing and Gambling Legislation Amendment and Repeal Act 2003* is repealed.

8. *Betting Control Act 1954* amended

(1) This section amends the *Betting Control Act 1954*.

(2) Delete section 33(3).

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

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

(2) Delete section 50(2).

Subdivision 4 — University Building Acts repealed and consequential amendment

10. ***University Building Act 1938* repealed**
The *University Building Act 1938* is repealed.
11. ***University Buildings Act 1930* repealed**
The *University Buildings Act 1930* is repealed.
12. ***University Buildings Act 1952* repealed**
The *University Buildings Act 1952* is repealed.
13. ***University of Western Australia Act 1911* amended**
- (1) This section amends the *University of Western Australia Act 1911*.
- (2) Delete section 15B(1) and insert:
- (1) The provisions of this section are in addition to, and do not derogate from, those of section 15A.

Division 3 — Repeal of Imperial Acts

14. **Imperial Acts repealed**
- (1) The following Imperial Acts are repealed in so far as they are part of the law of Western Australia —
- (a) 3 & 4 Will. IV c. 105 (1833)
[An Act for the Amendment of the Law relating to Dower.]
[Adopted by *Imperial Acts Adopting Act 1836*];
- (b) 3 & 4 Will. IV c. 106 (1833)
[An Act for the Amendment of the Law of Inheritance.]
[Adopted by *Imperial Acts Adopting Act 1836*];

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Part 2 Repeals

Division 3 Repeal of Imperial Acts

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- (c) 5 & 6 Will. IV c. 54 (1835)
[An Act to render certain Marriages valid, and to alter the Law with respect to certain Voidable Marriages.]
[*Marriage Act 1835*]
[Adopted by *Imperial Acts Adopting Act 1844*];
 - (d) 5 & 6 Vict. c. 69 (1842)
[An Act for perpetuating testimony in certain Cases.]
[*Perpetuation of Testimony Act 1842*]
[Adopted by *Imperial Acts Adopting Act 1844*];
 - (e) 9 & 10 Vict. c. 62 (1846)
[An Act to abolish Deodands.]
[Adopted by *Imperial Acts Adopting Ordinance 1849*].
- (2) In respect of each Imperial Act referred to in subsection (1), the *Interpretation Act 1984* Part V applies as if a reference in that Part to the repeal of a written law or to the repeal of an enactment were a reference to the repeal of the Imperial Act.

Schedule 1 — WA Acts repealed

[s. 3]

1. *Albany Cemeteries Act 1943*
2. *Albany Lot 184 (Validation of Title) Act 1956*
3. *Albany Public Cemeteries Subsidies Act 1952*
4. *Busselton Cemetery Act 1944*
5. *Carnarvon Electric Lighting Act 1924*
6. *Caves House Disposal Act 1965*
7. *City of Fremantle (Free Literary Institute) Act 1948*
8. *City of Perth Improvement Act 1913*
9. *Fitzgerald Street Bus Bridge Act 1991*
10. *Fremantle Endowment Lands Act 1918*
11. *Fremantle Improvement Act 1913*
12. *Guildford Cemeteries Act 1936*
13. *Guildford Old Cemetery (Lands Revestment) Act 1949*
14. *Kojonup Cemetery Act 1928*
15. *Mandurah Church Burial Ground Act 1947*
16. *Miscellaneous Repeals Act 1991*
17. *Native Mission Stations Act 1923*
18. *Northam Cemeteries Act 1944*
19. *Ocean Gardens (Inc.) Act 2004*
20. *Resumption Variation (Boulder-Kambalda Road) Act 1973*
21. *Service and Execution of Process (Harbours) Ordinance 1855*
22. *Special Investigation (Coal Contract) Act 1994*
23. *Special Lease (Gypsum) Act 1918*
24. *Special Lease (Lake Clifton) Act 1916*
25. *Special Lease (Stirling Estate) Act 1916*

26. *Special Lease Enabling Act 1914*
 27. *Stock Jobbing (Application) Act 1969*
 28. *Tamala Park Land Transfer Act 2001*
 29. *Toodyay Cemeteries Act 1939*
 30. *Transfer and Use of Funds (Shires of Harvey and Waroona) Act 1991*
 31. *Western Australian Meat Marketing Co-operative Limited (Shares) Act 2003*
 32. *York Cemeteries Act 1933*
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