

Western Australia

Partnership Amendment Act 2005

As at 01 Jun 2005

No. 3 of 2005

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No. 3 of 2005

An Act to amend the *Partnership Act 1895*.

[Assented to 1 June 2005]

The Parliament of Western Australia enacts as follows:

1. Short title

This is the *Partnership Amendment Act 2005*.

2. The Act amended

The amendments in this Act are to the *Partnership Act 1895**.

[* *Reprint 4 as at 3 October 2003.*

*For subsequent amendments see Western Australian
Legislation Information Tables for 2004, Table 1, p. 326.]*

3. Section 17 amended

- (1) Section 17 is amended by inserting before “Where” the subsection designation “(1)”.
- (2) At the end of section 17 the following subsection is inserted —

“

- (2) For the purposes of subsection (1), a partner who commits a wrongful act or omission as a director of a corporation, as defined in section 9 of the *Corporations Act 2001* of the Commonwealth, is not to be taken to be acting in the ordinary course of the business of the firm or with the authority of the partner’s copartners only because of any one or more of the following —
 - (a) the partner obtained the agreement or authority of the partner’s copartners, or some of them, to be appointed or to act as a director of the corporation;
 - (b) remuneration that the partner receives for acting as a director of the corporation forms part of the income of the firm;
 - (c) any copartner is also a director of that or any other corporation;
 - (d) the firm acts for the corporation.

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