

GOVERNMENT AGREEMENTS.

No. 112 of 1979.

AN ACT in respect of Government Agreements and for related purposes.

[Assented to 21st December, 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. This Act may be cited as the *Government Agreements Act, 1979.* Citation.

2. In this Act—

“Government agreement” means—

- (a) an agreement scheduled to, incorporated in, or appearing in, an Act the administration of which is

Interpreta-
tion.

for the time being committed by the Governor to, or approved by the Governor to be placed under the control of, the Minister for Industrial Development, and any other agreement scheduled to, incorporated in, or appearing in, an Act and declared by proclamation to be a Government agreement for the purposes of this Act,

and includes—

- (b) any variation of that agreement—
 - (i) which is or has been entered into pursuant to that agreement; or
 - (ii) the signing or implementation, or both, of which has been ratified, approved, or authorised by Parliament; and
- (c) any document or instrument, including any grant, lease, licence, permit, approval, authorisation, right, concession, or exemption, or any other thing made, executed, issued, or obtained for the purposes of that agreement or its implementation;

“subject land” means—

- (a) land that is set aside, or is being used, for the purposes of or incidental to implementing a Government agreement; or
- (b) land where activity is being, or is about to be, carried on pursuant to, or for the purposes of or incidental to implementing, a Government agreement.

Operation
and effect of
Government
agreements.

3. For the removal of doubt, it is hereby expressly declared that—

- (a) each provision of a Government agreement shall operate and take effect, and shall be

deemed to have operated and taken effect from its inception, according to its terms notwithstanding any other Act or law; and

- (b) any purported modification of any other Act or law contained, or provided for, in such a provision shall operate and take effect so as to modify that other Act or law for the purposes of the Government agreement, and shall be deemed to have so operated and taken effect from its inception, according to its terms notwithstanding any other Act or law.

4. (1) A person shall not without lawful authority remain on any subject land after being warned to leave it by—

Offences.

- (a) the owner or occupier, or a person authorised by or on behalf of the owner or occupier, of that subject land; or
- (b) a member of the Police Force.

Penalty: \$5 000 or 12 months' imprisonment.

(2) A person shall not without lawful authority prevent, obstruct, or hinder any activity which is being, or is about to be, carried on pursuant to, or for the purposes of or incidental to implementing, a Government agreement, or attempt to do so.

Penalty: \$5 000 or 12 months' imprisonment.

(3) For the purposes of any proceedings on a complaint for an offence under this Act an averment in the complaint—

- (a) that an agreement is scheduled to, incorporated in, or appearing in, an Act the administration of which is for the time being committed by the Governor to, or approved by the Governor to be placed under the control of, the Minister for Industrial Development; or

(b) that an agreement is scheduled to, incorporated in, or appearing in, an Act and declared by proclamation to be a Government agreement for the purposes of this Act,

shall, in the absence of proof to the contrary, be deemed to be proved.
