



Western Australia

Charitable Trusts Act 2022

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Defined terms



Western Australia

Charitable Trusts Act 2022

An Act —

- **to affect the law relating to charitable trusts; and**
- **to repeal the *Charitable Trusts Act 1962*; and**
- **to make a consequential amendment to the *Freedom of Information Act 1992*.**

Part 1 — Preliminary

1. Short title

This is the *Charitable Trusts Act 2022*.

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, and different days may be fixed for different provisions.

3. 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.

4. Terms used

In this Act —

administration, of a charitable trust or property held for a charitable purpose, includes management of the trust or property (as the case requires);

approved scheme means a scheme approved under Part 3;

charitable purpose —

- (a) means a purpose that is charitable under the law of this State; and
- (b) includes a charitable purpose as defined in the *Charities Act 2013* (Commonwealth) section 12;

charitable trust means a trust for a charitable purpose;

Court means the Supreme Court;

investigation and **investigator** have the meanings given in section 32(1);

involved in the administration, of a charitable trust or property held for a charitable purpose, means employed, engaged or otherwise concerned (including as trustee) in the administration of the charitable trust or property (as the case requires);

property —

- (a) means any real or personal property; and
- (b) includes money;

property held for a charitable purpose means property that is held on trust for, or is otherwise to be applied to, a charitable purpose.

[Parts 2-8 have not come into operation.]

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Notes

This is a compilation of the *Charitable Trusts Act 2022*. 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>Charitable Trusts Act 2022</i> Pt. 1	38 of 2022	1 Nov 2022	1 Nov 2022 (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>Charitable Trusts Act 2022</i> (other than Pt. 1)	38 of 2022	1 Nov 2022	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)
administration	4
approved scheme.....	4
charitable purpose	4
charitable trust.....	4
Court	4
investigation.....	4
investigator.....	4
involved in the administration.....	4
property	4
property held for a charitable purpose	4