

**ACTS AMENDMENT  
(CONTRIBUTIONS TO LEGAL AID  
FUNDING) ACT**

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**No. 86 of 1990**

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**AN ACT to amend the *Law Society Public Purposes Trust Act 1985* and the *Legal Contribution Trust Act 1967*.**

[Assented to 17 December 1990.]

The Parliament of Western Australia enacts as follows:

**PART 1—PRELIMINARY**

**Short title**

1. This Act may be cited as the *Acts Amendment (Contributions to Legal Aid Funding) Act 1990*.

**Commencement**

2. (1) This Act, other than Part 3, shall be deemed to have come into operation on 1 July 1989.

(2) The provisions of Part 3 shall come into operation on such day as is, or days as are respectively, fixed by proclamation.



any Accounting Period from banks, as representing interest on trust moneys held in trust accounts kept with the banks—

- (i) in respect of the Accounting Period ending 30 June 1990, \$400 000; and
- (ii) subject to subsection (2), thereafter 60%,

be paid and applied to the credit of the Legal Aid Commission established under section 6 of the *Legal Aid Commission Act 1976* at such time or times as the Attorney General may determine,

but in all other respects upon the trusts declared by the Trust Deed.

(2) To the intent that \$1 000 000 of the aggregate of the amounts accruing to the Trust Fund from all sources in an Accounting Period shall not be subject to any deduction under subsection (1) (b) (ii)—

- (a) where in any Accounting Period that aggregate does not exceed \$1 000 000, effect shall not be given to subsection (1) (b) (ii);

and

- (b) where in an Accounting Period that aggregate exceeds \$1 000 000, effect shall be given to subsection (1) (b) (ii) only to the extent that after the deduction the balance of that aggregate remaining shall not be less than \$1 000 000.

(3) In this section, “Accounting Period”, “Allocations Committee” and “Trust Deed” have the meaning respectively ascribed to those terms in the Trust Deed.

(4) This section expires on 30 June 1994. ”.

**PART 3—LEGAL CONTRIBUTION TRUST ACT 1967****Principal Act**

6. In this Part the *Legal Contribution Trust Act 1967\** is referred to as the principal Act.

*[\*Reprinted as at 15 August 1974 and amended by Acts Nos. 136 of 1976, 10 of 1982 and 98 of 1985.]*

**Section 4 amended**

7. Section 4 of the principal Act is amended by deleting the definitions of “Part”, “prescribed percentage” and “section”.

**Section 11 amended**

8. Section 11 of the principal Act is amended—

(a) by repealing subsection (1);

(b) in subsection (2)—

(i) by deleting “the prescribed percentage” and substituting the following—

“ 70%, or such lesser percentage as is prescribed, ”;

(ii) by inserting before “financial year”, in both places where it occurs in paragraph (a), the following—

“ relevant period of a ”;

and

(iii) by deleting “of this subsection occurred” and substituting the following—

“ occurred,

and for the purposes of this section the relevant periods shall be taken to be the 6 months prior to 31 December, and the 6 months prior to 30 June, respectively, in relation to each financial year, or such other periods as are prescribed ”,

and

- (c) in subsection (3), by deleting “two thousand dollars” and substituting the following—

“ \$500 ”.

### **Section 22 amended**

9. Section 22 of the principal Act is amended, in subsection (3) (b), by inserting after “the rate of five per centum per annum” the following—

“ or, where some other rate is prescribed, at that prescribed rate ”.

### **Section 54 amended**

10. Section 54 of the principal Act is amended in subsection (1)—

- (a) by deleting “one hundred dollars” and substituting the following—

“ \$500 ”; and

- (b) by deleting “five dollars” and substituting the following—

“ \$25 ”.

**Section 56 amended**

11. Section 56 of the principal Act is amended, in subsection (2)—

(a) in paragraph (a)—

(i) by deleting “, not exceeding sixty-five per centum, of” and substituting the following—

“ applicable to ”; and

(ii) by inserting before “of a financial year” the following—

“ in a relevant period ”; and

(b) in paragraph (h), by deleting “one hundred dollars” and substituting the following—

“ \$500 ”.

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