AN ACT to amend the Albany Port Authority Act 1926, the Bunbury Port Authority Act 1909, the Esperance Port Authority Act 1968, the Fremantle Port Authority Act 1902, the Geraldton Port Authority Act 1968 and the Port Hedland Port Authority Act 1970 and to provide for matters incidental thereto or connected therewith.

[Assented to 4 December 1986]

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:—

PART I—PRELIMINARY

Short title

1. This Act may be cited as the Acts Amendment (Port Authorities) Act 1986.
Commencement

2. This Act shall come into operation on the day on which it receives the Royal Assent.

PART II—ALBANY PORT AUTHORITY ACT 1926

Principal Act

3. In this Part, the Albany Port Authority Act 1926* is referred to as the principal Act.


Section 4 amended

4. Section 4 of the principal Act is amended in subsection (2) by deleting "annually appointed by the Governor as chairman" and substituting the following—

"appointed by the Governor as the chairman of the Port Authority for such period not exceeding the remainder of the period of office of that member as is specified in the instrument of his appointment as that chairman ".

Sections 6 and 7 repealed and section 6 substituted

5. Sections 6 and 7 of the principal Act are repealed and the following section is substituted—

Period of office of member

"6. Subject to this Act, a member—

(a) holds office for such period not exceeding 3 years as is specified in the instrument of his appointment; and

(b) is, on the expiry of his period of office, eligible for reappointment as a member. ".
Saving

6. (1) A person who was immediately before the coming into operation of this Act a member of the Port Authority within the meaning of the principal Act shall, subject to the principal Act, continue to hold office as such a member for the remainder of his period of office as if the principal Act had not been amended by this Act.

(2) A member of the Port Authority within the meaning of the principal Act who was immediately before the coming into operation of this Act the chairman of that Port Authority shall, subject to the principal Act, continue to hold office as that chairman for the remainder of his period of office as—

(a) that chairman; or

(b) a member of that Port Authority,

whichever is the shorter period, as if the principal Act had not been amended by this Act.

PART III—BUNBURY PORT AUTHORITY ACT 1909

Principal Act

7. In this Part, the Bunbury Port Authority Act 1909* is referred to as the principal Act.


Section 4 amended

8. Section 4 of the principal Act is amended in subsection (2) by deleting “annually appointed by the Governor as chairman” and substituting the following—

“appointed by the Governor as the chairman of the Port Authority for such period not exceeding the remainder of the period of office of that member as is specified in the instrument of his appointment as that chairman”.
Sections 6 and 7 repealed and section 6 substituted

9. Sections 6 and 7 of the principal Act are repealed and the following section is substituted—

Period of office of member

" 6. Subject to this Act, a member—

(a) holds office for such period not exceeding 3 years as is specified in the instrument of his appointment; and

(b) is, on the expiry of his period of office, eligible for reappointment as a member. ".

Saving

10. (1) A person who was immediately before the coming into operation of this Act a member of the Port Authority within the meaning of the principal Act shall, subject to the principal Act, continue to hold office as such a member for the remainder of his period of office as if the principal Act had not been amended by this Act.

(2) A member of the Port Authority within the meaning of the principal Act who was immediately before the coming into operation of this Act the chairman of that Port Authority shall, subject to the principal Act, continue to hold office as that chairman for the remainder of his period of office as—

(a) that chairman; or

(b) a member of that Port Authority,

whichever is the shorter period, as if the principal Act had not been amended by this Act.

PART IV—ESPERANCE PORT AUTHORITY ACT 1968

Principal Act

11. In this Part, the Esperance Port Authority Act 1968* is referred to as the principal Act.

Section 4 repealed

12. Section 4 of the principal Act is repealed.

Sections 8 and 9 repealed and section 8 substituted

13. Sections 8 and 9 of the principal Act are repealed and the following section is substituted—

Period of office of member

“8. Subject to this Act, a member—

(a) holds office for such period not exceeding 3 years as is specified in the instrument of his appointment; and

(b) is, on the expiry of his period of office, eligible for reappointment as a member.”.

Saving

14. A person who was immediately before the coming into operation of this Act a member of the Port Authority within the meaning of the principal Act shall, subject to the principal Act, continue to hold office as such a member for the remainder of his period of office as if the principal Act had not been amended by this Act.

PART V—FREMANTLE PORT AUTHORITY ACT 1902

Principal Act

15. In this Part, the Fremantle Port Authority Act 1902* is referred to as the principal Act.

Section 4 amended

16. Section 4 of the principal Act is amended in subsection (2) by deleting "annually appointed by the Governor as chairman" and substituting the following—

"appointed by the Governor as the chairman of the Port Authority for such period not exceeding the remainder of the period of office of that commissioner as is specified in the instrument of his appointment as that chairman ".

Sections 6 and 7 repealed and section 6 substituted

17. Sections 6 and 7 of the principal Act are repealed and the following section is substituted—

Period of office of commissioner

"6. Subject to this Act, a commissioner—

(a) holds office for such period not exceeding 3 years as is specified in the instrument of his appointment; and

(b) is, on the expiry of his period of office, eligible for reappointment as a commissioner. ".

Saving

18. (1) A person who was immediately before the coming into operation of this Act a commissioner of the Port Authority within the meaning of the principal Act shall, subject to the principal Act, continue to hold office as such a commissioner for the remainder of his period of office as if the principal Act had not been amended by this Act.

(2) A commissioner of the Port Authority within the meaning of the principal Act who was immediately before the coming into operation of this Act the chairman of that Port Authority shall, subject to the principal Act, continue to hold office as that chairman for the remainder of his period of office as—

(a) that chairman; or

(b) a commissioner of that Port Authority,

whichever is the shorter period, as if the principal Act had not been amended by this Act.
PART VI—GERALDTON PORT AUTHORITY ACT 1968

Principal Act
19. In this Part, the Geraldton Port Authority Act 1968* is referred to as the principal Act.


Section 4 repealed
20. Section 4 of the principal Act is repealed.

Sections 8 and 9 repealed and section 8 substituted
21. Sections 8 and 9 of the principal Act are repealed and the following section is substituted—

Period of office of member

8. Subject to this Act, a member—

(a) holds office for such period not exceeding 3 years as is specified in the instrument of his appointment; and

(b) is, on the expiry of his period of office, eligible for reappointment as a member.

Saving
22. A person who was immediately before the coming into operation of this Act a member of the Port Authority within the meaning of the principal Act shall, subject to the principal Act, continue to hold office as such a member for the remainder of his period of office as if the principal Act had not been amended by this Act.
PART VII—PORT HEDLAND PORT AUTHORITY ACT 1970

Principal Act

23. In this Part, the Port Hedland Port Authority Act 1970* is referred to as the principal Act.


Sections 7 and 8 repealed and section 7 substituted

24. Sections 7 and 8 of the principal Act are repealed and the following section is substituted—

Period of office of member

“7. Subject to this Act, a member—

(a) holds office for such period not exceeding 3 years as is specified in the instrument of his appointment; and

(b) is, on the expiry of his period of office—

(i) in the case of a member referred to in section 6 (3) or (4), eligible for renomination; and

(ii) eligible for reappointment,

as a member. ”.

Saving

25. A person who was immediately before the coming into operation of this Act a member of the Port Authority within the meaning of the principal Act shall, subject to the principal Act, continue to hold office as such a member for the remainder of his period of office as if the principal Act had not been amended by this Act.