

LEGAL AID COMMISSION.

No. 48 of 1984.

AN ACT to amend the Legal Aid Commission Act 1976-1982.

[Assented to 5 September 1984.]

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. (1) This Act may be cited as the *Legal Aid Commission Amendment Act 1984*.

Short title
and citation.

(2) In this Act the Legal Aid Commission Act 1976-1982 is referred to as the principal Act.

Reprinted as
approved
2 March 1983.

(3) The principal Act as amended by this Act may be cited as the Legal Aid Commission Act 1976-1984.

Commence-
ment.

2. This Act shall come into operation on a day to be fixed by proclamation.

Section 52
amended.

3. Section 52 of the principal Act is amended in subsection (2) (c) by inserting after "assistance" the following—

“ , other than moneys made available by the Commonwealth for the purposes of Part IXA of this Act ”.

Section 58
amended.

4. Section 58 of the principal Act is amended in subsection (3) by inserting after "on trust" the following—

“ or for the purposes of Part IXA of this Act ”.

Section 59
amended.

5. Section 59 of the principal Act is amended in subsection (2)—

(a) in paragraph (b), by deleting "assistance; and" and substituting the following—

“ assistance; ”;

(b) in paragraph (c), by deleting "trust." and substituting the following—

“ trust; and ”; and

(c) by adding after paragraph (c), the following paragraph—

“ (d) transactions and affairs in relation to legal assistance provided pursuant to Part IXA of this Act. ”.

6. After Part IX of the principal Act the following Part is inserted— Part IXA
inserted.

“ PART IXA—RECOVERY ABROAD OF
MAINTENANCE.

68A. In this Part, unless the contrary intention appears— Definition.

“authorized person” means a person appointed under the regulations to be an authorized person;

“Convention” means the Convention on the Recovery Abroad of Maintenance referred to in section 111 of the Family Law Act 1975, as amended, of the Commonwealth;

“regulations” means the Family Law Regulations, as amended, made under the Family Law Act 1975, as amended, of the Commonwealth.

68B. (1) Where the State enters into an agreement or arrangement with the Commonwealth for or with respect to moneys to be made available by the Commonwealth to the Commission to enable the Commission to perform in the State any of the obligations of Australia under the Convention, the Commission shall provide legal assistance for that purpose from those moneys. Legal
assistance for
recovery
abroad of
maintenance.

(2) Part V of this Act, other than Division 1 of that Part, does not apply to the provision of legal assistance pursuant to subsection (1).

(3) Moneys paid to the Commission pursuant to subsection (1) shall not form part of the Fund but shall be paid by the Commission into a separate account and shall be applied only for the purpose of providing legal assistance under this Part.

The Director
as an
authorized
person.

68C. The Director may be appointed an authorized person and when so acting has and may exercise all the powers and, subject to the regulations, may perform all the functions of an authorized person under the regulations. ”.
