



Western Australia

Miscellaneous Regulations (Validation) Act 1985

Compare between:

[06 Jul 1998, 00-a0-07] and [04 Dec 2009, 00-b0-04]

Miscellaneous Regulations (Validation) Act 1985

An Act to declare that certain regulations shall be deemed not to have ceased to have effect and to provide for the further application of section 42 (2) of the *Interpretation Act 1984* upon those regulations being laid before the Legislative Assembly.

Whereas due to administrative mishap the regulations referred to in Schedule 1 were not laid before the Legislative Assembly in accordance with the requirements of section 42 (1) of the *Interpretation Act 1984*; and whereas it is desirable to remedy the consequences of the failure to comply with that section so that —

- (a) the regulations referred to in Schedule 1 are deemed not to have ceased to have effect by reason of section 42 (2) of the *Interpretation Act 1984*; and
- (b) the Legislative Assembly should be enabled to invoke the provisions of section 42 (2) of that Act upon the laying of those regulations before that Assembly:

Now therefore 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. Short Title

This Act may be cited as the *Miscellaneous Regulations (Validation) Act 1985*.

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2. Commencement

This Act shall come into operation on the day on which it is assented to by the Governor.

3. Validation

- (1) Notwithstanding section 42 (2) of the *Interpretation Act 1984*, the regulations referred to in Schedule 1 shall be deemed not to have ceased to have effect upon the failure to comply with section 42 (1) of that Act in respect of those regulations and never to have ceased to have effect on account of that failure and, subject to subsection (2), those regulations shall have effect, and be deemed to have had effect, according to their tenor as if that failure to comply with section 42 (1) of the *Interpretation Act 1984* had not occurred.
- (2) Upon the regulations referred to in Schedule 1 being laid before the Legislative Assembly, section 42 (2) of the *Interpretation Act 1984* shall apply in respect of those regulations and the Legislative Assembly shall be enabled accordingly, but section 42 (2) shall apply as if the words “or if any regulations are not laid before both Houses of Parliament in accordance with subsection (1)” were omitted.
- (3) In this Act “regulations” includes rules and by-laws.

Schedule 1

[Section 3]

Regulations, Rules and By-laws	Date Gazetted.
<i>Totalisator Agency Board Betting Amendment Regulations 1984</i>	14-12-84
<i>Noise Abatement (Neighbourhood Annoyance) Amendment Regulations 1984</i>	14-12-84
<i>Shipping and Pilotage (Port of Dampier) Amendment Regulations 1984</i>	14-12-84
By-law No. 60 under the <i>City of Perth Parking Facilities Act 1956</i> relating to Care, Control and Management of Parking Facilities, amended	14-12-84
<i>Road Traffic (Licensing) Amendment Regulations (No. 2) 1984</i>	14-12-84
<i>Road Traffic (Drivers' Licences) Amendment Regulations (No. 3) 1984</i>	14-12-84
By-laws under the <i>Bush Fires Act 1954</i> for the Shire of Wanneroo relating to Fire Control Order, amended	14-12-84
<i>Education Act Amendment Regulations (No. 5) 1984</i>	18-12-84
<i>Electoral Amendment Regulations 1984</i>	21-12-84
<i>Fire Brigades Amendment Regulations (No. 2) 1984</i>	21-12-84
<i>Metropolitan Water Authority Regulations 1984</i>	21-12-84
<i>Metropolitan Water Authority (Rates and Charges) Amendment By-laws (No. 2) 1984</i>	21-12-84
<i>Real Estate and Business Agents (General) Amendment Regulations 1984</i>	21-12-84
<i>Cremation Amendment Regulations 1984</i>	28-12-84
<i>Harvey Water Area Amendment By-laws 1984</i>	28-12-84
<i>Local Government (Electoral) Regulations 1984</i>	28-12-84
<i>Local Government Electoral Regulations 1981</i> , repealed	28-12-84

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By-laws under the <i>Local Government Act 1960</i> for the City of Fremantle relating to Parking Facilities, amended	28-12-84
By-laws under the <i>Local Government Act 1960</i> for the City of Gosnells relating to the Management and Control of the Thornlie Swimming Centre, amended	28-12-84
By-law No. 29 under the <i>Local Government Act 1960</i> for the City of Subiaco relating to Parking Facilities, amended	28-12-84
By-law No. 62 under the <i>Local Government Act 1960</i> for the Town of Northam regulating the General Management of the Northam Swimming Pool, amended	28-12-84
<i>State Energy Commission (Electricity and Gas Charges) Amendment By-laws (No. 4) 1984</i>	28-12-84
<i>Explosives Amendment Regulations 1984</i>	28-12-84
The Western Australian Turf Club By-laws, amended	4-1-85
<i>Road Traffic Code Amendment (No. 3) 1984</i>	4-1-85
<i>Vehicle Standards Amendment Regulations (No. 3) 1984</i>	4-1-85
By-laws under the <i>Local Government Act 1960</i> for the Town of Claremont relating to Removal and Disposal of Obstructing Animals or Vehicles, amended	4-1-85
By-laws under the <i>Local Government Act 1960</i> for the Town of East Fremantle relating to Depositing and Removal of Refuse, Rubbish, Litter and Disused Materials	4-1-85
By-laws under the <i>Local Government Act 1960</i> for the Shire of Augusta-Margaret River relating to Caravan Parks and Camping Grounds, amended	4-1-85
By-laws under the <i>Local Government Act 1960</i> for the Shire of Coolgardie relating to Recreation Reserve, amended	4-1-85

By-laws under the <i>Local Government Act 1960</i> for the Shire of East Pilbara relating to —	
(a) Parking Facilities; and	
(b) the Control and Management of the Newman Aquatic Centre	4-1-85
By-laws under the <i>Local Government Act 1960</i> for the Shire of Esperance relating to Building (Brick Areas)	4-1-85
By-laws under the <i>Local Government Act 1960</i> for the Shire of Esperance published in the <i>Government Gazette</i> on 21 December 1966 and 24 February 1970, revoked	4-1-85
By-laws under the <i>Dog Act 1976</i> for the Shire of Coolgardie relating to Dogs, published	4-1-85
By-laws under the <i>Dog Act 1976</i> for the Shire of Coolgardie published in the <i>Government Gazette</i> on 17 October 1947, repealed	4-1-85
<i>Marketing of Lamb Amendment Regulations 1984</i>	4-1-85
By-law 84 — <i>Workshops Amendment Rules 1984</i> under the <i>Government Railways Act 1904</i> , amended	4-1-85
By-law 54 — Amendment (No. 3) 1984 under the <i>Government Railways Act 1904</i> , amended	4-1-85
Town Planning Appeal Tribunal Amendment Rules	4-1-85
Stamp Amendment Regulations 1985	11-1-85
Registration of Births, Deaths and Marriages Amendment Regulations 1985	11-1-85
By-laws under the <i>Local Government Act 1960</i> for the City of Bayswater relating to Caravan Parks and Camping Grounds, amended	11-1-85
By-laws under the <i>Local Government Act 1950</i> for the Town of Geraldton relating to Control and Management of the Geraldton and Districts Aquatic Centre, amended	11-1-85
By-laws under the <i>Local Government Act 1960</i> for the Shire of Coolgardie relating to Recreation Reserves (Parks)	11-1-85

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By-laws under the Local Government Act 1960 for the Shire of Wanneroo relating to Mullaloo Drive (Deviation) Building Line, amended	11-1-85
Erratum for Local Government (Electoral) Regulations 1984	11-1-85
School Premises Amendment Regulations 1984	11-1-85
Treasury Amendment Regulations 1985	18-1-85
Esperance Port Authority Amendment Regulations (No. 3) 1984	18-1-85
By-laws under the Bush Fires Act 1954 for the Town of Armadale relating to the Establishment, Maintenance and Equipment of Bush Fire Brigades, amended	18-1-85
By-laws under the Bush Fires Act 1954 for the Shire of Morawa relating to Firebreaks, amended	18-1-85
Industrial Training (General Apprenticeship) Amendment Regulations (No. 2) 1984	18-1-85
Industrial Training (Apprenticeship Training) Amendment Regulations (No. 3) 1984	18-1-85
Hospitals (Services Charges) Amendment Regulations 1985	25-1-85
Hospitals (Services Charges) Amendment Regulations (No. 2) 1985	25-1-85
Land Act Amendment Regulations 1985	25-1-85
By-laws under the Local Government Act 1960 for the City of Bayswater relating to the Use of Halls and Other Buildings	25-1-85
By-laws under the Local Government Act 1960 for the City of Bayswater published in the <i>Government Gazette</i> on 7 March 1924, 14 November 1924 and 4 October 1935, revoked	25-1-85
By-laws under the Local Government Act 1960 for the City of Bayswater relating to Verandahs	25-1-85
By-laws under the Local Government Act 1960 for the City of Bayswater published in the <i>Government Gazette</i> on 8 July 1970, revoked	25-1-85
By-law No. 75 under the Local Government Act 1960	

for the City of Perth relating to the Beatty Park Aquatic Centre, amended	25-1-85
By-laws under the Local Government Act 1960 for the Town of Albany relating to Fencing	25-1-85
By-laws under the Local Government Act 1960 for the Town of Albany published in the Government Gazette on 19 July 1974 and amended by Government Gazette 10 December 1976, revoked	25-1-85
By-laws under the Local Government Act 1960 for the Town of Claremont relating to Signs, amended	25-1-85
By-laws under the Local Government Act 1960 for the Town of Kwinana relating to the Keeping of Bees	25-1-85
By-laws under the Local Government Act 1960 for the Shire of Esperance relating to Aerodromes, amended	25-1-85
Various by-laws under the Local Government Act 1960 for the Shire of Harvey relating to Zoning Street Alignments and Building Lines, published in the Government Gazette on 25 October 1967, 7 September 1945, 29 December 1972, 3 October 1963 and 21 December 1966, repealed	25-1-85
By-laws under the Local Government Act 1960 for the Shire of Rockingham relating to the Safety, Decency, Convenience and Comfort of Persons in respect of bathing, amended	25-1-85
By-laws under the Local Government Act 1960 for the Shire of Swan relating to Parking Facilities, amended	25-1-85
By-laws under the Dog Act 1976 for the Shire of Peppermint Grove relating to Dogs, amended	25-1-85
Corrigendum for the Industrial Training (Apprenticeship Training) Amendment Regulations (No. 3) 1984	25-1-85
Industrial Training (Apprenticeship Training) Amendment Regulations (No. 2) 1984	25-1-85
Dangerous Goods (Road Transport) Amendment	

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Regulations (No. 2) 1984	1-2-85
Censorship of Films Amendment Regulations 1984	1-2-85
Town Planning and Development (Appeal) Amendment Regulations 1984	1-2-85
Industrial Training (Apprenticeship Training) Amendment Regulations (No. 3) 1984	1-2-85
Education Act Amendment Regulations 1985	1-2-85

Notes

- ^{1.} This is a compilation of the *Miscellaneous Regulations (Validation) Act 1985* and includes all amendments effected by the other Acts referred to in the following Table.

Compilation table

Short title	Number and year	Assent	Commencement
<i>Miscellaneous Regulations (Validation) Act 1985</i>	23 of 1985	24 Apr 1985	Operative 24 Apr 1985
<u>This Act was repealed by the Statute (Repeals and Minor Amendments) Act 2009 s. 3(1)(g) (No. 46 of 2009) as at 4 Dec 2009 (see s. 2(b))</u>			