



Western Australia

Legislation Act 2021

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Contents

Part 1 — Preliminary

1.	Short title	2
2.	Commencement	2
3.	Object of this Act	2
4.	Terms used	2
5.	Act binds Crown	4
6.	Application of this Act	4
7.	Relationship with other Acts	5

Notes

	Compilation table	6
	Uncommenced provisions table	6

Defined terms



Western Australia

Legislation Act 2021

An Act —

- **to provide for public access to Western Australian legislation;
and**
- **to provide for the official status of published versions of Western Australian legislation; and**
- **to provide for Western Australian legislation to be kept in an up-to-date form and consistent with current drafting practice;
and**
- **to repeal the *Reprints Act 1984*; and**
- **for related purposes.**

Part 1 — Preliminary

1. Short title

This is the *Legislation Act 2021*.

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 a day fixed by proclamation.

3. Object of this Act

- (1) The object of this Act is for Western Australian legislation to be easy to find, use and understand.
- (2) This object is to be achieved by —
 - (a) providing for Western Australian legislation to be made publicly available; and
 - (b) giving official status to Western Australian legislation in both hard copy and electronic form; and
 - (c) conferring power on the Parliamentary Counsel to make editorial changes so that, in appropriate cases, Western Australian legislation can be kept up-to-date, modernised and simplified, and errors can be corrected, without the need for the changes to be enacted by Parliament.

4. Terms used

In this Act —

amend —

- (a) has the meaning given in the *Interpretation Act 1984* section 5; and

- (b) includes —
 - (i) repeal as defined in that section; and
 - (ii) relocate;

current drafting practice means the legislative drafting practice for the time being adopted by PCO;

editorial change means a change authorised by Part 3 Division 2;

Imperial enactment means —

- (a) an Act of the Parliament of England, or of the Parliament of Great Britain or of the Parliament of the United Kingdom; or
- (b) an Order in Council, regulation, rule or other legislative instrument made under an Act referred to in paragraph (a);

law means the whole or a part of —

- (a) a written law; or
 - (b) an Imperial enactment that is part of the law of Western Australia because —
 - (i) an Act of Western Australia adopts the Imperial enactment or the Act under which the Imperial enactment is made; or
 - (ii) the Imperial enactment applies by paramount force (that is, it expressly or impliedly applies in Western Australia); or
 - (iii) the Imperial enactment became part of the law of Western Australia on 1 June 1829;
- or
- (c) a proclamation that brings 1 or more provisions of an Act into operation; or

s. 5

- (d) an instrument made under the Royal prerogative that applies in Western Australia and has legislative effect;

Note for this definition:

The term **written law** is defined in the *Interpretation Act 1984* section 5.

official version, of a law, means —

- (a) an electronic version of the law that is an official version under section 15; or
- (b) a hard copy version of the law that is an official version under section 16;

PCO means the Parliamentary Counsel’s Office of Western Australia;

prescribed means prescribed by the regulations;

WA legislation website has the meaning given in section 8(1).

5. Act binds Crown

This Act binds the Crown in right of Western Australia and, so far as the legislative power of the Parliament permits, the Crown in all its other capacities.

6. Application of this Act

This Act applies to laws (including this Act) whether passed or made before or after this section comes into operation.

Note for this section:

Section 10(3) extends the application of this Act to other material if it is published on the WA legislation website.

7. Relationship with other Acts

This Act is in addition to, and does not limit the operation of, other Acts that contain provisions about the publication or effect of Western Australian legislation.

Note for this section:

Those other Acts include the *Interpretation Act 1984*, the *Evidence Act 1906* and the *Local Government Act 1995* (which contains provisions about local laws).

[Parts 2-6 have not come into operation.]

Notes

This is a compilation of the *Legislation Act 2021*. For provisions that have come into operation see the compilation table. For provisions that have not yet come into operation see the uncommenced provisions table.

Compilation table

Short title	Number and year	Assent	Commencement
<i>Legislation Act 2021</i> Pt. 1	13 of 2021	24 Aug 2021	24 Aug 2021 (see s. 2(a))

Uncommenced provisions table

To view the text of the uncommenced provisions see *Acts as passed* on the WA Legislation website.

Short title	Number and year	Assent	Commencement
<i>Legislation Act 2021</i> Pt. 2-6	13 of 2021	24 Aug 2021	To be proclaimed (see s. 2(b))

Defined terms

[This is a list of terms defined and the provisions where they are defined.

The list is not part of the law.]

Defined term	Provision(s)
amend.....	4
current drafting practice	4
editorial change	4
Imperial enactment	4
law.....	4
official version	4
PCO.....	4
prescribed.....	4
WA legislation website	4