

LEGAL CONTRIBUTION TRUST.

No. 136 of 1976.

**AN ACT to amend the Legal Contribution Trust
Act, 1967-1973.**

[Assented to 13th December, 1976.]

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 Contribution Trust Act Amendment Act, 1976.*

Short title
and
citation.

(2) In this Act the Legal Contribution Trust Act, 1967-1973 is referred to as the principal Act.

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15th August,
1974.

(3) The principal Act as amended by this Act may be cited as the Legal Contribution Trust Act, 1967-1976.

Commence-
ment.

2. This Act shall come into operation on the appointed day as defined in and for the purposes of the Legal Aid Commission Act, 1976.

Section 3
amended.

3. Section 3 of the principal Act is amended by deleting the passage "PART V.—LEGAL ASSISTANCE, Ss. 33-50." in line six.

Section 4
amended.

4. Section 4 of the principal Act is amended—

- (a) by deleting the interpretations "assisted person" and "unassisted person";
- (b) by deleting the interpretations "legal advice", "legal aid" and "legal assistance"; and
- (c) by deleting the interpretation "order for costs".

Section 14
amended.

5. Section 14 of the principal Act is amended—

- (a) as to subsection (1)—
 - (i) by deleting subparagraph (ii) of paragraph (c) and substituting a paragraph as follows—
 - (ii) as to fifty per centum of the balance, to the Legal Aid Commission to be applied to the Legal Aid Fund; ;
 - (ii) by deleting the passage "either to the Society, to be applied to the Legal Assistance Fund," in lines one, two and three of subparagraph (iii) and substituting the passage "to the Legal Aid Commission, to be applied to the Legal Aid Fund, to the Society, to be applied"; and

(b) by adding after subsection (1) a subsection as follows—

(1a) In subsection (1) of this section—

“Legal Aid Commission” means the Legal Aid Commission of Western Australia established under section six of the Legal Aid Commission Act, 1976;

“Legal Aid Fund” means the Legal Aid Fund of Western Australia established by section fifty-two of the Legal Aid Commission Act, 1976.

6. The principal Act is amended by deleting Part V and the heading thereto. Heading and Part V repealed.

7. The principal Act is amended by repealing section 52 and re-enacting that section as follows— Section 52 repealed and re-enacted.

52. The Trust shall, in every year not later than the prescribed date, prepare and submit to the Minister a report on the carrying out of its functions under this Act during the preceding financial year and the Minister shall present that report to both Houses of Parliament. Report by Trust.

8. The principal Act is amended— Section . . . amended.

(a) by adding after the section designation “53.” the subsection designation “(1)”;

(b) by deleting the passage “, for purposes other than the provision of legal assistance” in lines three and four;

(c) by deleting the words “the provisions of section forty-seven apply *mutatis mutandis* to those accounts” in lines nine, ten and eleven and substituting the passage “shall, at the conclusion of each financial

year, cause those accounts to be audited by an accountant who is registered as a company auditor under section nine of the Companies Act, 1961 and deliver a copy of them to the Minister, the Trust and the Board and the Minister shall have them presented to both Houses of Parliament"; and

(d) by adding a subsection as follows—

(2) The Minister may, from time to time, and whether or not they have previously been examined and audited, cause the accounts maintained pursuant to this section to be examined and audited by the Auditor General or his appointee and shall, in that event, cause a copy of the report of the Auditor General on any such examination and audit to be delivered to the Society or other body, as the case may be. .

Section 55
repealed.

9. The principal Act is amended by repealing section 55.
