



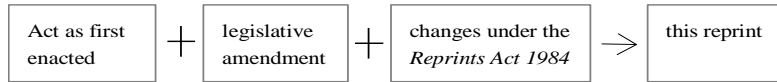
Western Australia

Reprints Act 1984

Reprint 2: The Act as at 19 March 2004

Guide for using this reprint

What the reprint includes



Endnotes, Compilation table, and Table of provisions that have not come into operation

1. Details about the original Act and legislation that has amended its text are shown in the Compilation table in endnote 1, at the back of the reprint. The table also shows any previous reprint.
2. Validation, transitional, savings, or other provisions identified in the Compilation table may be important. The table may refer to another endnote setting out the text of these provisions in full.
3. A table of provisions that have not come into operation, to be found in endnote 1a if it is needed, lists any provisions of the Act being reprinted that have not come into operation and any amendments that have not come into operation. The full text is set out in another endnote that is referred to in the table.

Notes amongst text (italicised and within square brackets)

1. If the reprint includes a section that was inserted, or has been amended, since the Act being reprinted was passed, editorial notes at the foot of the section give some history of how the section came to be as it is. If the section replaced an earlier section, no history of the earlier section is given (the full history of the Act is in the Compilation table).

Notes of this kind may also be at the foot of Schedules or headings.

2. The other kind of editorial note shows something has been —
 - removed (because it was repealed or deleted from the law); or
 - omitted under the *Reprints Act 1984* s. 7(4) (because, although still technically part of the text, it no longer has any effect).

The text of anything removed or omitted can be found in an earlier reprint (if there is one) or one of the written laws identified in the Compilation table.

Reprint numbering and date

1. The reprint number (in the footer of each page of the document) shows how many times the Act has been reprinted. For example, numbering a reprint as “Reprint 3” would mean that the reprint was the 3rd reprint since the Act was passed. Reprint numbering was implemented as from 1 January 2003.
2. The information in the reprint is current on the date shown as the date as at which the Act is reprinted. That date is not the date when the reprint was published by the State Law Publisher and it is probably not the date when the most recent amendment had effect.

**Reprinted under the
Reprints Act 1984 as
at 19 March 2004**

Western Australia

Reprints Act 1984

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Western Australia

Reprinted under the
Reprints Act 1984 as
at 19 March 2004

Reprints Act 1984

An Act to make provision for the reprinting of Acts of Parliament, and subsidiary legislation made thereunder, and to provide for the incorporation of certain formal amendments in reprints.

1. Short title

This Act may be cited as the *Reprints Act 1984* ¹.

2. Commencement

This Act shall come into operation on a day to be fixed by proclamation ¹.

3. Application

A written law may be reprinted under this Act whether that written law came into operation before or after the commencement of this Act.

4. Interpretation

- (1) In this Act, unless the contrary intention appears —
“**authorised officer**” means a person who is empowered under section 5(3) to sign a statement under section 5(2);

“referential expression” means an expression in or to the effect of the words —

- (a) “of this Act”;
- (b) “to this Act”;
- (c) “of this Schedule”;
- (d) “of this Part”;
- (e) “of this Division”;
- (f) “of this section”;
- (g) “of this subsection”;
- (h) “of this paragraph”;
- (i) “of this subparagraph”;
- (j) “of this clause”;
- (k) “of this subclause”;
- (ka) “of this definition”;
- (l) “of this item”;
- (m) “before-mentioned” or “afore-mentioned”;
- (n) “hereof”;
- (o) “hereto”; or
- (p) “said”, “the said”, “aforesaid” or “the aforesaid”,
and corresponding expressions appearing in subsidiary legislation, occurring in conjunction with a number or a letter or both to designate a provision of the written law in which the expression appears;

“written law” or **“law”** includes any portion of a written law or law.

- (2) For the purposes of this Act, **“written law”** includes rules made under the Royal Prerogative in relation to Queen’s Counsel.

[Section 4 amended by No. 15 of 1994 s. 4; No. 10 of 1998 s. 61(1); No. 74 of 2003 s. 102(2).]

5. Attorney General may direct reprinting

- (1) The Attorney General may, in writing —
 - (a) direct the Government Printer to reprint any written law;
 - (b) revoke or amend a direction given under paragraph (a).
- (2) A direction under subsection (1)(a), or an amendment to such a direction, shall be accompanied by —
 - (a) a copy of the written law in the form in which it is required to be so reprinted; and
 - (b) a statement that such form has been prepared in the Parliamentary Counsel's Office.
- (3) A statement under subsection (2)(b) shall be signed by the Parliamentary Counsel, a Deputy Parliamentary Counsel, or an Assistant Parliamentary Counsel of the State, or by some other person employed in the Parliamentary Counsel's Office who is nominated by the Parliamentary Counsel and authorised in writing by the Attorney General to sign such a statement.
- (4) The Government Printer shall comply with any direction given to him under this section.

[Section 5 amended by No. 31 of 1993 s. 61; No. 15 of 1994 s. 5.]

6. Annotations to be included in reprint

- (1) Where a written law is reprinted under this Act there shall appear on the first page of the reprint a statement that it is reprinted under this Act.
- (2) There shall also appear, in conjunction with the statement required under subsection (1), a reference to the date as at which the written law is reprinted.
- (3) A reprint of a written law may include such other notes or information as the Attorney General may direct or as may be expedient to show the manner in which the reprint has been compiled.

7. Amendments of a formal nature

- (1) An authorised officer may exercise any of the powers conferred by this section in respect of a written law that is reprinted under this Act.
- (2) The exercise of a power conferred by this section shall not have effect to alter or otherwise affect the substance or operation of any written law.
- (3) An authorised officer may substitute —
 - (a) for words that designate cardinal numbers, figures that designate the same numbers;
 - (b) for words that designate ordinal numbers, figures and letters that designate the same numbers;
 - (c) for words that designate a sum of money, figures, together with the appropriate symbol, that designate the same sum;
 - (d) for words, or words and figures, that designate a date, an expression that designates the same date by means of —
 - (i) the number designating the day of the month;
 - (ii) the name of the month; and
 - (iii) where required, the year expressed in figures;
 - (da) for figures that designate a year of the 20th century for the purposes of a formality (e.g. as part of the date of completing a form), figures that designate a year of the 21st century for those purposes;
 - (e) for words, or words and figures, that designate a time of day, an expression that designates the same time by means of figures followed by the abbreviation “a.m.” or “p.m.” as the case may require;
 - (ea) for “per centum”, or “percent” or “per cent”, the symbol “%”;
 - (f) for a reference to His Majesty the King or Her Majesty the Queen, a reference to the Crown or the Sovereign;

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- (g) for a reference to a written law or a law made by or under the authority of any legislature outside the State, a reference to any other written law or law so made if the effect of —
- (i) the *Interpretation Act 1984*; or
 - (ii) any other written law,
- is that the former is to be read, or to be taken to be amended to read, as the latter;
- (ga) for a reference to a provision of a written law that was renumbered under an Act repealed by section 9(1), a reference to the provision as renumbered;
- (gb) for a written law's short title or other mode of citation which has been changed, a reference to the title or mode of citation as changed;
- (h) for a name, style or title of a person, office, officer, authority, department, place, locality, or thing which has been changed, the name, style or title as changed;
- (i) for a reference to —
- (i) a subsection of a section of an Act or a subclause of a clause of a Schedule to an Act; or
 - (ii) any lesser subdivision of a section or clause; or
 - (iii) any corresponding provision of subsidiary legislation,
- which is expressed in the long form (e.g. subparagraph (a), (b) or (c) of subsection (1) of section 4), a reference to that provision expressed in the short form (e.g. section 4(1)(a), (b) or (c)).
- (4) An authorised officer may omit —
- (a) any referential expression;
 - (b) words of enactment, and in the case of subsidiary legislation, words of attestation or authentication of its making, and any signature of the maker or makers;

s. 7

- (c) a provision as to the commencement of a written law;
 - (d) a provision that consists only of a statement showing the manner in which a written law is arranged into Parts or other divisions;
 - (e) a provision that has expired or become spent or had its effect;
 - (f) any repealing provision, including any list of repealed laws;
 - (g) any saving, transitional or validation provision which can conveniently be omitted by reason of its having application only to a time or events which have passed.
- (5) An authorised officer may —
- (a) make any amendment necessary to give effect to a provision in a written law whereby other written laws are to be deemed to be amended, or to have effect or be construed as if they had been amended, in a specified manner;
 - (aa) amend a list of definitions in a written law by changing the sequence in which the definitions are listed;
 - (ab) amend an address, a telephone number or other contact details in a written law to reflect changes or additions to those details;
 - (b) correct any error in —
 - (i) spelling;
 - (ii) grammar;
 - (iii) punctuation;
 - (iv) the use of upper or lower case; or
 - (v) the typing or printing,in or of a written law;
 - (ba) correct any inconsistency within a written law in respect of any matter mentioned in paragraph (b);

- (c) correct any error or anomaly in —
 - (i) the way in which a written law is referred to; or
 - (ii) the way in which a provision is designated.
- (5a) For the purposes of subsection (5) an authorised officer may make any amendment not affecting the meaning of the written law.
- (5b) Despite anything in subsection (2) or (5a), an authorised officer may make a clerk’s amendment to an Act even if the amendment affects the operation or meaning of the Act.
- (5c) In subsection (5b) “**clerk’s amendment**” means an amendment of a reference in a provision of an Act to another provision of the Act, being an amendment in respect of which the Clerk of the Parliaments has issued a certificate to the Attorney General to the effect that the amendment —
 - (a) is one that should have been made as a clerical amendment before an Act received the Royal Assent in consequence of other amendments made to the Act during its passage through Parliament as a Bill; and
 - (b) is necessary in order to enable an Act to have the operation and meaning that Parliament intended it to have.
- (6) The Attorney General may, when issuing a direction to the Government Printer under section 5(1) or at any time subsequently, issue a certificate to the effect that an amendment specified in the certificate has been effected in accordance with this section and such a certificate shall be evidence for all purposes, and be admissible in all courts, that the amendment has been lawfully made in accordance with this section.

[Section 7 amended by No. 15 of 1994 s. 6; No. 10 of 1998 s. 61(2); No. 24 of 2000 s. 38; No. 74 of 2003 s. 102(3).]

s. 7A

7A. Delegation

The Attorney General may, by instrument in writing, delegate to the Parliamentary Counsel the functions and powers conferred on the Attorney General under sections 5(1) and (3), 6(3) and 7(6).

[Section 7A inserted by No. 10 of 1998 s. 61(3).]

8. Proof of written law as reprinted

- (1) A reprint of any written law under this Act or under an Act repealed by section 9, shall be judicially noticed by all courts and persons acting judicially.
- (2) Where any paper purporting to be —
 - (a) a copy of a written law, or a written law as amended; and
 - (b) a reprint made under this Act, or an Act repealed by section 9,

is produced to a court or person acting judicially it shall be taken, unless the contrary is shown, that the paper is a correct copy of that written law, or that written law as so amended.

9. Repeals and savings

- (1) The following Acts are repealed —
 - (a) the *Statutes Compilation Act 1905*;
 - (b) the *Amendments Incorporation Act 1938*;
 - (c) the *Reprinting of Acts Authorization Act 1953*; and
 - (d) the *Reprinting of Regulations Act 1954*.

[(2) Omitted under the Reprints Act 1984 s. 7(4)(f).]

- (3) The repeal of an Act by subsection (1) shall not affect the reprinting thereunder of any written law where the reprint was authorised by the Attorney General before such repeal; and any

such written law may be reprinted as if subsection (1) had not been passed.

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Notes

- ¹ This reprint is a compilation as at 19 March 2004 of the *Reprints Act 1984* and includes the amendments made by the other written laws referred to in the following table. The table also contains information about any reprint.

Compilation table

Short title	Number and year	Assent	Commencement
<i>Reprints Act 1984</i>	13 of 1984	31 May 1984	1 Feb 1985 (see s. 2 and <i>Gazette</i> 11 Jan 1985 p. 175)
<i>Acts Amendment (Ministry of Justice) Act 1993</i> Pt. 16 ²	31 of 1993	15 Dec 1993	1 Jul 1993 (see s. 2)
<i>Reprints Amendment Act 1994</i>	15 of 1994	22 Apr 1994	22 Apr 1994 (see s. 2)
Reprint of the <i>Reprints Act 1984</i> as at 18 Sep 1996 (includes amendments listed above)			
<i>Statutes (Repeals and Minor Amendments) Act (No. 2) 1998</i> s. 61	10 of 1998	30 Apr 1998	30 Apr 1998 (see s. 2(1))
<i>Statutes (Repeals and Minor Amendments) Act 2000</i> s. 38	24 of 2000	4 Jul 2000	4 Jul 2000 (see s. 2)
<i>Statutes (Repeals and Minor Amendments) Act 2003</i> s. 102	74 of 2003	15 Dec 2003	15 Dec 2003 (see s. 2)
Reprint 2: The <i>Reprints Act 1984</i> as at 19 Mar 2004 (includes amendments listed above)			

- ² The *Acts Amendment (Ministry of Justice) Act 1993* Pt. 19 reads as follows:

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Part 19 — Savings and transitional

68. Savings

If this Act is not passed until after 1 July 1993, anything done after that day but before this Act is passed that would have been in accordance with law if this Act had not come into operation but as a result of the coming into operation of this Act is contrary to law, is deemed to be in accordance with law.

69. Transitional

Unless the contrary intention appears, a reference, however expressed, in any law or document to the former Department of Corrective Services or Crown Law Department, the chief executive officer of either of those departments, or an office or

organizational unit within either of those departments, is to be read as a reference to the Ministry of Justice, the chief executive officer of the Ministry of Justice, or the corresponding office or unit within the Ministry of Justice, as is appropriate.

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