Western Australia

Statutes (Repeals) Act 2016

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Western Australia

Statutes (Repeals) Act 2016

No. 50 of 2016

An Act to repeal the following Acts —

* the *Coal Industry Tribunal of Western Australia Act 1992*;
* the *Labour Relations Reform Act 2002*;
* the *Spear‑guns Control Act 1955*;
* the *Western Australian Marine (Sea Dumping) Act 1981*;
* the *Escheat and forfeiture of real and personal property (1834) (Imp)*,

and to amend several Acts as a consequence of those repeals.

[Assented to 28 November 2016]

The Parliament of Western Australia enacts as follows:

## Part 1 — Preliminary

##### 1. Short title

This is the *Statutes (Repeals) Act 2016*.

##### 2. Commencement

This Act comes into operation as follows —

(a) Part 1 — on the day on which this Act receives the Royal Assent;

(b) the rest of the Act — on the day after that day.

## Part 2 — *Coal Industry Tribunal of Western Australia Act 1992* repealed

### Division 1 — Repeal of the *Coal Industry Tribunal of Western Australia Act 1992*

##### 3. *Coal Industry Tribunal of Western Australia Act 1992* repealed

The *Coal Industry Tribunal of Western Australia Act 1992* is repealed.

### Division 2 — Consequential amendments to the *Constitution Acts Amendment Act 1899*

##### 4. Act amended

This Division amends the *Constitution Acts Amendment Act 1899*.

##### 5. Schedule V amended

(1) In Schedule V Part 1 Division 1 delete “Chairperson or deputy chairperson of the Coal Industry Tribunal of Western Australia constituted under the *Coal Industry Tribunal of Western Australia Act 1992*.”.

(2) In Schedule V Part 2 Division 1 delete “Member, or deputy of a member, of the Coal Industry Tribunal of Western Australia constituted under the *Coal Industry Tribunal of Western Australia Act 1992*.”.

### Division 3 — Consequential amendments to the *Industrial Relations Act 1979*

##### 6. Act amended

This Division amends the *Industrial Relations Act 1979*.

##### 7. Section 97U amended

In section 97U(1) delete the definition of ***award*** and insert:

award, except in section 97UG(2)(c), Division 6 Subdivision 1 and sections 97YA(1)(a) and 97YB(2)(a), includes an industrial agreement or order of the Commission under this Act;

##### 8. Section 97UF amended

Delete section 97UF(4).

##### 9. Section 97UG amended

In section 97UG(7) delete the definition of ***award*** and insert:

award includes an enterprise order.

##### 10. Section 97VR amended

In section 97VR delete the definition of ***award***.

##### 11. Section 97YA amended

Delete section 97YA(3).

### Division 4 — Consequential amendment to the *Workers’ Compensation and Injury Management Act 1981*

##### 12. Act amended

This Division amends the *Workers’ Compensation and Injury Management Act 1981*.

##### 13. Section 5 amended

In section 5(1) in the definition of ***industrial award*** delete paragraph (c).

## Part 3 — *Labour Relations Reform Act 2002* repealed

### Division 1 — Repeal of the *Labour Relations Reform Act 2002*

##### 14. *Labour Relations Reform Act 2002* repealed

The *Labour Relations Reform Act 2002* is repealed.

### Division 2 — Consequential amendments to the *Industrial Relations Act 1979*

##### 15. Act amended

This Division amends the *Industrial Relations Act 1979*.

##### 16. Section 49N amended

In section 49N(3) delete “agreement, whether made or registered before or after the coming into operation of section 146 of the *Labour Relations Reform Act 2002*,” and insert:

agreement

##### 17. Section 97YI amended

Delete section 97YI(2) and insert:

(2) A review is to be carried out at such times as the Minister may in writing request.

### Division 3 — Consequential amendment to the *Minimum Conditions of Employment Act 1993*

##### 18. Act amended

This Division amends the *Minimum Conditions of Employment Act 1993*.

##### 19. Section 7 amended

Delete section 7(a).

## Part 4 — *Spear‑guns Control Act 1955* repealed

### Division 1 — Repeal of the *Spear‑guns Control Act 1955*

##### 20. *Spear‑guns Control Act 1955* repealed

The *Spear‑guns Control Act 1955* is repealed.

### Division 2 — Consequential amendment to the *Fair Trading Act 2010*

##### 21. Act amended

This Division amends the *Fair Trading Act 2010*.

##### 22. Schedule 1 amended

In Schedule 1 delete “*Spear‑guns Control Act 1955*”.

## Part 5 — *Western Australian Marine (Sea Dumping) Act 1981* repealed

##### 23. *Western Australian Marine (Sea Dumping) Act 1981* repealed

The *Western Australian Marine (Sea Dumping) Act 1981* is repealed.

## Part 6 — Repeal of *Escheat and forfeiture of real and personal property (1834)* (Imp)

##### 24. Imperial Act repealed

(1) The Imperial Act, 1834 (4 & 5 Will. IV c. 23) [The *Escheat and forfeiture of real and personal property (1834)*] adopted by the *Imperial Acts Adopting Act 1844* (7 Vict. No. 13 item 2), is repealed in so far as it is part of the law of Western Australia.

(2) In respect of the Imperial Act referred to in subsection (1), the *Interpretation Act 1984* Part V applies as if a reference in that Part to the repeal of a written law or to the repeal of an enactment were a reference to the repeal of that Imperial Act.

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