

Compare between:

[21 Dec 2006, 00-a0-03] and [01 Feb 2007, 00-b0-04]

Western Australia

Financial Management (Transitional Provisions) Act 2006

No. 77 of 2006

An Act —

- to repeal the Financial Administration and Audit Act 1985;
- to amend various Acts; and
- to enact transitional provisions, as a consequence of, and in connection with, the enactment of —
- the Auditor General Act 2006; and
- the Financial Management Act 2006, and for related purposes.

The Parliament of Western Australia enacts as follows:

s. 1

Part 1 — Preliminary

1. Short title

This is the Financial Legislation Amendment and Repeal Management (Transitional Provisions) Act 2006.

[Section 1 amended by No. 77 of 2006 s. 18.]

Note: This Act was enacted with the short title Financial Legislation Amendment and Repeal Act 2006, which was amended by s. 18 of the Act to Financial Management (Transitional Provisions) Act 2006.

2. Commencement

- (1) Subject to subsection (3), this Act comes into operation on a day fixed by proclamation.
- (2) Different days may be fixed under subsection (1) for different provisions.
- (3) Sections 3 and 19 and Schedule 2 come into operation on the day on which the *Financial Management Act 2006* comes into operation.

[Part 2 has not come into operation².]

[Schedules 1 and 2 have not come into operation².]

Notes

This is a compilation of the Financial Legislation Amendment and Repeal Act 2006 ^{1a}. The following table contains information about that Act.

Compilation table

Short title	Number and year	Assent	Commencement
Financial Legislation	77 of 2006	21 Dec 2006	21 Dec 2006
Amendment and Repeal Act 2006 s. 1-2			

On the date as at which this compilation was prepared, provisions referred to in the following table had not come into operation and were therefore not included in this compilation. For the text of the provisions see the endnotes referred to in the table.

Provisions that have not come into operation

Short title	Number and year	Assent	Commencement
Financial Legislation Amendment and Repeal Act 2006 Pt. 2, Seh. 1 and 2 ²	77 of 2006	21 Dec 2006	Act other than s. 3, 19 and Sch. 1 cl. 122 and Sch. 2: 1 Feb 2007 (see s. 2(1) and Gazette 19 Jan 2007 p. 137); s. 3 and 19 and Sch. 2: 1 Feb 2007 (see s. 2(3) and Gazette 19 Jan 2007 p. 137); Sch. 1 cl. 122: to be proclaimed (see s. 2(1))

On the date as at which this compilation was prepared, the Financial Legislation Amendment and Repeal Act 2006 Pt. 2 and Sch. 1 and 2 had not come into operation. They read as follows:

Part 2 — Repeal and amendment of legislation

Division 1 — Financial Administration and Audit Act 1985 repealed

3. Financial Administration and Audit Act 1985 repealed

The Financial Administration and Audit Act 1985 is repealed.

Division 2 Amendments relating to the Consolidated Account

References to "Consolidated Fund" changed to "Consolidated Account"

-Note: The Acts listed in the first column of the Table to this section are amended in the corresponding provisions listed in the second column by deleting "Consolidated Fund" (whether in ordinary type, italics, bold or capitals) in each place where it occursof Divisions 2, 3, 4 and inserting instead (in corresponding type)

" Consolidated Account ".

Table

Table	
Aboriginal Affairs Planning Authority Act 1972	s. 42(b)
Agricultural Produce (Chemical Residues) Act 1983	s. 13
Agriculture and Related Resources Protection Act 1976	s. 65(3)(b)
	s. 65(4)
Animal Resources Authority Act 1981	s. 25(3)(b)
Animal Welfare Act 2002	s. 86(b)
	s. 87(3)
	s. 93(5)
Argentine Ant Act 1968	s. 8(3)
Armadale Redevelopment Act 2001	s. 59(2)(b)
	s. 59(4)
	s. 60(1)
	s. 62
Associations Incorporation Act 1987	s. 33(10)
	s. 33(11)
Bank of Western Australia Act 1995	s. 13(2)
	s. 20(8)
	s. 21(1)
Barrow Island Royalty Trust Account Act 1985	s. 5(b)(ii)
	s. 6(1)(b)
	s. 7(2)
	s. 7(3)

Compare 21 Dec 2006 [00-a0-03] / 01 Feb 2007 [00-b0-04] page 2 Extract from www.slp.wa.gov.au, see that website for further information

Botanic Gardens and Parks Authority Act 1998	s. 36(2)
	s. 36(3)
Chattel Securities Act 1987	s. 29
Chevron Hilton Hotel Agreement Act 1960	s. 12(2)
Children's Court of Western Australia Act 1988	s. 53(4)
Conservation and Land Management Act 1984	s. 118(2)
Constitution Act 1889	s. 64
	s. 65
	s. 71
	s. 72
Construction Industry Portable Paid Long Service Leave Act 1985	s. 16(3)
Consumer Affairs Act 1971	s. 18(4)
Corruption and Crime Commission Act 2003	s. 146(4)
•	Schedule 2
	cl. 3(6)
	Schedule 3
	el. 3(5)
Country Housing Act 1998	s. 20(2)
	s. 20(3)
	s. 35(2)
	s. 35(3)
Criminal Injuries Compensation Act 2003	s. 46
	s. 54
	s. 69(2)
Crown Suits Act 1947	s. 10(2)
Curriculum Council Act 1997	s. 28(2)
	s. 28(3)
Curtin University of Technology Act 1966	s. 24(3)
Dampier to Bunbury Pipeline Act 1997	s. 21(2)
	s. 45(4)
	s. 45(5)(d)
Dangerous Goods Safety Act 2004	s. 64(5)
Disability Services Act 1993	s. 18(3)(b)
	s. 18(5)
	s. 18(6)
District Court of Western Australia Act 1969	s. 12(1)
	s. 12(3a)
	s. 89A(5)
East Perth Redevelopment Act 1991	s. 52(2)(b)
	s. 52(4)
Edith Cowan University Act 1984	s. 37(2)

Compare 21 Dec 2006 [00-a0-03] / 01 Feb 2007 [00-b0-04]

page 3

Part 2 Repeal and amendment of legislation

Division 2 Amendments relating to the Consolidated Account

s. 4

Electoral Act 1907	s. 5B(8)
	s. 16B(8)
	s. 175LK
Electricity Corporations Act 2005	s. 130(3)(b)
	s. 130(4)
	s. 131(1)
	s. 192(2)
Emergency Management Act 2005	s. 82
	s. 96(2)
Environmental Protection Act 1986	s. 48(5)
	s. 68A(12)
	s. 69(3)
	s. 70(11)
	s. 73(3)
	s. 73(4b)
	s. 73A(5)
	s. 86E(8)
	s. 92B(2)
	s. 99(4)
	s. 99W(2)
Escheat (Procedure) Act 1940	s. 8(1)
Evidence Act 1906	s. 119(4)
Financial Agreement Act 1928	s. 7
Financial Agreement Act 1995	s. 5
Fines, Penalties and Infringement Notices Enforcement	s. 27(2)
Act 1994	s. 31(a)
	s. 55(2)
	s. 96(6)
Fire and Emergency Services Authority of Western	s. 35(2)
Australia Act 1998	s. 35(3)
Firearms Act 1973	s. 33(2)
First Home Owner Grant Act 2000	s. 68
Fish Resources Management Act 1994	s. 194(3)
	s. 221(2)
Fisheries Adjustment Schemes Act 1987	s. 9(a)
Forest Products Act 2000	s. 44(1)(a)
Total Troubled Hot Book	s. 44(5)
	s. 48(2)
	s. 48(3)
	s. 49(1)
	U. 17(1)

Compare 21 Dec 2006 [00-a0-03] / 01 Feb 2007 [00-b0-04] page 4 Extract from www.slp.wa.gov.au, see that website for further information

G . 1m . G	= /1>/
Gaming and Wagering Commission Act 1987	s. 7(1)(ea)
	s. 9(2a)
	s. 9(4)(c)
	s. 9(5)(a)
	s. 104G(1)(a)
	s. 104G(2)(a)
Gas Corporation (Business Disposal) Act 1999	s. 26(2)(d)
	s. 31(4)
	s. 32(5)
Gene Technology Act 2006	s. 130(2)
Gold Corporation Act 1987	s. 4(7)
	s. 15(4)
	s. 21(2)
	s. 22(4)(a)(ii)
	s. 22(1)(u)(11) s. 22(5)
	s. 23(1)
	s. 35(7a)
	s. 48(7)
	Schedule 2
	el. 4(3)
	Schedule 2 cl. 7
	Schedule 2 cl. 8
	Schedule 2
	cl. 8(e)
C 2 F (11: 1 () () () () ()	
Governor's Establishment Act 1992	s. 8
Governor's Establishment Act 1992 Heritage of Western Australia Act 1990	s. 8 s. 14(8)(a)
Governor's Establishment Act 1992 Heritage of Western Australia Act 1990	s. 8 s. 14(8)(a) s. 16(2)(b)
Governor's Establishment Act 1992 Heritage of Western Australia Act 1990	s. 8 s. 14(8)(a) s. 16(2)(b) s. 16(2)
Governor's Establishment Act 1992 Heritage of Western Australia Act 1990	s. 8 s. 14(8)(a) s. 16(2)(b) s. 16(2) s. 16(5)
	s. 8 s. 14(8)(a) s. 16(2)(b) s. 16(2) s. 16(5) s. 27(4)
Governor's Establishment Act 1992 Heritage of Western Australia Act 1990 Hospitals and Health Services Act 1927	s. 8 s. 14(8)(a) s. 16(2)(b) s. 16(2) s. 16(5) s. 27(4) s. 7H(2)(b)
	s. 8 s. 14(8)(a) s. 16(2)(b) s. 16(2) s. 16(5) s. 27(4) s. 7H(2)(b) s. 7H(3)
	s. 8 s. 14(8)(a) s. 16(2)(b) s. 16(5) s. 27(4) s. 7H(2)(b) s. 7H(3) s. 7H(5)
Hospitals and Health Services Act 1927	s. 8 s. 14(8)(a) s. 16(2)(b) s. 16(5) s. 27(4) s. 7H(2)(b) s. 7H(3) s. 7H(5) s. 17A(2)
	s. 8 s. 14(8)(a) s. 16(2)(b) s. 16(5) s. 27(4) s. 7H(2)(b) s. 7H(3) s. 7H(5)
Hospitals and Health Services Act 1927	s. 8 s. 14(8)(a) s. 16(2)(b) s. 16(5) s. 27(4) s. 7H(2)(b) s. 7H(3) s. 7H(5) s. 17A(2)
Hospitals and Health Services Act 1927	s. 8 s. 14(8)(a) s. 16(2)(b) s. 16(5) s. 27(4) s. 7H(2)(b) s. 7H(3) s. 7H(5) s. 17A(2) s. 62(4)
Hospitals and Health Services Act 1927 Housing Act 1980	s. 8 s. 14(8)(a) s. 16(2)(b) s. 16(5) s. 27(4) s. 7H(2)(b) s. 7H(3) s. 7H(5) s. 17A(2) s. 62(4) s. 63(6)
Hospitals and Health Services Act 1927 Housing Act 1980 Housing Loan Guarantee Act 1957	s. 8 s. 14(8)(a) s. 16(2)(b) s. 16(2) s. 16(5) s. 27(4) s. 7H(2)(b) s. 7H(3) s. 7H(5) s. 17A(2) s. 62(4) s. 63(6) s. 7E(1)(b)
Hospitals and Health Services Act 1927 Housing Act 1980 Housing Loan Guarantee Act 1957 Industrial Relations Act 1979	s. 8 s. 14(8)(a) s. 16(2)(b) s. 16(5) s. 27(4) s. 7H(2)(b) s. 7H(3) s. 7H(5) s. 17A(2) s. 62(4) s. 63(6) s. 7E(1)(b) s. 69(8)
Hospitals and Health Services Act 1927 Housing Act 1980 Housing Loan Guarantee Act 1957 Industrial Relations Act 1979 Industry and Technology Development Act 1998	s. 8 s. 14(8)(a) s. 16(2)(b) s. 16(5) s. 27(4) s. 7H(2)(b) s. 7H(3) s. 7H(5) s. 17A(2) s. 62(4) s. 63(6) s. 7E(1)(b) s. 69(8) s. 18(2)
Hospitals and Health Services Act 1927 Housing Act 1980 Housing Loan Guarantee Act 1957 Industrial Relations Act 1979 Industry and Technology Development Act 1998 Inspector of Custodial Services Act 2003	s. 8 s. 14(8)(a) s. 16(2)(b) s. 16(5) s. 27(4) s. 7H(2)(b) s. 7H(3) s. 7H(5) s. 17A(2) s. 62(4) s. 63(6) s. 7E(1)(b) s. 69(8) s. 18(2) s. 18(3) s. 7(2)
Hospitals and Health Services Act 1927 Housing Act 1980 Housing Loan Guarantee Act 1957 Industrial Relations Act 1979 Industry and Technology Development Act 1998	s. 8 s. 14(8)(a) s. 16(2)(b) s. 16(5) s. 27(4) s. 7H(2)(b) s. 7H(3) s. 7H(5) s. 17A(2) s. 62(4) s. 63(6) s. 7E(1)(b) s. 69(8) s. 18(2) s. 18(3)

Compare 21 Dec 2006 [00-a0-03] / 01 Feb 2007 [00-b0-04]

page 5

s. 4

page 6

I 4 , 1026	- 0 A (5)	
Jetties Act 1926	s. 8A(5)	
Judges' Salaries and Pensions Act 1950	s. 5(2)	
	s. 11(b)	
	s. 17(6)	
	s. 19	
Juries Act 1957	s. 59(3)	
Land Administration Act 1997	s. 10(5)(b)	
	s. 188(1)	
Land Information Authority Act 2006	s. 71(1	
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	s. 71(4	
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	s. 76(3	
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	s. 76(4	
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	s. 77(1	
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Legal Practice Act 2003	s. 226(c)	
Library Board of Western Australia Act 1951	s. 16(4)	
Liquor Licensing Act 1988	s. 113(3)	
Elquor Electioning Test 1500	s. 133	
Loans (Co operative Companies) Act 2004	s. 6(2)	
Louis (Co operative Companies) her 2001	s. 6(3)	
Local Government (Miscellaneous Provisions) Act 1960	s. 435(10)	
Local Government (Miscellaneous Frovisions) Hel 1900	3. 433(10)	
Local Government Act 1995	Schedule 6.3	
	cl. 5(f)(III)	
Lotteries Commission Act 1990	s. 22(2)(b)	
	s. 22(2)(c)	
	s. 22(2)(d)	
	s. 22(2a)	
	s. 22(2a)(b)	
	s. 22(2b)	
	s. 22(2b)(b)	
	s. 22(2c)	
	s. 22(2c)(b)	
	s. 22(2d)	
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Compare 21 Dec 2006 [00-a0-03] / 01 Feb 2007 [00-b0-04]

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Magistrates Court Act 2004	s. 42(4)
Main Roads Act 1930	s. 32(1)(b)
Marine and Harbours Act 1981	s. 13
Marketing of Potatoes Act 1946	s. 41B(3)
Midland Redevelopment Act 1999	s. 61(2)(b)
F	s. 61(4)
	s. 62(1)
	s. 64
Motor Vehicle (Third Party Insurance) Act 1943	s. 3R(4)(c)
Murdoch University Act 1973	s. 32(4)(b)
Northern Mining Corporation (Acquisition) Act 1983	s. 4
	s. 5(2)(a)
	s. 5(2)(b)
Official Prosecutions (Accused's Costs) Act 1973	s. 9(a)
Parliamentary Commissioner Act 1971	s. 5(6)
Parliamentary Superannuation Act 1970	s. 11(3)
	s. 13(3)
	s. 26
	s. 27(1)(a)
	s. 29(5)
Pay roll Tax Assessment Act 2002	s. 40(2)(q)
Pearling Act 1990	s. 27(7)(a)
Perry Lakes Redevelopment Act 2005	s. 8(2)
	s. 44 (7)
Perth International Centre for Application of Solar	s. 27(1)
Energy Act 1994	s. 27(2)
	s. 28(1)
Petroleum (Submerged Lands) Act 1982	s. 129
Planning and Development Act 2005	s. 201(1)
	s. 201(2)
	s. 207(3)
	s. 207(4)
Police Assistance Compensation Act 1964	s. 9
Port Authorities Act 1999	s. 88(3)(b)
	s. 88(4)
	s. 89(1)
Public Sector Management Act 1994	s. 19(1a)
Public Transport Authority Act 2003	s. 34(3)
	s. 34(4)
	s. 35(1)

s. 4

Public Trustee Act 1941	s. 38(1)
	s. 40(4)(c)
	s. 42
	s. 45(1)
	s. 56(2)
	s. 64(j)
Public Works Act 1902	s. 9C(3)
	s. 9E(4)(b)
	s. 9E(7)
Queen Elizabeth II Medical Centre Act 1966	s. 13(4)
Racing and Wagering Western Australia Act 2003	s. 100(3)(b)
	s. 100(4)
	s. 101(1)
Rail Freight System Act 2000	s. 20(2)
Railway Standardisation Agreement Act 1961	s. 4
Residential Parks (Long stay Tenants) Act 2006	s. 83(4)
Residential Tenancies Act 1987	s. 9(8)
	s. 9(9)
	s. 25(2)
	Schedule 1
	cl. 3(4)(b)
Retirement Villages Act 1992	s. 9(7)
Rights in Water and Irrigation Act 1914	Schedule 1
	cl. 39(9)
Road Traffic Act 1974	s. 22(1)
	s. 22(4)
	s. 22(5)
	s. 85(3)
Rottnest Island Authority Act 1987	s. 35(1)
	s. 39(3)
Royal Commissions Act 1968	s. 23(2)
Rural Business Development Corporation Act 2000	s. 28(2)
	s. 28(3)
Salaries and Allowances Act 1975	s. 5A(8)
	s. 6(4)
	s. 6AA(4)
	s. 6B(3)
	s. 11A(3)(b)
School Education Act 1999	s. 189(4)
	s. 190(1)(b)
	s. 190(2)

Sentencing Act 1995	s. 60(1)
	s. 60(6)
	s. 60(7)
	Schedule 1,
	heading
Shipping and Pilotage Act 1967	s. 5(3)
Soil and Land Conservation Act 1945	s. 30(2)
Solicitor General Act 1969	s. 4(2)
State Administrative Tribunal Act 2004	s. 119(2)
State Enterprises (Commonwealth Tax Equivalents)	long title
Act 1996	s. 9(2)(a)
	s. 9(2)(b)
State Salaries (Commonwealth Taxation) Act 1916	s. 2
State Superannuation Act 2000	Part 5, heading
	s. 31(2)
	s. 31(3)
	s. 32
State Supply Commission Act 1991	s. 26I(1)
	s. 31(6)(b)
State Trading Concerns Act 1916	s. 8(1)(a)
	s. 8(1)(b)
	s. 9(1)
	s. 10(2)
	s. 18
Statistics Act 1907	s. 23
Stock (Identification and Movement) Act 1970	s. 43(6)(c)
Subiaco Redevelopment Act 1994	s. 60(2)(b)
	s. 60(4)
	s. 62
Suitors' Fund Act 1964	s. 6(2)
Supreme Court Act 1935	s. 171(5)
Taxation (Staff Arrangements) Act 1969	s. 12(6)(a)
	s. 12(8)
	s. 12(10)(a)
	s. 12(10)(b)
	s. 13(3)
	s. 14(3)
Taxi Act 1994	s. 30H
Tobacco Products Control Act 2006	s. 71(2)
	s. 71(10)

s. 4

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Transfer of Land Act 1893	s. 126(1)(b)
	s. 165
	s. 181(1)(c)
	s. 190
	s. 201
	s. 204
	s. 208
	s. 210
Transport Co-ordination Act 1966	s. 10(7)
Travel Agents Act 1985	s. 32(1)(a)
	s. 32(1)(b)
	s. 32(5)
	s. 32(7)
	s. 32(8)
Unclaimed Money (Superannuation and RSA Providers)	s. 13(3)
Act 2003	
Unclaimed Money Act 1990	long title
	s. 9(1)(c)
	s. 9(1)(p)
	s. 9(1)(r)
	s. 15(2)
	s. 18
University Building Act 1938	s. 7
University Buildings Act 1930	s. 6(c)
University Buildings Act 1952	s. 7
University Medical School Act 1955	s. 4
University of Notre Dame Australia Act 1989	s. 25E(4)
	s. 25F(1)(b)
	s. 25F(2)
University of Western Australia Act 1911	s. 15B(5)(b)
Vocational Education and Training Act 1996	s. 17C(4)
	s. 17D(1)(b)
	s. 17D(2)
War Service Land Settlement Scheme Act 1954	s. 5(2)(b)
Warehousemen's Liens Act 1952	s. 10(3)
2.000	s. 10(5)(b)
Water and Rivers Commission Act 1995	s. 10(3)(3) s. 30(2)
with the commission for 1775	s. 30(2) s. 30(3)
Water Corporation Act 1995	s. 83(3)(b)
mater corporation her 1995	s. 83(4)
	s. 84(1)
Water Supply Savarage and Drainage Act 1012	s. 9(a)
Water Supply, Sewerage, and Drainage Act 1912	5. 7(8)

page 10 Compare 21 Dec 2006 [00-a0-03] / 01 Feb 2007 [00-b0-04] Extract from www.slp.wa.gov.au, see that website for further information

Western Australian Coastal Shipping Commission	s. 27(3)
Act 1965	s. 28(1)
	s. 30
Western Australian Land Authority Act 1992	s. 36(3)(b)
	s. 36(4)
	s. 37(1)
	s. 38(1)(a)
	s. 38(5)
Western Australian Marine Act 1982	s. 71(4)
Western Australian Meat Industry Authority Act 1976	s. 15F(1)(b)
	s. 15F(2)
Western Australian Tourism Commission Act 1983	s. 15(6)
, established 10 m 15 m 20	s. 24(3)(c)
	s. 27(4)
Western Australian Treasury Corporation Act 1986	s. 9A(2)
" estern flustration in easily corporation flet 1500	s. 13(2)
	s. 13(2) s. 13(3a)
	s. 15(5u) s. 16
	s. 17A(1)(a)
Wheat Products (Prices Fixation) Act 1938	s. 1771(1)(u) s. 20
	s. 101B(3)
Workers' Compensation and Injury Management Act 1981	5. IVID(3)
	7(0)
Yallingup Foreshore Land Act 2006	s. 7(2)
Zoological Parks Authority Act 2001	s. 36(4)
	s. 37(1)(b)
	s. 37(2)

5. References to "Fund" and "fund" changed to "Account"

(1) The Acts listed in the first column of the Table 5 of this Part, and of Sch. 1 to this subsection are amended in the corresponding provisions listed in the second column by deleting "that Fund" in each place where it occurs and inserting instead

" that Account ".

Table

Animal Welfare Act 2002	s. 93(5)
Armadale Redevelopment Act 2001	s. 59(2)(b)
Botanic Gardens and Parks Authority Act 1998	s. 36(2)
Constitution Act 1889	s. 64
Country Housing Act 1998	s. 20(2)
	s. 35(2)
Curriculum Council Act 1997	s. 28(2)
Electricity Corporations Act 2005	s. 130(3)(b)

s. 5

Fire and Emergency Services Authority of Western	
Australia Act 1998	s. 35(2)
First Home Owner Grant Act 2000	s. 68
Forest Products Act 2000	s. 48(2)
Industry and Technology Development Act 1998	s. 18(2)
Midland Redevelopment Act 1999	s. 61(2)(b)
Port Authorities Act 1999	s. 88(3)(b)
Racing and Wagering Western Australia Act 2003	s. 100(3)(b)
Rural Business Development Corporation Act 2000	s. 28(2)
School Education Act 1999	s. 190(1)
State Supply Commission Act 1991	s. 31(6)(b)
Subiaco Redevelopment Act 1994	s. 60(2)(b)
Superannuation and Family Benefits Act 1938	s. 83AA(1)
University Buildings Act 1930	s. 6(c)
University of Notre Dame Australia Act 1989	s. 25F(1)
Vocational Education and Training Act 1996	s. 17D(1)
Water and Rivers Commission Act 1995	s. 30(2)
Water Corporation Act 1995	s. 83(3)(b)
Western Australian Land Authority Act 1992	s. 36(3)(b)
Western Australian Meat Industry Authority Act 1976	
	s. 15F(1)
Zoological Parks Authority Act 2001	s. 37(1)

- (2) The Judges' Salaries and Pensions Act 1950* section 5(2) is amended by deleting "such Fund" and inserting instead
- " such Account ".
- * Reprint 5 as at 19 September 2003.
- For subsequent amendments see Western Australian Legislation
 Information Tables for 2005, Table 1, p. 235.
- (3) The *Perry Lakes Redevelopment Act 2005** section 44(7) is amended by deleting "that fund" and inserting instead
- " that Account ".
- * Act No. 43 of 2005.
- (4) The *Transport Co ordination Act 1966** section 10(7) is amended by deleting "that fund" and inserting instead
- "that Account".
- * Reprint 8 as at 5 August 2005.
- For subsequent amendments see Act No. 39 of 2000.]
- (5) The *University Building Act 1938** section 7 is amended by deleting "that fund" and inserting instead

*	" that Account ". — Act No. 4 of 1938.
	For subsequent amendments see Western Australian Legislation Information Tables for 2005, Table 1, p. 473.]
Divisi	on 3 Amendments relating to the accountable authority
0.	References to "accountable officer" changed to "accountable authority"
0.	<u> </u>

Table

Public Sector Management Act 1994	s. 5(1), in paragraph (c)(i) of the definition of "employing authority"
School Education Act 1999	s. 114
Sentence Administration Act 2003	s. 92
Soil and Land Conservation Act 1945	s. 25E(2)(a) s. 25E(2)(b) s. 25F s. 25G
State Records Act 2000	s. 10(1)
State Trading Concerns Act 1916	s. 4A(1), in paragraph (b) of the definition of "financial entity" s. 4A(4)

Public Sector Management Act 1994 amended

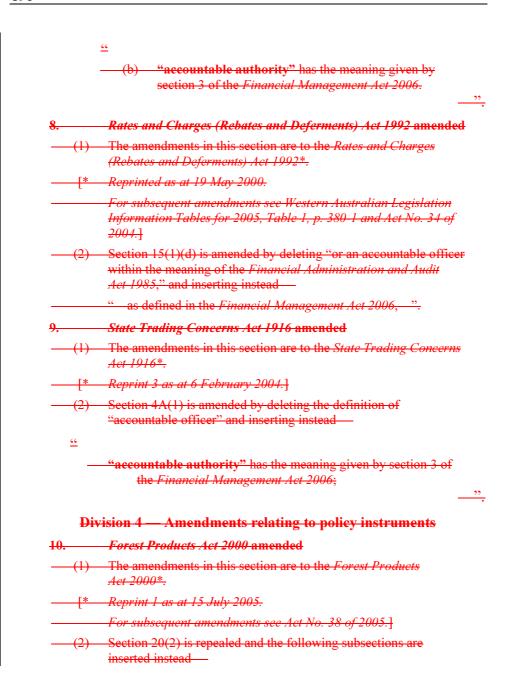
- (1) The amendments in this section are to the *Public Sector* Management Act 1994*.
- [* Reprint 6 as at 14 May 2004.
- For subsequent amendments see Western Australian Legislation Information Tables for 2005, Table 1, p. 368-9 and Act No. 18 of 2005.]
- Section 5(2)(b) is deleted and the following paragraph is inserted instead

Compare 21 Dec 2006 [00-a0-03] / 01 Feb 2007 [00-b0-04]

page 13

Repeal and amendment of legislation Part 2 **Division 4** Amendments relating to policy instruments

s. 8



Repeal and amendment of legislation Amendments relating to policy instruments

Part 2 Division 4

s. 11

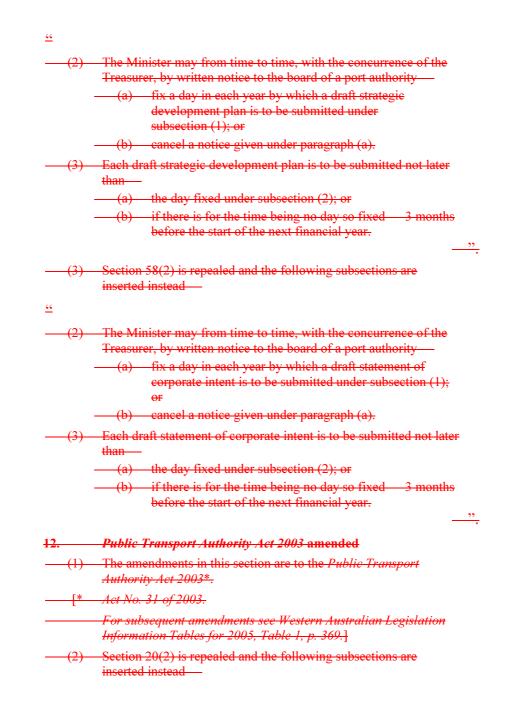
<u>""</u>	
(2)	The Minister may from time to time, with the concurrence of the Treasurer, by written notice to the commissioners—
	(a) fix a day in each year by Act, which a draft strategic development plan is to be submitted under subsection (1); or
	(b) cancel a notice given under paragraph (a).
(3)	Each draft strategic development plan is to be submitted not later than—
	(a) the day fixed under subsection (2); or
	(b) if there is for the time being no day so fixed 3 months before the start of the next financial year.
(3)	Section 29(2) is repealed and the following subsections are inserted instead
(2)	The Minister may from time to time, with the concurrence of the Treasurer, by written notice to the commissioners
	(a) fix a day in each year by which a draft statement of corporate intent is to be submitted under subsection (1); or
	(b) cancel a notice given under paragraph (a).
(3)	Each draft statement of corporate intent is to be submitted not later than
	(a) the day fixed under subsection (2); or
	(b) if there is for the time being no day so fixed 3 months
	before the start of the next financial year.
	""
11.	Port Authorities Act 1999 amended
(1)	The amendments in this section are to the <i>Port Authorities</i> Act 1999*.
	Reprint 1 as at 1 October 2004.
	For subsequent amendments see Western Australian Legislation Information Tables for 2005, Table 1, p. 355 and Act No. 38 of 2005.]
(2)	Section 49(2) is repealed and the following subsections are inserted instead

Compare 21 Dec 2006 [00-a0-03] / 01 Feb 2007 [00-b0-04]

page 15

Division 4 Amendments relating to policy instruments

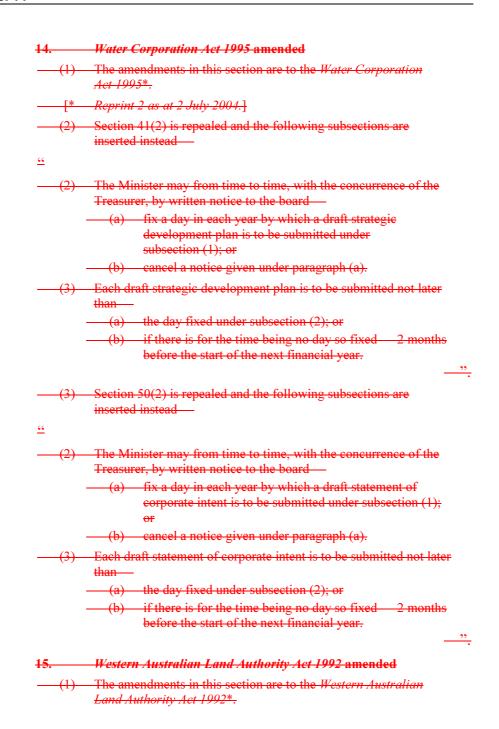
s. 12



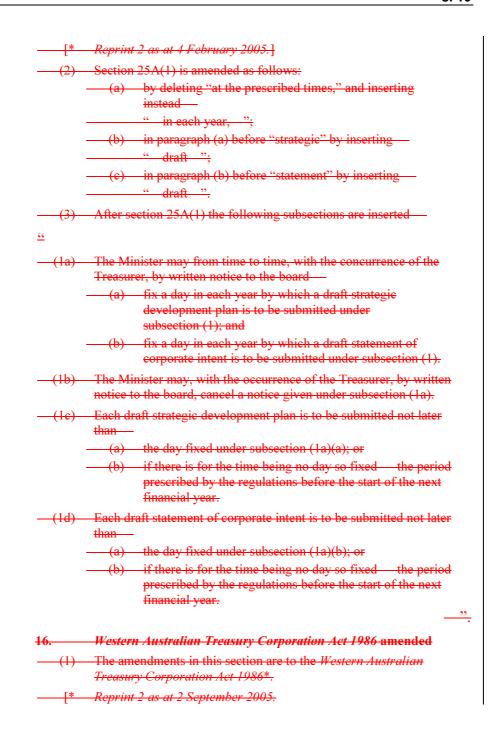
Repeal and amendment of legislation Amendments relating to policy instruments Part 2 Division 4

s. 13

<u>"</u>	
(2)	The Minister may from time to time, with the concurrence of the Treasurer, by written notice to the Authority—
	— (a) fix a day in each year by which a draft operational plan is to be submitted under subsection (1); or
	— (b) — cancel a notice given under paragraph (a).
(2a)	Each draft operational plan is to be submitted not later than
	(a) the day fixed under subsection (2); or
	(b) if there is for the time being no day so fixed 2 months before the start of the next financial year (called the "relevant financial year" in this section and sections 21 and 22).
	——————————————————————————————————————
13.	Racing and Wagering Western Australia Act 2003 amended
(1)	The amendments in this section are to the <i>Racing and Wagering</i> Western Australia Act 2003*.
[*	Act No. 36 of 2003.
	For subsequent amendments see Western Australian Legislation Information Tables for 2005, Table 1, p. 375 and Act No. 38 of 2005.]
(2)	Section 66(2) is repealed and the following subsections are inserted instead
<u> </u>	
(2)	The Minister may from time to time, with the concurrence of the Treasurer, by written notice to the board
	(a) fix a day in each year by which a draft strategic development plan is to be submitted under subsection (1); or
	(b) cancel a notice given under paragraph (a).
(3)	Each draft strategic development plan is to be submitted not later than—
	(a) the day fixed under subsection (2); or
	(b) if there is for the time being no day so fixed 3 months before the start of the next financial year.
	•



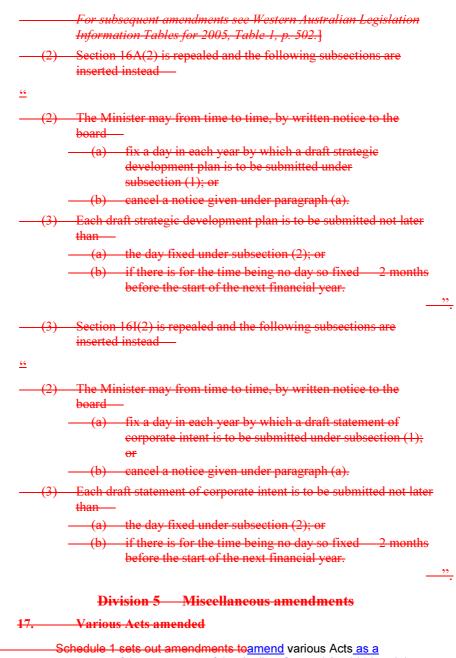
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Part 2 Repeal and amendment of legislation

Division 5 Miscellaneous amendments

s. 17



consequence of the enactment of the Auditor General Act 2006 and the

page 20

Division 6

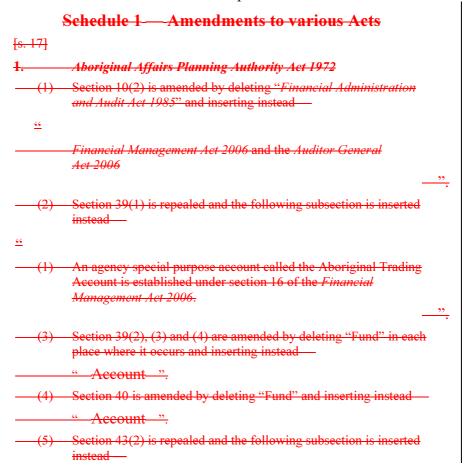
Financial Management Act 2006, have had effect and have not been included in this version of the Act.

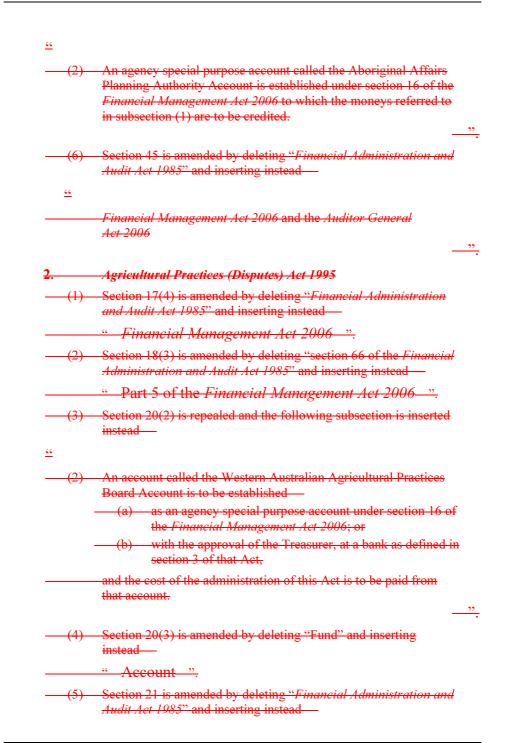
Short title of this Act amended Section 1 is amended by deleting "Legislation Amendment and Repeal" and inserting instead-" Management (Transitional Provisions) ".

Division 6 — Transitional provisions

19. **Transitional provisions**

Schedule 2 sets out transitional provisions.





Compare 21 Dec 2006 [00-a0-03] / 01 Feb 2007 [00-b0-04]

Extract from www.slp.wa.gov.au, see that website for further information

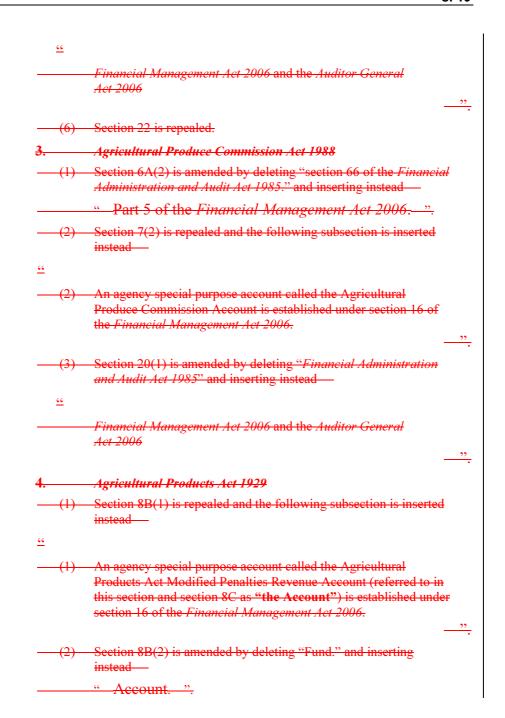
Repeal and amendment of legislation

Transitional provisions

Part 2

Division 6

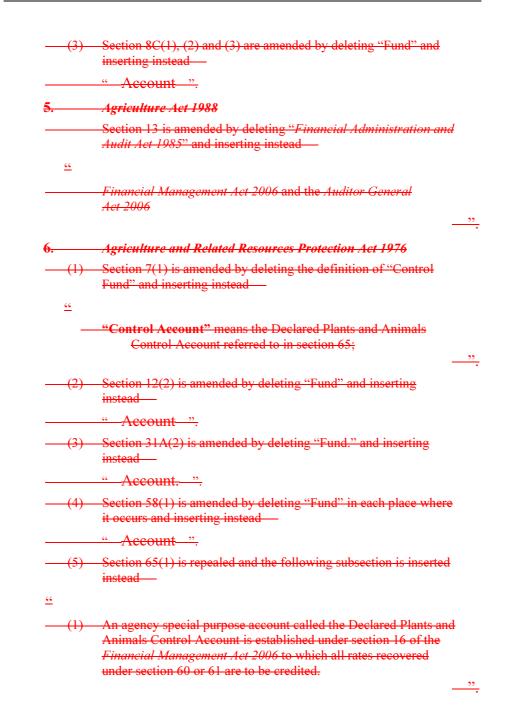
s. 19



Part 2 Repeal and amendment of legislation

Division 6 Transitional provisions

s. 19



Repeal and amendment of legislation

Part 2

Transitional provisions

Division 6

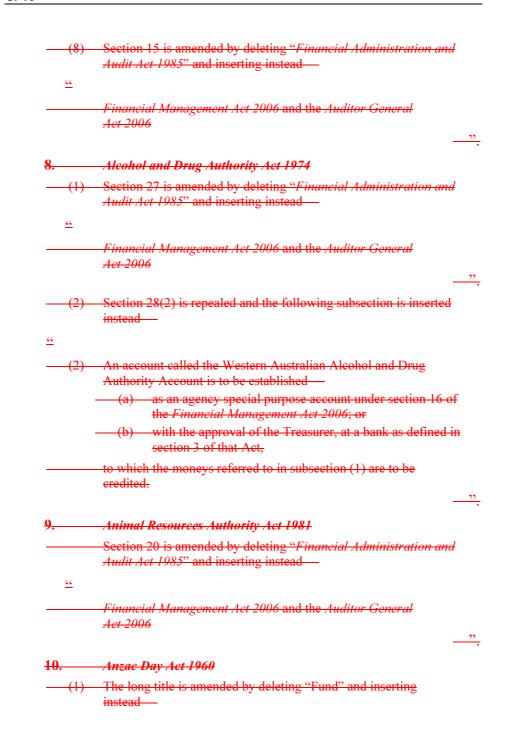
s. 19

(6)	Section 65(3)(b) and (4) are amended by deleting "Control Fund" and inserting instead—
	" Control Account ".
7.	Agriculture Protection Board Act 1950
(1)	Section 3 is amended by deleting the definition of "Protection Fund" and inserting in the appropriate alphabetical position
<u> </u>	
_	"Protection Account" means The Agriculture Protection Board Account referred to in section 9; "
(2)	Section 7 is amended by deleting "Fund." and inserting instead
	"Account.".
(3)	Section 8(1)(c) is amended by deleting "Fund" in both places where it occurs and inserting instead
	Account
(4)	Section 9(2) is repealed and the following subsection is inserted instead—
<u> </u>	
(2)	An agency special purpose account called The Agriculture Protection Board Account is established under section 16 of the Financial Management Act 2006, and all moneys referred to in subsection (1) are to be credited to the Protection Account and applied to the purposes of this Act and the Agriculture Protection Act.
	``
(5)	— Section 9(3) is amended by deleting "Fund" and inserting instead —
	"Account".
(6)	Section 10 is amended by deleting "Fund" in both places where it occurs and inserting instead—
	Account
(7)	Section 11(2) and (4) are amended by deleting "Fund" and inserting instead
	"Account".

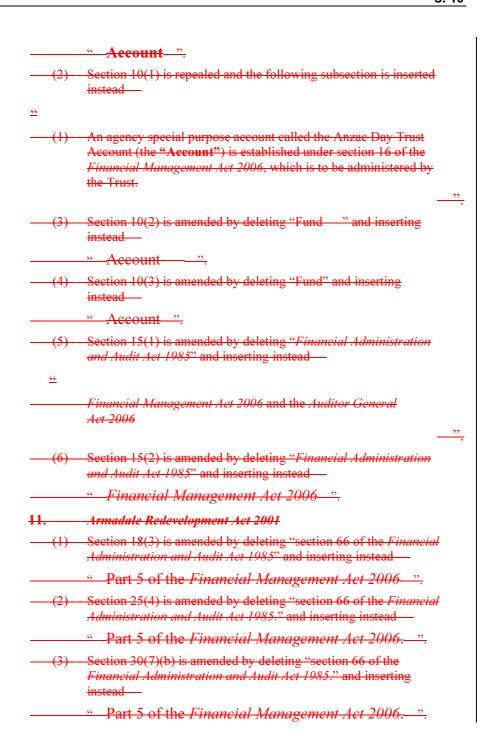
Part 2 Repeal and amendment of legislation

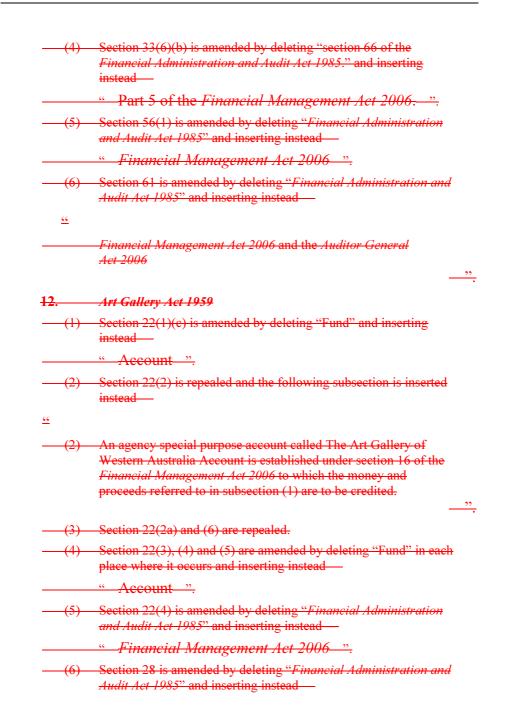
Division 6 Transitional provisions

s. 19



Division 6

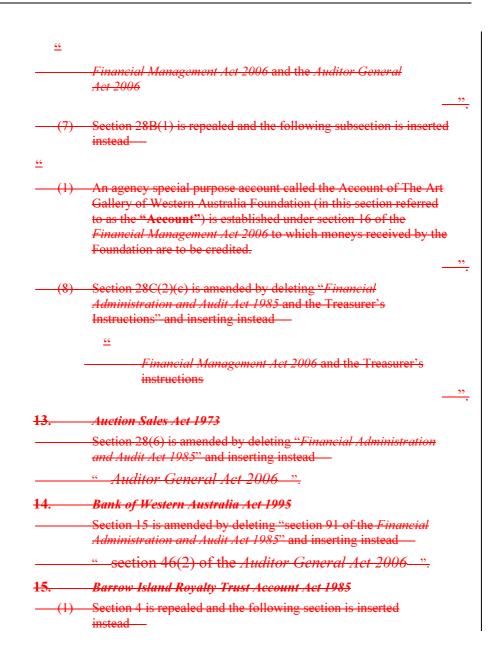




Repeal and amendment of legislation Transitional provisions

Part 2 **Division 6**

s. 19

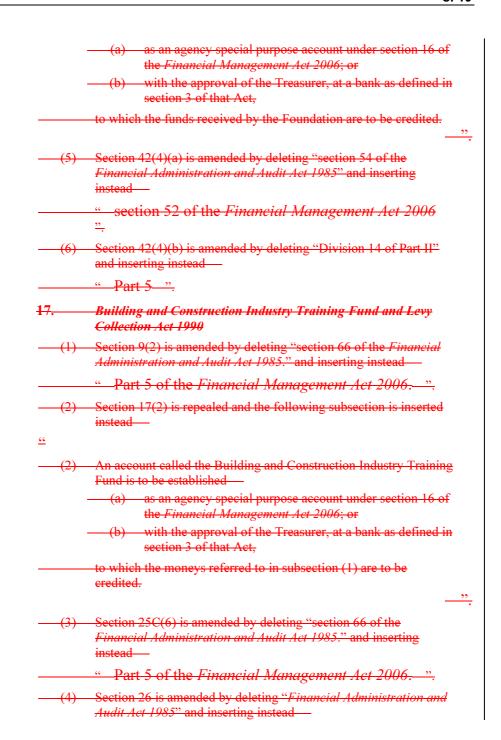


Part 2 Repeal and amendment of legislation

Division 6 Transitional provisions

s. 19

4	Barrow Island Royalty Trust Account
	An agency special purpose account called the Barrow Island
	Royalty Trust Account is established under section 16 of the
	Financial Management Act 2006.
(2)	Section 5 is amended by deleting "section 6 of the <i>Financial</i>
	Administration and Audit Act 1985" and inserting instead
	" section 8 of the Financial Management Act 2006
16.	Botanic Gardens and Parks Authority Act 1998
(1)	Section 13(2) is amended by deleting "section 66 of the Financia
	Administration and Audit Act 1985." and inserting instead
	" Part 5 of the <i>Financial Management Act 2006</i> . ".
(2)	Section 32(1) is repealed and the following subsection is inserted
(-)	instead —
66	
	An account called the Deterio Continue and Deduc And 19
(1)	An account called the Botanic Gardens and Parks Authority Account is to be established—
	(a) as an agency special purpose account under section 16 c
	the Financial Management Act 2006; or
	— (b) with the approval of the Treasurer, at a bank as defined
	section 3 of that Act,
	to which the funds referred to in section 31 are to be credited.
(3)	Section 37 is amended by deleting "Financial Administration an
ζ- /	Audit Act 1985" and inserting instead
<u>66</u>	
	Financial Managament Act 2006 and the Auditor Commit
	<i>Financial Management Act 2006</i> and the <i>Auditor General</i> Act 2006
	71CF 2000
(4)	Section 42(1) is repealed and the following subsection is inserted
(1)	instead —
<u> </u>	
	
(1)	An account called the Botanic Gardens and Parks Foundation
	Account is to be established —

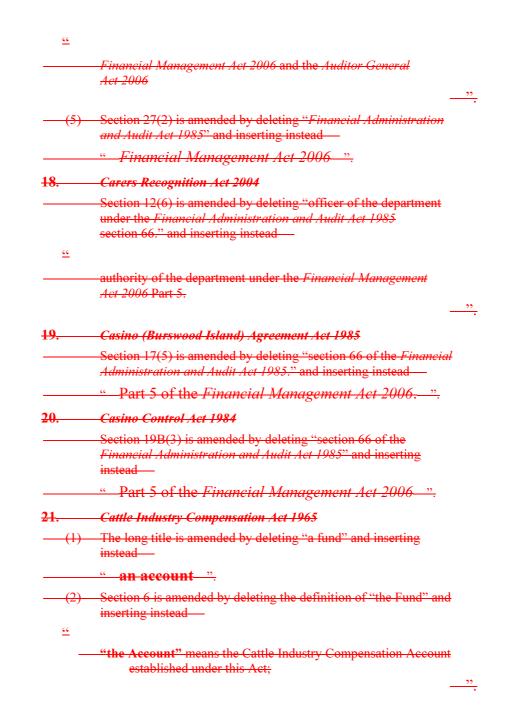


Part 2 Repeal and amendment of legislation

Division 6 Transitional provisions

s. 19

page 32

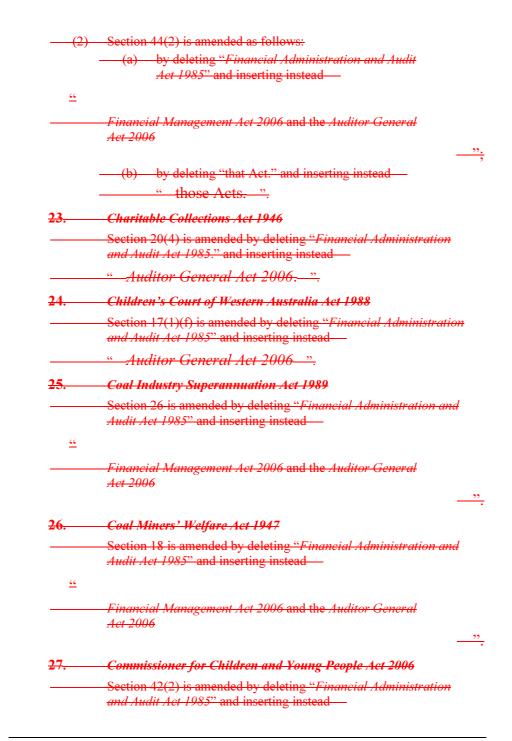


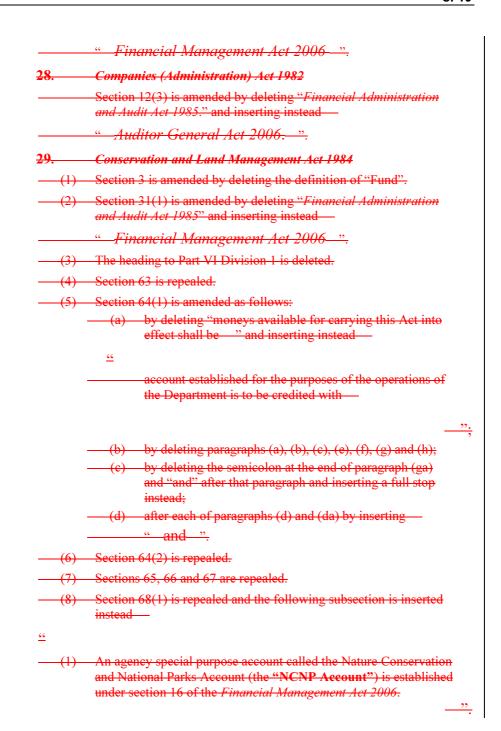
(3)	The heading to Part IV is amended by deleting "Fund" and inserting instead	
	<u>"Account".</u>	
(4)	Section 21(1) is repealed and the following subsection is inserted instead	
<u>""</u>		
(1)	For the purposes of administering this Act and paying compensation in accordance with the provisions of this Act, an agency special purpose account called the Cattle Industry Compensation Account is established under section 16 of the Financial Management Act 2006.	· • • • • • • • • • • • • • • • • • • •
(5)	Section 21A is amended by deleting "Financial Administration and Audit Act 1985" and inserting instead	
	Financial Management Act 2006 and the Auditor General Act 2006	,,_
(6)	The provisions listed in the Table to this subclause are amended by deleting "Fund" in each place where it occurs and inserting instead—	•
	Table	
	s. 9(2) s. 23(3)	
	s. 17(3) s. 24(1)	
	s. 20A s. 24(2)	
	s. 21(2) s. 24(3)	
	s. 21A s. 25	
	s. 23(1) s. 46(d) and (e)	
	s. 23(2)	
22.	Cemeteries Act 1986	
(1)	Section 44(1) is amended by deleting "Financial Administration	
(1)	and Audit Act 1985." and inserting instead	
<u> </u>		
	Financial Management Act 2006 and the Auditor General Act 2006. ———————————————————————————————————	<u>"</u>

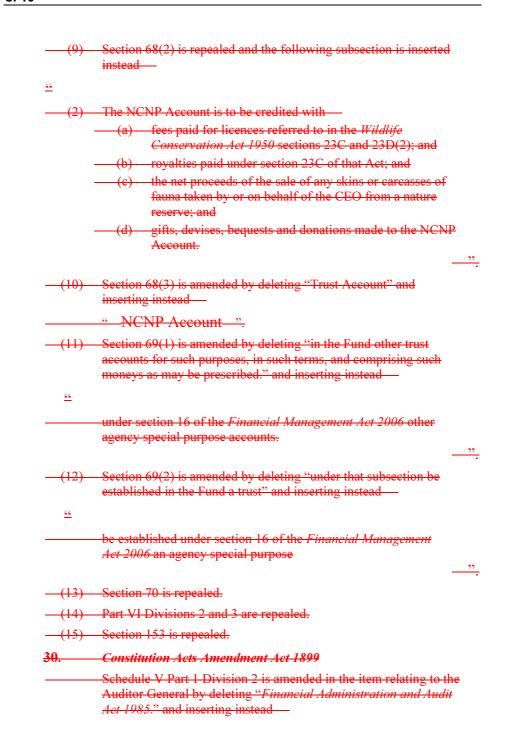
Part 2 Repeal and amendment of legislation

Division 6 Transitional provisions

s. 19



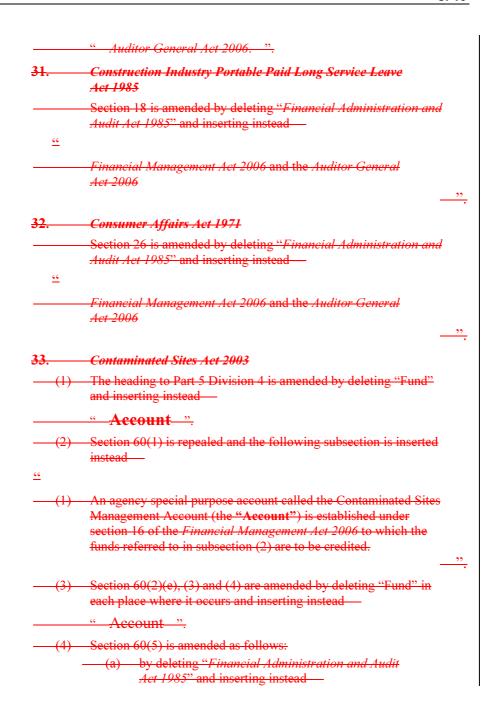




Repeal and amendment of legislation Transitional provisions Part 2

Division 6

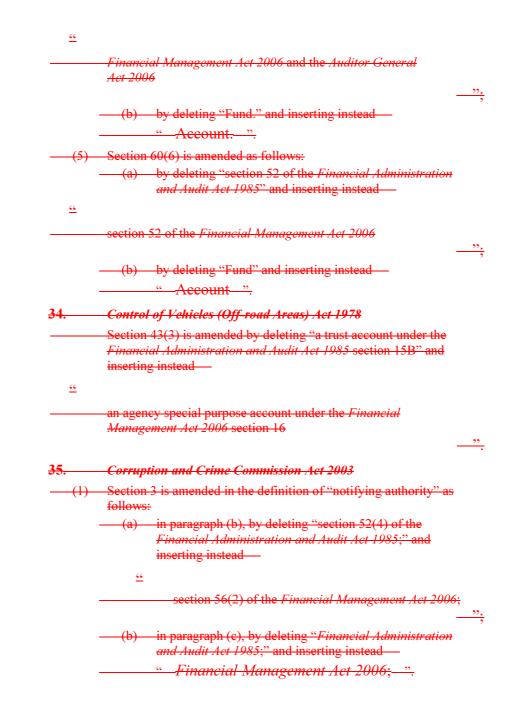
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Part 2 Repeal and amendment of legislation

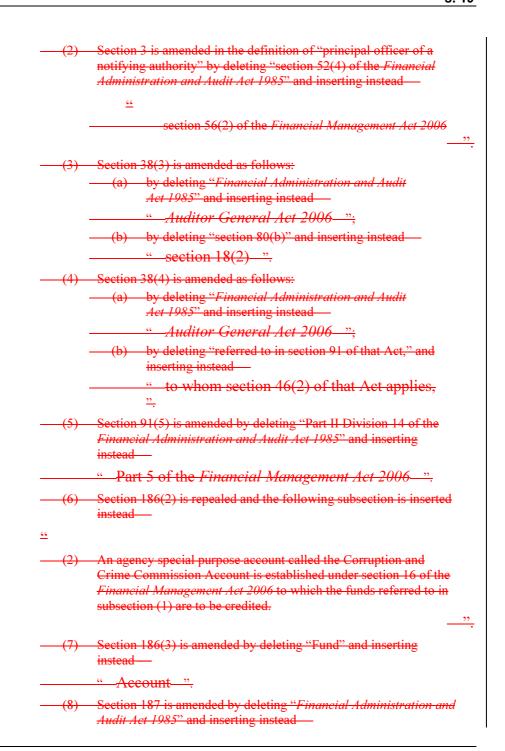
Division 6 Transitional provisions

s. 19



Compare 21 Dec 2006 [00-a0-03] / 01 Feb 2007 [00-b0-04]

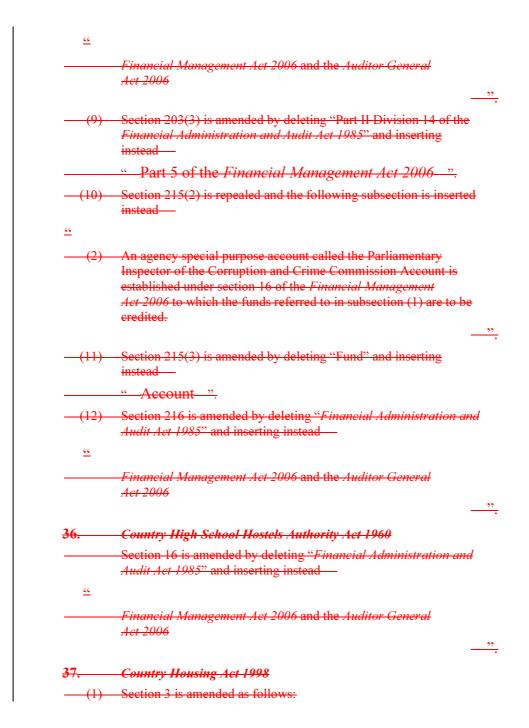
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Part 2 Repeal and amendment of legislation

Division 6 Transitional provisions

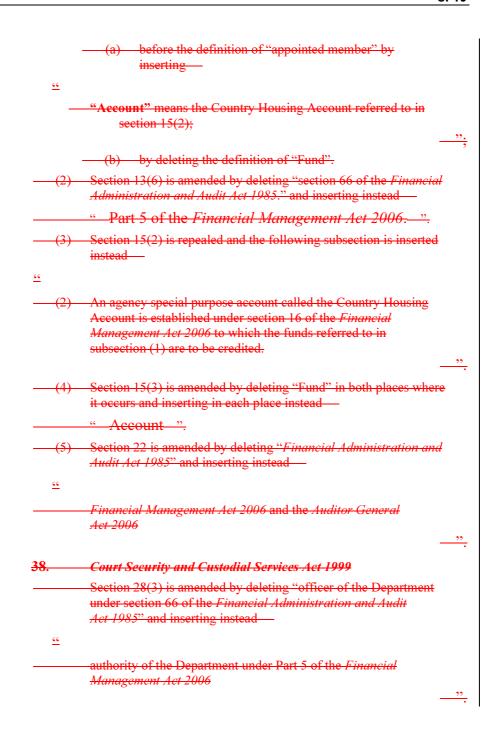
s. 19



Repeal and amendment of legislation Transitional provisions Part 2

Division 6

s. 19



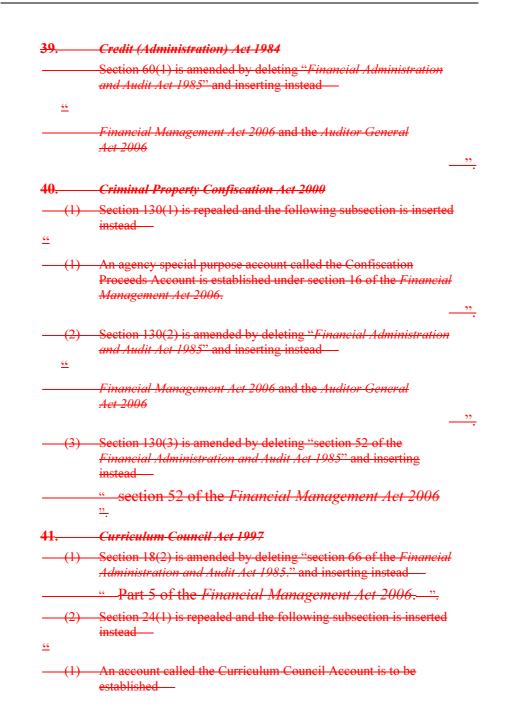
Compare 21 Dec 2006 [00-a0-03] / 01 Feb 2007 [00-b0-04]

page 41

Part 2 Repeal and amendment of legislation

Division 6 Transitional provisions

s. 19



Compare 21 Dec 2006 [00-a0-03] / 01 Feb 2007 [00-b0-04] Extract from www.slp.wa.gov.au, see that website for further information

Repeal and amendment of legislation

Part 2

Transitional provisions Division 6

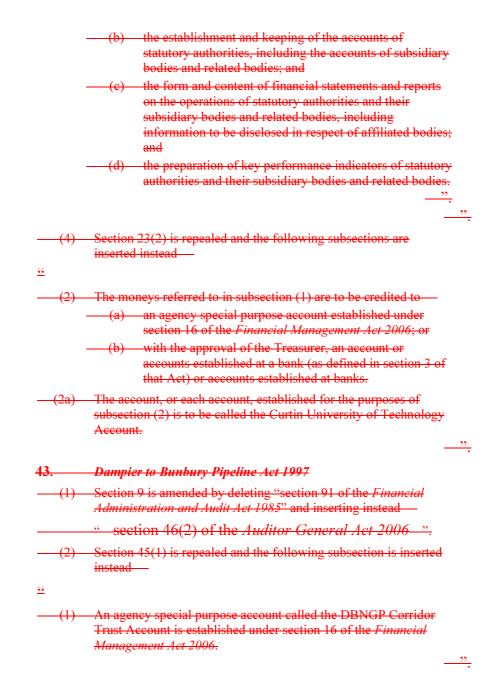
s. 19

	(a) as an agency special purpose account under section 16 of the <i>Financial Management Act 2006</i> ; or
	(b) with the approval of the Treasurer, at a bank as defined in section 3 of that Act,
	to which the funds referred to in section 23 are to be credited.
	Section 29 is amended by deleting "Financial Administration and Audit Act 1985" and inserting instead—
	Financial Management Act 2006 and the Auditor General Act 2006
42.	
(1)	Section 22(1) is amended by deleting "Financial Administration and Audit Act 1985" and inserting instead
<u> </u>	
	Financial Management Act 2006 and the Auditor General Act 2006
(2)	Section 22(3) is amended by deleting "Financial Administration and Audit Act 1985" and inserting instead
	" Financial Management Act 2006 ".
(3)	Section 22(4) is repealed and the following subsection is inserted instead—
_	Notwithstanding the provisions of the <i>Financial Management</i>
	(a) sections 13, 14 and 40 do not have effect in relation to the University; and
<u>"</u>	(b) section 78(1) of that Act has effect in relation to the University as if it had been enacted in the following form—
(1)	The Treasurer may issue, amend or revoke instructions concerning—
	— (a) the annual report required to be prepared under Part 5; and

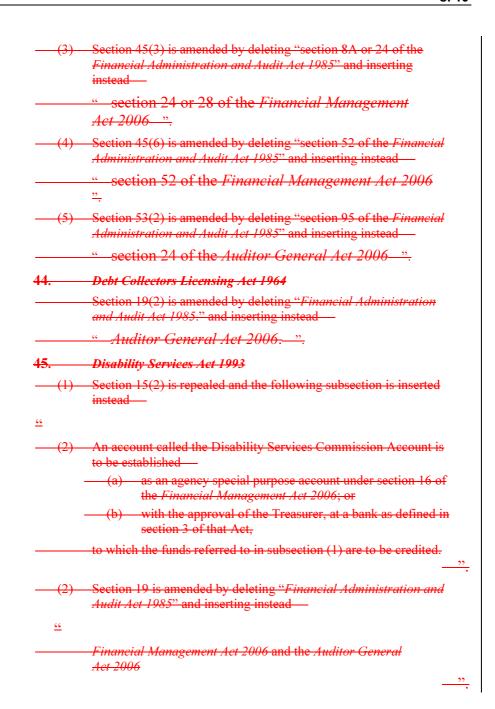
Part 2 Repeal and amendment of legislation

Division 6 Transitional provisions

s. 19



Division 6



(3)	Section 20(2) is amended by deleting "section 66 of the <i>Financial Administration and Audit Act 1985.</i> " and inserting instead
	" Part 5 of the Financial Management Act 2006. ".
(4)	Section 29(1) is amended by deleting "section 66 of the <i>Financial Administration and Audit Act 1985</i> " and inserting instead
	"- Part 5 of the Financial Management Act 2006".
(5)	— Section 42A(2) is amended by deleting "Part II Division 14 of the <i>Financial Administration and Audit Act 1985.</i> " and inserting instead—
	"-Part 5 of the Financial Management Act 2006.—".
(6)	— Section 44A(4) is amended by deleting "section 66 of the <i>Financial Administration and Audit Act 1985.</i> " and inserting instead—
	"Part 5 of the Financial Management Act 2006.—".
46.	East Perth Redevelopment Act 1991
(1)	Section 19(9) is amended by deleting "section 66 of the <i>Financial Administration and Audit Act 1985</i> " and inserting instead
	"- Part 5 of the Financial Management Act 2006".
(2)	Section 25(2) is amended by deleting "section 66 of the <i>Financial Administration and Audit Act 1985</i> " and inserting instead—
	"-Part 5 of the Financial Management Act 2006—".
(3)	Section 53 is amended by deleting "Financial Administration and Audit Act 1985" and inserting instead
<u>"</u>	
	Financial Management Act 2006 and the Auditor General Act 2006
(4)	Section 54 is amended by deleting "section 14 of the <i>Financial Administration and Audit Act 1985</i> " and inserting instead
	" section 20 of the Financial Management Act 2006
47.	Eastern Goldfields Transport Board Act 1984
	Section 28 is amended by deleting "Financial Administration and Audit Act 1985" and inserting instead

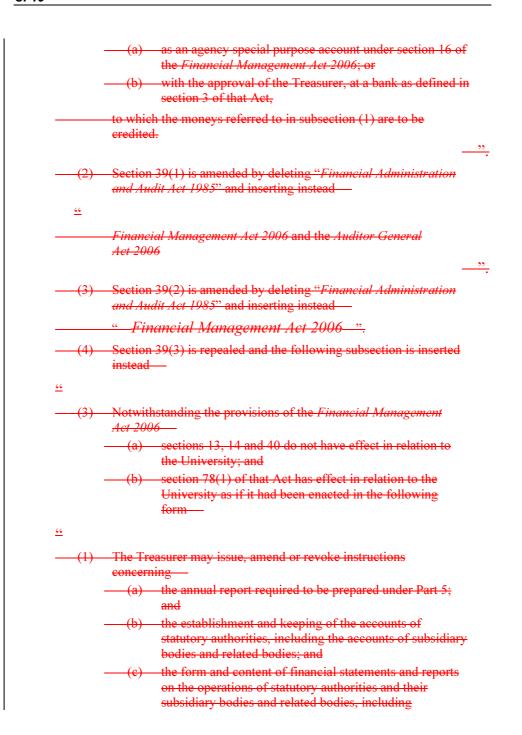
Compare 21 Dec 2006 [00-a0-03] / 01 Feb 2007 [00-b0-04] Extract from www.slp.wa.gov.au, see that website for further information

Repeal and amendment of legislation Transitional provisions Part 2 Division 6

s. 19

<u>""</u>	
	Financial Management Act 2006 and the Auditor General Act 2006
48.	——————————————————————————————————————
	Section 23(1) is amended by deleting "Financial Administration and Audit Act 1985" and inserting instead
<u>««</u>	Financial Management Act 2006 and the Auditor General Act 2006
(2)	Section 23(2) is amended by deleting "Instructions (issued under section 58 of the <i>Financial Administration and Audit Act 1985</i>)" and inserting instead
	instructions (issued under section 78 of the Financial Management Act 2006)
(3)	Section 23(3) is amended by deleting "section 42 of the <i>Financial Administration and Audit Act 1985</i> " and inserting instead
	"section 40 of the <i>Financial Management Act 2006</i> "
(4)	Section 24 is amended by deleting "Without limiting section 43 of the <i>Financial Administration and Audit Act 1985</i> , the" and inserting instead—
	<u>" The ".</u>
(5)	Section 28(7) is amended by deleting "section 66 of the <i>Financial Administration and Audit Act 1985</i> ." and inserting instead
	" Part 5 of the Financial Management Act 2006. ".
19.	Edith Cowan University Act 1984
	Section 36(2) is repealed and the following subsection is inserted instead
<u>««</u>	
(2)	An account called the Edith Cowan University Account is to be established—

s. 19



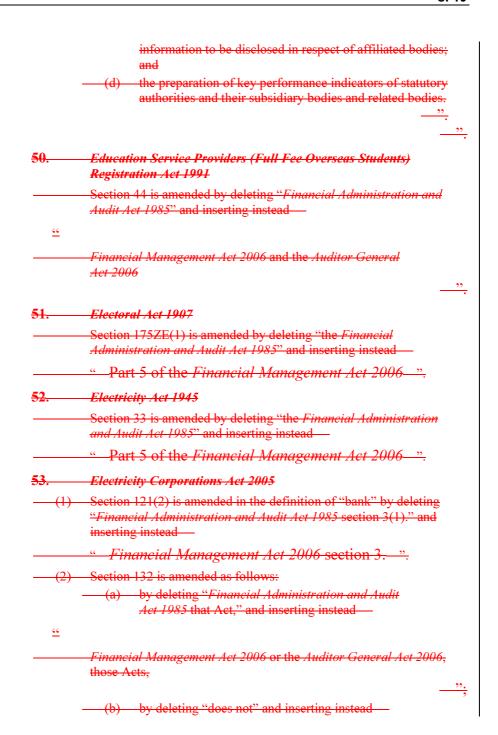
Repeal and amendment of legislation

Part 2

Transitional provisions

Division 6

s. 19

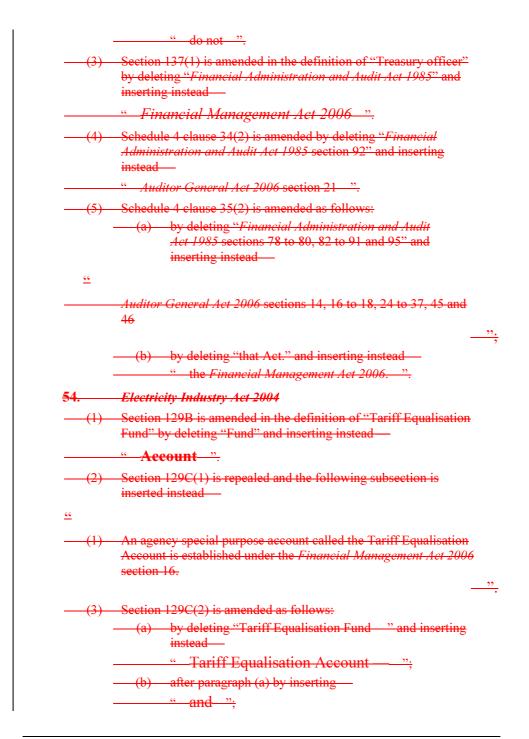


Compare 21 Dec 2006 [00-a0-03] / 01 Feb 2007 [00-b0-04]

page 49

Transitional provisions

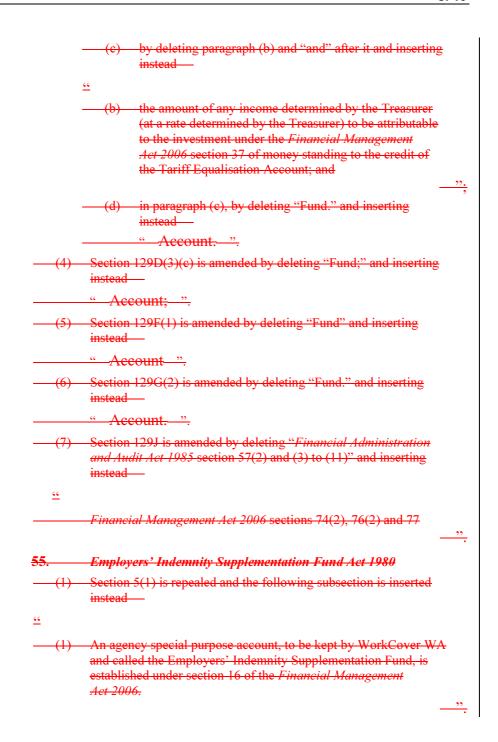
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Compare 21 Dec 2006 [00-a0-03] / 01 Feb 2007 [00-b0-04]

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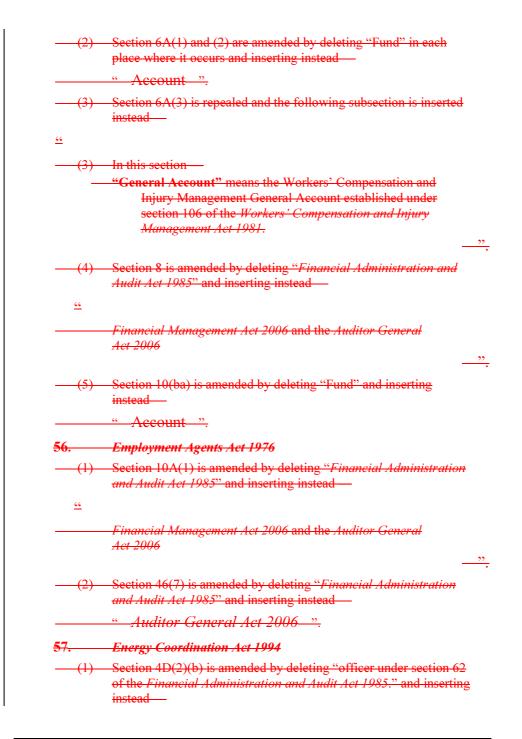
Transitional provisions



Part 2 Repeal and amendment of legislation

Division 6 Transitional provisions

s. 19



Compare 21 Dec 2006 [00-a0-03] / 01 Feb 2007 [00-b0-04]

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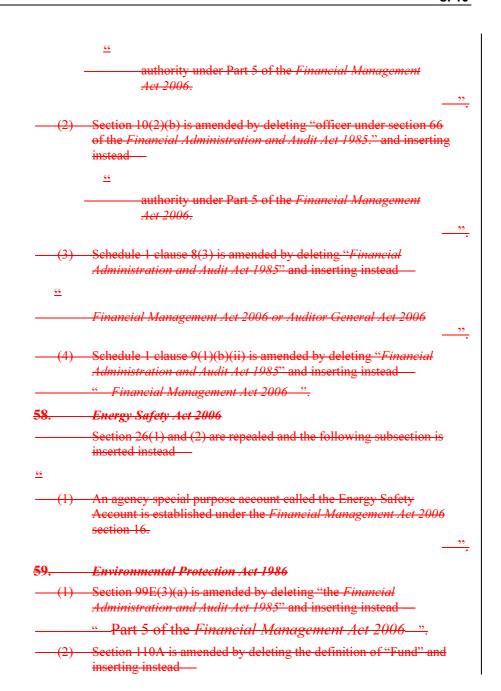
Repeal and amendment of legislation

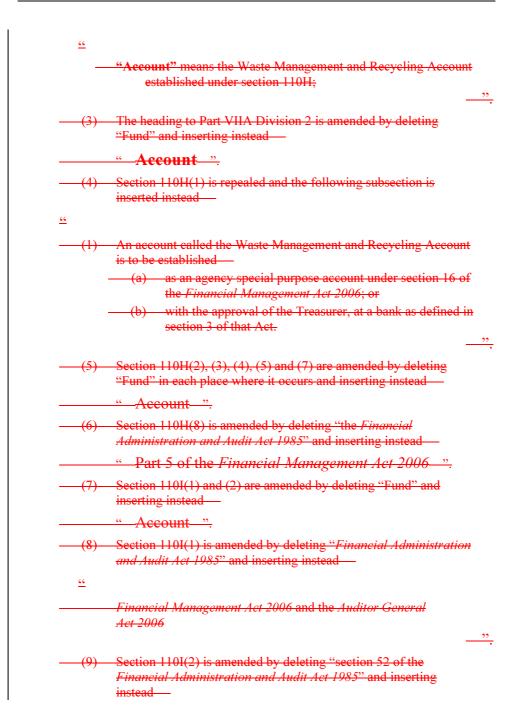
Transitional provisions

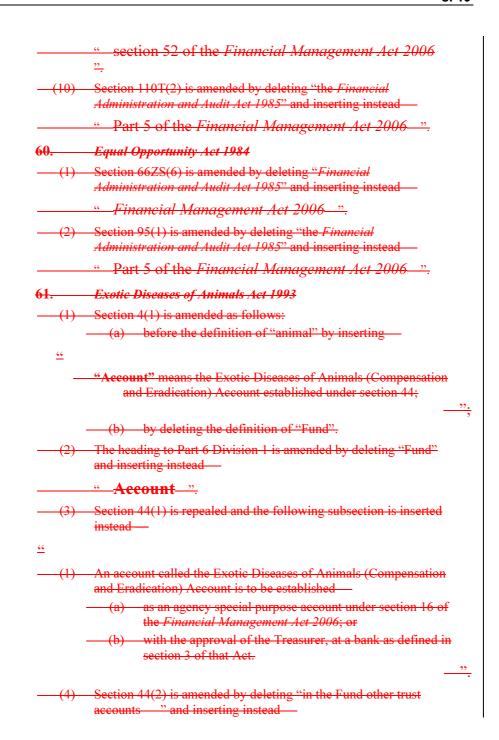
Part 2

Division 6

s. 19





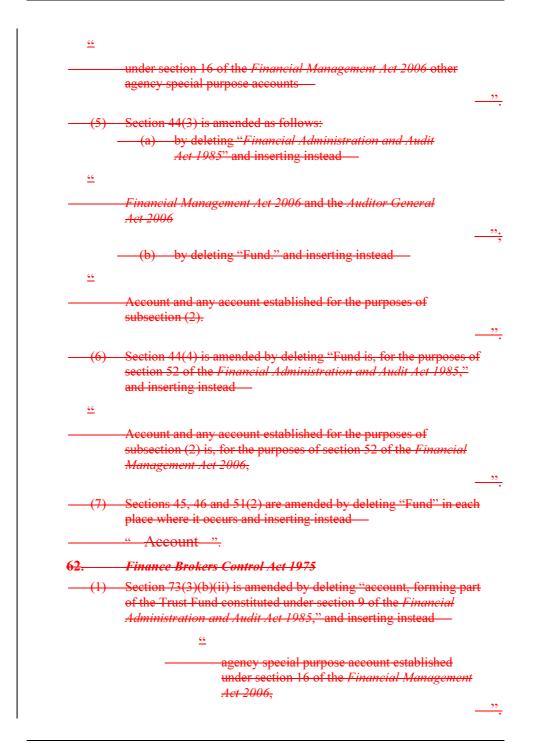


Part 2 Repeal and amendment of legislation

Division 6 Transitional provisions

s. 19

page 56



Repeal and amendment of legislation

Part 2

Transitional provisions Division 6

s. 19

(2)	Section 78(2)(a) is amended by deleting "account, forming part of the Trust Fund constituted under section 9 of the <i>Financial Administration and Audit Act 1985</i> ;" and inserting instead
	Treasurer's special purpose account established under section 10 of the Financial Management Act 2006;
63 .	Financial Management Act 2006
	Schedule 1 is amended by inserting in the appropriate alphabetical position the following item
	" Western Australian Land Information Authority ".
64.	Fire and Emergency Services Authority of Western Australia Act 1998
(1)	Section 17(2) is amended by deleting "section 66 of the <i>Financial Administration and Audit Act 1985.</i> " and inserting instead
	" Part 5 of the Financial Management Act 2006. ".
(2)	Section 30(1) is repealed and the following subsection is inserted instead
<u>66</u>	
(1)	An account called the Fire and Emergency Services Authority Account is to be established
	(a) as an agency special purpose account under section 16 of the <i>Financial Management Act 2006</i> ; or
	(b) with the approval of the Treasurer, at a bank as defined in section 3 of that Act,
	to which the funds referred to in section 29 are to be credited.
(3)	Section 31 is amended by deleting "Financial Administration and Audit Act 1985." and inserting instead
	<u>" Financial Management Act 2006. ".</u>
(4)	Section 36 is amended by deleting "Financial Administration and Audit Act 1985" and inserting instead
<u> </u>	
	Financial Management Act 2006 and the Auditor General Act 2006 ""

Part 2 Repeal and amendment of legislation

Division 6 Transitional provisions

s. 19

65.	Fire and Emergency Services Superannuation Act 1985
66	Section 19A is amended by deleting "Financial Administration and Audit Act 1985" and inserting instead—
<u>"</u>	Financial Management Act 2006 and the Auditor General Act 2006
66.	
	Section 5(4) is amended by deleting "Financial Administration and Audit Act 1985" and inserting instead—
<u>""</u>	
	Financial Management Act 2006 and the Auditor General Act 2006
67. ———	First Home Owner Grant Act 2000 Section 54(4) is amended by deleting "Financial Administration and Audit Act 1985." and inserting instead—
	"—Financial Management Act 2006.—".
68	Fish Resources Management Act 1994
	Section 194(3) is amended as follows:
(-)	(a) by deleting "fund or funds" and inserting instead
	" account or accounts ";
	(b) by deleting "no fund" and inserting instead
	" no account ".
(2)	Section 221(2) is amended as follows:
	(a) by deleting "fund or funds" and inserting instead
	(b) by deleting "no fund" and inserting instead
	" no account ".
(2)	The heading to Part 18 Division 2 is amended by deleting "Funds"
(3)	and inserting instead
	and inserting instead "Accounts".

Compare 21 Dec 2006 [00-a0-03] / 01 Feb 2007 [00-b0-04]

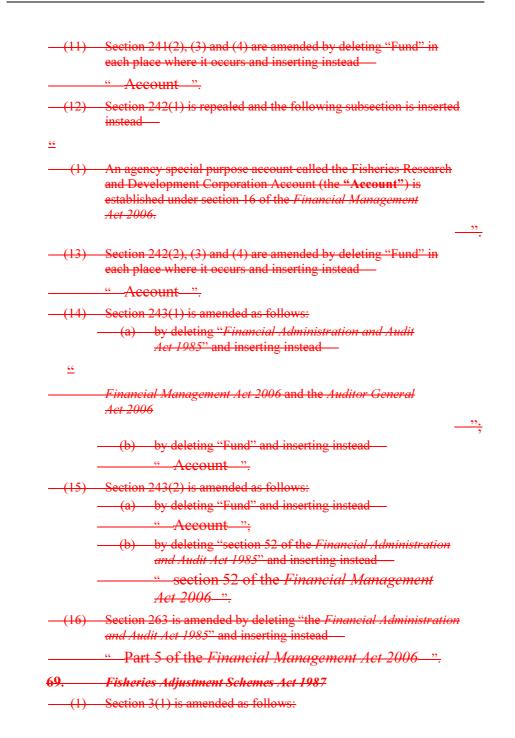
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66 An agency special purpose account called the Fisheries Research and Development Account (the "Account") is established under section 16 of the Financial Management Act 2006. Section 238(3), (4) and (5) are amended by deleting "Fund" in each place where it occurs and inserting instead " Account ". Section 239(1) is repealed and the following subsection is inserted instead An agency special purpose account called the Recreational Fishing Account (the "Account") is established under section 16 of the Financial Management Act 2006. Section 239(2), (3) and (4) are amended by deleting "Fund" in each place where it occurs and inserting instead " Account ". Section 240(1) is repealed and the following subsection is inserted An agency special purpose account called the Fishing Industry Promotion Training and Management Levy Account (the "Account") is established under section 16 of the Financial Management Act 2006. Section 240(2), (3), (4) and (5) are amended by deleting "Fund" in each place where it occurs and inserting instead " Account ".

(10) Section 241(1) is repealed and the following subsection is inserted instead—

(1) An agency special purpose account called the AFMA Account (the "Account") is established under section 16 of the Financial Management Act 2006.

••



Compare 21 Dec 2006 [00-a0-03] / 01 Feb 2007 [00-b0-04] page 60

Extract from www.slp.wa.gov.au, see that website for further information

Division 6

Compare 21 Dec 2006 [00-a0-03] / 01 Feb 2007 [00-b0-04]

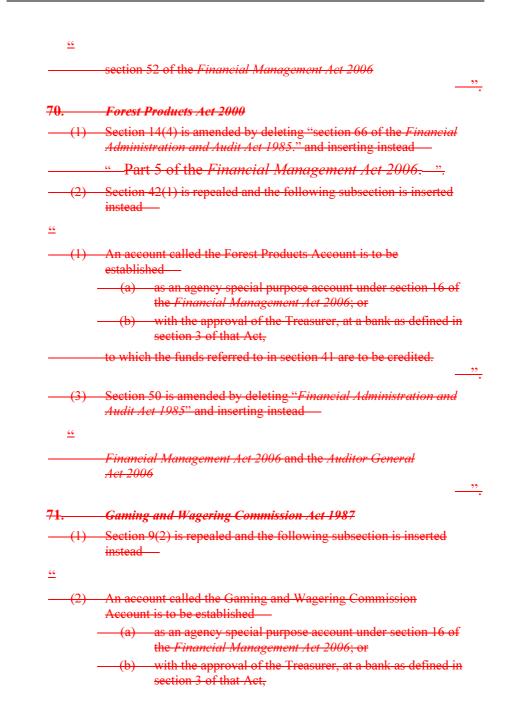
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page 61

Part 2 Repeal and amendment of legislation

Division 6 Transitional provisions

s. 19



Repeal and amendment of legislation

Part 2 Division 6

Transitional provisions

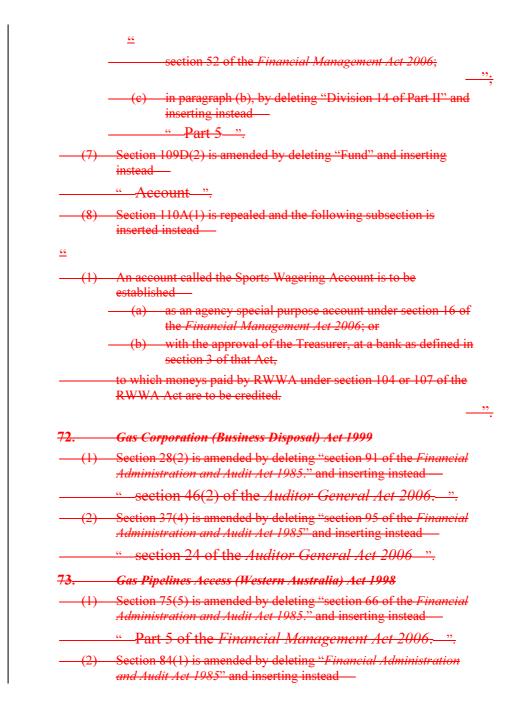
s. 19

		to which, subject to subsection (2a), the moneys received by the Commission are to be credited.
	(2)	Section 10 is amended by deleting "Financial Administration and Audit Act 1985" and inserting instead—
	<u> </u>	
		Financial Management Act 2006 and the Auditor General Act 2006
	. ,	Section 109A is amended by deleting the definition of "the Trust Fund" and inserting instead
	<u>"</u>	"the Trust Account" means the Gaming Community Trust
	_	Account referred to in section 109C;
	(4)	Section 109C(1) is repealed and the following subsection is inserted instead
_	(1)	An agency special purpose account called the Gaming Community Trust Account is established under section 16 of the <i>Financial Management Act 2006</i> to which moneys that are unclaimed winnings (a) to which section 109B(3) or (4) applies; or (b) to which section 15(3) or (4) of the <i>Casino Control Act 1984</i> applies,
		are to be credited.
	(5)	Section 109C(2) is amended by deleting "Fund" and inserting instead—
		<u>"Account".</u>
	(6)	Section 109C(3) is amended as follows: — (a) by deleting "Fund" and inserting instead — " Account ";
		(b) in paragraph (a), by deleting "section 54 of the Financial Administration and Audit Act 1985;" and inserting instead

Part 2 Repeal and amendment of legislation

Division 6 Transitional provisions

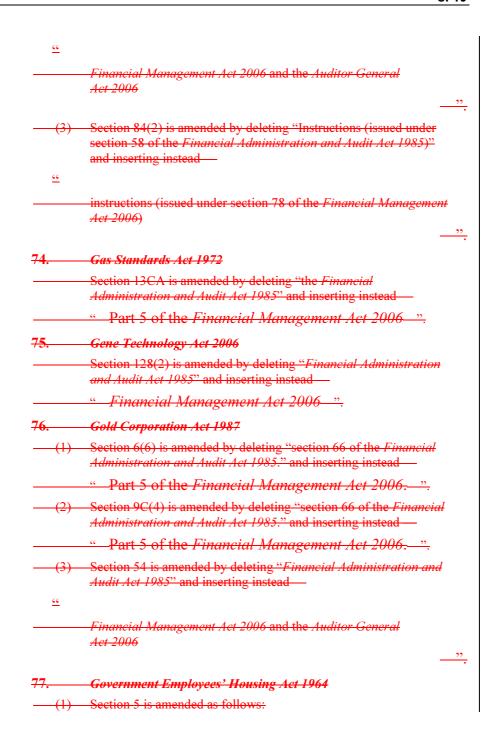
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Repeal and amendment of legislation Transitional provisions Part 2

Division 6

s. 19



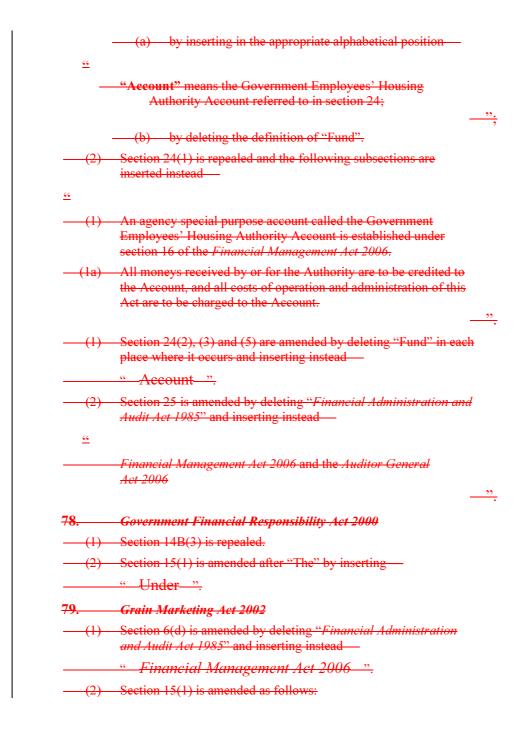
Compare 21 Dec 2006 [00-a0-03] / 01 Feb 2007 [00-b0-04]

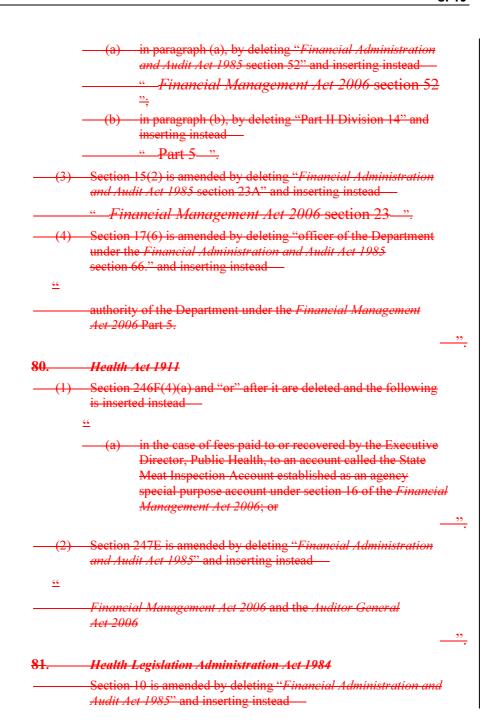
page 65

Part 2 Repeal and amendment of legislation

Division 6 Transitional provisions

s. 19

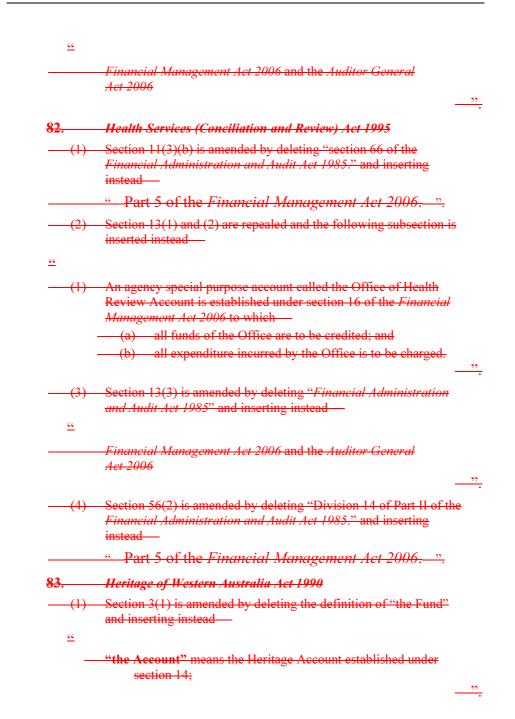




Part 2 Repeal and amendment of legislation

Division 6 Transitional provisions

s. 19



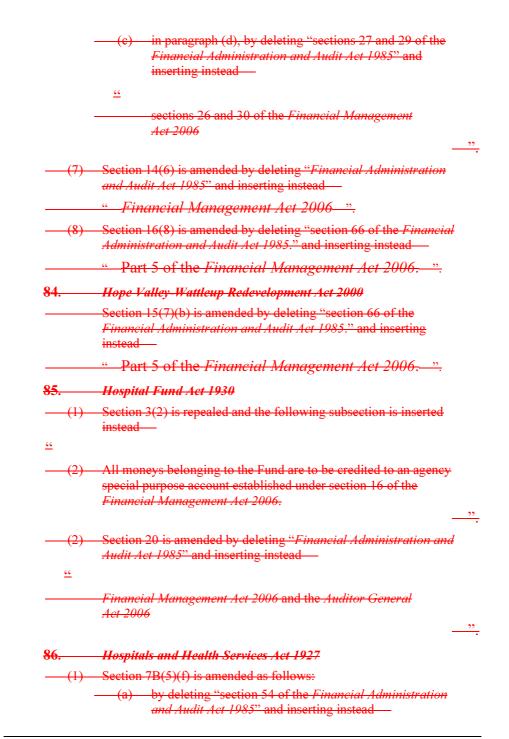
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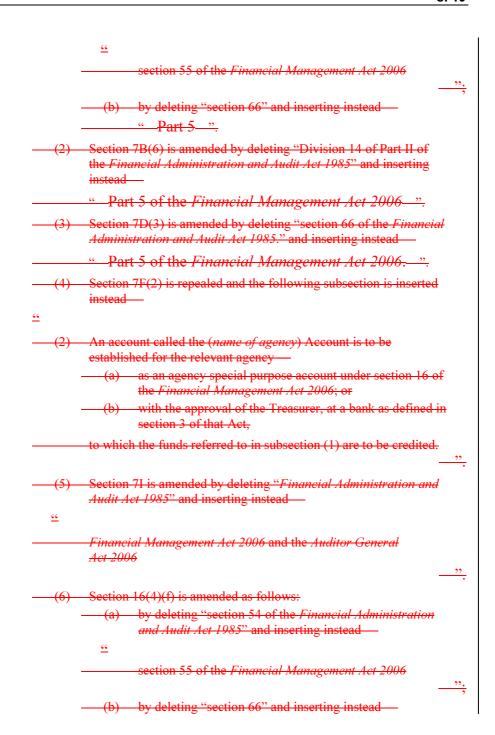
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(2)	Section 6(4) is amended by deleting "section 66 of the <i>Financial Administration and Audit Act 1985</i> ." and inserting instead	
	" Part 5 of the Financial Management Act 2006. ".	
(3)	Section 13 is amended by deleting "Financial Administration and Audit Act 1985" and inserting instead	
<u> </u>		
	Financial Management Act 2006 and the Auditor General Act 2006	,,
(4)	Section 14(4) is repealed and the following subsections are inserted instead	-
(4)	An agency special purpose account called the Heritage Account is established under section 16 of the <i>Financial Management</i> Act 2006 to which, subject to this Division, all moneys received by the Council are to be credited.	
(4a)	Subject to any direction given by the Minister, the Account is to be controlled by the Council and may be operated in such manner as the Treasurer approves.	<u>,, </u>
(5)	The provisions listed in the Table to this subclause are amended by deleting "Fund" and inserting instead	•
	"Account".	
	Table s. 7(1)(k) s. 7(2)(a) s. 14(6) s. 33(4)	
(6)	Section 14(5) is amended as follows:	
(0)	(a) by deleting "in the Fund a trust account" and inserting instead	
<u> </u>		
	under section 16 of the Financial Management Act 2006 an agency special purpose account	<u>,,,</u>
	(b) after "and such other" by inserting	,

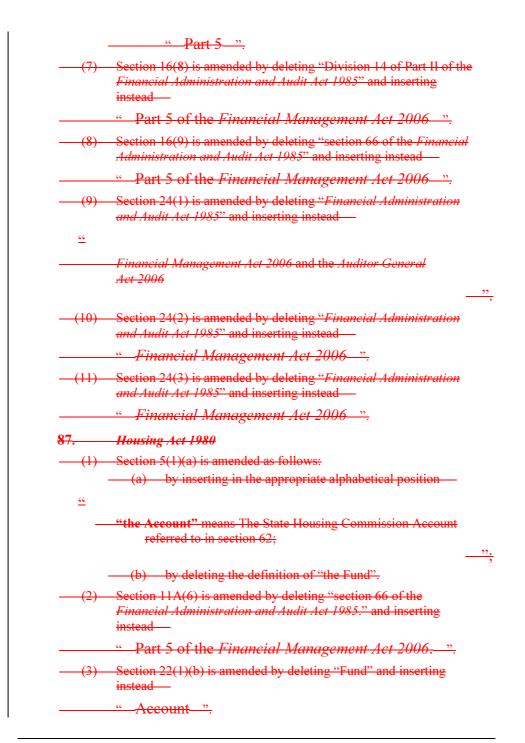
Compare 21 Dec 2006 [00-a0-03] / 01 Feb 2007 [00-b0-04]

agency special purpose ";





Compare 21 Dec 2006 [00-a0-03] / 01 Feb 2007 [00-b0-04]



Compare 21 Dec 2006 [00-a0-03] / 01 Feb 2007 [00-b0-04] page 72 Extract from www.slp.wa.gov.au, see that website for further information

Repeal and amendment of legislation

Part 2

Transitional provisions Division 6

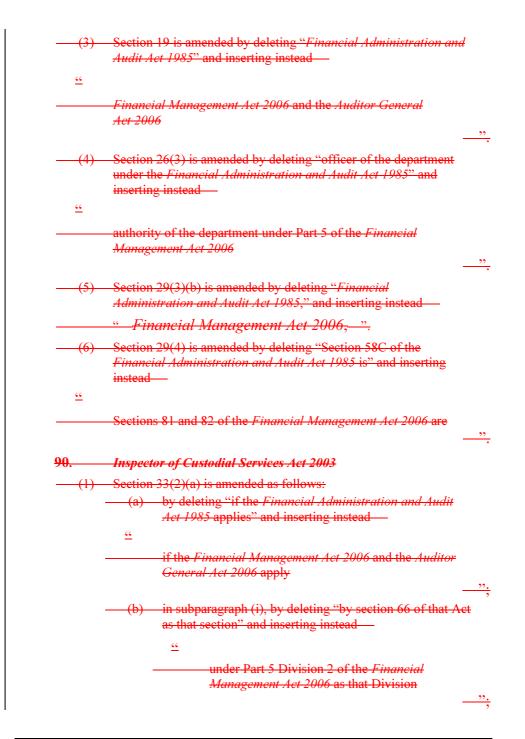
s. 19

(4)	Section 24 is amended by deleting "Fund" and inserting instead
	" Account ".
(5)	Section 62(2) is repealed and the following subsection is inserted instead
<u> </u>	
(2)	All such moneys are
	(a) to be credited to an agency special purpose account called The State Housing Commission Account established under section 16 of the Financial Management Act 2006; and (b) to be applied to the purposes of this Act.
	— "
(6)	Section 62(4), (5), (6) and (8) are amended by deleting "The State Housing Commission Fund" and inserting instead
-	" the Account ".
(7)	Section 65 is amended by deleting "Financial Administration and Audit Act 1985" and inserting instead
<u> </u>	
	Financial Management Act 2006 and the Auditor General Act 2006
88.	Human Reproductive Technology Act 1991
	Clause 11(2)(c) of the Schedule is amended by deleting "the Financial Administration and Audit Act 1985." and inserting instead—
	" Part 5 of the Financial Management Act 2006. ".
89 .	Industry and Technology Development Act 1998
(1)	Section 15(1) is repealed and the following subsection is inserted instead
<u>66</u>	
- (1)	An agency special purpose account called the Western Australian Industry and Technology Development Account is established under section 16 of the <i>Financial Management Act 2006</i> .
(2)	Section 15(4) is repealed.

Part 2 Repeal and amendment of legislation

Division 6 Transitional provisions

s. 19



Repeal and amendment of legislation Transitional provisions Part 2

Division 6

s. 19

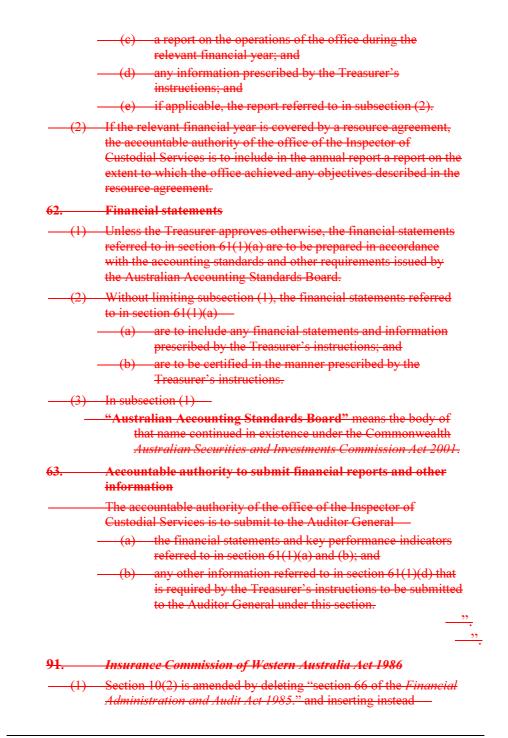
	— (c) by deleting subparagraph (ii) and inserting the following
	subparagraph instead—
	<u>"</u>
	— (ii) the opinion prepared and signed by the Auditor General under the Auditor General Act 2006 section 15 (if applicable) on the financial statements and other information submitted for that period under the Financial Management Act 2006 section 63 as that section applies in respect of the office under section 38 of this Act;
(2)	Section 38 is amended as follows:
	— (a) by deleting "Financial Administration and Audit Act 1985" and inserting instead
	"Financial Management Act 2006";
	(b) by deleting "Part II Division 14" and inserting instead—
	" Part 5 Division 2".
(3)	Schedule 1 is repealed and the following Schedule is inserted instead
<u>6</u>	
Scho	edule 1 Application of <i>Financial Management</i>
	Act 2006 to office of the Inspector
[s. 38]	•
	For the purposes of section 38 of this Act, the Financial
	Management Act 2006 Part 5 Division 2 is to be read as follows
<u>""</u>	
Div	vision 2 Reports by accountable authority of office of
DIN	Inspector of Custodial Services
61.	Reports by accountable authority of office of Inspector of Custodial Services
(1)	The accountable authority of the office of the Inspector of Custodial Services is to prepare, as part of the report referred to in the Inspector of Custodial Services Act 2003 section 33(2), an annual report that contains—
	(a) financial statements for the relevant financial year; and
	(b) key performance indicators; and

Compare 21 Dec 2006 [00-a0-03] / 01 Feb 2007 [00-b0-04]

Part 2 Repeal and amendment of legislation

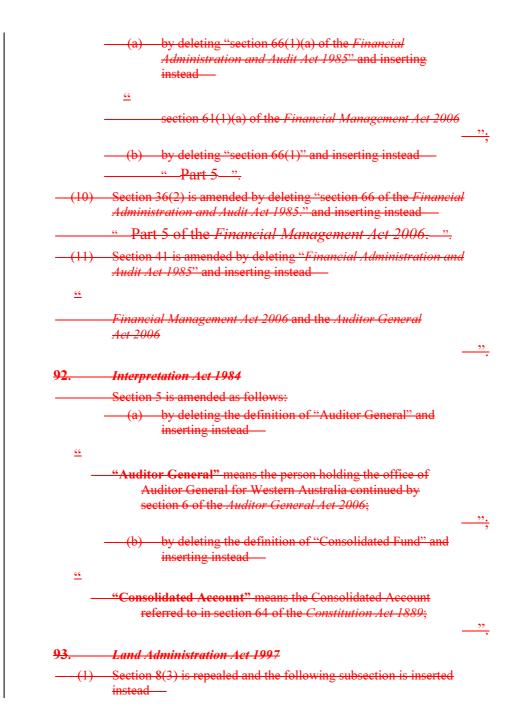
Division 6 Transitional provisions

s. 19

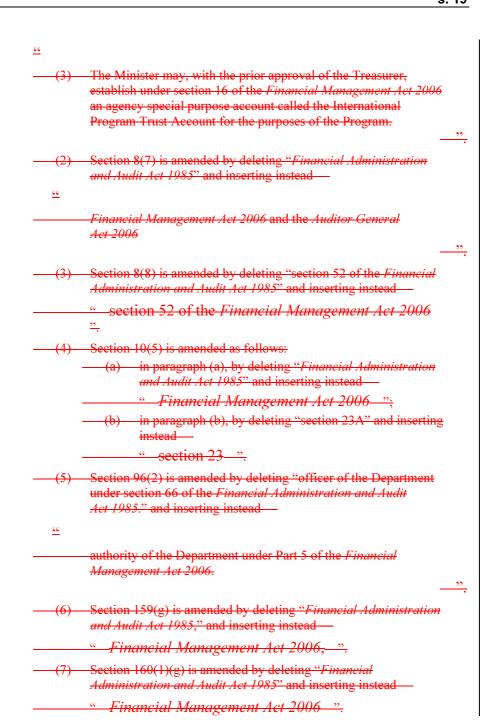


Compare 21 Dec 2006 [00-a0-03] / 01 Feb 2007 [00-b0-04]

(9) Section 23(b) is amended as follows:



Division 6



Compare 21 Dec 2006 [00-a0-03] / 01 Feb 2007 [00-b0-04]

s. 19

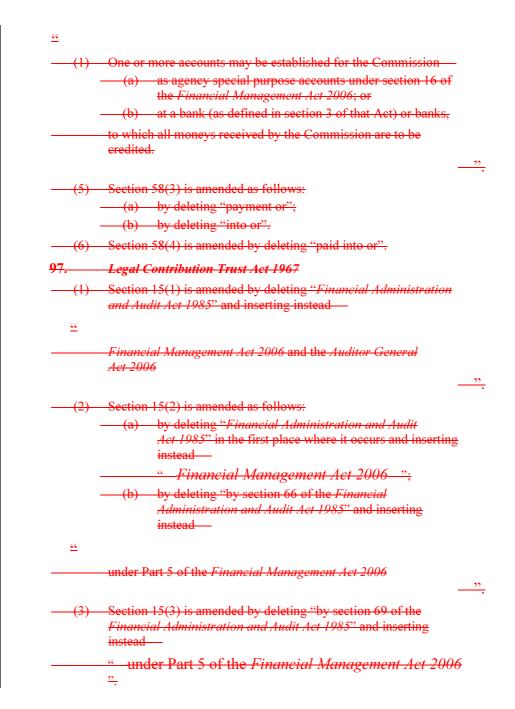
) 4	Land Information Authority Act 2006
(1)	Section 65(3) is amended by deleting "Financial Administration
	and Audit Act 1985 section 66." and inserting instead
	" Financial Management Act 2006 Part 5. ".
(2)	Section 68(1) is amended as follows:
	(a) in paragraph (a), by deleting "Financial Administration and Audit Act 1985" and inserting instead
	"Financial Management Act 2006";
	(b) by deleting "Financial Administration and Audit Act 1985 section 69" and inserting instead
	" Financial Management Act 2006 section 64
	",
(3)	Section 70 is amended by deleting the passage from and including
	"held " to the end of the section and inserting instead
<u>""</u>	
	that is to be established
	(a) as an agency special purpose account under the Financial
	Management Act 2006 section 16; or
	(b) with the Treasurer's approval, at a bank as defined in section 3 of that Act.
	_
(4)	Section 73 is amended by deleting "held as part of the Trust Fund constituted under the <i>Financial Administration and Audit Act 1985</i> section 9 and are not".
(5)	Section 81 is amended by deleting "Financial Administration and
	Audit Act 1985" and inserting instead
<u>""</u>	
	Financial Management Act 2006 and the Auditor General Act
	2006
(6)	Section 82(1)(a) is amended by deleting "Financial
(0)	Administration and Audit Act 1985;" and inserting instead
<u>"</u>	,
_	
	Financial Management Act 2006 or the Auditor General Act 2006;

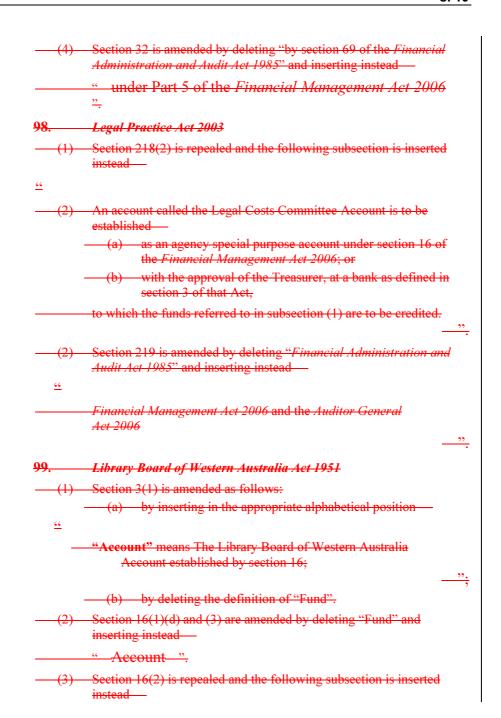
Repeal and amendment of legislation Transitional provisions Part 2

Division 6

s. 19

95.	Law Reform Commission Act 1972
. ,	Section 13 is amended by deleting "Financial Administration and Audit Act 1985" and inserting instead
<u> </u>	Financial Management Act 2006 and the Auditor General Act 2006
(2)	Section 15(2) is repealed and the following subsection is inserted instead
_	An agency special purpose account called the Law Reform Commission Account is established under section 16 of the Financial Management Act 2006 to which the moneys referred to in subsection (1) are to be credited. ""
96.	Legal Aid Commission Act 1976
(1)	Section 37(4g) is amended by deleting "Financial Administration and Audit Act 1985 section 66" and inserting instead
	<i>"-Financial Management Act 2006</i> Part 5-".
(2)	Section 52(1) is repealed and the following subsection is inserted instead—
<u>««</u>	
(1)	An agency special purpose account called the Legal Aid Fund of Western Australia is established under section 16 of the <i>Financial Management Act 2006</i> , and the Fund is to be administered by the Commission.
(3)	Section 56(1) is amended by deleting "Financial Administration and Audit Act 1985" and inserting instead—
<u>""</u>	
	Financial Management Act 2006 and the Auditor General Act 2006
(4)	Section 58(1) and (2) are repealed and the following subsection is inserted instead



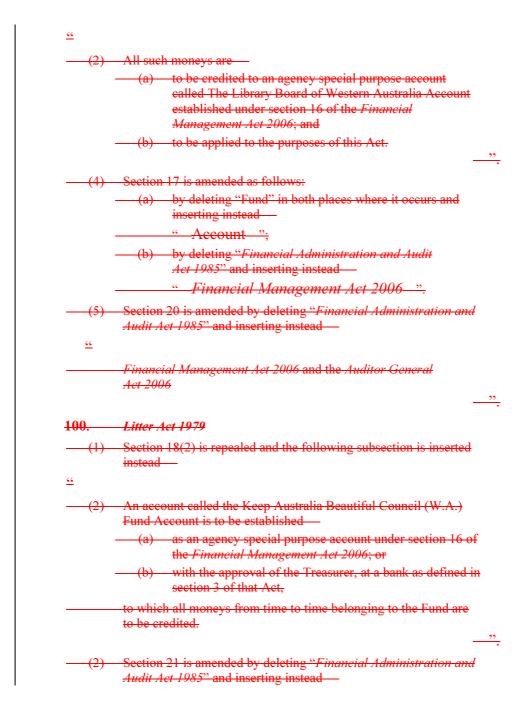


Compare 21 Dec 2006 [00-a0-03] / 01 Feb 2007 [00-b0-04]

Part 2 Repeal and amendment of legislation

Division 6 Transitional provisions

s. 19



e 84 Compare 21 Dec 2006 [00-a0-03] / 01 Feb 2007 [00-b0-04]

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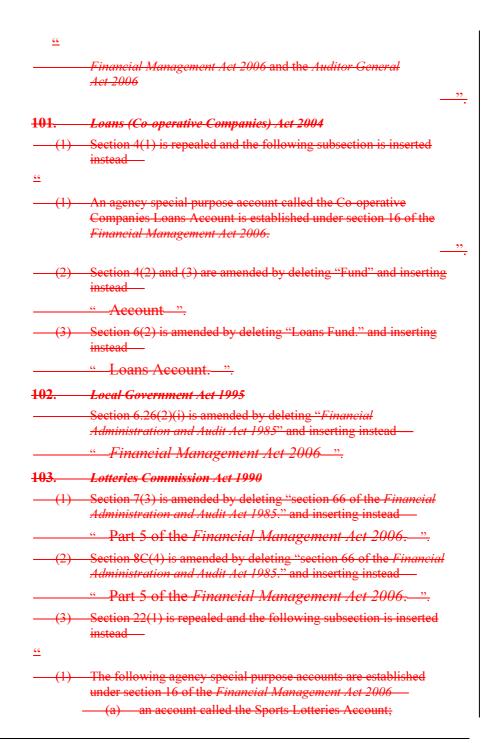
Repeal and amendment of legislation

Transitional provisions

Part 2

Division 6

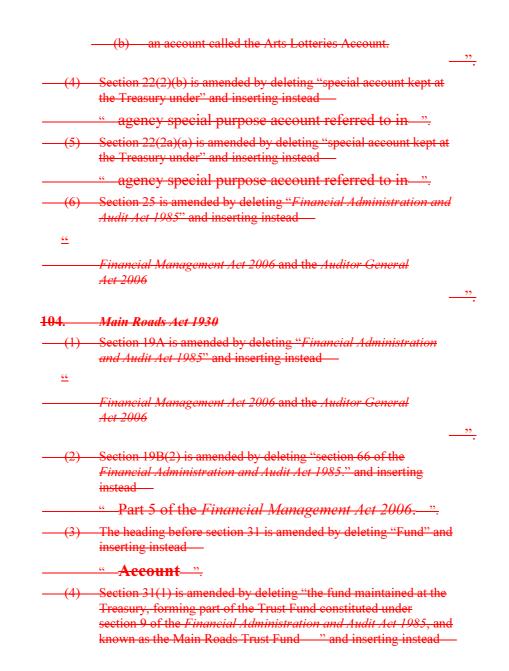
s. 19



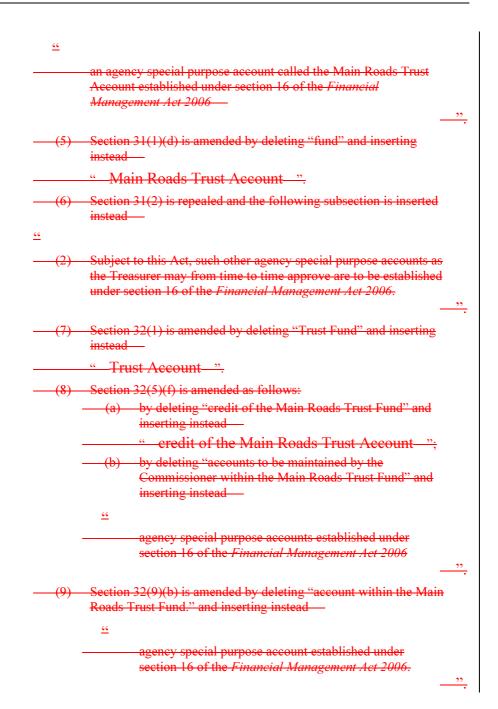
Repeal and amendment of legislation Part 2

Division 6 Transitional provisions

s. 19



Division 6



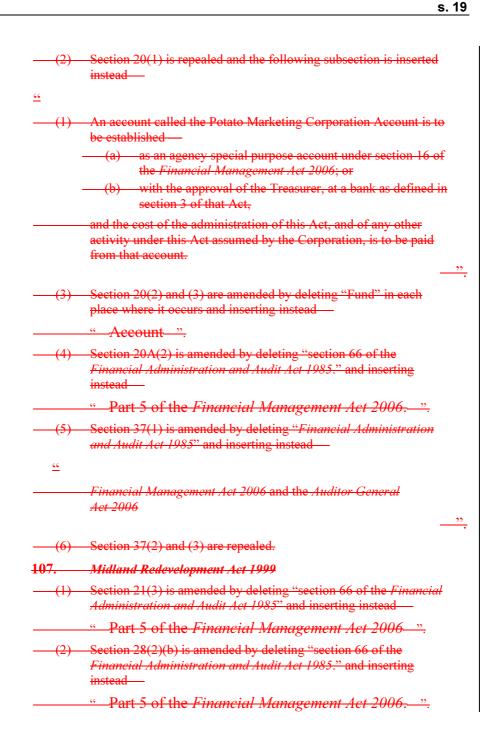
Compare 21 Dec 2006 [00-a0-03] / 01 Feb 2007 [00-b0-04]

s. 19

	Section 32A(1) is amended by	
	Roads Trust Fund" and inser	ting instead—
<u> </u>		
	agency special purpose accor	unt established under section 16 of the
	Financial Management Act 2	
		-
(11)	The provisions listed in the T	Cable to this subclause are amended
(11)		lace where it occurs and inserting
	instead	<u> </u>
	" Account ".	
	Tal	Na
	s. 16(3)	s. 32(11)
	s. 10(3) s. 24(8)	s. 32(14)
	s. 32(3)(b)	s. 32(15)
	s. 32(5)(b)	First Schedule cl. 6
105.	Marine and Harbours Act 1	981
(1)	Section 14(1) is amended by	deleting "trust accounts forming part
(-)	of the Trust Fund referred to	
	Administration and Audit Ac	t 1985 may be established" and
	inserting instead	•
<u> </u>		
	account analist number account	unta may be established under
	section 16 of the <i>Financial N</i>	unts may be established under
	Section to of the Timuncial I	<u></u>
(2)	Section 14(2) is amended by	deleting "Section 14 of the Financial
(2)		t 1985" and inserting instead—
		1705 und inscreing instead
		annial Managament 1 at 2006
		ancial Management Act 2006
106	".	
	". Marketing of Potatoes Act I	946
(1)	". Marketing of Potatoes Act 1 Section 5(1) is amended as for	946 ollows:
(1)	". Marketing of Potatoes Act I	946 ollows:
(1)	". Marketing of Potatoes Act 1 Section 5(1) is amended as for	946 ollows:
(1)	". Marketing of Potatoes Act I Section 5(1) is amended as for the definition of	946 ollows:
(1)	". Marketing of Potatoes Act I Section 5(1) is amended as for the definition of	946 ollows: of "sell" by inserting otato Marketing Corporation Account

Compare 21 Dec 2006 [00-a0-03] / 01 Feb 2007 [00-b0-04] Extract from www.slp.wa.gov.au, see that website for further information

Division 6



Part 2 Repeal and amendment of legislation

Division 6 Transitional provisions

s. 19

(3)	Section 32(7)(b) is amended by deleting "section 66 of the Financial Administration and Audit Act 1985." and inserting instead
	" Part 5 of the Financial Management Act 2006. ".
(4)	Section 35(6)(b) is amended by deleting "section 66 of the Financial Administration and Audit Act 1985." and inserting instead
	" Part 5 of the Financial Management Act 2006. ".
(5)	Section 58(1) is amended by deleting "Financial Administration and Audit Act 1985" and inserting instead—
	<i>" Financial Management Act 2006 ".</i>
(6)	Section 63 is amended by deleting "Financial Administration and Audit Act 1985" and inserting instead
<u>"</u>	
	Financial Management Act 2006 and the Auditor General Act 2006
108.	——————————————————————————————————————
(1)	Section 28 is amended by deleting "Financial Administration and Audit Act 1985" and inserting instead
	Section 28 is amended by deleting "Financial Administration and Audit Act 1985" and inserting instead Financial Management Act 2006 and the Auditor General Act 2006
<u>«</u>	Section 28 is amended by deleting "Financial Administration and Audit Act 1985" and inserting instead Financial Management Act 2006 and the Auditor General
<u>«</u>	Section 28 is amended by deleting "Financial Administration and Audit Act 1985" and inserting instead Financial Management Act 2006 and the Auditor General Act 2006
<u>"</u> — (2)	Section 28 is amended by deleting "Financial Administration and Audit Act 1985" and inserting instead Financial Management Act 2006 and the Auditor General Act 2006 ——————————————————————————————————
<u>"</u> — (2)	Section 28 is amended by deleting "Financial Administration and Audit Act 1985" and inserting instead Financial Management Act 2006 and the Auditor General Act 2006 Section 35(3)(b) is amended by deleting "Financial Administration and Audit Act 1985" and inserting instead "Financial Management Act 2006 "Section 35(5)(b) is amended by deleting "Financial".
<u>"</u> —(2) —(3)	Section 28 is amended by deleting "Financial Administration and Audit Act 1985" and inserting instead Financial Management Act 2006 and the Auditor General Act 2006 Section 35(3)(b) is amended by deleting "Financial Administration and Audit Act 1985" and inserting instead "Financial Management Act 2006—". Section 35(5)(b) is amended by deleting "Financial Administration and Audit Act 1985" and inserting instead

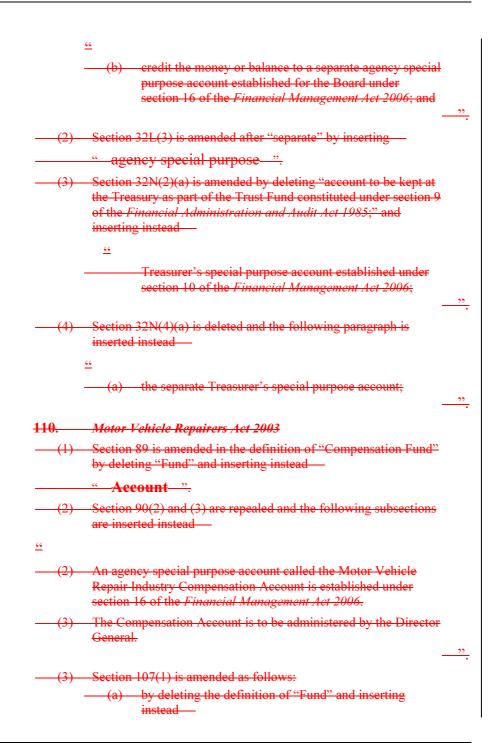
Repeal and amendment of legislation

Transitional provisions

Part 2

Division 6

s. 19



Compare 21 Dec 2006 [00-a0-03] / 01 Feb 2007 [00-b0-04]

s. 19

<u> </u>		
_		or Vehicle Repair Industry Education
	and Research Accoun	t established by subsection (2);
	(b) in the definition o "Fund" and insert	f "purposes of the Fund", by deleting ing instead
	" Account "	.
(4)	Section 107(2) and (3) are are inserted instead	repealed and the following subsection
<u> </u>		
(2)	Repair Industry Education	account called the Motor Vehicle and Research Account is established ancial Management Act 2006.
(3)	The Account is to be admir	nistered by the Director General.
	" Account ".	
	Ŧ	ible
	s. 90(4)	s. 96(1)
	s. 90(5)	s. 107(4)
	s. 90(6)	s. 107(5)
	s. 92(1)	s. 107(7)
	s. 93(5)	s. 107(8)
	s. 95(1)	s. 107(9)
111. 	Murdoch University Act 1	9 73
(1)	Section 34(1) is amended b	y deleting " <i>Financial Administration</i>
	and Audit Act 1985" and in	serting instead
<u>"</u>		serting instead
	and Audit Act 1985" and in	serting instead + 2006 and the Auditor General
<u>««</u>	and Audit Act 1985" and in Financial Management Act Act 2006	t 2006 and the Auditor General By deleting "Financial Administration

Repeal and amendment of legislation

Part 2

Transitional provisions Division 6

s. 19

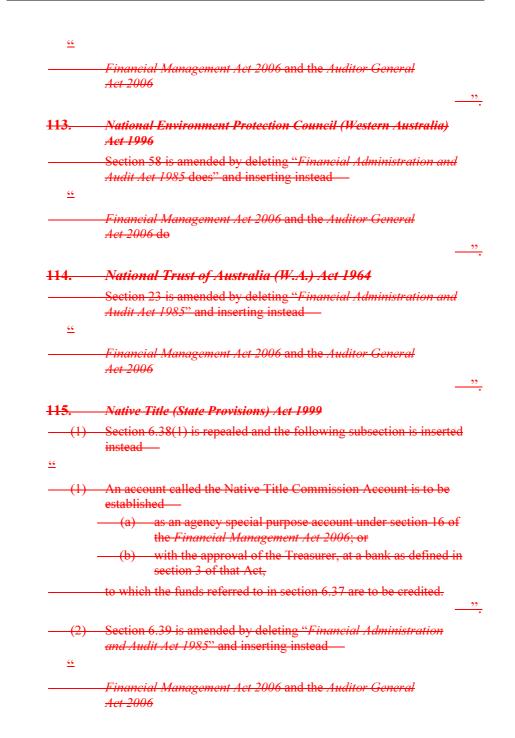
(3)	— Section 34(4) is repealed and the following subsection is inserted instead —
_	Notwithstanding the provisions of the Financial Management
	Act 2006 —
	(a) sections 13, 14 and 40 do not have effect in relation to the University; and
	(b) section 78(1) of that Act has effect in relation to the
	University as if it had been enacted in the following
	form
<u> </u>	
(1)	The Treasurer may issue, amend or revoke instructions concerning
	(a) the annual report required to be prepared under Part 5;
	and
	— (b)—the establishment and keeping of the accounts of
	statutory authorities, including the accounts of subsidiary bodies and related bodies; and
	— (c) the form and content of financial statements and reports
	on the operations of statutory authorities and their
	subsidiary bodies and related bodies, including
	information to be disclosed in respect of affiliated bodies; and
	— (d) the preparation of key performance indicators of statutory
	authorities and their subsidiary bodies and related bodies.
	``
	<u>"</u>
112.	- Museum Act 1969
(1)	Section 33(2) is repealed and the following subsection is inserted
(1)	instead
<u>"</u>	
_	
(2)	An agency special purpose account called the Western Australian
	Museum Account is established under section 16 of the Financial
	Management Act 2006 to which the moneys referred to in
	subsection (1) are to be credited.
4	
(2)	Section 35 is amended by deleting "Financial Administration and
	Audit Act 1985" and inserting instead

Compare 21 Dec 2006 [00-a0-03] / 01 Feb 2007 [00-b0-04]

Part 2 Repeal and amendment of legislation

Division 6 Transitional provisions

s. 19



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Repeal and amendment of legislation

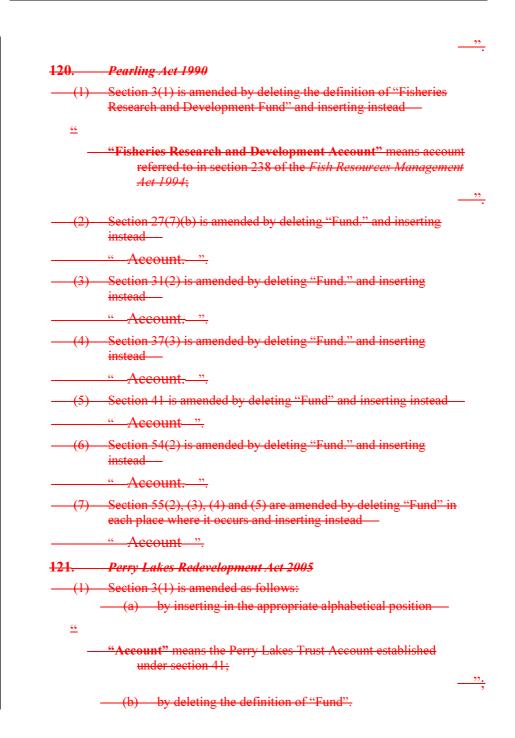
Part 2

Transitional provisions Division 6

s. 19

	- 22
116.	Nuclear Waste Storage and Transportation (Prohibition) Act 1999
(1)	Section 3(1) is amended by deleting the definition that begins ""public moneys" and "moneys of a statutory authority"" and inserting instead
<u> </u>	
_	"public money" and "statutory authority money" have the meanings given to them by section 3 of the Financial Management Act 2006;
(2)	Section 9 is amended by deleting "public moneys or moneys of a statutory authority are" and inserting instead
	"no public money or statutory authority money is ".
117.	Parks and Reserves Act 1895
	Section 12 is amended by deleting "Financial Administration and Audit Act 1985" and inserting instead
<u>««</u>	Financial Management Act 2006 and the Auditor General Act 2006
118.	Parliamentary Commissioner Act 1971
(1)	
	<i>"-Financial Management Act 2006—".</i>
(2)	Schedule 1 is amended in the item relating to the Auditor General by deleting "Financial Administration and Audit Act 1985" and inserting instead—
	<u> " Auditor General Act 2006 ".</u>
119.	Pawnbrokers and Second-hand Dealers Act 1994
	Section 92(1) is amended by deleting "Financial Administration and Audit Act 1985" and inserting instead
<u>"</u>	
	Financial Management Act 2006 and the Auditor General Act 2006

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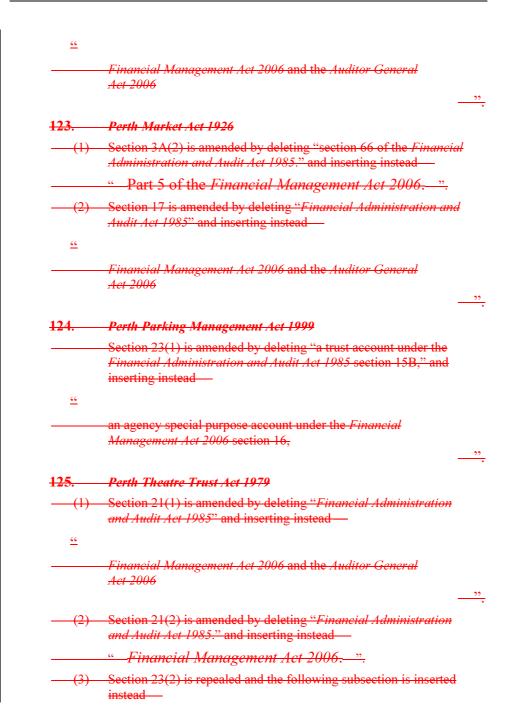


(2)	Section 41(1) is repealed and the following subsection is inserted instead
(1)	An agency special purpose account called the Perry Lakes Trust Account is established under the Financial Management Act 2006 section 16.
(3)	Section 41(3) is amended by deleting "Financial Administration and Audit Act 1985 section 52" and inserting instead
	" Financial Management Act 2006 section 52 ".
(4)	Section 43(2) is repealed and the following subsection is inserted instead—
<u> "</u>	
(2)	The sum charged to the Account under subsection (1)(f) must be credited to a Treasurer's special purpose account established for the purposes referred to in subsection (1)(f) under section 10 of the Financial Management Act 2006.
(5)	The provisions listed in the Table to this subclause are amended by deleting "Fund" in each place where it occurs and inserting instead
	" Account ".
	Table
	s. 41(2) s. 45(2)
	s. 41(3) s. 45(3)
	51.15(1)
122.	Perth International Centre for Application of Solar Energy Act 1994
(1)	Section 22(3) is amended by deleting "section 66 of the <i>Financial Administration and Audit Act 1985.</i> " and inserting instead
	"- Part 5 of the Financial Management Act 2006. ".
(2)	Section 29 is amended by deleting "Financial Administration and Audit Act 1985" and inserting instead

Part 2 Repeal and amendment of legislation

Division 6 Transitional provisions

s. 19



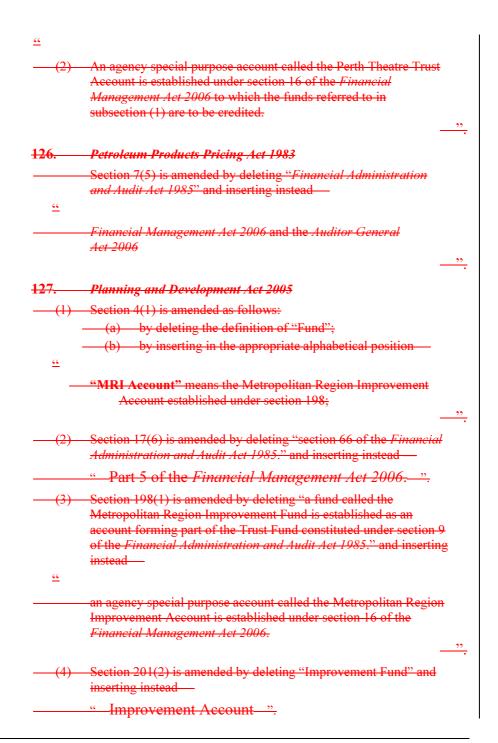
Repeal and amendment of legislation

Transitional provisions

Part 2

Division 6

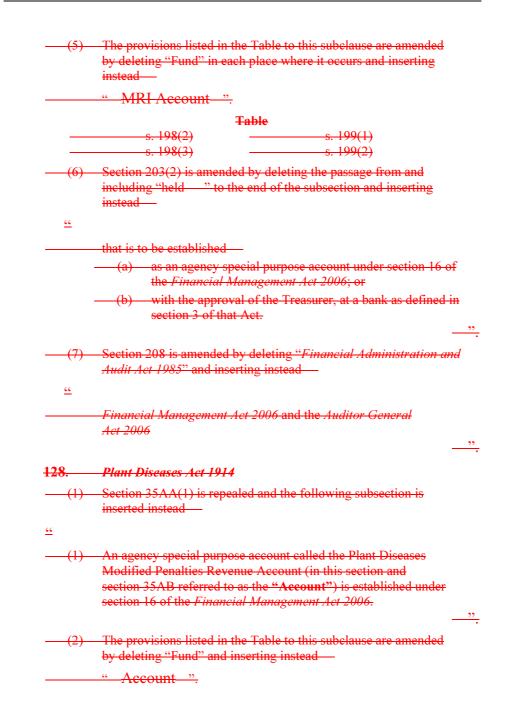
s. 19



Part 2 Repeal and amendment of legislation

Division 6 Transitional provisions

s. 19

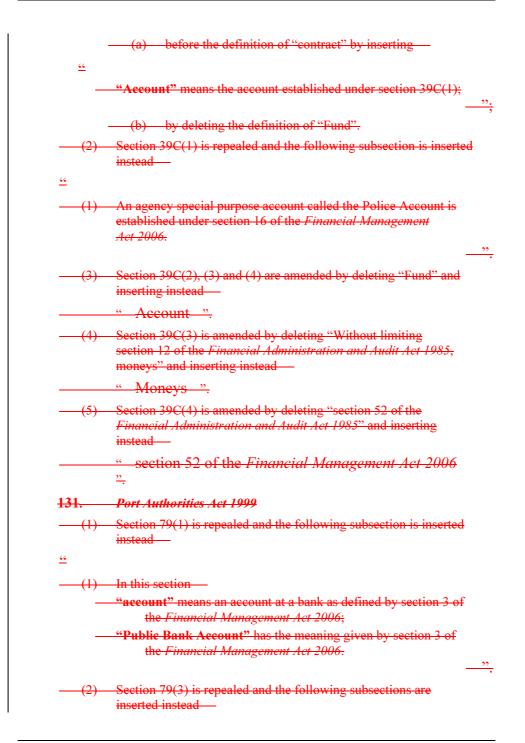


page 100 Compare 21 Dec 2006 [00-a0-03] / 01 Feb 2007 [00-b0-04]

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	Table s. 35(9) s. 35AB(2)
	s. 35AA(2) s. 35AB(3) s. 35AB(1)
129.	Plant Pests and Diseases (Eradication Funds) Act 1974
(1)	Section 5(1) is repealed and the following subsection is inserted instead—
<u>"</u>	
(1)	An agency special purpose account called the Skeleton Weed Eradication Fund is established under section 16 of the Financial Management Act 2006. ""
(2)	Section 7(2) is amended by deleting "section 19 of the <i>Financial Administration and Audit Act 1985</i> " and inserting instead—
	"-section 11 of the Financial Management Act 2006
(3)	Section 8A(1) is repealed and the following subsection is inserted instead—
<u>""</u>	
(1)	An agency special purpose account called the Resistant Grain Insects Eradication Fund is established under section 16 of the Financial Management Act 2006.
	Section 8D(1) is repealed and the following subsection is inserted instead—
<u>"</u> — (1)—	An agency special purpose account called the Plant Diseases Eradication Fund is established under section 16 of the Financial Management Act 2006.
(5)	Section 8F(2) is amended by deleting "section 19 of the <i>Financial Administration and Audit Act 1985</i> " and inserting instead
	" section 11 of the Financial Management Act 2006
130.	Police Act 1892
(1)	Section 39A is amended as follows:

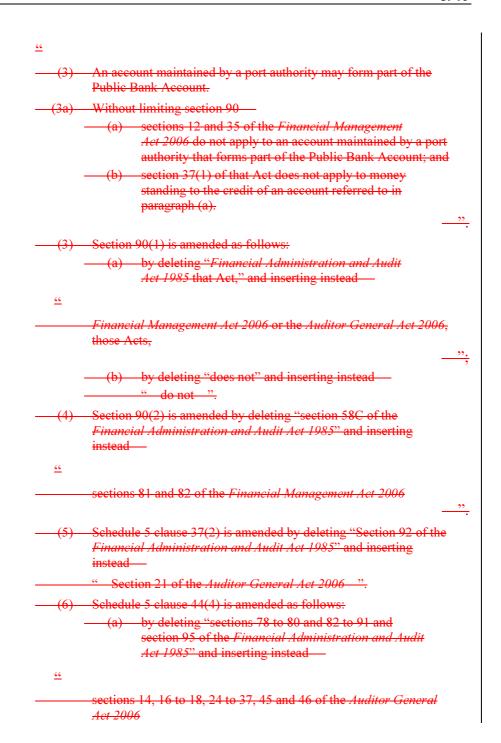
Compare 21 Dec 2006 [00-a0-03] / 01 Feb 2007 [00-b0-04]



Compare 21 Dec 2006 [00-a0-03] / 01 Feb 2007 [00-b0-04]

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Division 6

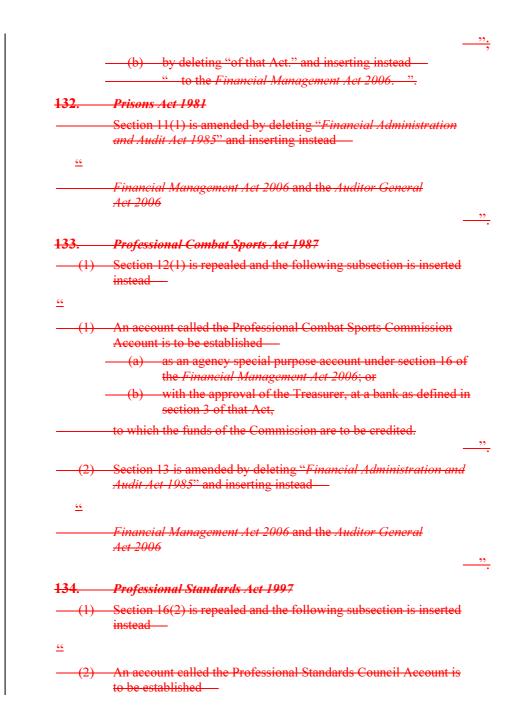


Compare 21 Dec 2006 [00-a0-03] / 01 Feb 2007 [00-b0-04]

Part 2 Repeal and amendment of legislation

Division 6 Transitional provisions

s. 19



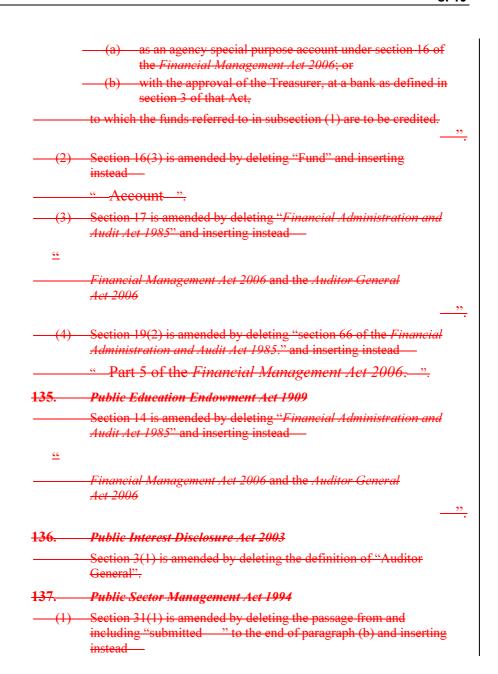
Repeal and amendment of legislation

Part 2

Transitional provisions

Division 6

s. 19

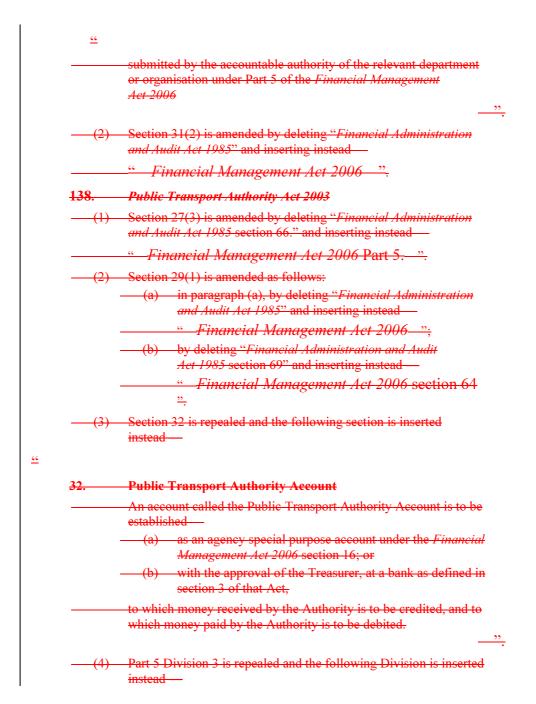


Compare 21 Dec 2006 [00-a0-03] / 01 Feb 2007 [00-b0-04]

Part 2 Repeal and amendment of legislation

Division 6 Transitional provisions

s. 19



Compare 21 Dec 2006 [00-a0-03] / 01 Feb 2007 [00-b0-04]

"

Division 3 Financial Management Act 2006 and Auditor General Act 2006

38. Application of Financial Management Act 2006 and Auditor General Act 2006

The provisions of the *Financial Management Act 2006* and the *Auditor General Act 2006* regulating the financial administration, audit and reporting of statutory authorities apply to and in respect of the Authority and its operations.

"

139. Public Trustee Act 1941

(1) Section 40(1) is amended by deleting ""Common Fund") to be kept at the Treasury, forming part of the Trust Fund constituted under section 9 of the Financial Administration and Audit Act 1985," and inserting instead

66

"Common Account") established as an agency special purpose account under section 16 of the Financial Management Act 2006,

"

(2) The provisions listed in the Table to this subclause are amended by deleting "Fund" in each place where it occurs and inserting instead

" Account ".

	Table	
s. 38(2)(b)	s. 40(5))
s. 38(2a)	s. 41(1)	
s. 40(1)	s. 42	
s. 40(2a)	s. 44(1)	}
s. 40(3a)	s. 44(5)	١
s 40(4)		

(3) Section 48 is amended by deleting "Financial Administration and Audit Act 1985" and inserting instead

66

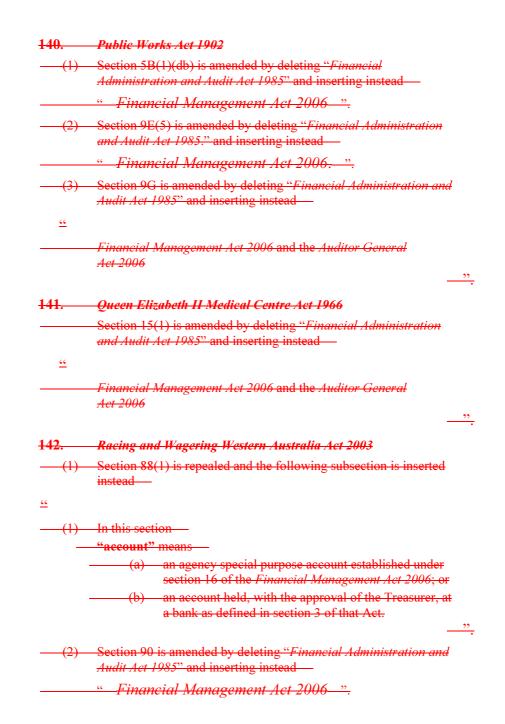
Financial Management Act 2006 and the Auditor General Act 2006

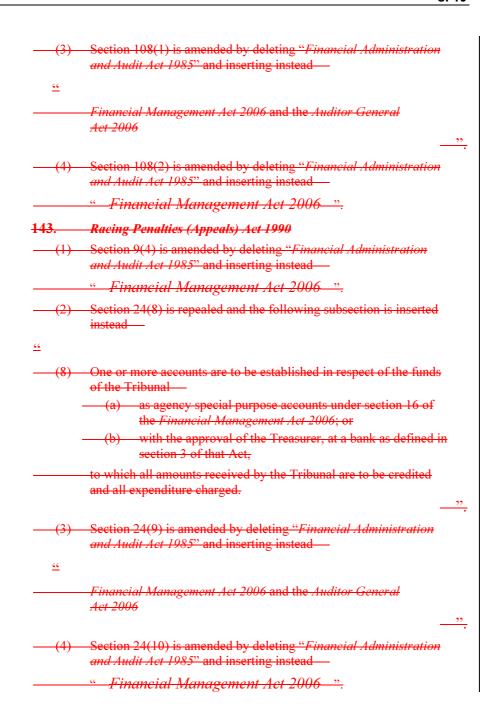
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Part 2 Repeal and amendment of legislation

Transitional provisions **Division 6**

s. 19





Compare 21 Dec 2006 [00-a0-03] / 01 Feb 2007 [00-b0-04]

Part 2 Repeal and amendment of legislation

Division 6 Transitional provisions

s. 19

page 110

144.	Rail Freight System Act 2000	
	Section 18 is amended by deleting "section 91 of the <i>Financial Administration and Audit Act 1985</i> " and inserting instead	
	" section 46(2) of the Auditor General Act 2006—".	
145.	Rail Safety Act 1998	
	Section 23(1) is amended by deleting "a trust account under the <i>Financial Administration and Audit Act 1985</i> section 15B." and inserting instead	
<u> </u>		
	an agency special purpose account under the <i>Financial Management Act 2006</i> section 16.	- ,,
146.	Rates and Charges (Rebates and Deferments) Act 1992	
(1)	Section 9(6) is amended as follows:	
	(a) by deleting "Financial Administration and Audit Act 1985" and inserting instead	
	"Financial Management Act 2006";	
	(b) in paragraph (b), by deleting "section 66" and inserting instead—	
	<u> </u>	
(2)	Section 15(1)(d) is amended by deleting "section 58B" and inserting instead	
	" section 80 ".	
147. 	Real Estate and Business Agents Act 1978	
	Section 4(1) is amended as follows:	
, ,	— (a) by deleting the definition of "Assistance Fund" and inserting instead	
<u> </u>		
_	"Assistance Account" means the Home Buyers Assistance Account established under section 131B;	·›.
	— (b) by deleting the definition of "Fidelity Fund" and inserting instead	,

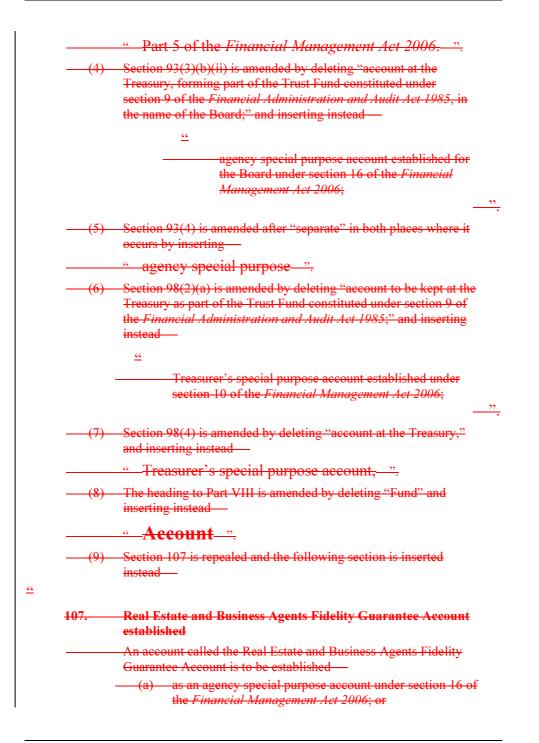
66 "Fidelity Account" means the Real Estate and Business Agents Fidelity Guarantee Account established under section 107; by deleting the definition of "General Purpose Fund" and inserting instead "General Purpose Account" means the Education and General Purpose Account established under section 124A; The provisions listed in the Table to this subclause are amended by deleting "Fund" in each place where it occurs and inserting instead " Account ". **Table** s. 119 s. 11 s. 120(1) s. 23(2)(e) s. 23A(9) s. 120(2) s. 70(7) s. 120(3) s. 90(1) s. 122 s. 90(2) s. 123(3) s. 108(1) s. 124A(2) s. 108(2) s. 124B s. 109 s. 124C s. 110 s. 124D(1) s. 112 s. 124D(2) s. 127(b) s. 113(3) s. 131C(1) s. 114 s. 115(1) s. 131C(2) s. 116(1) s. 116(2) s. 131E s. 117(1) s. 131G s. 117(2) s. 131KA s. 117(3) s. 131N(1) s. 117(4) s. 136A s. 145(2)(i) s. 117(5) s. 118 s. 145(2)(j) Section 12A(2) is amended by deleting "section 66 of the Financial Administration and Audit Act 1985." and inserting instead -

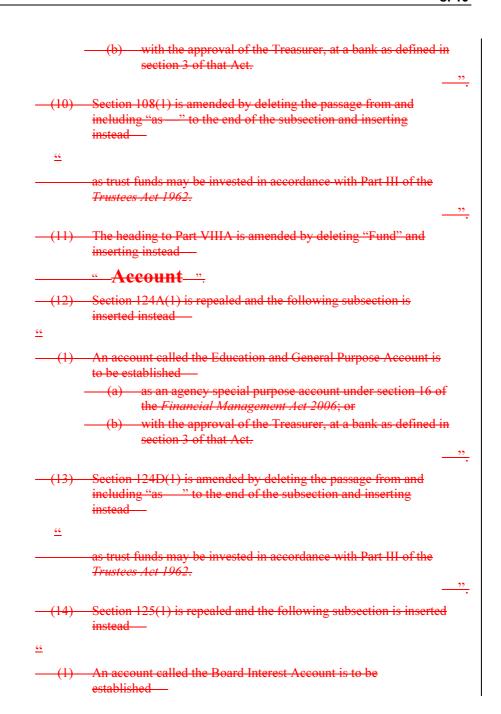
Compare 21 Dec 2006 [00-a0-03] / 01 Feb 2007 [00-b0-04]

Part 2 Repeal and amendment of legislation

Division 6 Transitional provisions

s. 19



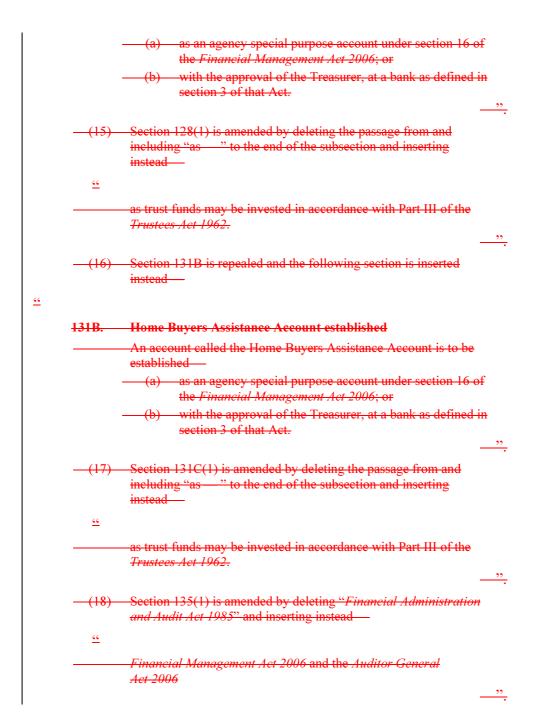


Compare 21 Dec 2006 [00-a0-03] / 01 Feb 2007 [00-b0-04]

Part 2 Repeal and amendment of legislation

Division 6 Transitional provisions

s. 19



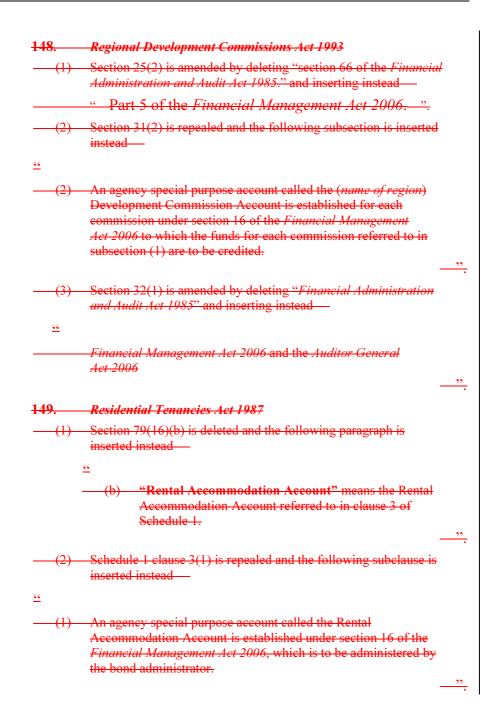
Repeal and amendment of legislation

Transitional provisions

Part 2

Division 6

s. 19



Part 2 Repeal and amendment of legislation

Division 6 Transitional provisions

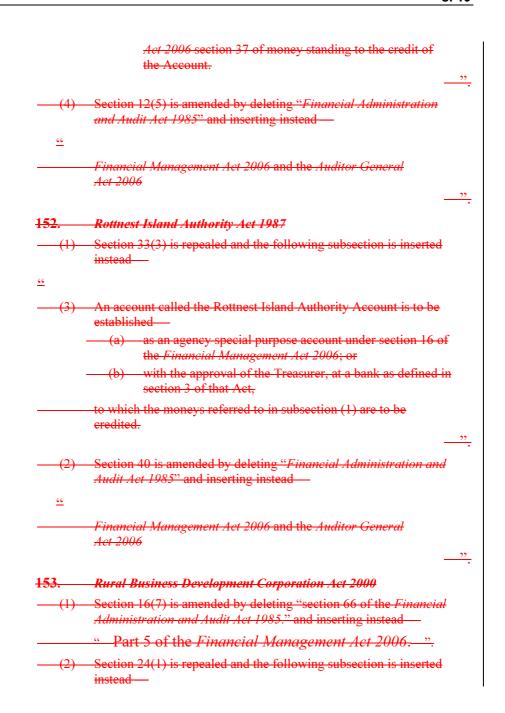
s. 19

(3)	Schedule 1 clause 3(2) is amended by deleting "fund" in both places where it occurs and inserting instead
	" account ".
(4)	Schedule 1 clause 3(6) is repealed.
(5)	The provisions listed in the Table to this subclause are amended by deleting "Fund" and inserting instead—
	"-Account-".
	Table
	s. 7(3)(e) Schedule 1 cl. 3(5)
	s. 79(5) ————————————————————————————————————
	s. 79(6) Schedule 1 cl. 6(1)(c)
	s. 79(11) Schedule 1 cl. 6(1)(d)
	s. 79(12) Schedule 1 cl. 7(5)
	Schedule 1 cl. 3(2) ————
150.	Rights in Water and Irrigation Act 1914
	Schedule 1 clause 12(5) is amended by deleting "section 66 of the Financial Administration and Audit Act 1985." and inserting instead
	" Part 5 of the Financial Management Act 2006. ".
151.	Road Safety Council Act 2002
(1)	Section 3 is amended in the definition of "the Account" by
()	deleting ""Road Trauma Trust Fund" "and inserting instead
	" "Road Trauma Trust Account" ".
(2)	Section 12(1) is repealed and the following subsection is inserted instead—
<u>""</u>	
(1)	An agency special purpose account called the Road Trauma Trust Account is established under the <i>Financial Management Act 2006</i> section 16.
(3)	Section 12(2)(d) is deleted and the following paragraph is inserted instead
	<u>«</u>
	— (d) the amount of any income determined by the Treasurer (at a rate determined by the Treasurer) to be attributable to the investment under the <i>Financial Management</i>

Repeal and amendment of legislation Transitional provisions Part 2

Division 6

s. 19



Compare 21 Dec 2006 [00-a0-03] / 01 Feb 2007 [00-b0-04]

Part 2 Repeal and amendment of legislation

Division 6 Transitional provisions

s. 19

<u>"</u>	
(1)	An account called the Rural Business Development Corporation Operating Account (the "Account") is to be established
	(a) as an agency special purpose account under section 16 of the <i>Financial Management Act 2006</i> ; or
	— (b) with the approval of the Treasurer, at a bank as defined in section 3 of that Act,
	to which the funds referred to in section 23 are to be credited.
(3)	Section 29(1) is amended by deleting "Financial Administration and Audit Act 1985" and inserting instead
	Financial Management Act 2006 and the Auditor General Act 2006
(4)	instead
	_ " Part 5 ".
154.	School Education Act 1999
(1)	Section 114 is amended by deleting "sections 6 and 34 of the Financial Administration and Audit Act 1985" and inserting instead—
	" sections 8 and 34 of the <i>Financial Management</i> Act 2006—".
(2)	Section 115 is amended by deleting "certain public moneys may be invested under section 38 of the <i>Financial Administration and Audit Act 1985.</i> " and inserting instead
<u> </u>	
	money standing to the credit of the Public Bank Account may be invested under section 37 of the Financial Management Act 2006.
(3)	Section 188(3) is amended by deleting "a trust account established and administered under section 15B of the <i>Financial Administration and Audit Act 1985</i> ." and inserting instead

page 118 Compare 21 Dec 2006 [00-a0-03] / 01 Feb 2007 [00-b0-04] Extract from www.slp.wa.gov.au, see that website for further information

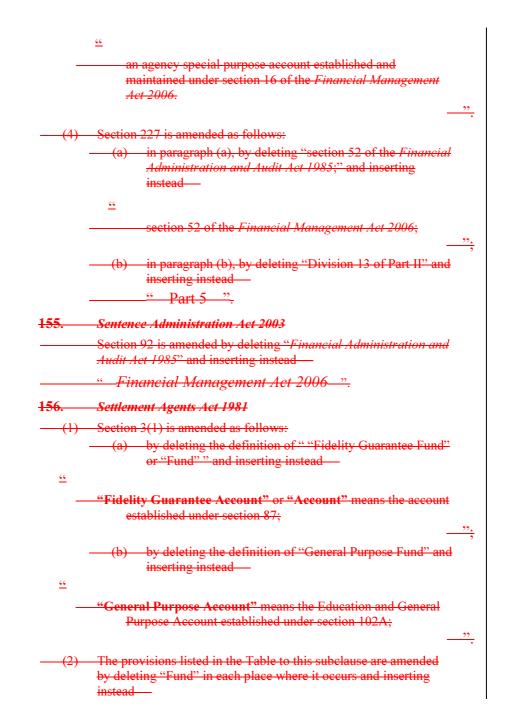
Repeal and amendment of legislation

Part 2

Transitional provisions

Division 6

s. 19



Compare 21 Dec 2006 [00-a0-03] / 01 Feb 2007 [00-b0-04]

s. 19

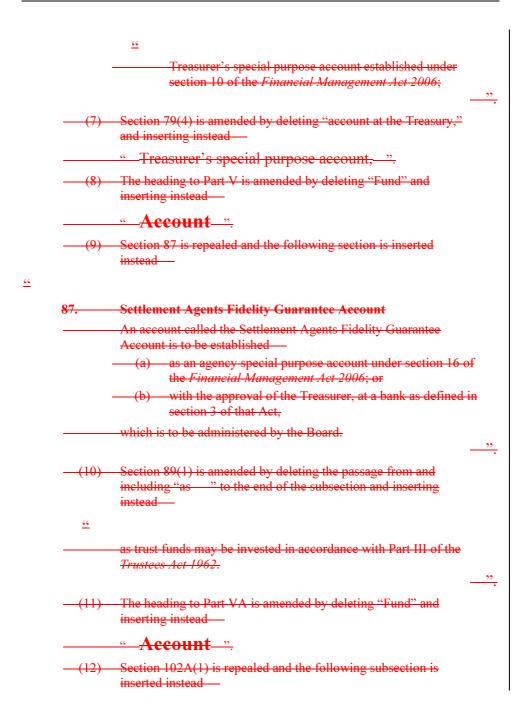
page 120

	Tal	مام
	- s.11 -	s. 95(5)
	s. 23(2)	s. 96
	s. 34(2)(b) -	s. 97
	s. 71(2)	s. 98(1)
	s. 88	s. 98(2)
	s. 89(1)	s. 98(3)
		s. 100
	s. 90 -	s. 101(3)
	s. 92(2) –	s. 102A(2)
	s. 93(1)	s. 102B
	s. 93(2)	s. 102C
	s. 94(1) -	s. 102D(1)
	<u>s. 95(1)</u> –	s. 102D(2)
	s. 95(2)	s. 105(b)
	s. 95(3)	s. 114
	s. 95(4) –	s. 123(2)(j)
(4)	"Part 5 of the Financi Section 74(3)(b)(ii) and "and following is inserted instead	
	<u>"</u>	_
	— (ii) credit such	n moneys, or such balance, to a
	separate ag	gency special purpose account
	***************************************	d for the Board under section 16 of the
	Financial :	Management Act 2006; and
		-
(5)	Section 74(4) is amended aft	ter "separate" in both places where it
	occurs by inserting	•
	" agency special purpo	ose ".
(6)	Section 79(2)(a) is amended	by deleting "account to be kept at the
(0)		
(0)		Fund constituted under section 9 of
(0)	Treasury as part of the Trust	

Repeal and amendment of legislation Transitional provisions Part 2

Division 6

s. 19

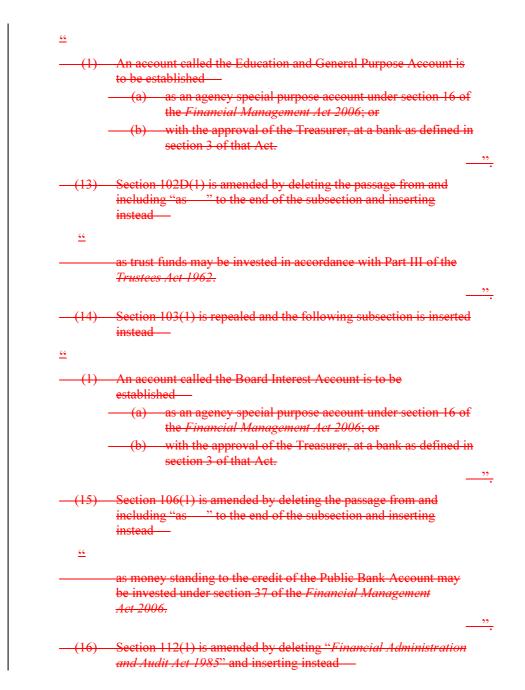


Compare 21 Dec 2006 [00-a0-03] / 01 Feb 2007 [00-b0-04]

Part 2 Repeal and amendment of legislation

Division 6 Transitional provisions

s. 19



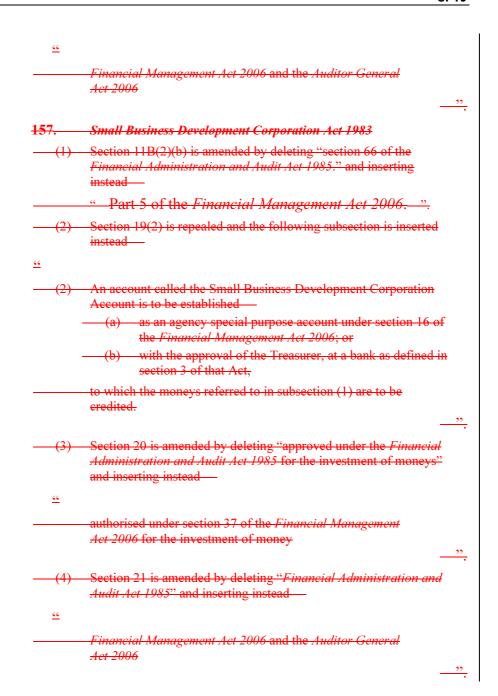
Repeal and amendment of legislation

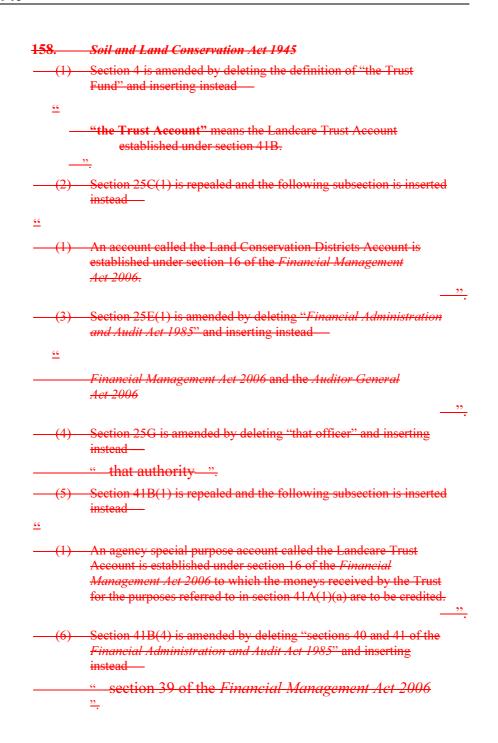
Transitional provisions

Part 2

Division 6

s. 19





Repeal and amendment of legislation Transitional provisions Part 2

Division 6

s. 19

(7)	Section 41C(2) is amended by deleting "section 66 of the Financial Administration and Audit Act 1985." and inserting instead
	" Part 5 of the Financial Management Act 2006. ".
(8)	Section 41G is amended by deleting "Financial Administration and Audit Act 1985" and inserting instead
	Financial Management Act 2006 and the Auditor General Act 2006
(9)	The provisions listed in the Table to this subclause are amended by deleting "Fund" in each place where it occurs and inserting instead
	" Account ".
	Table
	s. 25C(3a) s. 41B(2)
	s. 25D(3) s. 41B(3)
	s. 41A(1)(b) s. 41B(4)
159.	State Records Act 2000
(1)	Section 3(1) is amended in the definition of "parliamentary department" by deleting "Financial Administration and Audit Act 1985 by regulations made under section 3(2)" and inserting instead
<u>-</u>	Financial Management Act 2006 by regulations made for the purposes of section 5(1)
(2)	Section 10(1) is amended by deleting "Financial Administration and Audit Act 1985" and inserting instead
	<u>" Financial Management Act 2006 ".</u>
(3)	Section 58(a) is amended by deleting "Financial Administration and Audit Act 1985;" and inserting instead
	<u> "- Auditor General Act 2006; - ".</u>

Part 2 Repeal and amendment of legislation

Division 6 Transitional provisions

s. 19

160. 	State Superannuation Act 2000
(1)	Section 33C(4) is amended by deleting "section 66 of the
, ,	Financial Administration and Audit Act 1985." and inserting instead
	" Part 5 of the Financial Management Act 2006. ".
(2)	Section 35(3) is amended by deleting "section 66 of the <i>Financial Administration and Audit Act 1985.</i> " and inserting instead
	" Part 5 of the Financial Management Act 2006. ".
(3)	Schedule 2 clause 12(4) is amended by deleting "section 66 of the <i>Financial Administration and Audit Act 1985.</i> " and inserting instead—
	" Part 5 of the Financial Management Act 2006. ".
161. —	State Supply Commission Act 1991
(1)	Section 7(2)(b) is amended by deleting "section 66 of the Financial Administration and Audit Act 1985." and inserting instead—
	"- Part 5 of the <i>Financial Management Act</i> 2006. ".
(2)	Section 26E(2) is amended by deleting "Financial Administration and Audit Act 1985" and inserting instead
<u> </u>	
	Financial Management Act 2006 and the Auditor General Act 2006
(3)	Section 30(2) is repealed and the following subsection is inserted instead
<u>""</u>	
(2)	An agency special purpose account called the State Supply
\	Commission Account is established under section 16 of the
	Financial Management Act 2006 to which the funds referred to in
	subsection (1) are to be credited.
	-
(4)	Section 32 is amended by deleting "Financial Administration and

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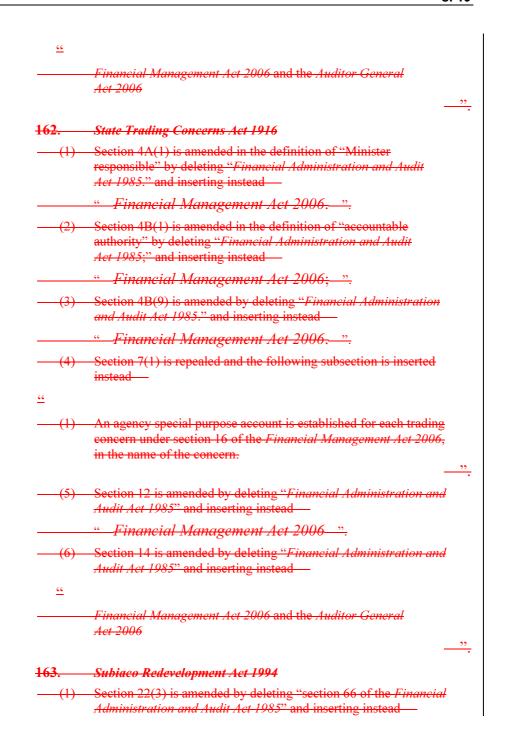
Repeal and amendment of legislation

Transitional provisions

Part 2

Division 6

s. 19

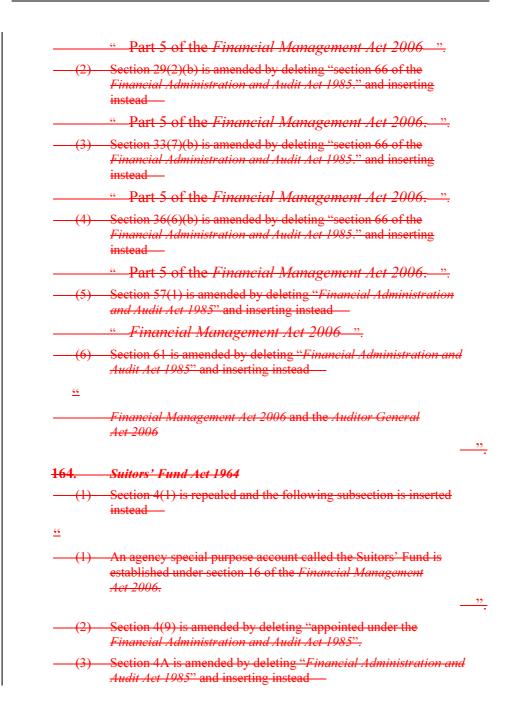


Compare 21 Dec 2006 [00-a0-03] / 01 Feb 2007 [00-b0-04]

Repeal and amendment of legislation Part 2

Division 6 Transitional provisions

s. 19

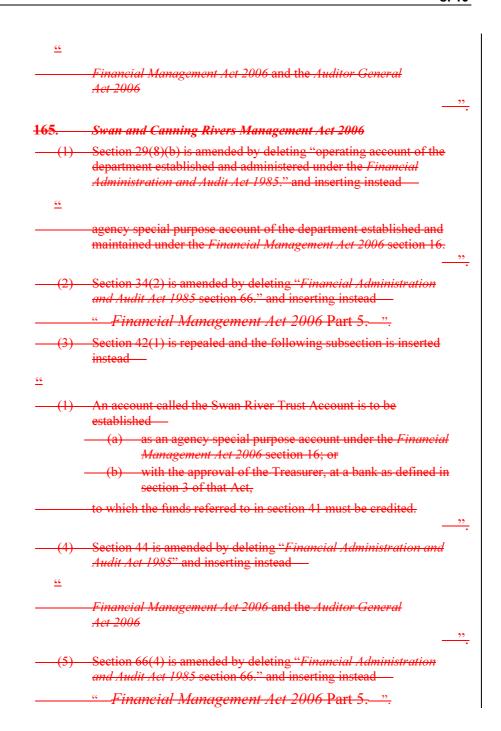


Repeal and amendment of legislation

Part 2

Transitional provisions **Division 6**

s. 19



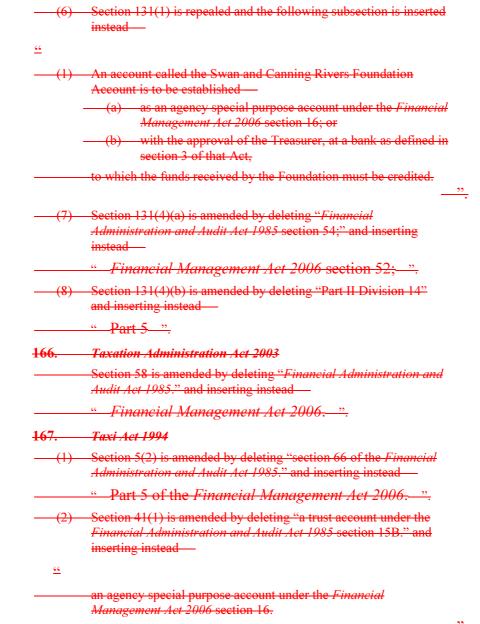
Compare 21 Dec 2006 [00-a0-03] / 01 Feb 2007 [00-b0-04]

Part 2 Repeal and amendment of legislation

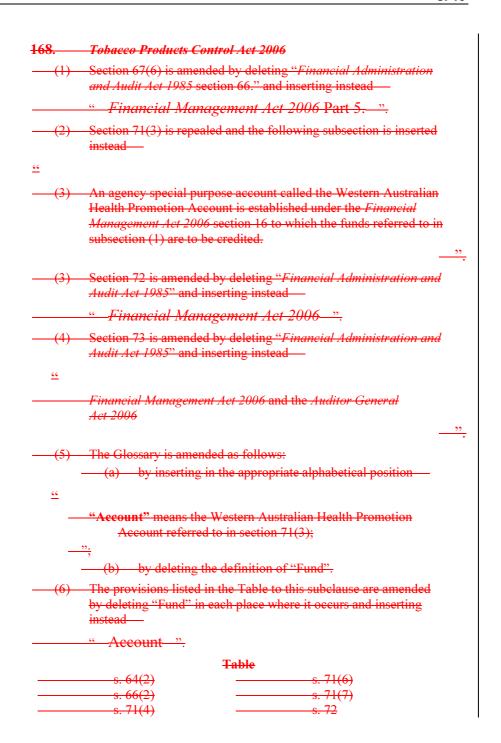
Division 6 Transitional provisions

s. 19

page 130



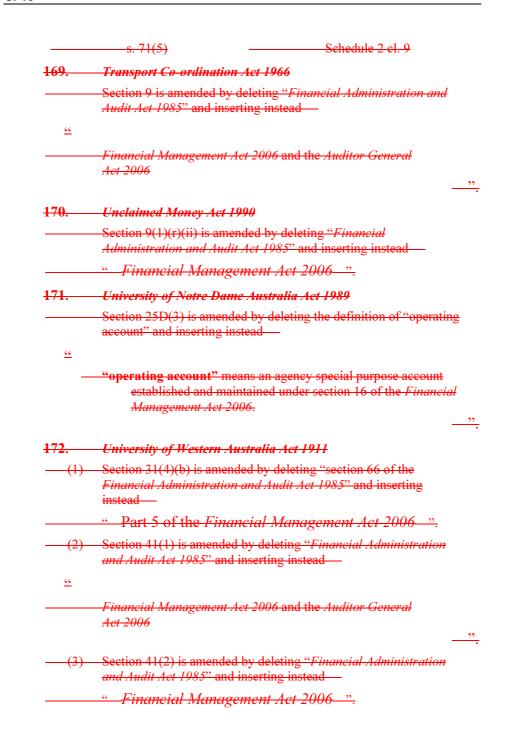
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Part 2 Repeal and amendment of legislation

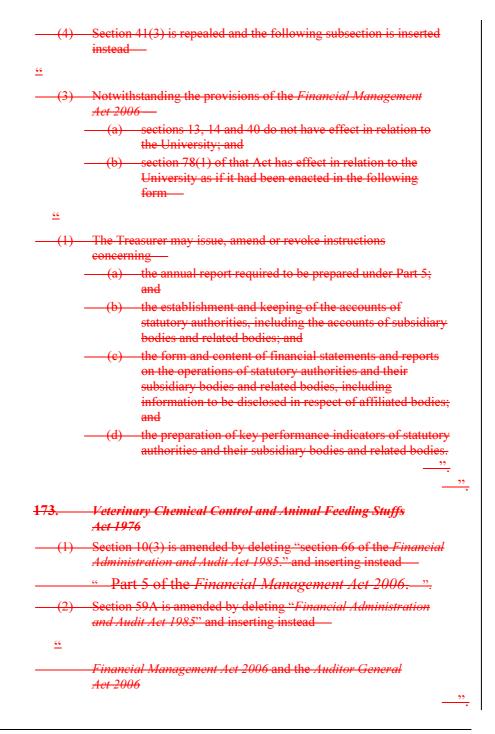
Division 6 Transitional provisions

s. 19



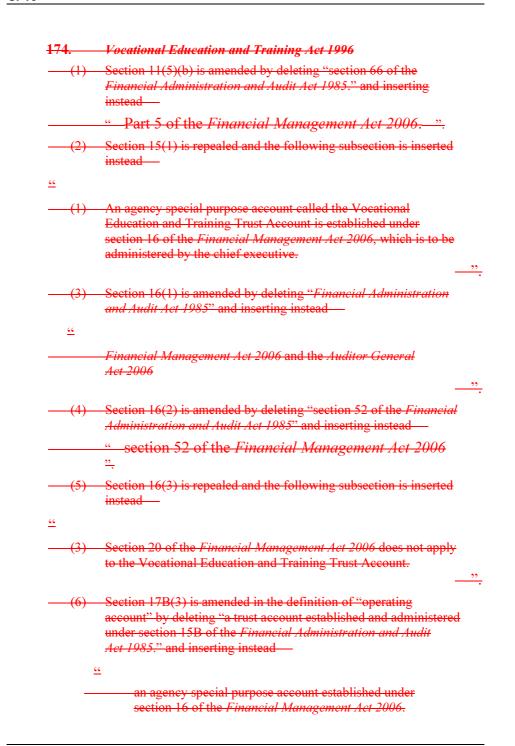
Compare 21 Dec 2006 [00-a0-03] / 01 Feb 2007 [00-b0-04]

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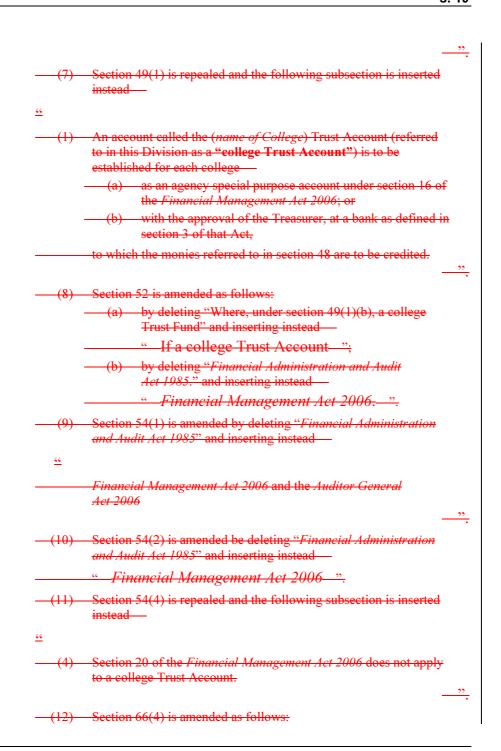


Compare 21 Dec 2006 [00-a0-03] / 01 Feb 2007 [00-b0-04]

page 134



Division 6



Compare 21 Dec 2006 [00-a0-03] / 01 Feb 2007 [00-b0-04]

Part 2 Repeal and amendment of legislation

Division 6 Transitional provisions

s. 19

	— (a) by deleting "section 54 of the <i>Financial Administration</i> and Audit Act 1985" and inserting instead
<u>"</u>	
	section 55 of the Financial Management Act 2006
	(b) by deleting "section 66" and inserting instead
	<u>" Part 5 ";</u>
	— (c) by deleting "Division 14 of Part II" and inserting instead
	<u> </u>
(13)	The provisions listed in the Table to this subclause are amended by deleting "Fund" in each place where it occurs and inserting instead—
	Account ".
	Table
	s. 15(2) s. 16(2)
	$\frac{s. 15(3)}{s. 49(2)}$
	s. 16(1) - s. 53
175.	Water and Rivers Commission Act 1995
(1)	Section 14(2) is amended by deleting "section 66 of the <i>Financial Administration and Audit Act 1985.</i> " and inserting instead
	"—Part 5 of the Financial Management Act 2006.—".
(2)	Section 26(1) is repealed and the following subsection is inserted instead—
<u> </u>	
(1)	An account called the Water and Rivers Commission Account is to be established—
	(a) as an agency special purpose account under section 16 of the Financial Management Act 2006; or
	(b) with the approval of the Treasurer, at a bank as defined in section 3 of that Act,
	to which the funds referred to in section 25 are to be credited.
(3)	Section 31 is amended by deleting "Financial Administration and Audit Act 1985" and inserting instead

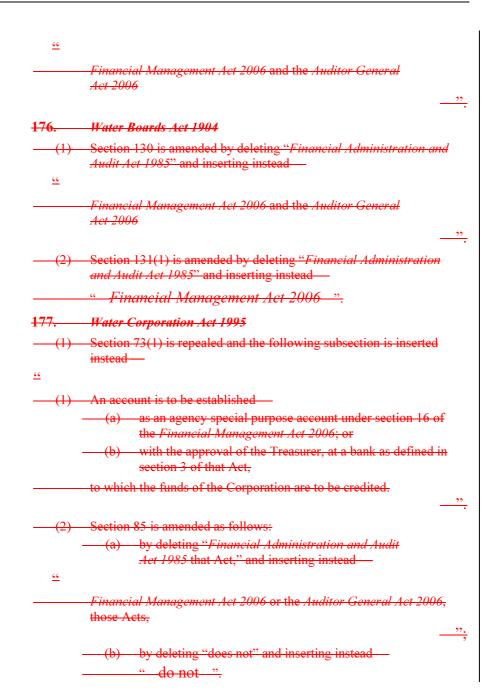
Compare 21 Dec 2006 [00-a0-03] / 01 Feb 2007 [00-b0-04] Extract from www.slp.wa.gov.au, see that website for further information

Repeal and amendment of legislation

Part 2

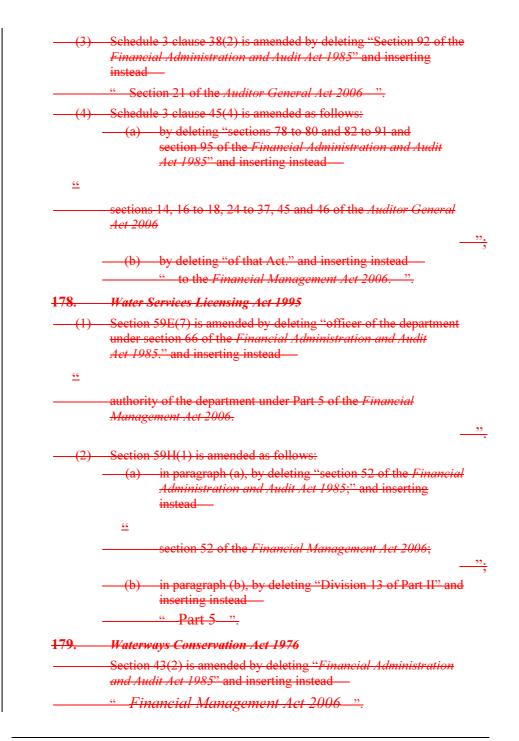
Transitional provisions Division 6

s. 19



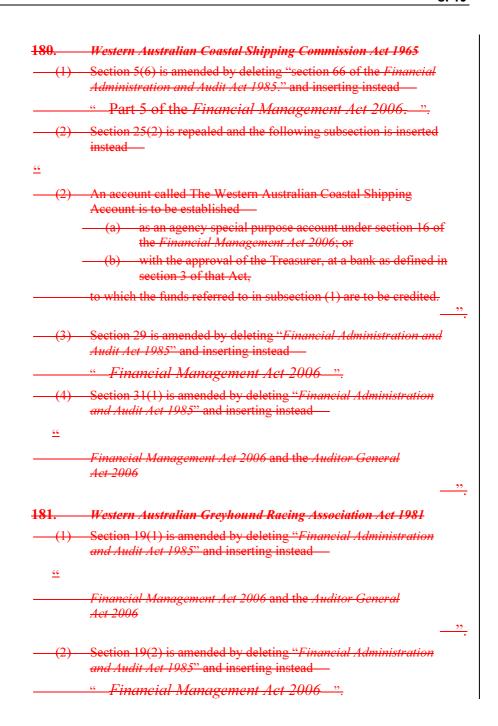
Compare 21 Dec 2006 [00-a0-03] / 01 Feb 2007 [00-b0-04]

s. 19



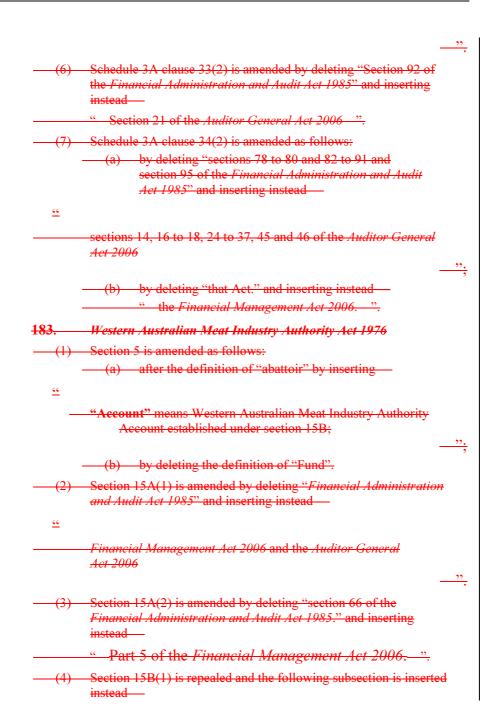
page 138 Compare 21 Dec 2006 [00-a0-03] / 01 Feb 2007 [00-b0-04]

Extract from www.slp.wa.gov.au, see that website for further information



182. —	Western Australian Land Authority Act 1992
(1)	Section 4(1) is amended as follows:
	(a) at the end of the definition of "Treasurer" by deleting the semicolon and inserting a full stop instead;
	(b) by deleting the definition of "Trust Fund".
(2)	Section 31(1) is repealed and the following subsection is inserted
	instead
<u> </u>	
(1)	In this section
_	"account" means
	(a) an agency special purpose account established under section 16 of the <i>Financial Management Act 2006</i> ; or
	(b) an account held, with the approval of the Treasurer, at a bank as defined in section 3 of that Act.
	-
(3)	Section 33 is amended by deleting "account held as part of the Trust Fund" and inserting instead—
<u>66</u>	Trust Fund und moetemg moteda
=	
	—agency special purpose account established under
	section 16 of the Financial Management Act 2006
(4)	— Section 39(1) is amended as follows:
	(a) by deleting "Financial Administration and Audit
	Act 1985, that Act," and inserting instead
<u>"</u>	
	Financial Management Act 2006 or the Auditor General Act 2006,
	those Acts,
	(b) by deleting "does not" and inserting instead
(5)	Section 39(2) is amended by deleting "section 58C of the
(-)	Financial Administration and Audit Act 1985" and inserting instead
<u>"</u>	
	actions 01 and 02 of the Firm and Management 1, 2007
	sections 81 and 82 of the Financial Management Act 2006

Division 6

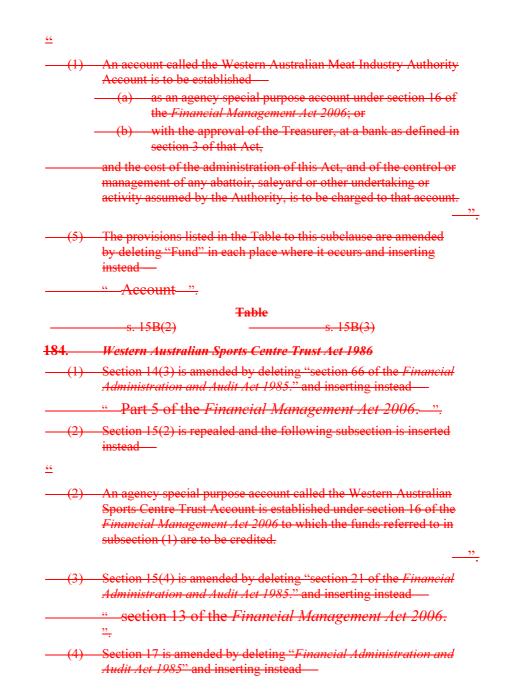


Compare 21 Dec 2006 [00-a0-03] / 01 Feb 2007 [00-b0-04]

Repeal and amendment of legislation Part 2

Division 6 Transitional provisions

s. 19

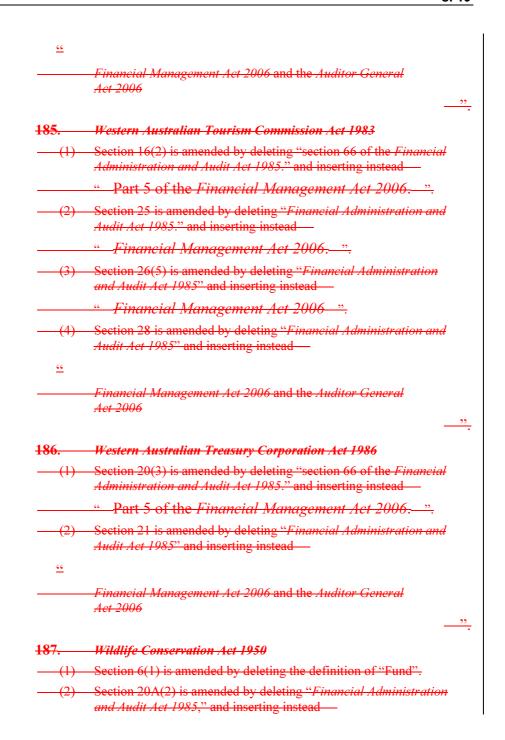


Compare 21 Dec 2006 [00-a0-03] / 01 Feb 2007 [00-b0-04] Extract from www.slp.wa.gov.au, see that website for further information

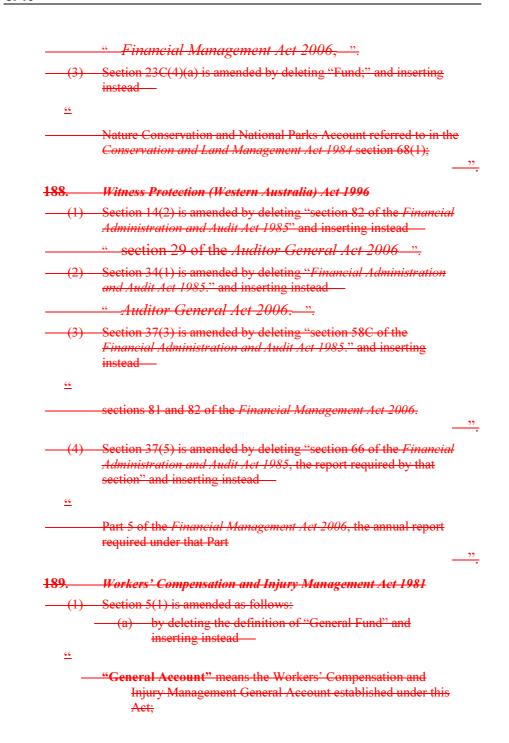
Repeal and amendment of legislation Transitional provisions Part 2

Division 6

s. 19

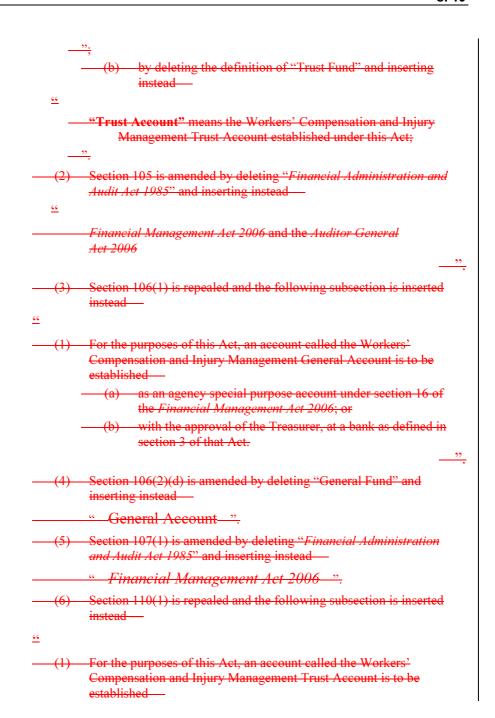


Compare 21 Dec 2006 [00-a0-03] / 01 Feb 2007 [00-b0-04]



Compare 21 Dec 2006 [00-a0-03] / 01 Feb 2007 [00-b0-04]

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Compare 21 Dec 2006 [00-a0-03] / 01 Feb 2007 [00-b0-04]

s. 110(3) s. 110(4)		s. 312 s. 323(1)(j)		
s. 110(2)		s. 292(1)(e)		
s. 109(4)	-	s. 252(2)		
s. 109(1)	-	s. 174AC		
s. 108	-	s. 174ÅÅ(1)		
s. 107(4)		s. 174(6)		
s. 107(3)		s. 174(3)		
s. 107(2)		s. 174(1)		
s. 107(1)		s. 170(2b)		
	(except in para. (da))	s. 170(2)		
· · · · · · · · · · · · · · · · · · ·) (except in para. (d)) -	s. 158G(4)		
s. 100/1(c)		s. 146W(2)		
s. 100(u)		s. 146Q(2)		
s. 100(a)		s. 145G(2)		
s. 58(5)(a) –	s. 110(%)		
s. 37		s. 110(7)		
	Table			
	"-Account-".			
	by deleting "Fund" in each place instead	e where it occurs and inserting		
(9)	The provisions listed in the Table to this subclause are amended			
	"—General Account;—".			
(8)	Section 323(1)(i) is amended by deleting "General Fund;" and inserting instead—			
	" Part 5 of the Financial	Management Act 2006.—".		
	Financial Administration and A			
(7)	Section 111(2) is amended by de	eleting "section 66 of the		
	section 3 of that Act.			
_	ĕ	e Treasurer, at a bank as defined in		
	the Financial Manager	The state of the s		

Compare 21 Dec 2006 [00-a0-03] / 01 Feb 2007 [00-b0-04] Extract from www.slp.wa.gov.au, see that website for further information

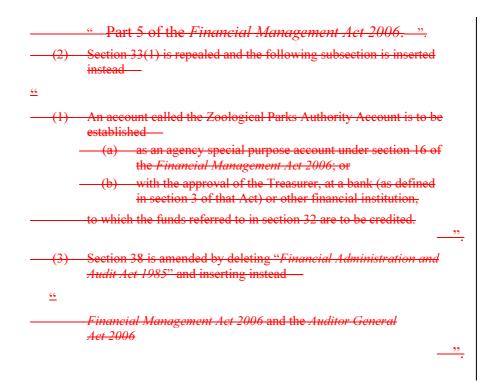
Repeal and amendment of legislation

Transitional provisions

Part 2

Division 6

s. 19



Preliminary

cl. 1

Division 1

Schedule 2 — Transitional provisions

[s. 19]

Division 1 — Preliminary

1. Interpretation

- (1) In this Schedule
 - "commencement day" means the day on which this Schedule comes into operation;
 - "FAA Act" means the Financial Administration and Audit Act 1985;
 - "FM Act" means the Financial Management Act 2006.
- (2) Unless the contrary intention appears, words and expressions used in this Schedule have the same respective meaning as they have in the FAA Act or the FM Act, as the case requires.

2. Application of Interpretation Act 1984

- (1) The provisions of the *Interpretation Act 1984* (for example, sections 16, 36 and 38) about the repeal of written laws and the substitution of other written laws for those so repealed apply to the repeal of the *Financial Administration and Audit Act 1985* as if—
 - (a) Part II of that Act were repealed and re-enacted by the *Financial Management Act 2006*; and
 - (b) Part III of that Act were repealed and re-enacted by the *Auditor General Act 2006*.
- (2) The other provisions of this Schedule are additional to the provisions applied by subclause (1) and do not affect the operation of the provisions applied by that subclause.

Division 2 — Transitional provisions for the Financial Administration and Audit Act 1985

3. Financial Administration and Audit Act 1985 section 6 (Consolidated Fund)

A determination made by the Treasurer as to moneys that may be credited to the Consolidated Fund under the FAA Act section 6(3)(d)

page 148 Compare 21 Dec 2006 [00-a0-03] / 01 Feb 2007 [00-b0-04]

cl. 4

that has effect immediately before the commencement day continues to have effect, on and after that day, as if it were a determination made by the Treasurer as to amounts that may be credited to the Consolidated Account under the FM Act section 8(3)(a).

4. Financial Administration and Audit Act 1985 section 9 (trust accounts)

A trust account, forming part of the Trust Fund constituted under the FAA Act section 9 and established under subsection (2)(c) of that section, that is operative immediately before the commencement day continues to operate, on and after that day, as —

- a Treasurer's special purpose account under the FM Act section 10(a) or (f); or
- an agency special purpose account under the FM Act (b) section 16(1)(c) or (d),

as the case requires.

5. Financial Administration and Audit Act 1985 section 10 (trust statements)

- Unless the Treasurer directs otherwise and subject to subclause (2), a (1) trust statement approved by the Treasurer under the FAA Act section 10 that has effect immediately before the commencement day continues to have effect, on and after that day, as if it were a special purpose statement or a trust statement, as the case requires, approved by the Treasurer under the FM Act section 17.
- A trust statement prepared for the Hospital Fund established under the (2) Hospital Fund Act 1930 section 3 that
 - is approved by the Treasurer under the FAA Act section 10; and
 - has effect immediately before the commencement day, (b)

continues to have effect, on and after that day, as if —

it were a special purpose statement approved by the Treasurer under the FM Act section 17; and

Compare 21 Dec 2006 [00-a0-03] / 01 Feb 2007 [00-b0-04]

Schedule 2 Transitional provisions

Division 2 Transitional provisions for the Financial Administration and

Audit Act 1985

cl. 6

(d) the FM Act section 17(1)(a) were amended to read as follows —

"

(a) a special purpose statement for an agency special purpose account operated by the agency that is referred to in section 16(1)(a);

,:

6. Financial Administration and Audit Act 1985 section 15B (operating accounts)

An operating account established for the purposes of the operations of a department under the FAA Act section 15B that is operative immediately before the commencement day continues to operate, on and after that day, as an agency special purpose account established for the purposes of the operations of the department under the FM Act section 16(1)(a).

7. Financial Administration and Audit Act 1985 section 21 (bank accounts)

- (1) A bank account maintained immediately before the commencement day under an authorisation given by the Treasurer under the FAA Act section 21 is taken, on and after that day, to be maintained under an authorisation given by the Treasurer under the FM Act section 13.
- (2) Despite the FM Act section 13, a bank account to which subclause (1) applies that, immediately before the commencement day, does not form part of the Public Bank Account continues, on and after that day, not to form part of the Public Bank Account.

8. Financial Administration and Audit Act 1985 section 23A (prescribed revenue)

A determination made by the Treasurer in respect of prescribed revenue under the FAA Act section 23A that has effect immediately before the commencement day continues to have effect, on and after that day, as if it were a determination made by the Treasurer in respect of prescribed receipts under the FM Act section 23.

9. Financial Administration and Audit Act 1985 section 39 (investment income)

A determination made by the Treasurer in respect of investment income under the FAA Act section 39(5) that has effect immediately before the commencement day continues to have effect, on and after that day, as if it were a determination made by the Treasurer in respect of money received from investment under the FM Act section 38(5).

10. Financial Administration and Audit Act 1985 section 58 (Treasurer's Instructions)

- (1) Subject to subclause (3), a Treasurer's Instruction issued under the FAA Act section 58 that has effect immediately before the commencement day continues to have effect, on and after that day, as if it were a Treasurer's instruction issued under the FM Act section 78.
- (2) Without limiting subclause (1) and subject to subclause (3), an exemption provided by a Treasurer's Instruction or by the written direction of the Treasurer under the FAA Act section 58(3)(e) that has effect immediately before the commencement day continues to have effect on and after that day.
- (3) A Treasurer's Instruction or exemption that continues to have effect under this clause does not have effect to the extent of any inconsistency with the FM Act.

11. References to the Financial Administration and Audit Act 1985

A reference in a written law or other document or instrument to the *Financial Administration and Audit Act 1985* may, where the context so requires, be read as if it had been amended to be a reference to the *Financial Management Act 2006* or to the *Auditor General Act 2006*, or to both those Acts, as the case requires.

Division 3 — Other transitional provisions

12. Treasurer's Advance Authorisation Act payments and advances

An authorisation for the Treasurer to make payments or advances in a financial year under a Treasurer's Advance Authorisation Act that has

Compare 21 Dec 2006 [00-a0-03] / 01 Feb 2007 [00-b0-04]

Schedule 2 Transitional provisions **Division 3** Other transitional provisions

cl. 13

effect on the commencement day continues to have effect, after that day, as if it were an authorisation —

- to make payments in that financial year under the Financial Management Act 2006 section 27; or
- to make advances in that financial year under the Financial Management Act 2006 section 28,

as the case requires.

13. References to the Consolidated Fund

- (1) In this clause —
 - "Consolidated Account" means the account of that name established by the Constitution Act 1889 section 64 as amended under Part 2;
 - "Consolidated Fund" means the fund of that name established by the Constitution Act 1889 section 64 before the commencement of Part 2.
- A reference in a written law or other document or instrument to the (2) Consolidated Fund may, where the context so requires, be read as if it had been amended to be a reference to the Consolidated Account.

14. **Transitional regulations**

- **(1)** If this Schedule does not provide sufficiently for a matter or issue of a transitional nature that arises as a result of
 - the repeal of the Financial Administration and Audit Act 1985 and the enactment of the Financial Management Act 2006 or the Auditor General Act 2006; or
 - (b) the amendments effected by this Act,

the Governor may make regulations under this clause ("transitional **regulations**") prescribing all matters that are required, necessary or convenient to be prescribed for providing for the matter or issue.

If the transitional regulations provide that a state of affairs specified or described in the regulations is taken to have existed, or not to have existed, on and from a day that is earlier than the day on which the regulations are published in the Gazette but not earlier than the commencement day, the regulations have effect according to their terms.

page 152 Extract from www.slp.wa.gov.au, see that website for further information

- (3) If the transitional regulations contain a provision referred to in subclause (2), the provision does not operate so as
 - (a) to affect in a manner prejudicial to any person (other than the State or an authority of the State) the rights of that person existing before the day of publication of those regulations; or
 - (b) to impose liabilities on any person (other than the State or an authority of the State) in respect of anything done or omitted to be done before the day of publication of those regulations.

15. Power to amend subsidiary legislation

- (1) The Governor, on the recommendation of the Treasurer, may make regulations amending subsidiary legislation made under any Act.
- (2) The Treasurer may make a recommendation under subclause (1) only if the Treasurer considers that each amendment proposed to be made by the regulations is necessary or desirable as a consequence of the enactment of the *Financial Management Act 2006*, the *Auditor General Act 2006* or this Act.
- (3) Nothing in this clause prevents subsidiary legislation from being amended in accordance with the Act under which it was made.

<u>"</u>

Compare 21 Dec 2006 [00-a0-03] / 01 Feb 2007 [00-b0-04]

Notes

This is a compilation of the *Financial Management (Transitional Provisions)*Act 2006 and includes the amendments made by the other written laws referred to in the following table.

Compilation table

Short title	Number and year	Assent	Commencement
Financial Legislation Amendment and Repeal Act 2006 s. 1-3, 18, 19 and Sch. 2 2	77 of 2006 (as amended by this Act s. 18)	21 Dec 2006	s. 1 and 2: 21 Dec 2006; Act other than s. 1, 2, 3, 19 and Sch. 1 cl. 122 and Sch. 2: 1 Feb 2007 (see s. 2(1) and Gazette 19 Jan 2007 p. 137); s. 3, 19 and Sch. 2: 1 Feb 2007 (see s. 2(3) and Gazette 19 Jan 2007 p. 137); Sch. 1 cl. 122 to be proclaimed (see s. 2(1))

Now known as the *Financial Management (Transitional Provisions) Act 2006;* short title changed (see note under s. 1).