



Western Australia

Esperance Port Authority Lands Act 1979

This Act was repealed by the *Statute Law Revision Act 2006* s. 3(1) (No. 37 of 2006) as at 4 Jul 2006 (see s. 2).

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Esperance Port Authority Lands Act 1979

An Act to validate certain transactions relating to land entered into by the Esperance Port Authority established under the *Esperance Port Authority Act, 1968-1976*, to authorise the Esperance Port Authority to dispose of certain land held by it and for incidental purposes.

[Assented to 27 November 1979.]

Be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows: —

1. Short title

This Act may be cited as the *Esperance Port Authority Lands Act 1979*.

2. Definitions

In this Act —

“the Port Authority” means the Esperance Port Authority established under the *Esperance Port Authority Act 1968*;

“the remaining land” means such of the subject land as is held by the Port Authority on the coming into operation of this Act;

“the subject land” means any land —

- (a) purchased by the Port Authority; or
- (b) acquired by the Port Authority by way of exchange,

before the coming into operation of this Act.

3. Validation

- (1) The subject land shall be deemed to have been validly and lawfully acquired by the Port Authority.
- (2) Any of the subject land —
 - (a) sold by the Port Authority; or
 - (b) disposed of by the Port Authority by way of exchange,before the coming into operation of this Act shall be deemed to have been validly and lawfully disposed of by the Port Authority.
- (3) Any act, matter or thing done by the Port Authority before the coming into operation of this Act in preparation for the sale of any of the subject land shall be deemed to have been validly and lawfully done.

4. Power to sell remaining land

- (1) Subject to subsection (3) of this section the Port Authority may sell, convey and transfer the remaining land in fee simple at public auction or by public tender.
- (2) Subject to subsection (3) of this section any of the remaining land may, if the Port Authority thinks fit, be subdivided by the Port Authority under the *Planning and Development Act 2005* and sold under this section as so subdivided.
- (3) The Minister may, in respect of the sale of any of the remaining land under this section, give directions to the Port Authority as to —
 - (a) when the land shall be sold;
 - (b) whether the land shall be sold at public auction or by public tender; and

(c) whether or not the land may be subdivided by the Port Authority under the *Planning and Development Act 2005* and sold as so subdivided,

and the Port Authority shall give effect to any directions so given.

(4) The proceeds of any sale under this section shall be credited to the Esperance Port Authority Account maintained under section 52 of the *Esperance Port Authority Act 1968* and shall be applied to the purposes of that Act.

[Section 4 amended by No. 49 of 1996 s.64; No. 38 of 2005 s. 15.]

Notes

¹ This is a compilation of the *Esperance Port Authority Lands Act 1979* and includes the amendments made by the other written laws referred to in the following table.

Compilation table

Short title	Number and year	Assent	Commencement
<i>Esperance Port Authority Lands Act 1979</i>	73 of 1979	27 Nov 1979	27 Nov 1979
<i>Financial Legislation Amendment Act 1996 s. 64</i>	49 of 1996	25 Oct 1996	25 Oct 1996 (see s. 2(1))
<i>Planning and Development (Consequential and Transitional Provisions) Act 2006 s. 15</i>	38 of 2005	12 Dec 2005	9 Apr 2006 (see s. 2 and Gazette 21 Mar 2006 p. 1078)

This Act was repealed by the Statute Law Revision Act 2006 s. 3(1) (No. 37 of 2006) as at 4 Jul 2006 (see s. 2)
