Western Australia

Electronic Transactions Regulations 2003

Compare between:

[09 Oct 2006, 00-c0-04] and [20 Sep 2008, 00-d0-03]

Western Australia

Electronic Transactions Act 2003

Electronic Transactions Regulations 2003

##### 1. Citation

These regulations may be cited as the *Electronic Transactions Regulations 2003*.

##### 2. Commencement

These regulations come into operation on the day of their publication in the *Gazette*, or the day on which the *Electronic Transactions Act 2003* comes into operation, whichever is the later.

##### 3. Exemptions from section 7(1) — transactions

(1) Section 7(1) of the Act does not apply to —

[(a) deleted]

(b) a transaction by which an instrument is created appointing an enduring power of attorney, or appointing an attorney to manage a person’s affairs; or

(c) any other transaction that requires a document to be verified, authenticated, attested or witnessed under the signature of a person other than the author of the document.

(2) Section 7(1) of the Act does not apply to a transaction required to be effected by personal service only.

[Regulation 3 amended in Gazette 19 Sep 2008 p. 4329.]

[**4.** Deleted in Gazette 5 Sep 2006 p. 3620.]

##### 5. Exemptions from Part 2 Division 2 — requirements and permissions

(1) Part 2 Division 2 of the Act does not apply to —

(a) a requirement or permission relating to the creation, execution or revocation of a will, codicil or other testamentary instrument;

(b) a requirement or permission relating to the creation of an instrument appointing an enduring power of attorney, or appointing an attorney to manage a person’s affairs; or

(c) any other requirement that a document is to be verified, authenticated, attested or witnessed under the signature of a person other than the author of the document.

(2) Part 2 Division 2 of the Act does not apply to a requirement that information or a document is to be delivered by personal service only.

[**6.** Deleted in Gazette 5 Sep 2006 p. 3620.]

Notes

1 This is a compilation of the *Electronic Transactions Regulations 2003* and includes the amendments made by the other written laws referred to in the following table.

Compilation table

| **Citation** | **Gazettal** | **Commencement** |
| --- | --- | --- |
| *Electronic Transactions Regulations 2003* | 2 May 2003 p. 1496-7 | 2 May 2003 (see r. 2) |
| *Electronic Transactions Amendment Regulations (No. 2) 2006* | 5 Sep 2006 p. 3620 | 9 Oct 2006 (see cl. 2 and Qld SL 248, 2006 published 6 Oct 2006) |
| *Electronic Transactions Amendment Regulations 2008* | 19 Sep 2008 p. 4329 | r. 1 and 2: 19 Sep 2008 (see r. 2(a)); Regulations other than r. 1 and 2: 20 Sep 2008 (see r. 2(b)) |