



Western Australia

## **Revenue Laws Amendment (Assessment) Act (No. 2) 1998**

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**No. 58 of 1998**

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**An Act to amend the —**

- *Fuel Suppliers Licensing Act 1997*; and
- *Stamp Act 1921*,

**and for related purposes.**

*[Assented to 18 December 1998]*

The Parliament of Western Australia enacts as follows:

## **Part 1 — Preliminary**

### **1. Short title**

This Act may be cited as the *Revenue Laws Amendment (Assessment) Act (No. 2) 1998*.

### **2. Commencement**

- (1) Subject to subsection (2), this Act comes into operation on the day on which it receives the Royal Assent.
- (2) Section 8 is deemed to have come into operation on 30 March 1998.

## Part 2 — *Fuel Suppliers Licensing Act 1997*

### 3. The Act amended by this Part

The amendments in this Part are to the *Fuel Suppliers Licensing Act 1997*\*.

[\* *Act No. 55 of 1997.*

*For subsequent amendments see Act No. 22 of 1998.]*

### 4. Section 20 amended

Section 20(3) is amended as follows:

- (a) by deleting paragraph (a);
- (b) in paragraph (c) by deleting “and the price at which it was supplied”.

### 5. Section 31 amended

- (1) Section 31(2) is repealed and the following subsection is substituted —

“

- (2) Diesel that is supplied to the holder at the ORD subsidized price must be used by the holder —

- (a) in WA; or
- (b) in waters that are —
  - (i) beyond the outer limits of the coastal waters of a State;
  - (ii) beyond the outer limits of the coastal waters of the Territory; and
  - (iii) within the outer limits of the exclusive economic zone.

”.

**s. 5**

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(2) After section 31(4) the following subsection is inserted —

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(5) In subsection (2) —

“**coastal waters of a State**” has the same meaning as, in relation to each State, that expression has in the *Coastal Waters (State Powers) Act 1980* of the Commonwealth;

“**coastal waters of the Territory**” has the same meaning as that expression has in the *Coastal Waters (Northern Territory Powers) Act 1980* of the Commonwealth;

“**exclusive economic zone**” has the same meaning as in the *Seas and Submerged Lands Act 1973* of the Commonwealth.

”.

### Part 3 — *Stamp Act 1921*

#### 6. The Act amended by this Part

The amendments in this Part are to the *Stamp Act 1921*\*.

[\* Reprinted as at 23 January 1996.

*For subsequent amendments see 1997 Index to Legislation of Western Australia, Table 1, p. 220, and Acts Nos. 41 of 1997 and 18 and 22 of 1998.]*

#### 7. Section 112AB inserted and application

(1) After section 112A the following section is inserted —

“

##### **112AB. Share buy-back**

(1) For the purposes of this Part and of item 4A of the Second Schedule a share buy-back is taken to be a transfer that gives effect to the sale and purchase of shares.

(2) In this section —

“**shares**” includes stock;

“**share buy-back**” means a buy-back by a company of its own shares in accordance with —

- (a) Division 4B of Part 2.4 of the Corporations Law as in force immediately before the commencement of Schedule 1 to the *Company Law Review Act 1998* of the Commonwealth; or
- (b) Division 2 of Part 2J.1 of the Corporations Law.

”

**s. 8**

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- (2) Section 112AB of the *Stamp Act 1921* as inserted by subsection (1) applies to a share buy-back, within the meaning of that section, carried out before, on or after the day on which this section commences.

**8. Third Schedule amended**

Item 2(6) of the Third Schedule is repealed and the following subitems are inserted instead —

“

- (6) A conveyance or transfer of the fee simple in —
- (a) Crown land by way of exchange where the decision to exchange the land is given effect under clause 4;
  - (b) Crown land the subject of a licence referred to in clause 21;
  - (c) Crown land the subject of a lease referred to in clause 22;
  - (d) Crown land the subject of a conditional purchase lease referred to in clause 26;
  - (e) Crown land the subject of a conditional purchase lease referred to in clause 27;
  - (f) war service land referred to in clause 30; or
  - (g) Crown land referred to in clause 32,

of Schedule 2 to the *Land Administration Act 1997*.

- (6a) A transfer of the fee simple in Crown land —
- (a) pursuant to a request under section 45A; or
  - (b) granted under section 80,

of the *Land Acquisition and Public Works Act 1902* as in force immediately before the commencement of the *Acts Amendment (Land Administration) Act 1997*.

- (6b) A grant of a mining tenement under the *Mining Act 1978*.
- (6c) A conveyance of the fee simple in Crown land under section 87 of the *Land Administration Act 1997* to complete a land exchange under section 11(1)(b) of that Act.
- (6d) A conveyance, grant or transfer of the fee simple or other less estate in Crown land pursuant to —
  - (a) a request under section 212;
  - (b) an agreement under section 255;
  - (c) an award under section 256; or
  - (d) section 257,of the *Land Administration Act 1997*.

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