



Western Australia

Government Railways Amendment Act 2022

As at 21 Nov 2022

No. 40 of 2022

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Government Railways Amendment Act 2022

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Government Railways Amendment Act 2022

No. 40 of 2022

An Act to amend the *Government Railways Act 1904*.

[Assented to 21 November 2022]

The Parliament of Western Australia enacts as follows:

s. 1

1. Short title

This is the *Government Railways Amendment Act 2022*.

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.

3. Act amended

This Act amends the *Government Railways Act 1904*.

4. Section 23 amended

In section 23(1)(ze) delete “penalties, not exceeding \$50,” and insert:

penalties

5. Section 44 deleted

Delete section 44.

6. Section 48 amended

(1) In section 48:

- (a) delete “If any” and insert:

(1) A person commits an offence if the

(b) in paragraph (b) delete “railway;” and insert:

railway.

(c) delete paragraph (c);

(d) delete the passage that begins with “he shall,” and continues to the end of the section and insert:

Penalty for this subsection: a fine of \$200.

(2) At the end of section 48 insert:

(2) A person commits an offence if the person trespasses, or causes or procures a trespass, upon any part of a railway not being —

(a) a station, platform or railway crossing; or

(b) another part to which the public are allowed access by law.

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

7. Section 53A amended

After section 53A(4) insert:

(4A) The modified penalty that may be prescribed under section 23(1)(ze) for an offence is not to exceed 20% of the maximum penalty that could be imposed for that offence by a court.

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