

**ACTS AMENDMENT AND  
REPEAL  
(STATUTORY BODIES).**

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No. 57 of 1985.

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**AN ACT to dissolve various statutory bodies and for that purpose to amend the Fisheries Act 1905, the Health Act 1911 and the Industrial Development (Resumption of Land) Act 1945, and to repeal the Closer Settlement Act 1927, the Distressed Persons Relief Trust Act 1973, the Health Education Council Act 1958, the Industries Assistance Act 1915, the Industrial Development (Kwinana Area) Act 1952 and the State Hotels (Disposal) Act 1959 and for connected purposes.**

[Assented to 28 October 1985.]

**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. This Act may be cited as the *Acts Amendment and Repeal (Statutory Bodies) Act 1985*. Short title.

PART I.—FISHERIES ACT 1905.

Citation.  
Reprinted as  
approved  
15 March 1976  
and  
amended by  
Acts Nos. 60  
of 1979,  
73 of 1981,  
70 of 1982  
and 112 of  
1984.

2. In this Part the Fisheries Act 1905 is referred to as the principal Act.

Section 3  
amended.

3. Section 3 of the principal Act is amended in subsection (1) by deleting the definition of “the General Committee”.

Section 5C  
repealed.

4. Section 5C of the principal Act is repealed.

Section 5D  
amended.

5. Section 5D of the principal Act is amended—

(a) in subsection (1), by deleting “and to the General Committee”;

(b) in subsection (1a), (1b) and (2), by deleting “a Committee” wherever it occurs and substituting the following—

“ the Committee ”;

(c) in subsection (3)—

(i) by deleting “Each Committee” and substituting the following—

“ The Committee ”; and

(ii) by deleting “a Committee” and substituting the following—

“ the Committee ”;

(d) in subsections (4) and (4a), by deleting “a Committee” in both places where it occurs and substituting the following—

“ the Committee ”; and

(e) in subsection (5)—

(i) by deleting “a Committee” and substituting the following—

“ the Committee ”; and

(ii) in paragraph (c), by deleting “in respect of the Rock Lobster Committee and three members form a quorum in respect of the General Committee”.

6. Section 5E of the principal Act is amended— Section 5E amended.

(a) in subsection (1), by deleting “and of the General Committee”;

(b) in subsection (2), by deleting “either” and substituting the following—

“ the ”; and

(c) in subsection (3)—

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

“ the ”; and

(ii) by deleting “of which he is or has been a member or acting member”.

7. Section 5F of the principal Act is amended Section 5F amended. by deleting “and the General Committee are not, except in relation to any matter in which either of those committees” and substituting the following—

“ is not, except in relation to any matter in which the Committee ”.

Section 5G  
repealed and  
substituted.

8. Section 5G of the principal Act is repealed and the following section is substituted—

Appointment  
of Secretary  
to Com-  
mittee.

“ 5G. For the purposes of enabling the Rock Lobster Committee to carry out its functions, powers and duties under this Act, the Minister may, with the concurrence of the Public Service Board, appoint from time to time an officer of the Public Service of the State to be the Secretary of the Committee. ”.

Transitional.

9. Notwithstanding section 8 of this Act, the person who was, immediately before the coming into operation of this Act, the Secretary of the Rock Lobster Industry Advisory Committee constituted by section 5B of the principal Act shall be deemed to have been appointed the Secretary of the Committee under section 5G of the principal Act as substituted by section 8 of this Act.

#### PART II.—HEALTH ACT 1911.

Citation.  
Reprinted as  
approved  
14 May 1981  
and  
amended by  
Acts Nos. 63  
of 1981,  
30 and 116  
of 1982 and  
28 of 1984.

10. In this Part, the Health Act 1911 is referred to as the principal Act.

Section 3  
amended.

11. Section 3 of the principal Act is amended in subsection (1) in the definition of “Local Authority” by deleting “, or a local board of health appointed under section twenty of this Act,”.

Sections 20,  
21, 23, 24, 43  
and 50  
repealed.

12. Sections 20, 21, 23, 24, 43 and 50 of the principal Act are repealed.

#### PART III.—INDUSTRIAL DEVELOPMENT (RESUMPTION OF LAND) ACT 1945.

Citation.  
Reprinted as  
approved  
10 August  
1961 and  
amended by  
Act No. 63  
of 1981.

13. In this Part, the Industrial Development (Resumption of Land) Act 1945 is referred to as the principal Act.

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14. Section 3 of the principal Act is amended by deleting the definitions of "Committee" and "Minister". Section 3 amended.

15. Sections 4 to 10 of the principal Act are repealed. Sections 4 to 10 repealed.

16. Section 11 of the principal Act is amended by repealing subsections (1b), (2) and (3). Section 11 amended.

17. Sections 12, 14B, 15 and 16 of the principal Act are repealed. Sections 12, 14B, 15 and 16 repealed.

PART IV.—CLOSER SETTLEMENT ACT 1927.

18. The Closer Settlement Act 1927 is repealed. Repeal. Reprinted as approved 3 April 1971.

PART V.—DISTRESSED PERSONS RELIEF TRUST ACT 1973.

19. The Distressed Persons Relief Trust Act 1973 is repealed. Repeal. Act No. 5 of 1973 as amended by Act No. 36 of 1974.

20. (1) In this section— Vesting of property, etc.

"Minister" means the Minister of the Crown in whom the administration of the Community Services Act 1972 is for the time being committed by the Governor; and

"Trust" means the body corporate constituted under the Distressed Persons Relief Trust Act 1973.

(2) All property that immediately before the coming into operation of this Act was vested in the Trust is vested, without transfer or conveyance, in the Minister.

(3) In relation to any property vested in the Minister under subsection (2), the Minister has and is subject to all the rights, powers, remedies, liabilities, and obligations and may exercise and discharge in relation to that property all or any of the rights, powers and remedies which the Trust would have had and been subject to and might have exercised or discharged in relation to that property if the property had not been divested from the Trust and vested in the Minister.

PART VI.—HEALTH EDUCATION COUNCIL ACT 1958.

Repeal.  
Reprinted as  
approved  
2 May 1980.

21. The Health Education Council Act 1958 is repealed.

Application  
of funds  
existing  
under  
repealed Act.

22. (1) In this section—

“Health Education Trust Fund” means the fund established and kept under section 11 of the Health Education Council Act 1958; and

“Minister” means the Minister of the Crown in whom the administration of the Health Act 1911 is for the time being committed by the Governor.

(2) Subject to subsection (3), moneys standing to the credit of the Health Education Trust Fund immediately before the coming into operation of this Act shall be applied by the Minister on health education services in the State.

(3) Upon the coming into operation of this Act, any money that immediately before then formed part of the Health Education Trust Fund and was held in that Fund subject to any trust, stipulation or condition requiring it to be applied for a particular purpose shall, by virtue of this subsection, be held by the Minister subject to that trust, stipulation or condition.

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PART VII.—INDUSTRIES ASSISTANCE ACT 1915.

23. The Industries Assistance Act 1915 is repealed. Repeal.  
Reprinted as  
approved  
25 January  
1963.

PART VIII.—INDUSTRIAL DEVELOPMENT  
(KWINANA AREA) ACT 1952.

24. The Industrial Development (Kwinana Area) Act 1952 is repealed. Repeal.  
Reprinted as  
approved  
10 August  
1961 and  
amended by  
Act No. 63  
of 1981.

25. Section 7B of the Industrial Lands Development Authority Act 1966 is amended by inserting after subsection (2) the following subsection— Conse-  
quential  
Amendment  
of Industrial  
Lands  
Development  
Authority  
Act 1966.

“ (2a) Land to which section 10 of the Industrial Development (Kwinana Area) Act 1952 applied immediately before the repeal of that Act shall be taken, subject to any necessary modifications, to be land to which subsection (1) applies. ”.

PART IX.—STATE HOTELS (DISPOSAL) ACT 1959.

26. The State Hotels (Disposal) Act 1959 is repealed. Repeal.  
Act No. 42  
of 1959.

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