



Western Australia

## **Electronic Transactions Regulations 2003**

Compare between:

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



## 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) a transaction by which a will, codicil or other testamentary instrument is created, executed or revoked;~~

[(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. ~~Repealed~~Deleted in Gazette 5 Sep 2006 p. 3620.]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. ~~Repealed~~Deleted in Gazette 5 Sep 2006 p. 3620.]

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**Notes**

- <sup>1</sup> 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**

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