



Western Australia

## **Statutes (Repeals) Act 2016**

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As at 28 Nov 2016

No. 50 of 2016

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## Statutes (Repeals) Act 2016

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Western Australia

## Statutes (Repeals) Act 2016

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No. 50 of 2016

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**An Act to repeal the following Acts —**

- **the *Coal Industry Tribunal of Western Australia Act 1992*;**
- **the *Labour Relations Reform Act 2002*;**
- **the *Spear-guns Control Act 1955*;**
- **the *Western Australian Marine (Sea Dumping) Act 1981*;**
- **the *Escheat and forfeiture of real and personal property (1834) (Imp)*,**

**and to amend several Acts as a consequence of those repeals.**

*[Assented to 28 November 2016]*

The Parliament of Western Australia enacts as follows:

## **Part 1 — Preliminary**

**1. Short title**

This is the *Statutes (Repeals) Act 2016*.

**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.



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**Part 2 — *Coal Industry Tribunal of Western Australia Act 1992 repealed***

**Division 1 — *Repeal of the Coal Industry Tribunal of Western Australia Act 1992***

**3. *Coal Industry Tribunal of Western Australia Act 1992 repealed***

The *Coal Industry Tribunal of Western Australia Act 1992* is repealed.

**Division 2 — *Consequential amendments to the Constitution Acts Amendment Act 1899***

**4. *Act amended***

This Division amends the *Constitution Acts Amendment Act 1899*.

**5. *Schedule V amended***

- (1) In Schedule V Part 1 Division 1 delete “Chairperson or deputy chairperson of the Coal Industry Tribunal of Western Australia constituted under the *Coal Industry Tribunal of Western Australia Act 1992*.”.
- (2) In Schedule V Part 2 Division 1 delete “Member, or deputy of a member, of the Coal Industry Tribunal of Western Australia constituted under the *Coal Industry Tribunal of Western Australia Act 1992*.”.

**Division 3 — *Consequential amendments to the Industrial Relations Act 1979***

**6. *Act amended***

This Division amends the *Industrial Relations Act 1979*.

**Statutes (Repeals) Act 2016**

**Part 2** Coal Industry Tribunal of Western Australia Act 1992 repealed

**Division 4** Consequential amendment to the Workers' Compensation and Injury Management Act 1981

**s. 7**

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**7. Section 97U amended**

In section 97U(1) delete the definition of *award* and insert:

*award*, except in section 97UG(2)(c), Division 6 Subdivision 1 and sections 97YA(1)(a) and 97YB(2)(a), includes an industrial agreement or order of the Commission under this Act;

**8. Section 97UF amended**

Delete section 97UF(4).

**9. Section 97UG amended**

In section 97UG(7) delete the definition of *award* and insert:

*award* includes an enterprise order.

**10. Section 97VR amended**

In section 97VR delete the definition of *award*.

**11. Section 97YA amended**

Delete section 97YA(3).

**Division 4 — Consequential amendment to the *Workers' Compensation and Injury Management Act 1981***

**12. Act amended**

This Division amends the *Workers' Compensation and Injury Management Act 1981*.

**13. Section 5 amended**

In section 5(1) in the definition of *industrial award* delete paragraph (c).

**Part 3 — *Labour Relations Reform Act 2002* repealed**

**Division 1 — Repeal of the *Labour Relations Reform Act 2002***

**14. *Labour Relations Reform Act 2002* repealed**

The *Labour Relations Reform Act 2002* is repealed.

**Division 2 — Consequential amendments to the *Industrial Relations Act 1979***

**15. Act amended**

This Division amends the *Industrial Relations Act 1979*.

**16. Section 49N amended**

In section 49N(3) delete “agreement, whether made or registered before or after the coming into operation of section 146 of the *Labour Relations Reform Act 2002*,” and insert:

agreement

**17. Section 97YI amended**

Delete section 97YI(2) and insert:

- (2) A review is to be carried out at such times as the Minister may in writing request.

**Division 3 — Consequential amendment to the *Minimum Conditions of Employment Act 1993***

**18. Act amended**

This Division amends the *Minimum Conditions of Employment Act 1993*.

**19. Section 7 amended**

Delete section 7(a).

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**Part 4** Spear-guns Control Act 1955 repealed

**Division 1** Repeal of the Spear-guns Control Act 1955

**s. 20**

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**Part 4 — *Spear-guns Control Act 1955* repealed**

**Division 1 — Repeal of the *Spear-guns Control Act 1955***

**20. *Spear-guns Control Act 1955* repealed**

The *Spear-guns Control Act 1955* is repealed.

**Division 2 — Consequential amendment to the *Fair Trading Act 2010***

**21. Act amended**

This Division amends the *Fair Trading Act 2010*.

**22. Schedule 1 amended**

In Schedule 1 delete “*Spear-guns Control Act 1955*”.

**Part 5 — *Western Australian Marine (Sea Dumping) Act 1981* repealed**

**23. *Western Australian Marine (Sea Dumping) Act 1981* repealed**

The *Western Australian Marine (Sea Dumping) Act 1981* is repealed.

**Statutes (Repeals) Act 2016**

**Part 6** Repeal of Escheat and forfeiture of real and personal property (1834) (Imp)

**s. 24**

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**Part 6 — Repeal of *Escheat and forfeiture of real and personal property (1834) (Imp)***

**24. Imperial Act repealed**

- (1) The Imperial Act, 1834 (4 & 5 Will. IV c. 23) [The *Escheat and forfeiture of real and personal property (1834)*] adopted by the *Imperial Acts Adopting Act 1844* (7 Vict. No. 13 item 2), is repealed in so far as it is part of the law of Western Australia.
- (2) In respect of the 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 that Imperial Act.

