



Western Australia

Anzac Day Amendment Act 2016

As at 21 Mar 2016

No. 4 of 2016

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Anzac Day Amendment Act 2016

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Western Australia

Anzac Day Amendment Act 2016

No. 4 of 2016

An Act to amend the *Anzac Day Act 1960*.

[Assented to 21 March 2016]

The Parliament of Western Australia enacts as follows:

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1. Short title

This is the *Anzac Day Amendment Act 2016*.

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 a day fixed by proclamation, and different days may be fixed for different provisions.

3. Act amended

This Act amends the *Anzac Day Act 1960*.

4. Section 3 amended

- (1) In section 3 delete the definitions of:

dependant

sports

- (2) In section 3 insert in alphabetical order:

ex-service organisation means a body, whether incorporated or not, which has as its object, or one of its principal objects, the assistance of ex-service personnel;

ex-service personnel means any of the following —

- (a) members and former members of the Australian Defence Force;
- (b) persons who are now resident in the State who were previously members of a naval, military or air force of any other nation of which Her Majesty is the Sovereign;

- (c) persons who are now resident in the State who were previously members of a naval, military or air force of any other nation allied or associated with Australia;

large race event means a race meeting —

- (a) for which admission tickets are sold; and
- (b) that is attended by at least 5 000 persons;

prescribed admission ticket, in relation to an event, means an admission ticket of a type prescribed by the regulations for that type of event;

professional sport means competitive sport engaged in by paid participants;

professional sport event means a sport event —

- (a) at which a professional sport is played or conducted; and
- (b) for which admission tickets are sold; and
- (c) that is attended by at least 5 000 persons;

sport event means an event at which competitive sport is played or conducted and for which either a fee for admission is required to be paid by spectators or donations are sought from spectators, but does not include a race meeting;

- (3) In section 3 in the definition of **Trustee** delete “chairman.” and insert:

chairperson.

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5. Section 4 amended

- (1) In section 4(4) delete “offence and is liable to a penalty not exceeding \$400.” and insert:

offence.

- (2) At the end of section 4(4) insert:

Penalty for this subsection: a fine of \$5 000.

6. Section 5 amended

- (1) In section 5(1):

- (a) delete “race meeting” and insert:

large race event

- (b) delete “shall within one month after that race meeting is held or conducted — ” and insert:

must within 90 days after the event —

- (c) delete paragraph (a) and insert:

- (a) give to the Trust a written document that specifies the number of persons who attended the event and the price of a prescribed admission ticket for the event; and

- (ba) include in the document a statutory declaration —

(i) that is made by the person or by the secretary or treasurer of the racing club; and

(ii) that verifies the information in the document;

and

(2) In section 5(2):

(a) delete “race meeting” and insert:

large race event

(b) delete “furnish the return” and insert:

give the document

(c) delete “net proceeds derived from the race meeting in accordance with” and insert:

amount required by

(d) delete “offence and is liable to a penalty not exceeding \$400.” and insert:

offence.

(3) At the end of section 5(2) insert:

Penalty for this subsection: a fine of \$5 000.

(4) Delete section 5(4).

Note: The heading to amended section 5 is to read:

Large race events on Anzac Day

7. Section 6 amended

- (1) In section 6(1) delete “sports” and insert:

sport event

- (2) In section 6(2) delete “race, match, game, exercise, pastime, contest or other event at any sports” and insert:

sport event

- (3) Delete section 6(3).

- (4) In section 6(4):

- (a) delete “any sports are” and insert:

a sport event is

- (b) delete “those sports were so” and insert:

the event was

- (c) delete “offence and is liable to a penalty not exceeding \$400.” and insert:

offence.

- (5) At the end of section 6(4) insert:

Penalty for this subsection: a fine of \$5 000.

Note: The heading to amended section 6 is to read:
Sport events on Anzac Day

8. Section 7 amended

(1) In section 7(1):

(a) delete “any sports are” and insert:

a professional sport event is

(b) delete “shall within one month after the holding of the sports —” and insert:

must within 90 days after the event —

(c) delete paragraph (a) and insert:

(a) give to the Trust a written document that specifies the number of persons who attended the event and the price of a prescribed admission ticket for the event; and

(ba) include in the document a statutory declaration —

(i) that is made by the person or by the secretary or treasurer of the club, association or body; and

(ii) that verifies the information in the document;

and

(2) In section 7(2):

(a) delete “sports are” and insert:

a professional sport event is

- (b) delete “furnish the return” and insert:

give the document

- (c) delete “net proceeds derived from the holding of those sports in accordance with” and insert:

amount required by

- (d) delete “and is liable to a penalty not exceeding \$400,”.

- (3) At the end of section 7(2) insert:

Penalty for this subsection: a fine of \$5 000.

- (4) Delete section 7(3).

Note: The heading to amended section 7 is to read:

Professional sport events on Anzac Day

9. Section 10 amended

Delete section 10(3) and insert:

- (3) The money standing to the credit of the Account —
- (a) may be applied in payment of the costs of the administration of this Act; and
 - (b) may, with the approval of the Minister, be applied by the Trust for any purpose that benefits ex-service personnel or their families.

10. Section 11 amended

- (1) Delete section 11(2) to (5C) and insert:
 - (2) The Trust consists of 4 Trustees appointed by the Minister.
 - (3) The Minister must designate a Trustee to be the chairperson of the Trust.
 - (4) A Trustee may be designated as the chairperson at the same time as the person is appointed as a Trustee or at any time after the person is appointed as a Trustee.
 - (5) A person who is a member or employee of an ex-service organisation is not eligible to be appointed as a Trustee.

- (2) After section 11(6) insert:
 - (7) A person who holds office as a Trustee immediately before the commencement of the *Anzac Day Amendment Act 2016* section 10 ceases to be a Trustee on that commencement.

11. Section 13 amended

In section 13(d) delete “Governor” and insert:

Minister

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12. Section 14 amended

In section 14 delete “Governor” (each occurrence) and insert:

Minister

13. Section 16 amended

In section 16 delete “chairman.” and insert:

chairperson.

14. Section 17 amended

In section 17(2) delete “\$100” and insert:

a fine of \$1 000

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