

WESTERN AUSTRALIA

**LOCAL GOVERNMENT
(CONSEQUENTIAL
AMENDMENTS) ACT 1996**

No. 14 of 1996

AN ACT to repeal certain Acts and to amend certain other Acts as a consequence of the *Local Government Act 1995*, to deal with certain transitional matters and for related purposes.

[Assented to 28 June 1996.]

The Parliament of Western Australia enacts as follows:

Short title

1. This Act may be cited as the *Local Government (Consequential Amendments) Act 1996*.

Commencement

2. (1) Subject to subsection (2), this Act comes into operation immediately after the *Local Government Act 1995* comes into operation.

(2) The amendments effected by this Act to section 56A of the *Justices Act 1902* do not come into operation if the *Criminal Law Amendment Act 1996* receives the Royal Assent before 1 July 1996.

Certain Acts repealed

3. The Acts specified in the table to this section are repealed.

Table

City of Perth Act 1925
Municipality of Fremantle Act 1925
Narrogin Hospital Act 1932

Certain Acts amended

4. The Acts specified in Schedule 1 are amended as set out in that Schedule.

Amendment of subsidiary legislation

5. The Minister may, by Order, notice of which is published in the *Gazette*, amend subsidiary legislation made under any Act in a way that is necessary or convenient as a consequence of the *Local Government Act 1995*.

Extracts of amendments made by or under this Act

6. (1) In any legal proceedings evidence may be given of an amendment made by this Act to a written law by tendering a document purporting to be printed by the Government Printer and purporting to be an extract from this Act omitting any page of Schedule 1 on which there is nothing that relates to that written law.

(2) If an Order is made under section 5 in a form such that the amendments it makes to various subsidiary legislation are all set out in one or more schedules, subsection (1) applies as if a reference in it to this Act and Schedule 1 were, respectively, references to the Order and its schedules.

Transitional matters relating to by-laws

7. (1) If, when this Act comes into operation —

(a) a local government has resolved to make a by-law under the *Bush Fires Act 1954*, the *City of Perth Parking Facilities Act 1956* or the *Health Act 1911*; but

(b) the by-law has not been published in the *Gazette*,

the process of making, confirming or approving, and publishing the by-law may be completed as if this Act and the *Local Government Act 1995* had not come into operation.

(2) If, when this Act comes into operation —

(a) a local government has —

(i) resolved to make a by-law under the *Cemeteries Act 1986*, the *Control of Vehicles (Off-road areas) Act 1978* or the *Dog Act 1976*; and

- (ii) caused a notice of intention to submit the by-law for confirmation or approval by the Governor to be published;

but

- (b) the by-law has not been published in the *Gazette*,

the process of making, confirming or approving, and publishing the by-law may be completed as if this Act and the *Local Government Act 1995* had not come into operation.

(3) A by-law that is made, confirmed or approved, or published in accordance with subsection (1) or (2) becomes a local law as soon as it is published in the *Gazette*.

(4) If, when this Act comes into operation —

- (a) a local government has resolved to make a by-law under the *Cemeteries Act 1986*, the *Control of Vehicles (Off-road areas) Act 1978* or the *Dog Act 1976*; but
- (b) a notice of intention to submit the by-law for confirmation or approval by the Governor has not been published,

the resolution ceases to have effect as a resolution to make a by-law and instead has effect as if it were a resolution under that Act as amended by this Act proposing to make a local law to the same effect.

(5) This section ceases to operate on the day 6 months after this Act comes into operation.

Transitional regulations

8. (1) If there is no sufficient provision in this Act for dealing with a transitional matter, the Governor may make regulations prescribing all matters that are required, or are necessary or convenient, for dealing with that transitional matter.

(2) Regulations made under subsection (1) may have effect before the day on which they are published in the *Gazette*.

(3) To the extent that a regulation made under subsection (1) may have effect before the day of its publication in the *Gazette*, it does not —

- (a) affect in a manner prejudicial to any person (other than the State or a local government), the rights of that person existing before the day of its publication; or
- (b) impose liabilities on any person (other than the State or a local government) in respect of anything done or omitted to be done before the day of its publication.

(4) In subsection (1) —

“transitional matter” means a matter that needs to be dealt with for the purpose of effecting the transition from the provisions of the Acts amended by this Act as in force before this Act comes into operation to the provisions of those Acts as in force after this Act comes into operation.

SCHEDULE 1 — CERTAIN ACTS AMENDED [Section 4]

Adoption Act 1994

Clause 2 (1) (b) of Schedule 1

Deleted and the following paragraph is substituted —

“
 (b) the chief executive officer or deputy chief executive officer of a local government;
”.

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Age of Majority Act 1972

Section 3

In the definition of “enactment” after “rule,” the following is inserted —

“ local law, ”.

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Agriculture and Related Resources Protection Act 1976

Section 4 (1)

After “regulation,” the following is inserted —

“ local law, ”.

Section 7

The definitions of “council”, “district” and “land under the control of a council” are deleted.

The following definitions are inserted in the appropriate alphabetical positions —

“
 “**district**” means, in relation to a local government, the district of that local government under the *Local Government Act 1995*;
”;

Schedule 1 *continued*

“**land under the control of a local government**” means land which is —

- (a) vested in or leased by a local government;
- (b) within a public place, including a road;
- (c) within a public reserve under the care, control and management of a local government; or
- (d) vested in a local government as trustee or of which a local government has been appointed trustee;

”.

In the definition of “eligible person”, “a council whose district” is deleted in each place where it occurs and the following is substituted —

“ the council of the local government of a district that ”.

Section 15 (7) and (9) and section 29 (2)

In paragraph (a) of each subsection “each council whose district” is deleted and the following is substituted—

“ the local government of each district that ”.

In the last paragraph of each subsection “council or” is deleted and the following is substituted —

“ council of the local government or of the ”.

Section 34A (a)

“a council” is deleted and the following is substituted —

“ the council of a local government ”.

Heading to Division 3 of Part V

“*Municipal*” is deleted and the following is substituted —

“ *Local Government* ”.

Schedule 1 *continued*

Sections 43 (2), 45 (2) and 104 (d)

In each provision “councils” is deleted in each place where it occurs and the following is substituted —

“ local governments ”.

Sections 46 (1) and 58 (1) (d)

In each subsection “local authority” is deleted and the following is substituted —

“ local government ”.

Section 67

“in whose district” is deleted and the following is substituted —

“ of the district in which ”.

Section 92 (1) (c)

“a rate book” is deleted and the following is substituted —

“ the rate record ”.

Section 106

After the section designation “**106.**” the subsection designation “ (1) ” is inserted.

In paragraph (n) (i), “, as defined by the *Local Government Act 1960,*” is deleted.

At the end of the section the following subsection is inserted —

“

(2) In subsection (1) (n) (i) —

“**cattle**” includes horses, mares, fillies, foals,
geldings, colts, camels, bulls, bullocks, cows,
heifers, steers, calves, asses, mules, sheep,
lambs, goats and swine.

”.

Schedule 1 *continued*

Sections 109, 110 and 112

In each section “by-laws” is deleted and the following is substituted —

“ local laws ”.

Various references to *Local Government Act 1960* amended

In each place listed in the Table to this clause “*Local Government Act 1960*” is deleted in each place where it occurs and the following is substituted —

“ *Local Government Act 1995* ”.

Table

s. 46 (1), (2)
s. 92 (1) (c)
s. 94 (1) (a)
s. 110

Various references to “council” amended

In each place listed in the Table to this clause “council” is deleted in each place where it occurs and the following is substituted —

“ local government ”.

Table

s. 7 in the definitions of “private land”, “public land”	s. 45 (1) s. 46 (1), (2)
s. 34A in the third place where it occurs	s. 56 (1) s. 67
s. 36 (3) (e)	s. 92 (1) (c)
s. 38 (1) in the definition of “declared plant”	s. 109 s. 110, (b), (c)
s. 42	s. 111 (1)
s. 43 (1)	s. 112
s. 44 (1), (2)	

Schedule 1 *continued*

Agriculture Protection Board Act 1950

Section 8 (1)

In paragraph (h), “council” is deleted and the following is substituted —

“ local government ”.

In paragraph (j), “councils” is deleted and the following is substituted —

“ local governments ”.

Albany Port Authority Act 1926

Section 21

“local authority” is deleted in both places where it occurs and the following is substituted —

“ local government ”.

Sections 27 (2) and 54E (3)

In each subsection after “Albany” the following is inserted —

“ (Town) ”

Albany Public Cemeteries Subsidies Act 1952

Long title

“**Municipality of Albany and the Albany Road Board**” is deleted and the following is substituted —

“ **Town of Albany and the Shire of Albany** ”.

Schedule 1 *continued*

Section 2

The definitions of “Board”, “Council”, “districts” and “local government Acts” are deleted.

The following definitions are inserted in the appropriate alphabetical positions —

“
 “districts” means the local government districts of Albany
 (Town) and Albany (Shire);
”;
“
 “local governments” means the Town of Albany and the
 Shire of Albany.
”.

Sections 3 and 4 (1)

In each provision “Council and the Board” is deleted in each place where it occurs and the following is substituted —

“ local governments ”.

In section 3 “ordinary revenue” is deleted and the following is substituted —

“ municipal funds ”.

Section 4 (3)

Repealed and the following subsection is substituted —

“
 (3) Such rate shall be in addition to any rate imposed
 under the *Local Government Act 1995* and shall not affect
 any rating limit imposed by that Act.
”.

Section 5

“the Council and the Board respectively” is deleted and the following is substituted —

“ either of the local governments ”.

Schedule 1 *continued*

Section 6

“local governments Acts” is deleted and the following is substituted —

“ *Local Government Act 1995* ”.

Alcohol and Drug Authority Act 1974

Section 18 (i)

After “regulation,” the following is inserted —

“ local law, ”.

Anglican Church of Australia Act 1976

Section 2 (3)

In paragraphs (b) and (c) of the definition of “law of the State” after “rules,” the following is inserted —

“ local laws ”.

Anglican Church of Australia Constitution Act 1960

Section 7

After “rules,” the following is inserted —

“ local laws, ”.

Schedule 1 *continued*

Anglican Church of Australia (Diocesan Trustees) Act 1888

Section 5A (6)

“rateable property or” is deleted.

“*Local Government Act 1960*,” is deleted and the following is substituted —

“ *Local Government Act 1995* ”.

***Anglican Church of Australia Diocesan
Trustees and Lands Act 1918***

Section 13 (1)

“Town” is deleted and the following is substituted —

“ local government district ”.

Anglican Church of Australia Lands Vesting Act 1892

Section 3

“City” is deleted and the following is substituted —

“ local government district ”.

Anzac Day Act 1960

Section 6 (1) and (3)

In each subsection after “regulation” the following is inserted —

“ , local law ”.

Schedule 1 *continued*

Argentine Ant Act 1968

Section 4

The definition of “local authority” is deleted.

In the definitions of “occupier” and “owner”, “*Local Government Act, 1960*” is deleted and the following is substituted —

“ *Local Government Act 1995* ”.

Section 6 (2) (a) and (c)

In each paragraph “local authorities” is deleted and the following is substituted —

“ local governments ”.

Sections 6 (3) and 15 (1) (a)

In each provision “local authority” is deleted in each place where it occurs and the following is substituted —

“ local government ”.

In section 15 (1) (a) —

(a) “rate book” is deleted in both places where it occurs and the following is substituted —

“ rate record ”; and

(b) “clerk” is deleted and the following is substituted —

“ chief executive officer ”.

Art Gallery Act 1959

Section 18 (2) (f)

“local authorities” is deleted and the following is substituted —

“ local governments ”.

Schedule 1 *continued*

***Assistance by Local Authorities in Wiring Dwellings
for Electricity Act 1953***

Section 2

The definition of “local authority” is deleted.

Section 3

“property” is deleted and the following is substituted —

“ land ”.

Section 5

“, and may meet the expense of doing so from its ordinary revenue, or if necessary, from loan funds raised for the purpose” is deleted.

Section 7

“Act under which the local authority is constituted,” is deleted and the following is substituted —

“ *Local Government Act 1995* ”.

Various references to “local authority” amended

In each place listed in the Table to this clause “local authority” is deleted in each place where it occurs and the following is substituted —

“ local government ”.

Table

- s. 3
- s. 4
- s. 5
- s. 7 in the first place where it occurs

Schedule 1 *continued*

Betting Control Act 1954

Section 5 (1a)

“City” is deleted and the following is substituted —

“ local government district ”.

Bills of Sale Act 1899

Section 10 (2)

“municipality of Albany” is deleted and the following is substituted —

“ local government district of Albany (Town) ”.

***Broken Hill Proprietary Company’s Integrated
Steel Works Agreement Act 1960***

Section 4 (3) (g)

Deleted and the following paragraph is substituted —

“
(g) the local government of the district within which the
leased areas are situated,
”.

Builders’ Registration Act 1939

Section 2

The definition of “Local authority” is deleted.

In the definition of “Building licence”, “*Local Government Act 1960*” is
deleted and the following is substituted —

“ *Local Government (Miscellaneous Provisions) Act 1960* ”.

Schedule 1 *continued*

Section 18 (2)

“member or officer or servant of” is deleted and the following is substituted —

“ employee of, or member of the council of, ”.

Section 24 (1) (ea)

“local authorities” is deleted and the following is substituted —

“ local governments ”.

Schedule

In clause 1 “of the Shire” and “of the Town” are deleted in each place where they occur.

In the heading to clause 2 and in clause 4A, “Shire” and “City” are deleted in each place where they occur and the following is substituted —

“ district ”.

Clause 3 is deleted and the following clause is substituted —

“
 3. The districts of Bunbury, Busselton, Collie, Dardanup, Harvey and Murray as constituted on 1 September 1986.”.

Clause 4 is deleted and the following clause is substituted —

“
 4. The districts of Geraldton, Greenough, Chapman Valley and Northampton.”.

In clause 5 “Shires” is deleted and the following is substituted —

“ districts ”.

After clause 5 the following clause is inserted —

“
 6. In this Schedule —
 “**district**” means an area that has been declared to be a district under the *Local Government Act 1995*.”.

Schedule 1 *continued*

Various references to “local authority” amended

In each place listed in the Table to this clause “local authority” is deleted in each place where it occurs and the following is substituted —

“ local government ”.

Table

s. 4 (2) (a) (iii), (c)
s. 4A (1), (1) (c) (ii), (1b), (2)
s. 18 (1), (2)

***Building and Construction Industry Training Fund
and Levy Collection Act 1990***

Section 3 (1)

In the definition of “building licence”, “*Local Government Act 1960*” is deleted and the following is substituted —

“ *Local Government (Miscellaneous Provisions) Act 1960* ”.

Building Societies Act 1976

Section 31 (1) (b)

Deleted and the following paragraph is substituted —

“
(b) make advances to a local government in accordance
with the *Local Government Act 1995*;
”.

Schedule 1 *continued*

Bunbury Port Authority Act 1909

Section 21

“local authority” is deleted in both places where it occurs and the following is substituted —

“ local government ”.

=====

Bunbury Railway Lands Act 1985

Section 5

“*Local Government Act 1960*” is deleted and the following is substituted —

“ *Local Government (Miscellaneous Provisions) Act 1960* ”.

=====

Bush Fires Act 1954

Section 7

The definition of “local authority” is deleted.

Sections 33 (2), 59A (3) and 66 (1) (a)

In each provision “rate book” is deleted in each place where it occurs and the following is substituted —

“ rate record ”.

In sections 33 (2) and 59A (3), “*Local Government Act 1960*” is deleted and the following is substituted —

“ *Local Government Act 1995* ”.

Schedule 1 *continued*

In section 66 (1) (a) —

- (a) “municipality” is deleted in both places where it occurs and the following is substituted —
“ local government ”; and
- (b) “of the council” is deleted.

Section 33 (5a)

“, with the approval of the Governor, make by-laws — ” is deleted and the following is substituted —

“
make local laws in accordance with subdivision 2 of
Division 2 of Part 3 of the *Local Government Act 1995* —
”.

Section 33 (8)

After section 33 (7) the following subsection is inserted —

“
(8) Any amount recoverable by a local government under this section as a debt due from the owner or occupier of land is, until paid in full —
(a) a debt due from each subsequent owner in succession;
(b) a charge against the land with the same consequences as if it were a charge under the *Local Government Act 1995* for unpaid rates; and
(c) recoverable by the local government in the same manner as rates imposed in respect of the land are recoverable under that Act.
”.

Section 36

“Act, expend any portion of its ordinary revenue for all or any of the following purposes — ” is deleted and the following is substituted —

“ Act — ”.

In paragraph (a) “in the purchase and maintenance of” is deleted and the following is substituted —

“ purchase and maintain ”.

Schedule 1 *continued*

In paragraph (b) “in paying the cost of clearing” is deleted and the following is substituted —

“ clear ”.

Paragraphs (c) and (g) are deleted.

In paragraph (d) “in establishing and maintaining” is deleted and the following is substituted —

“ establish and maintain ”.

Paragraph (ea) is deleted and the following paragraph is substituted —

“
(e) use any vehicle in controlling or extinguishing a bush fire or in the attempting so to do but the local government must pay to the owner or hirer of the vehicle, in respect of any damage done to a tyre of that vehicle while it was being so utilized, an amount assessed by an employee of the local government authorized by it to assess the cost of that damage; ”.

In paragraph (f) —

(a) “in assisting” is deleted and the following is substituted —

“ assist ”; and

(b) “; and” is deleted and a full stop is substituted.

Section 62 (1)

The first paragraph is deleted and the following is substituted —

“
A local government may make local laws in accordance with subdivision 2 of Division 2 of Part 3 of the *Local Government Act 1995* for and in relation to — ”.

Section 62A

After section 62 the following section is inserted —

“
Governor may amend or repeal local laws

62A. (1) The Governor may make a local law to amend the text of, or repeal, a local law.

 Schedule 1 *continued*

(2) Subsection (1) does not include the power to amend a local law to include in it a provision that bears no reasonable relationship to the local law as in force before the amendment.

(3) The Minister is to give a local government notice in writing of any local law that the Governor makes to amend the text of, or repeal, any of the local government's local laws.

(4) A local law made under this section is to be taken, for all purposes, to be a local law made by the local government which made the local law that is amended or repealed.

(5) Section 3.17 of the *Local Government Act 1995* does not apply in relation to local laws made under this Act.

”.

Various references to “by-law” amended

In each place listed in the Table to this clause “by-law” is deleted in each place where it occurs and the following is substituted —

“ local law ”.

Table

- s. 9 (1)
- s. 35A in paragraph (c) of the definition of “normal brigade activities”
- s. 62 (2)
- s. 65 (2), (2) (a), (b)

Various references to “by-laws” amended

In each place listed in the Table to this clause “by-laws” is deleted in each place where it occurs and the following is substituted —

“ local laws ”.

Table

- s. 33 (5a), (5a) (a), (b), (5b), (5d), (7) (b)
- s. 41 (1)
- s. 43

Schedule 1 *continued*

Various references to “clerk” amended

In each place listed in the Table to this clause “clerk” is deleted in each place where it occurs and the following is substituted —

“ chief executive officer ”.

Table

- s. 18 (6) (a)
- s. 23 (2) (a) (i)
- s. 59 (3)
- s. 65 (2) (c), (d)
- s. 66 (1) (a)

Various references to “local authority” amended

In each place listed in the Table to this clause “local authority” is deleted in each place where it occurs and the following is substituted —

“ local government ”.

Table

- | | |
|---|--|
| s. 17 (7) (a), (8), (8) (a), (a) (i), (ii), (b), (c), (9), (10), (11) | s. 38 (1), (2) (a), (c), (d), (e), (3), (4), (5) (a), (6) (a), (b), (c), (ca), (cb), (d), (e), (h) |
| s. 18 (5) (a), (c), (6) (a), (10) (a), (b), (c), (11) | s. 39 (1), (2) (a) |
| s. 22 (3) (a), (6) (a), (b) | s. 39A (1), (2) |
| s. 23 (1) (b), (2) (a) (i) | s. 41 (1), (2), (3) |
| s. 24 (a), (b) (i) | s. 42 (1), (2) |
| s. 24B (1) | s. 43 |
| s. 25 (1), (1) (a), (b), (c) (iv), (1aa) (b) (i), (1a), (1c), (1c) (b) | s. 44 (3) (a), (b) |
| s. 25A (5) | s. 46 (1) (a) (i), (ii), (b), (3) |
| s. 27 (2), (3), (4) (b), (7) (a), (b), (c) | s. 48 (4) (a), (a) (ii), (b) |
| s. 27B (1), (2) | s. 49 (a) |
| s. 27C (1), (2) | s. 50 (1), (1) (a), (b), (c), (2) (a), (b) |
| s. 27D (2) (b), (3) (a), (b) | s. 52 (1), (2), (4) |
| s. 28 (3), (4) (a), (b) | s. 54 |
| s. 33 (1), (1) (a), (b), (2), (4) (a), (5) (a), (b), (5a), (5a) (b), (5c), (6), (7) | s. 55 |
| s. 34 (1) (b), (1a) (a), (2) (a) | s. 56 (1) (b) |
| s. 35 (1), (2), (3) (b), (4), (5) (a), (b) | s. 58 (3) |
| s. 37 (1), (10), (12) | s. 59 (2) (a), (b), (3), (4), (5) |
| | s. 59A (1) |
| | s. 62 (1), (1) (b), (c), (2) |
| | s. 63 (1) (a) |
| | s. 65 (1) (b), (c), (2) (c), (d) |
| | s. 67 (1), (2), (3), (4) (b), (c) |

Schedule 1 *continued*

Various references to “local authorities” amended

In each place listed in the Table to this clause “local authorities” is deleted in each place where it occurs and the following is substituted —

“ local governments ”.

Table

s. 21 (3) (b)	s. 40 (1), (2)
s. 34 (1a) (a)	s. 42 (1), (2)
Heading to Division 1 of Part IV	s. 68 (1), (2), (2) (a), (b), (c) (iii), (3)

Busselton Cemetery Act 1944

Section 3 (1) and (2)

In each paragraph “Busselton Municipal Council” is deleted and the following is substituted —

“ Shire of Busselton ”.

Cambridge Endowment Lands Act 1920

Section 3

The definition of “road” is deleted and the following definition is substituted —

“
“**road**” means a thoroughfare as defined in section 1.4 of
the *Local Government Act 1995*;
”.

In the definition of “financial year”, “section 6” is deleted and the following is substituted —

“ section 1.4 ”.

Schedule 1 *continued*

Sections 7A (3), 45 and 46 (1) and (2)

In each provision “council of the” is deleted in each place where it occurs.

In section 46 (1), “of” is deleted where it occurs after “Perth or”.

Section 7A (5)

The definition of “budget deficiency” is deleted and the following definition is substituted —

“**“budget deficiency”** has the same meaning as in section 6.1 of the *Local Government Act 1995*.”

In the definition of “district”, “municipal district of the Town” is deleted and the following is substituted —

“ local government district ”.

Heading to Part VI

“**COUNCIL**” is deleted and the following is substituted —

“ **LOCAL GOVERNMENT** ”.

Section 40

“and in particular Part IX of that Act, the council of” is deleted.

Section 42

“In addition to the powers for making by-laws contained in the *Local Government Act 1960*, the council of the Town of Cambridge may make by-laws” is deleted and the following is substituted —

“ The Town of Cambridge may make local laws in accordance with subdivision 2 of Division 2 of Part 3 of the *Local Government Act 1995* ”.

Section 42 (2)

“by-law” is deleted and the following is substituted —

“ local law ”.

Schedule 1 *continued*

Sections 42 (3), 43 and 46 (1)

In each provision “by-laws” is deleted and the following is substituted —

“ local laws ”.

Various references to *Local Government Act 1960* amended

In each place listed in the Table to this clause “*Local Government Act 1960*” is deleted in each place where it occurs and the following is substituted —

“ *Local Government Act 1995* ”.

Table

s. 3 in the definition of “financial year”
s. 7 (2)
s. 40
s. 44

Various references to “council” amended

In each place listed in the Table to this clause “council” is deleted in each place where it occurs and the following is substituted —

“ local government ”.

Table

s. 7A (3), (3) (a), (b)
s. 42 (1) paragraphs (3), (6), (12), (13), (16), (17)
s. 43
s. 46 (3), (4)

Caravan Parks and Camping Grounds Act 1995

Section 5 (1)

The definitions of “district” and “local government” are deleted.

Schedule 1 *continued*

The following definition is inserted in the appropriate alphabetical position —

“**“district”** means an area that has been declared to be a district under the *Local Government Act 1995*, and in relation to a local government means the district of that local government;”.

In the definition of “Department”, “*Local Government Act 1960*” is deleted and the following is substituted —

“ *Local Government Act 1995* ”.

Section 25 (2) (a) (i)

“incorporated under section 733A of the *Local Government Act 1960*” is deleted and the following is substituted —

“ constituted under section 9.58 of the *Local Government Act 1995* ”.

Section 29 (1)

“by-laws for its district under Part VIII of the *Local Government Act 1960*” is deleted and the following is substituted —

“ local laws for its district under the *Local Government Act 1995* ”.

“by-laws” is deleted in the second place where it occurs and the following is substituted —

“ local laws ”.

Sections 29 (2) and (3) and 31 (1) and (2)

In each subsection “by-law” is deleted in each place where it occurs and the following is substituted —

“ local law ”.

In section 29 (3), “By-laws” is deleted and the following is substituted —

“ Local laws ”.

Schedule 1 *continued*

Clause 4 of Schedule 2

“*Local Government Act 1960*” is deleted and the following is substituted —

“ *Local Government (Miscellaneous Provisions) Act 1960* ”.

“Section 200 is repealed” is deleted.

***Carnarvon Banana Industry (Compensation
Trust Fund) Act 1961***

Long title

“**Shire**” is deleted and the following is substituted —

“ **local government district** ”.

Section 5

In the definition of “grower”, “district of the municipality of the Shire” is deleted and the following is substituted —

“ local government district ”.

Casino (Burswood Island) Agreement Act 1985

Section 3

The definition of “municipality” is deleted.

Sections 7 (2) and 8 (2)

In section 7 (2) (a) “*Local Government Act 1960*” is deleted in the first place where it occurs and the following is substituted —

“ *Local Government (Miscellaneous Provisions) Act 1960, the
Local Government Act 1995* ”.

Schedule 1 continued

In sections 7 (2) and 8 (2) (b), “council of the municipality within the district of” is deleted and the following is substituted —

“ local government of the district within ”.

In section 8 (2) (a) and (b), “*Local Government Act 1960*” is deleted and the following is substituted —

“ *Local Government Act 1995* ”.

Section 8 (5)

The definition of “street” is deleted and the following definition is substituted —

“ **“street”** means a thoroughfare as defined in section 1.4 of the *Local Government Act 1995*. ”.

Cemeteries Act 1986

Section 3 (1)

The definition of “local government authority” is deleted.

Section 6

“authority” is deleted in the second place where it occurs and the following is substituted —

“ local government ”.

Section 18 (1) (c)

“by-laws” is deleted and the following is substituted —

“ any local law or by-law ”.

Section 31 (1) and Clause 8 of Schedule 1

In each provision before “by-laws” the following is inserted —

“ local laws or ”.

Schedule 1 *continued*

Heading to Part VIII

“BY-LAWS” is deleted and the following is substituted —

“ **LOCAL LAWS** ”.

Section 54

Repealed and the following section is substituted —

“

Procedure for local laws and by-laws

54. (1) A Board that is a local government may make local laws in accordance with subdivision 2 of Division 2 of Part 3 of the *Local Government Act 1995* for the purposes specified in section 55.

(2) A Board that is not a local government may make by-laws for the purposes specified in section 55 and is to make them in accordance with subdivision 2 of Division 2 of Part 3 of the *Local Government Act 1995* as if the Board was a local government making local laws.

”.

Section 55 (1)

“Subject to this Part, a Board may, with the approval of the Governor, make by-laws” is deleted and the following is substituted —

“

A Board may make local laws or by-laws, as the case may be,

”.

Section 56

Repealed and the following sections are substituted —

“

Model local laws

56. (1) The Governor may cause to be prepared and published in the *Gazette* model local laws the provisions of which a local law or by-law made under this Act may adopt by reference, with or without modification.

Schedule 1 *continued*

(2) Model local laws have no effect except to the extent that they are adopted.

(3) The Governor may, by notice published in the *Gazette*, amend a model local law published under this section.

(4) An amendment to a model local law does not affect any local law or by-law that adopted the model local law before the amendment but the amendment may be adopted by a further local law or by-law.

Governor may amend or repeal local laws or by-laws

56A. (1) The Governor may make a local law to amend the text of, or repeal, a local law or by-law.

(2) Subsection (1) does not include the power to amend a local law or by-law to include in it a provision that bears no reasonable relationship to the local law or by-law as in force before the amendment.

(3) The Minister is to give a Board notice in writing of any local law that the Governor makes to amend the text of, or repeal, any of the Board's local laws or by-laws.

(4) A local law made under this section is to be taken, for all purposes, to be a local law or by-law made by the Board which made the local law or by-law that is amended or repealed.

(5) Section 3.17 of the *Local Government Act 1995* does not apply in relation to local laws made under this Act.

”.

Various references to “authority” deleted

In each place listed in the Table to this clause “authority” is deleted in each place where it occurs after “local government”.

Table

- s. 5 (1)
- s. 6
- s. 44 (3)

Schedule 1 *continued*

Various references to “by-law” amended

In each place listed in the Table to this clause before “by-law” in each place where it occurs the following is inserted —

“ local law or ”.

Table

s. 15 (2)
s. 20 (3)
s. 25 (3)
s. 30 (1)
s. 63 (1)

Children’s Court of Western Australia Act 1988

Section 32 (2) (a) (ii)

“authority, by an officer of the local government authority acting in the course of the officer’s” is deleted and the following is substituted —

“ , by an employee of the local government acting in the course of the employee’s ”.

Section 32 (4)

The definition of “local government authority” is deleted.

City of Perth Improvement Act 1913

Long title

“the Municipality of” is deleted.

“Municipal District” is deleted and the following is substituted —

“ district of Perth ”.

Schedule 1 *continued*

Section 2

“Council of the Municipality of the City of Perth may, in the name and on behalf of the Municipality,” is deleted and the following is substituted —

“ City of Perth may ”.

“Schedule hereto, and may pay the purchase price or the amount of compensation awarded and all costs incidental thereto, as the case may be, for all or any of such lands out of the Municipal Fund or out of the loan moneys borrowed (*inter alia*) for street extensions, pursuant to the Special Order made by the said Council on the nineteenth day of May, One thousand nine hundred and thirteen.” is deleted and the following is substituted —

“ Schedule. ”.

Section 3

“Council” is deleted in the first and second places where it occurs and the following is substituted —

“ City of Perth ”.

“The proceeds arising from the sale or sales shall be applied by the Council in the same manner and for the same purposes as the money borrowed under the said Special Order and to that extent shall be deemed portion of the loan raised under the said Special Order.” is deleted.

City of Perth (Leederville Park Lands) Act 1950

Section 3

“the Council of” is deleted.

“*Municipal Corporations Act*” is deleted and the following is substituted —

“ *Local Government Act 1995* ”.

Schedule 1 *continued*

City of Perth Parking Facilities Act 1956

Long title

“**the Council of**” is deleted.

“**the City of**” is deleted in the second place where it occurs .

“**Council**” is deleted in each other place where it occurs and the following is substituted —

“ **City of Perth** ”.

Section 2

In the heading for Part IV “BY-LAWS” is deleted and the following is substituted —

“ LOCAL LAWS ”.

Section 4

The definition of “the Council” is deleted and the following definition is substituted —

“ **“the City”** means the City of Perth; ”.

In the definitions of “the central business district” and “the district”, “of the City” is deleted.

Sections 5 (2) (a) and 20 (a) and (e)

In each paragraph “municipal district of the City of Perth” is deleted and the following is substituted —

“ district ”.

Section 6 (1) and (2)

In each subsection “*Municipal Corporations Act 1906*” is deleted and the following is substituted —

“ *Local Government Act 1995* ”.

Schedule 1 *continued*

Sections 7A (1), 8A (2) and 11B (1)

In section 7A (1) in the definition of “Minister” and in sections 8A (2) and 11B (1), “*Local Government Act 1960*” is deleted and the following is substituted —

“ *Local Government Act 1995* ”.

In section 8A (2) “Divisions 2 or 3 of Part XXVI” is deleted and the following is substituted —

“ sections 6.20 to 6.24 ”.

Section 8 (6)

“Part XXIV of the *Municipal Corporations Act 1906*, with the exception of sections four hundred and thirty-eight to four hundred and forty-two inclusive, sections four hundred and fifty to four hundred and fifty-six inclusive and sections four hundred and seventy-two and four hundred and seventy-three,” is deleted and the following is substituted —

“ sections 6.20 to 6.24 of the *Local Government Act 1995* ”.

“Part of that” is deleted.

Section 8A (1) (a)

Deleted and the following paragraph is substituted —

“
(a) with the approval of the Treasurer and the Minister, borrowing money in accordance with sections 6.20 to 6.24 of the *Local Government Act 1995* for the purposes of exercising the powers conferred on, and the performance of duties and obligations imposed on, the City under this Act;
”.

Sections 8A (1) (c) and 9 (1)

In each provision “Council’s” is deleted and the following is substituted —

“ City’s ”.

Heading to Part IV

“**BY-LAWS**” is deleted and the following is substituted —

“ **LOCAL LAWS** ”.

Schedule 1 *continued*

Section 21 (1)

“The Council may, with the approval of the Minister make by-laws — ”
is deleted and the following is substituted —

“
 The City may make local laws in accordance with
 subdivision 2 of Division 2 of Part 3 of the *Local
 Government Act 1995* —
”

Section 21 (3)

After paragraph (d) the following paragraph is inserted —

“
 (e) Sections 3.12 (3) and (4) and 3.13 of the *Local
 Government Act 1995* do not apply to local laws made
 under this subsection.
”

Section 21 (4)

Repealed.

Section 21A

After section 21 the following section is inserted —

“
 Governor may amend or repeal local laws

 21A. (1) The Governor may make a local law to amend
 the text of, or repeal, a local law.

 (2) Subsection (1) does not include the power to amend
 a local law to include in it a provision that bears no
 reasonable relationship to the local law as in force before
 the amendment.

 (3) The Minister is to give the City notice in writing of
 any local law that the Governor makes to amend the text
 of, or repeal, any of the City’s local laws.

 (4) A local law made under this section is to be taken,
 for all purposes, to be a local law made by the City.

 (5) Section 3.17 of the *Local Government Act 1995* does
 not apply in relation to local laws made under this Act.
”

Schedule 1 *continued*

Section 23 (2)

“Town Clerk” is deleted and the following is substituted —

“ chief executive officer ”.

Various references to “municipal” amended

In each place listed in the Table to this clause “municipal” is deleted in each place where it occurs and the following is substituted —

“ local government ”.

Table

- s. 4 in the definitions of “the central business district” and “the district”
- s. 7 (4)
- s. 11A (1) (a)
- s. 11B (1) (a), (6)

Various references to “by-law” amended

In each place listed in the Table to this clause “by-law” is deleted in each place where it occurs and the following is substituted —

“ local law ”.

Table

- s. 6 (2)
- s. 16 (2) (a)
- s. 21 (1) (l), (o), (t), (v), (2), (3) (a), (b), (c), (d), (d) (i), (ii)
- s. 23 (2), (2) (a), (b)
- s. 24A (1) (a)

Various references to “by-laws” amended

In each place listed in the Table to this clause “by-laws” is deleted in each place where it occurs and the following is substituted —

“ local laws ”.

Table

- s. 6 (1)
- s. 11 (1) (g)
- s. 21 (1), (1) (e), (j), (n), (t), (u) (ii)

Schedule 1 continued

Various references to “Council” amended

In each place listed in the Table to this clause “Council” is deleted in each place where it occurs and the following is substituted —

“ City ”.

Table

s. 3 (2) (b)	s. 12 (1), (2)
s. 4 in the definitions of “inspector” and “road”	s. 13
s. 6 (2)	s. 14
s. 7 (1), (2), (3), (3) (a), (ea), (g), (h), (ha), (j) (ii), (4)	s. 15 (1), (2), (3), (4), (5)
s. 7A (2), (3)	s. 15A (1), (2), (3)
s. 8 (1), (2), (3), (5) (a)	s. 15B (1), (2), (3), (4)
s. 8A (1), (1) (b), (c), (2)	s. 15C (1), (2) (a), (b), (3)
s. 9 (1)	s. 15D (1), (2)
s. 10	s. 15E (1), (3a)
s. 11 (1), (1) (a), (b) (i), (iii), (vi), (g), (j), (k), (2), (2) (c), (2a), (2b), (3a)	s. 16 (1) (a), (d), (3)
s. 11A (1)	s. 17 (1), (3)
s. 11B (1), (1) (a), (2), (3), (4), (5), (6), (7), (8), (9)	s. 19A (1) (a), (b)
s. 11C	s. 21 (1) (a), (f), (m), (n), (r), (s), (u), (3) (a), (b), (c), (d), (d) (i)
s. 11D, (a)	s. 23 (1), (1) (b), (c), (2) (b)
	s. 24
	s. 24A (1), (1) (a), (2)

City of Perth Restructuring Act 1993**Section 12**

Repealed and the following section is substituted —

“

Election of Mayor of City of Perth

12. The Mayor of the City of Perth is to be elected by the electors of the district of Perth under Part 4 of the *Local Government Act 1995* and sections 2.11 to 2.14 of that Act do not apply to the City of Perth.

”.

Schedule 1 *continued*

Section 12B (1)

In the definition of “subsequent election”, after “elections” the following is inserted —

“ but before 3 May 1997 ”.

Section 16 (2) (b)

“principal Act” is deleted and the following is substituted —

“ *Local Government Act 1995* ”.

Sections 16 (4)

After “payments to” the following is inserted —

“ the local government of ”.

Coal Miners' Welfare Act 1947

Section 17 (g)

“municipality, road board,” is deleted and the following is substituted —

“ local government, ”.

Companies (Co-operative) Act 1943

Section 28 (2) (ii)

After “ chartered ” the following is inserted —

“ or the words “local government” ”.

“municipality” is deleted and the following is substituted —

“ local government ”.

Section 368A (i) (c)

“City” is deleted and the following is substituted —

“ local government district ”.

Schedule 1 continued

Section 380 (1)

In the definition of “marketable security”, “of any municipal or other” is deleted and the following is substituted —

“ local government or of any ”.

Various references to “municipal” amended

In each place listed in the Table to this clause “municipal” is deleted in each place where it occurs and the following is substituted —

“ local government ”.

Table

s. 387 (1) (a) (i)
Forms B and C in the Sixth Schedule
Twelfth Schedule

Conservation and Land Management Act 1984

Section 3

The definition of “local authority” is deleted.

Section 14 (3) (a)

“each local authority whose district” is deleted and the following is substituted —

“ the local government of each district which ”.

Sections 16 (3) and 59 (2)

In each subsection “each local authority within whose district” is deleted and the following is substituted —

“ the local government of each district within which ”.

Schedule 1 *continued*

Section 22 (4)

“council of each municipality under the *Local Government Act 1960*, in whose district” is deleted and the following is substituted —

“ local government of each district in which ”.

Section 23 (1) (b) (v)

After “members of” the following is inserted —

“ the council of ”.

Section 108B

“*Local Government Act 1960*” is deleted and the following is substituted —

“ *Local Government (Miscellaneous Provisions) Act 1960* ”.

Section 108C (3) (b)

“municipal districts of the Shires” is deleted and the following is substituted —

“ local government districts ”.

Section 139 (1)

“*Local Government Act 1960*” is deleted and the following is substituted —

“ *Local Government Act 1995* ”.

“council of the municipality” is deleted and the following is substituted —

“ local government of the district ”.

Section 139 (2)

“council” is deleted in both places where it occurs and the following is substituted —

“ local government ”.

Schedule 1 *continued*

Section 140

“property” is deleted and the following is substituted —

“ land ”.

Various references to “local authority” amended

In each place listed in the Table to this clause “local authority” is deleted in each place where it occurs and the following is substituted —

“ local government ”.

Table

- s. 14 (3) (b)
- s. 16 (3) in the second place where it occurs, (4)
- s. 23 (1) (b) (v)
- s. 59 (2) in the second place where it occurs

Constitution Acts Amendment Act 1899

Part 3 of Schedule V

In the ninth item, “*Local Government Act 1960*” is deleted and the following is substituted —

“ *Local Government (Miscellaneous Provisions) Act 1960* ”.

“The Local Government Boundaries Commission constituted under the *Local Government Act 1960*” is deleted and the following item is substituted —

“
The Local Government Advisory Board established under
the *Local Government Act 1995*.
”.

The item commencing “The Municipal Clerks and Treasurers” is deleted and the following item is substituted —

“
The Municipal Building Surveyors Examination Committee
constituted under the *Local Government (Qualification of
Municipal Officers) Regulations 1961*.
”.

Schedule 1 *continued*

In the item commencing “Any water board”, “the council of a municipality” is deleted and the following is substituted —

“ a local government ”.

Construction Industry Portable Paid Long Service Leave Act 1985

Section 3 (1)

In the definition of “employer”, “council” is deleted and the following is substituted —

“ local government ”.

Sections 3 (4) (c) and 29A (1)

In section 3 (4) (c) and in section 29A (1) in paragraph (c) of the definition of “corresponding public employer in this State”, “council within the meaning of the *Local Government Act 1960*” is deleted and the following is substituted —

“ local government ”.

Consumer Affairs Act 1971

Section 23C (2)

After “regulation,” the following is inserted —

“ local law, ”.

Control of Vehicles (Off-road areas) Act 1978

Section 3 (1)

The definitions of “council”, “district”, “municipality” and “municipal district” are deleted.

Schedule 1 continued

The following definition is inserted in the appropriate alphabetical position —

“**“district”** means, in relation to a local government, the district of that local government plus any other areas which the Governor has declared, under section 5 (3), are to be regarded as being part of the district;”.

In the definition of “public authority”, “the council of a municipality” is deleted and the following is substituted —

“ a local government ”.

Sections 5 (3) and 19 (1) (b)

In each provision “municipal” is deleted in each place where it occurs.

Sections 13, 17 (3) (b) and 18 (7) (a)

In each provision “the council of any municipality” is deleted and the following is substituted —

“ any local government ”.

In section 18 (7) (a) (ii), “of which the inhabitants” is deleted and the following is substituted —

“ the inhabitants of whose district ”.

Section 19 (1) (a) (ii)

“municipality” is deleted and the following is substituted —

“ local government ”.

Sections 20 (4) and 37 (10)

In each subsection “by-laws” is deleted in each place where it occurs and the following is substituted —

“ local laws ”.

Section 26

“(including the council or any commissioner administering a municipality)” is deleted and the following is substituted —

“ (including any local government) ”.

Schedule 1 *continued*

Sections 37 (1), 47 (1) and 48 (4)

In each subsection “by-law” is deleted in each place where it occurs and the following is substituted —

“ local law ”.

Section 37 (3) (b) (i) and (ii)

In each subparagraph “clerk” is deleted and the following is substituted —

“ chief executive officer ”.

Section 38 (3)

“The council of a municipality” is deleted and the following is substituted —

“ A local government ”.

In paragraph (a) “officer” is deleted and the following is substituted —

“ employee ”.

In paragraph (b), “that council” is deleted and the following is substituted —

“ the council of that local government ”.

“the district of that municipality” is deleted and the following is substituted —

“ its district ”.

Sections 39 (1) (c) and 40

In section 39 (1) (c) in both places where it occurs and in section 40 in the first place where it occurs, “officer” is deleted and the following is substituted —

“ employee ”.

Schedule 1 continued

Sections 44 and 45

Repealed and the following sections are substituted —

“

Regulations to operate as local laws

44. (1) The Governor may make regulations that are to operate as if they were local laws for each district to which they apply.

(2) Regulations made under this section may deal with any matter in respect of which local laws may be made under this Act.

(3) Regulations under this section, other than those that only repeal or amend other regulations, are to contain a statement to the effect that they apply as if they were local laws.

(4) A local government is to administer any regulation made under this section to the extent that it relates to any place where the local government may perform functions, as if the regulation was a local law.

(5) If there is any inconsistency between a regulation made under this section and a local law, the regulation prevails to the extent of the inconsistency.

Local laws

45. A local government may make local laws —

- (a) for its district and any other area that is to be regarded, for the purposes of this Act, as being within that district;
- (b) in accordance with subdivision 2 of Division 2 of Part 3 of the *Local Government Act 1995*; and
- (c) for the purposes permitted by this Act.

Model local laws

45A. (1) The Governor may cause to be prepared and published in the *Gazette* model local laws the provisions of which a local law made under this Act may adopt by reference, with or without modification.

Schedule 1 *continued*

(2) Model local laws have no effect except to the extent that they are adopted.

(3) The Governor may, by notice published in the *Gazette*, amend a model local law published under this section.

(4) An amendment to a model local law does not affect any local law that adopted the model local law before the amendment but the amendment may be adopted by a further local law.

Governor may amend or repeal local laws

45B. (1) The Governor may make a local law to amend the text of, or repeal, a local law.

(2) Subsection (1) does not include the power to amend a local law to include in it a provision that bears no reasonable relationship to the local law as in force before the amendment.

(3) The Minister is to give a local government notice in writing of any local law that the Governor makes to amend the text of, or repeal, any of the local government's local laws.

(4) A local law made under this section is to be taken, for all purposes, to be a local law made by the local government which made the local law that is amended or repealed.

(5) Section 3.17 of the *Local Government Act 1995* does not apply in relation to local laws made under this Act.

Section 46 (1)

“uniform general by-law or other by-law” is deleted and the following is substituted —

“ regulation made under section 44 or local law ”.

Section 46 (2)

“uniform by-law or other by-law” is deleted and the following is substituted —

“ regulation made under section 44 or local law ”.

Schedule 1 continued

Section 46 (3)

“by-law” is deleted in the first place where it occurs and the following is substituted —

“ regulation made under section 44 or local law ”.

“by-law” is deleted in the second place where it occurs and the following is substituted —

“ regulation or local law ”.

Section 46 (4) and (5)

Repealed.

Various references to “*Local Government Act 1960*” amended

In each place listed in the Table to this clause “*Local Government Act 1960*” is deleted in each place where it occurs and the following is substituted —

“ *Local Government Act 1995* ”.

Table

s. 3 (1) in paragraph (a) of the definition of “Minister”
s. 5 (5)
s. 47 (1)

Various references to “council” amended

In each place listed in the Table to this clause “council” is deleted in each place where it occurs and the following is substituted —

“ local government ”.

Table

s. 5 (1), (2), (3), (5)	s. 39 (1) (c)
s. 19 (2)	s. 40
s. 37 (1), (3) (b) (i), (ii), (5)	s. 42 (1), (2), (2) (b), (c)
s. 38 (3), (3) (a), (b) in the first place where it occurs, (5), (15)	s. 47 (1)

Schedule 1 *continued*

Co-operative and Provident Societies Act 1903

Section 27 (d)

Deleted and the following paragraph is substituted —

“ (d) on securities of a local government; ”.

Coroners Act 1996

Section 38 (2)

“authority” is deleted.

Country Areas Water Supply Act 1947

Section 5 (1)

In the definition of “district”, “local authorities means a municipal district constituted under the *Local Government Act 1960*, and includes” is deleted and the following is substituted —

“ a local government means the district of that local government and ”.

In paragraph (b) of the definition of “farm land”, “has the meaning given to it in section 6 (1) of the *Local Government Act 1960*” is deleted and the following is substituted —

“ means an area that has been, or is to be regarded as having been, constituted a townsite, and given a name, under section 10 of the *Land Act 1933* ”.

Various references to “local authority” amended

In each place listed in the Table to this clause “local authority” is deleted in each place where it occurs and the following is substituted —

“ local government ”.

Schedule 1 continued

Table

s. 12	s. 39A (1)
s. 19	s. 99 in the paragraph
s. 33 (1) (da)	commencing "Fourthly"
s. 36	
s. 37 (4), (7), (8), (9), (10), (11), (13), (15)	

*Country Towns Sewerage Act 1948***Sections 3 (1) and 11 (3)**

In section 3 (1) in the definitions of "Local Government Act" and "water board" and in section 11 (3), "local authority" is deleted in each place where it occurs and the following is substituted —

" local government ".

Section 11 (1)

"local authority in whose district" is deleted and the following is substituted —

" local government of the district in which ".

Section 93

In the paragraph commencing "Thirdly" —

- (a) "Council of the Municipality and the Local Authority under the *Health Act 1911-1944*," is deleted and the following is substituted —

" local government "; and
- (b) in the first proviso "Branch, the Council of the Municipality and the Local Health Authority" is deleted and the following is substituted —

" Branch and the local government "; and
- (c) in the second proviso "the districts of two or more local authorities" is deleted and the following is substituted —

" 2 or more local government districts ".

Schedule 1 *continued*

Crimes (Confiscation of Profits) Act 1988

Section 28 (5)

“municipal” is deleted and the following is substituted —

“ local government ”.

=====

Criminal Code Act Compilation Act 1913

Section 3

After “statutory rules,” the following is inserted —

“ local laws, ”.

In subsection (1) after “statutory rule,” the following is inserted —

“ local law, ”.

=====

The Criminal Code

Section 1 (1)

In paragraph (d) of the definition of “public officer”, “municipality” is deleted and the following is substituted —

“ local government, council of a local government ”.

Section 65

“municipality, the mayor” is deleted and the following is substituted —

“
local government district, the mayor or president of the
local government
”.

Schedule 1 continued

Section 354 (6)

“local authority” is deleted and the following is substituted —

“
 local government, regional local government, council of a
 local government or regional local government
 ”.

Dairy Industry Act 1973

Section 8

After “regulations,” the following is inserted —

“ local laws, ”.

Dampier Port Authority Act 1985

Section 28 (2)

“the council of a municipality within the meaning of the *Local Government Act 1960*” is deleted and the following is substituted —

“ a local government ”.

Debits Tax Assessment Act 1990

Section 3 (1)

In paragraphs (a) (iv) and (vii) of the definition of “excluded debit” item (C) is deleted and the following item is substituted —

“ (C) a local government, ”.

Schedule 1 *continued*

Decimal Currency Act 1965

Various references to local law inserted

In each place listed in the Table to this clause after “rule” in each place where it occurs the following is inserted —

“ , local law ”.

Table

- s. 3 in the definition of “statutory instrument” and paragraph (b) of the definition of “law of the State”
- s. 8 (3)
- s. 12 (4)

Declarations and Attestations Act 1913

Clauses 1 and 2 of the Schedule

Deleted and the following clauses are substituted —

- “
1. The chief executive officer or deputy chief executive officer of a local government.
 2. A member of the council of a local government.
- ”.

Dental Act 1939

Section 55 (1) (a) (ii)

“authority” is deleted.

Schedule 1 *continued*

District Court of Western Australia Act 1969

Section 5 (1) and (5)

In each subsection after “rule,” the following is inserted —

“ local law, ”.

Dividing Fences Act 1961

Section 3

“*Local Government Act 1960*” is deleted and the following is substituted —

“ *Local Government Act 1995* ”.

Section 5

In the definition of “sufficient fence” paragraph (a) is deleted and the following paragraph is substituted —

“
(a) any fence prescribed by a local law as a sufficient fence for the part of the local government district in which the dividing fence or boundary fence is, or is to be, erected;
”.

Sections 5, 9 (3) and 15 (5b)

In each provision —

(a) “by-law” is deleted in each place where it occurs and the following is substituted —

“ local law ”; and

(b) “municipality” is deleted and the following is substituted —

“ local government ”.

Schedule 1 *continued*

Section 11 (6)

“clerk of the council of the municipality” is deleted and the following is substituted —

“ chief executive officer of the local government ”.

Section 11 (7)

Repealed.

Section 24

Repealed and the following section is substituted —

“
**Local government may be required to prescribe
“sufficient fence”**

24. A local government shall, when required by the Minister so to do, make a local law prescribing what constitutes a sufficient fence for the purpose of the definition of “sufficient fence” in section 5.

”.

Dog Act 1976

Section 3 (1)

The definition of “council” is deleted.

In the definition of “district”, “, the inhabitants of which area are a municipality” is deleted and the following is substituted —

“ that has been declared to be a district ”.

In the definition of “townsite” —

(a) after paragraph (b) the following is inserted —

“ and ”;

(b) paragraph (c) and the “and” after paragraph (c) are deleted;
and

Schedule 1 *continued*

(c) in paragraph (d), “the district of” is deleted.

Section 8 (1)

After “regulation” the following is inserted —

“ , local law ”.

Section 10 (3)

Repealed.

Sections 11 (2) and 12 (2)

In each subsection “councils” is deleted in each place where it occurs and the following is substituted —

“ local governments ”.

In section 11 (2), “328” is deleted and the following is substituted —

“ 3.68 ”.

Sections 26 (2), 27 (3) and 51

In each provision “by-laws” is deleted in each place where it occurs and the following is substituted —

“ local laws ”.

Sections 30 (3) (f) and 31 (2) (e)

In each paragraph “of the municipality” is deleted.

Section 44 (2) (b) and (3)

In each provision “officer” is deleted in each place where it occurs and the following is substituted —

“ employee ”.

Schedule 1 *continued*

Section 45A (2)

Repealed and the following subsection is substituted —

“

(2) Regulations made under section 48 or local laws may provide for a modified penalty for an offence against those regulations or local laws.

”.

Heading to Part IX

“**BY-LAWS**” is deleted and the following is substituted —

“ **LOCAL LAWS** ”.

Sections 48 and 49

Repealed and the following sections are substituted —

“

Regulations to operate as local laws

48. (1) The Governor may make regulations that are to operate as if they were local laws for each district to which they apply.

(2) Regulations made under this section may deal with any matter in respect of which local laws may be made under this Act.

(3) Regulations under this section, other than those that only repeal or amend other regulations, are to contain a statement to the effect that they apply as if they were local laws.

(4) A local government is to administer any regulation made under this section to the extent that it relates to any place where the local government may perform functions, as if the regulation was a local law.

(5) Unless a contrary intention appears, a reference to an offence against a local law includes a reference to an offence against a regulation made under this section.

(6) If there is any inconsistency between a regulation made under this section and a local law, the regulation prevails to the extent of the inconsistency.

Schedule 1 continued

Local laws

- 49.** A local government may make local laws —
- (a) for its district and any other area that is to be regarded, for the purposes of this Act, as being within that district;
 - (b) in accordance with subdivision 2 of Division 2 of Part 3 of the *Local Government Act 1995*; and
 - (c) for the purposes permitted by section 51.

Model local laws

49A. (1) The Governor may cause to be prepared and published in the *Gazette* model local laws the provisions of which a local law made under this Act may adopt by reference, with or without modification.

(2) Model local laws have no effect except to the extent that they are adopted.

(3) The Governor may, by notice published in the *Gazette*, amend a model local law published under this section.

(4) An amendment to a model local law does not affect any local law that adopted the model local law before the amendment but the amendment may be adopted by a further local law.

Governor may amend or repeal local laws

49B. (1) The Governor may make a local law to amend the text of, or repeal, a local law.

(2) Subsection (1) does not include the power to amend a local law to include in it a provision that bears no reasonable relationship to the local law as in force before the amendment.

(3) The Minister is to give a local government notice in writing of any local law that the Governor makes to amend the text of, or repeal, any of the local government's local laws.

(4) A local law made under this section is to be taken, for all purposes, to be a local law made by the local

Schedule 1 *continued*

government which made the local law that is amended or repealed.

(5) Section 3.17 of the *Local Government Act 1995* does not apply in relation to local laws made under this Act.

”.

Section 50 (1)

“uniform general by-law or other by-law” is deleted and the following is substituted —

“ regulation made under section 48 or local law ”.

Section 50 (2)

“uniform by-law or other by-law” is deleted and the following is substituted —

“ regulation made under section 48 or local law ”.

Section 50 (3)

“by-law” is deleted in the first place where it occurs and the following is substituted —

“ regulation made under section 48 or local law ”.

“by-law” is deleted in the second place where it occurs and the following is substituted —

“ regulation or local law ”.

Section 50 (4) and (5)

Repealed.

Various references to “*Local Government Act 1960*” amended

In each place listed in the Table to this clause “*Local Government Act 1960*” is deleted in each place where it occurs and the following is substituted —

“ *Local Government Act 1995* ”.

 Schedule 1 *continued*

Table

- s. 3 (1) in the definition of “district” and paragraph (d) of the definition of “townsite”
- s. 11 (1), (2)
- s. 52 (1)
- s. 54 (2)

Various references to “by-law” amended

In each place listed in the Table to this clause “by-law” is deleted in each place where it occurs and the following is substituted —

“ local law ”.

Table

- s. 26 (3), (4), (5) (a)
- s. 50 (1) (a)
- s. 52 (1)
- s. 54 (2), (3)

Various references to “council” amended

In each place listed in the Table to this clause “council” is deleted in each place where it occurs and the following is substituted —

“ local government ”.

Table

- | | |
|--|---|
| s. 3 (1) in the definition of “registration officer”, (2) | s. 27 (1), (4), (5), (7), (7) (a) |
| s. 9 | s. 29 (1), (5), (5) (b), (6), (7), (11), (14) |
| s. 10A (1), (2), (3), (3) (a), (b), (c) | s. 30 (3) (f) |
| s. 11 (1), (3) | s. 31 (2) (a), (e) |
| s. 13 | s. 32 (1) (a), (5) |
| s. 14 (1), (2), (3), (4) | s. 36 (2), (3) |
| s. 16 (1), (2), (2) (b), (3), (3) (b), (c), (3a) (a), (b), (4) | s. 38 (3) |
| s. 16A (1), (2) (a), (3) | s. 40 (1) (f), (4) |
| s. 17 (1), (2), (3), (4) | s. 44 (2) (b), (3) |
| s. 19 | s. 45A (4) |
| s. 20 (2) | s. 50 (1) (a) |
| s. 26 (2), (3), (5), (5) (b) | s. 51, (bb) |
| | s. 52 (1) |
| | s. 53 (4) |

Schedule 1 *continued*

East Perth Redevelopment Act 1991

Section 3

The definition of “local government authority” is deleted.

Section 12

Repealed.

Sections 19 (2) (d) and 24 (2) (f)

In each paragraph “authority” is deleted where it occurs after “local government”.

Section 23

“*Local Government Act 1960*” is deleted and the following is substituted —

“ *Local Government (Miscellaneous Provisions) Act 1960* ”.

“ “council” ” is deleted and the following is substituted —

“ “local government” ”.

Section 29 (3) (b)

“that council” is deleted and the following is substituted —

“ the City of Perth ”.

Section 30 (2) (b)

“City” is deleted and the following is substituted —

“ local government district ”.

Section 48 (1) (b)

“local authority” is deleted and the following is substituted —

“ local government ”.

Schedule 1 *continued*

Various references to “the council of” deleted

In each place listed in the Table to this clause “the council of” is deleted in each place where it occurs.

Table

s. 4 (2)
s. 23 (b)
s. 29 (3) (a)
s. 42 (1) (b) , (2)
s. 43 (6)

Eastern Goldfields Transport Board Act 1984

Section 3 (3) (c)

“(as defined in section 67 (6) of the *Local Government Act 1960*)” is deleted.

Section 3 (4)

After section 3 (3) the following subsection is inserted —

“

(4) In subsection (3) —

“**association**” means a body of 10 or more persons, whether incorporated or not, which is formed for purposes other than securing pecuniary profit to its members and having for its objects social, sporting, religious, educational, literary, musical, scientific, agricultural, horticultural or other like activities or the welfare of its members.

”.

Sections 10 (2) and 29

In each provision “municipal council of the” is deleted in each place where it occurs.

In section 10 (2), “councils” is deleted and the following is substituted —

“ local governments ”.

Schedule 1 *continued*

In section 29 “of” is deleted where it occurs before “the Shire”.

Section 18 (1) (a)

Subparagraph (i) is deleted and the following subparagraph is substituted —

“
 (i) the local government district of Kalgoorlie-Boulder
 and any adjoining district;
”.

In subparagraph (ii), “municipal” is deleted and the following is substituted —

“ local government ”.

Section 35

Repealed and the following section is substituted —

“
 Board not subject to rates
 35. All land owned by the Board is exempt from rates
 under the *Local Government Act 1995*.
”.

Education Act 1928

Section 6A (1), (2) and (3) (b)

In each provision “municipality” is deleted and the following is substituted —

“ local government ”.

In section 6A (1), “constituted under the *Local Government Act 1960*” is deleted.

Schedule 1 continued

Electoral Act 1907

Section 4 (1)

The definition of “local governing body” is deleted.

Section 35

“local governing body” is deleted and the following is substituted —

“ local government ”.

Section 44 (2) and (3)

In each subsection “municipal” is deleted and the following is substituted —

“ local government ”.

Section 100 (3)

“municipal district of the City” is deleted and the following is substituted —

“ local government district ”.

Section 109

“municipality” is deleted and the following is substituted —

“ local government ”.

Electricity Act 1945

Section 2

In the heading for Part IV “AND BY-LAWS” is deleted.

Section 5 (1)

The definition of “local authority” is deleted.

Schedule 1 *continued*

Section 6 (3)

Repealed.

Section 20 (1)

“and by-laws” is deleted.

Heading to Part IV

“AND BY-LAWS” is deleted.

Sections 32 (1) (k) and 40 (3)

In each provision “or by-laws” is deleted.

Section 33

Repealed.

Various references to “local authority” amended

In each place listed in the Table to this clause “local authority” is deleted in each place where it occurs and the following is substituted —

“ local government ”.

Table

s. 5 (1) in the definitions of “concessionaire” and “supply authority”	s. 14
s. 8 (2)	s. 15 (2)
s. 9 (1), (1) (a), (b), (c) (i)	s. 16 (1), (2), (3)
s. 10 (1), (2)	s. 17 (2)
s. 12 (1), (2)	s. 32 (2)
	s. 46 (1)

Various references to “local authorities” amended

In each place listed in the Table to this clause “local authorities” is deleted in each place where it occurs and the following is substituted —

“ local governments ”.

Schedule 1 *continued*

Table

s. 15 (1), (2), (3), (5), (6)
s. 17 (1)
s. 32 (2)

Energy Corporations (Powers) Act 1979

Section 4 (1)

The definition of “local authority” is deleted.

Section 6 (2) (b)

“*Local Government Act 1960*” is deleted and the following is substituted —

“ *Local Government Act 1995* ”.

Section 55 (a) and (b)

In each paragraph after “local” in the first place where it occurs the following is inserted —

“ government ”.

Various references to “local authority” amended

In each place listed in the Table to this clause “local authority” is deleted in each place where it occurs and the following is substituted —

“ local government ”.

Table

s. 4 (1) in the definition of “concessionaire”
s. 6 (2), (2) (b), (3)
s. 45 (15)
s. 54 (3)

Schedule 1 *continued*

Environmental Protection Act 1986

Section 3 (1)

In the definition of “public authority”, “council of a municipality within the meaning of the *Local Government Act 1960*” is deleted and the following is substituted —

“ local government ”.

Section 26 (d) (ii)

“district or districts within the meaning of the *Local Government Act 1960*” is deleted and the following is substituted —

“ local government district or districts ”.

Sections 26 (f), 28 (a) and 32 (1) (a) (iii)

In each provision “council or councils” is deleted and the following is substituted —

“ local government or local governments ”.

Section 123 (3) (a)

After “regulations,” the following is inserted —

“ local laws, ”.

Equal Opportunity Act 1984

Section 4 (1)

In paragraphs (b) and (c) (ii) of the definition of “Western Australian law”, after “rule” the following is inserted —

“ , local law ”.

Schedule 1 *continued*

Esperance Port Authority Act 1968

Section 22 (2)

“municipal council under the *Local Government Act 1960*” is deleted and the following is substituted —

“ local government ”.

Evidence Act 1906

Section 73K (3) (b)

“the council of a municipality” is deleted and the following is substituted —

“ a local government ”.

Section 78

Before “by-laws” in each place where it occurs the following is inserted —

“ local laws, ”.

Section 119 (1) and (4)

In subsection (1) in the definition of “public official” and in subsection (4), “municipality within the meaning of the *Local Government Act 1960*” is deleted and the following is substituted —

“ local government ”.

Exotic Diseases of Animals Act 1993

Section 13 (1) (j)

“local authority” is deleted and the following is substituted —

“ local government ”.

Schedule 1 *continued*

Explosives and Dangerous Goods Act 1961

Sections 6 (1) and 51 (1) and (2)

In each subsection after “any regulation” the following is inserted —

“ , local law ”.

Section 6 (4)

“by-law” is deleted and the following is substituted —

“ local law ”.

“local authority under or pursuant to the provisions of the *Municipal Corporations Act 1906*, the *Road Districts Act 1919*, or the *Local Government Act 1960*” is deleted and the following is substituted —

“ local government under the *Local Government Act 1995* ”.

Section 7 (1)

The definition of “local authority” is deleted and the following definition is substituted —

“**local government**” means a local government or any person exercising the powers of a local government under the *Health Act 1911*;

”.

Section 46 (1) and (2)

In each subsection “local authority” is deleted and the following is substituted —

“ local government ”.

In section 46 (1), “apply such of its ordinary revenue as it may deem necessary and may make by-laws” is deleted and the following is substituted —

“ make local laws ”.

Schedule 1 *continued*

Section 62 (2) (o)

“local authorities” is deleted and the following is substituted —

“ local governments ”.

=====

Fair Trading Act 1987

Section 5 (1)

In the definition of “public authority”, “or local authority” is deleted and the following is substituted —

“ authority or local government ”.

=====

Financial Administration and Audit Act 1985

Section 73 (b)

“, public or local authority” is deleted and the following is substituted —

“ or public authority or local government ”.

=====

Financial Institutions Duty Act 1983

Section 3 (1)

The definition of “municipality” is deleted.

The following definition is inserted in the appropriate alphabetical position —

“
“**local government**” means a local government or a regional local government;
”.

Schedule 1 *continued*

Section 18 (1)

“The council of a municipality or an association comprised solely of municipalities or councils of municipalities” is deleted and the following is substituted —

“
 A local government or an association comprised solely of
 local governments
 ”.

“municipality” is deleted in the second place where it occurs and the following is substituted —

“ local government ”.

Section 18 (2)

“the council of a municipality” is deleted and the following is substituted —

“ a local government ”.

Section 18 (3)

“municipalities or councils of municipalities” is deleted and the following is substituted —

“ local governments ”.

Fire Brigades Act 1942

Section 4 (1)

The definition of “local authority” is deleted.

Section 5 (1) and (4)

In each subsection “municipal” is deleted and the following is substituted —

“ local government ”.

Schedule 1 *continued*

Section 5 (2)

Paragraphs (a) and (b) are deleted and the following paragraph is substituted —

“ (a) constitute as a fire district all or part of a district under the *Local Government Act 1995* which is not a fire district under subsection (1); ”.

In paragraph (g), “local authority” is deleted and the following is substituted —

“ local government district ”.

Section 7

In paragraph (c), “council of the” is deleted.

In paragraphs (d), (e) and (f), “councils of the municipal districts, or portions of municipal districts” is deleted and the following is substituted —

“ local governments of the districts, or parts of districts, ”.

Section 15 (1) (b)

“municipality” is deleted in both places where it occurs and the following is substituted —

“ local government ”.

Section 33A (1) (a) and (15)

In section 33A (1) (a) and (15) in the definition of “alleviation”, after “rule,” in each place where it occurs the following is inserted —

“ local law, ”.

Section 38 (1) (b)

“*Local Government Act 1960*” is deleted and the following is substituted —

“ *Local Government Act 1995* ”.

Schedule 1 *continued*

Section 38 (2)

“the municipal districts of several local authorities” is deleted and the following is substituted —

“ several local government districts ”.

“local authority’s” is deleted and the following is substituted —

“ local government ”.

Second Schedule

In the heading to the columns, “Municipal” is deleted and the following is substituted —

“ Local Government ”.

In Part IV —

(a) “Town of Albany” is deleted and the following is substituted —

“ Albany (Town) ”;

(b) “Town of Narrogin” is deleted and the following is substituted —

“ Narrogin (Town) ”;

(c) “Town of Northam” is deleted and the following is substituted —

“ Northam (Town) ”; and

(d) “Shire of Northam” is deleted and the following is substituted —

“ Northam (Shire) ”.

“Shire of”, “Town of” and “City of” are deleted in each other place where they occur in the Second Schedule.

Various references to “local authority” amended

In each place listed in the Table to this clause “local authority” is deleted in each place where it occurs and the following is substituted —

“ local government ”.

Schedule 1 *continued*

Table

s. 24 (2)
s. 27 (1), (2)
s. 38 (1), (1) (b)
s. 43 (1), (2)
s. 54 (3) (f), the table to (g) (i), (g) (ii)

Various references to “local authorities” amended

In each place listed in the Table to this clause “local authorities” is deleted in each place where it occurs and the following is substituted —

“ local governments ”.

Table

s. 5 (5)	s. 38 (1), (2)
s. 27 (1)	s. 46 (8)
s. 35 (u)	Clause 3 of the Fourth Schedule
s. 37 (1) (b), (2)	

Fish Resources Management Act 1994

Section 4 (1)

In paragraph (b) of the definition of “premises”, “municipality or regional council” is deleted and the following is substituted —

“ local government or regional local government ”.

Forrest Place and City Station Development Act 1985

Section 3

The definition of “the City” is deleted and the following definition is substituted —

“ **“the City”** means the City of Perth; ”.

Schedule 1 *continued*

Section 11 (1), (2) and (3)

In each subsection “*Local Government Act 1960*” is deleted and the following is substituted —

“ *Local Government (Miscellaneous Provisions) Act 1960* ”.

In subsection (1) —

- (a) “municipal” is deleted; and
- (b) “town clerk” is deleted and the following is substituted —
“ chief executive officer ”.

Section 11 (4)

Repealed and the following subsection is substituted —

“
(4) In this section —
“**public place**” means any place the public is allowed to use, including a street, a way, an alley or a court, whether or not the place is private property;
“**street**” means a thoroughfare as defined in section 1.4 of the *Local Government Act 1995*.
”.

Section 14

“section 266 of the *Local Government Act 1960*” is deleted and the following is substituted —

“ sections 3.58 and 3.59 of the *Local Government Act 1995* ”.

Sections 15 (3) and 18 (2)

Repealed.

Section 17

“section 274 of the *Local Government Act 1960*” is deleted and the following is substituted —

“ section 3.57 of the *Local Government Act 1995* ”.

Schedule 1 *continued*

Section 18 (1) (b)

“officer” is deleted and the following is substituted —

“ employee ”.

Freedom of Information Act 1992

Glossary

In the definition of “principal officer” paragraphs (c) and (d) are deleted and the following paragraphs are substituted —

- “
- (c) in relation to a local government — the chief executive officer of the local government;
 - (d) in relation to a regional local government — the chief executive officer of the regional local government; ”.

In the definition of “public body or office” paragraph (d) is deleted and the following paragraph is substituted —

- “ (d) a local government or a regional local government; ”.

Fremantle Port Authority Act 1902

Section 1A (3) (b) and (c)

In each paragraph after “rules” the following is inserted —

“ , local laws ”.

Section 23

“local authority” is deleted in both places where it occurs and the following is substituted —

“ local government ”.

Schedule 1 *continued*

Section 68

Repealed and the following section is substituted —

“
Local government may make local laws
68. The local government of a district having a boundary contiguous to the port may, with the approval of the Port Authority, make local laws under the *Local Government Act 1995* which have effect within the port.
”

Friendly Societies Act 1894

Section 12 (4) (b)

“debentures or other securities of the corporation of any municipality” is deleted and the following is substituted —

“ securities of any local government ”.

Section 15 (1) (d)

Deleted and the following paragraph is substituted —

“ (d) On securities of a local government. ”.

Section 25 (11) (e)

“municipal” is deleted and the following is substituted —

“ local government ”.

Fuel, Energy and Power Resources Act 1972

Section 41 (1)

After “rule” the following is inserted —

“ , local law ”.

Schedule 1 *continued*

Section 53 (1)

“local authority” and “authority” are deleted in each place where they occur and the following is substituted —

“ local government ”.

Gaming Commission Act 1987

Section 3 (1)

The definition of “local authority” is deleted.

Section 19 (1)

“municipal council or any commissioner exercising the powers of a municipal council” is deleted and the following is substituted —

“ local government ”.

Section 21 (2) and (4) (b)

In each provision “local authority” is deleted and the following is substituted —

“ local government ”.

In subsection (2), “officer of that authority” is deleted and the following is substituted —

“ employee of that local government ”.

Section 55 (3) (a)

“local authority for” is deleted and the following is substituted —

“ local government of ”.

“*Local Government Act 1960*” is deleted and the following is substituted —

“ *Local Government Act 1995* ”.

Schedule 1 *continued*

Gas Standards Act 1972

Section 4

The definition of “council” is deleted.

In the definition of “undertaker”, “council” is deleted and the following is substituted —

“ local government, regional local government ”.

Gas Undertakings Act 1947

Section 2 (1)

The definition of “local authority” is deleted

Section 17 (3)

After “regulation” the following is inserted —

“ , local law ”.

Various references to “local authority” amended

In each place listed in the Table to this clause “local authority” is deleted in each place where it occurs and the following is substituted —

“ local government ”.

Table

s. 2 (1) in the definition of “gas undertaker”
s. 2A (1), (2)
s. 23

Schedule 1 *continued*

Geraldton Foreshore and Marina Development Act 1990

Section 11 (2)

“*Local Government Act 1960*” is deleted and the following is substituted —

“ *Local Government (Miscellaneous Provisions) Act 1960* ”.

Geraldton Port Authority Act 1968

Section 22 (2)

“municipal council under the *Local Government Act 1960*,” is deleted and the following is substituted —

“ local government ”.

Geraldton Sailors and Soldiers’ Memorial Institute Act 1929

Section 4 (2)

“municipality” is deleted and the following is substituted —

“ City ”.

Section 4 (3)

Repealed and the following subsection is substituted —

“
(3) Two of the trustees shall be ratepayers from Geraldton elected by the City of Geraldton which may at any time replace either or both of those trustees.”.

Section 4 (5)

“council” is deleted in both places where it occurs and the following is substituted —

“ local government ”.

Schedule 1 *continued*

Section 11

“council of the said municipality” is deleted and the following is substituted —

“ City of Geraldton ”.

“town clerk” is deleted and the following is substituted —

“ City’s chief executive officer ”.

Government Railways Act 1904

Section 18 (3) and (6)

In each subsection “local authority” is deleted and the following is substituted —

“ local government ”.

Section 53

“the *Cattle Trespass, Fencing and Impounding Act 1882-1932*” is deleted and the following is substituted —

“ Part XX of the *Local Government (Miscellaneous Provisions) Act 1960* ”.

Section 85 (1)

In the definition of “Owner”, “authority in whose district” is deleted and the following is substituted —

“ of the district in which ”.

Section 88

“88. No” is deleted and the following is substituted —

“ 88. (1) Subject to subsection (2), no ”.

Schedule 1 *continued*

After subsection (1) the following subsection is inserted —

“
 (2) Land leased under section 63 is rateable land for the purposes of the *Local Government Act 1995* except when it is leased to Co-operative Bulk Handling Limited.
”.

Hale School Act 1876

Section 12

“*Road Districts Act 1919*” is deleted and the following is substituted —

“ *Local Government Act 1995* ”.

Health Act 1911

Section 3 (1)

The definitions of “By-law”, “District”, “Local Authority”, “Local fund”, “Local governing Act”, “Municipal district” and “Road district” are deleted.

The following definitions are inserted in the appropriate alphabetical positions —

“
 “**District**” means an area that has been declared to be a district under the *Local Government Act 1995* plus any place under the control of the local government which is outside the boundaries of the district;
”;

“
 “**Municipal fund**” means the municipal fund of the local government established under section 6.6 of the *Local Government Act 1995*;
”.

Section 5 (1)

“any municipal council or road boards constituting” is deleted.

Schedule 1 *continued*

Sections 22 (1) and 247A (4) (c)

In each provision “council” is deleted in each place where it occurs and the following is substituted —

“ local government ”.

Sections 22 (1) and 143 (1) and (2)

In each subsection “municipal” is deleted in each place where it occurs.

Section 22 (2)

After “council” the following is inserted —

“ of the local government ”.

Section 41

In the second proviso “rate book” is deleted and the following is substituted —

“ rate record ”.

Section 44 (1)

In paragraph (a) —

- (a) “, with the approval of the Governor,” is deleted;
- (b) the colon after “Act” is deleted and a full stop is substituted; and
- (c) both provisos are deleted.

Paragraph (b) is deleted.

Section 46 (2)

“rate-book” is deleted and the following is substituted —

“ rate record ”.

Section 49 (1)

Repealed.

Schedule 1 *continued*

Section 134

“The local authority may, and when the Executive Director, Public Health so requires shall, make by-laws with respect to any of the following matters:-” is deleted and the following is substituted —

“
Local laws may be made in accordance with Part XIV for all
or any of the following purposes — ”.

Section 158

“The local authority may, of its own motion, and shall when the Executive Director, Public Health so requires, make by-laws with respect to all or any of the following matters:-” is deleted and the following is substituted —

“
Local laws may be made in accordance with Part XIV for all
or any of the following purposes — ”.

Section 161

In paragraphs (a) and (b), “health district of the City” is deleted and the following is substituted —

“ district ”.

In paragraph (c), “the health district of any other local authority, within the meaning of this Act,” is deleted and the following is substituted —

“ any other district ”.

Section 172

“A local authority may of its own motion, and shall if the Executive Director, Public Health so directs, make by-laws for the purpose of this Division of this Part with respect to all or any of the following matters:-” is deleted and the following is substituted —

“
Local laws may be made in accordance with Part XIV for all
or any of the following purposes — ”.

Schedule 1 *continued*

Section 175

“*Local Government Act 1960*” is deleted and the following is substituted —

“
 Local Government Act 1995 and the *Local Government
 (Miscellaneous Provisions) Act 1960*”.

“that Act” is deleted in each place where it occurs and the following is substituted —

“ those Acts”.

Section 176 (5)

“*Local Government Act 1960*” is deleted and the following is substituted —

“ *Local Government (Miscellaneous Provisions) Act 1960*”.

Section 190

Repealed and the following section is substituted —

“
 Local laws regulating offensive trades
 190. Local laws may be made in accordance with
 Part XIV to regulate the conditions on which offensive
 trades may be carried on in order to prevent or diminish
 the offensiveness of the trades and to safeguard the public
 health.”.

Section 199

“A local authority may, of its own motion, and shall, when the Executive Director, Public Health so requires, make by-laws with respect to all or any of the following matters, namely:-” is deleted and the following is substituted —

“
 Local laws may be made in accordance with Part XIV for all
 or any of the following purposes —”.

Schedule 1 *continued*

Sections 207 (1) and 220 (1)

In each subsection “a local authority may make by-laws under section 342 —” is deleted and the following is substituted —

“
Local laws may be made in accordance with Part XIV (other than section 342 (1) (b)) for all or any of the following purposes —
”.

Section 207 (3)

“a local authority may make by-laws under section 342 with respect to —” is deleted and the following is substituted —

“
Local laws may be made in accordance with Part XIV (other than section 342 (1) (b)) for all or any of the following purposes —
”.

Section 220 (2)

“under section 342 as read with” is deleted and the following is substituted —

“ in accordance with ”

Section 246ZZ (1) (d) and (f)

In each paragraph “town clerk or shire clerk” is deleted and the following is substituted —

“ chief executive officer ”.

Section 249

“For the purposes of preventing or checking the spread of infectious disease, the local authority may, from time to time, of its own motion, and shall, when the Executive Director, Public Health so requires, make by-laws -” is deleted and the following is substituted —

“
Local laws may be made in accordance with Part XIV in relation to all or any of the following matters for the

Schedule 1 *continued*

purpose of preventing or controlling the spread of an
infectious disease —

”.

Section 330B (1) and (3)

In each subsection “municipality” is deleted and the following is
substituted —

“ district, ”.

Sections 342 and 343

Repealed and the following sections are substituted —

“

Local laws

342. (1) Every local government —

- (a) may, if the Executive Director, Public Health
consents; and
- (b) shall, if the Commissioner or the Executive
Director, Public Health so directs,

make local laws in accordance with subdivision 2 of
Division 2 of Part 3 of the *Local Government Act 1995* for
the purposes specified in this Act or generally for carrying
into effect the provisions of this Act.

(2) A local government shall repeal, amend or suspend
the operation of a local law if directed to do so by the
Commissioner or the Executive Director, Public Health.

(3) Sections 3.14 and 3.17 of the *Local Government
Act 1995* do not apply in relation to local laws made under
this Act.

(4) Sections 3.12 (3) and (4) and 3.13 of the *Local
Government Act 1995* do not apply if a local government is
acting on the direction of the Commissioner or the
Executive Director, Public Health under subsection (1) (b)
or (2).

(5) A local law made under this section is inoperative
to the extent that it is inconsistent with this Act or a
regulation (including a regulation made under
section 343A) made under this Act.

Schedule 1 continued

Model local laws

343. (1) The Governor may cause to be prepared and published in the *Gazette* model local laws the provisions of which a local law made under this Act may adopt by reference, with or without modification.

(2) Model local laws have no effect except to the extent that they are adopted.

(3) The Governor may, by notice published in the *Gazette*, amend a model local law published under this section.

(4) An amendment to a model local law does not affect any local law that adopted the model local law before the amendment but the amendment may be adopted by a further local law.

Regulations to operate as local laws

343A. (1) The Governor may make regulations that are to operate as if they were local laws for each district to which they apply.

(2) Regulations made under this section may deal with any matter in respect of which local laws may be made under this Act.

(3) Regulations under this section, other than those that only repeal or amend other regulations, are to contain a statement to the effect that they apply as if they were local laws.

(4) A local government is to administer any regulation made under this section to the extent that it relates to any place where the local government may perform functions, as if the regulation was a local law.

(5) Unless a contrary intention appears, a reference to an offence against a local law includes a reference to an offence against a regulation made under this section.

(6) A regulation made under this section is inoperative to the extent that it is inconsistent with this Act or a regulation made under this Act (other than this section).

Schedule 1 *continued*

Governor may amend or repeal local laws

343B. (1) The Governor may make a local law to amend the text of, or repeal, a local law.

(2) Subsection (1) does not include the power to amend a local law to include in it a provision that bears no reasonable relationship to the local law as in force before the amendment.

(3) The Minister is to give a local government notice in writing of any local law that the Governor makes to amend the text of, or repeal, any of the local government's local laws.

(4) A local law made under this section is to be taken, for all purposes, to be a local law made by the local government which made the local law that is amended or repealed.

”.

Transitional

On the day on which this Act comes into operation a regulation under section 343 (5) of the *Health Act 1911* as in force before this Act came into operation, becomes a regulation under section 343A of the *Health Act 1911*.

Section 353

“local governing Act” is deleted and the following is substituted —

“ *Local Government Act 1995* ”.

Section 366 (1)

After “member of” in the first place where it occurs the following is inserted —

“ the council of a local government ”.

“a municipal council or road board” is deleted and the following is substituted —

“ the council of a local government ”.

Schedule 1 continued

Various references to “its local governing Act” amended

In each place listed in the Table to this clause “its local governing Act” is deleted in each place where it occurs and the following is substituted —

“ the *Local Government Act 1995* ”.

Table

s. 40 (1)	s. 46 (1), (2)
s. 44 (1) (a)	s. 250 (1), (2)
s. 45	

Various references to “local fund” amended

In each place listed in the Table to this clause “local fund” is deleted in each place where it occurs and the following is substituted —

“ municipal fund ”.

Table

s. 29	s. 181 (5)
s. 30 (3)	s. 358 (1)
s. 115	s. 363

Various references to “by-law” amended

In each place listed in the Table to this clause “by-law” is deleted in each place where it occurs and the following is substituted —

“ local law ”.

Table

s. 3 (1) in the definition of “prescribed”	s. 348
s. 5 (6), (7)	s. 349 (1)
s. 35 (1), (4)	s. 351 (1), (2), (3), (4)
s. 39 (1)	s. 352 (1)
s. 111	s. 354 (1)
s. 112 (2)	s. 358 (1), (2)
s. 159	s. 361
s. 199 (18)	s. 362 (2)
s. 220 (2)	s. 373
s. 344 (1), (1) (b), (2)	s. 377, (2)

Schedule 1 *continued*

Various references to “by-laws” amended

In each place listed in the Table to this clause “by-laws” is deleted in each place where it occurs and the following is substituted —

“ local laws ”.

Table

s. 3 (1) in the definition of “This Act”	s. 164
s. 26	s. 165 (2) (b), (d), (3) (a), (c)
s. 34 (1)	s. 166 (2) (c), (3) (c)
s. 75	s. 169
s. 77 (b) (i)	s. 171 (1)
s. 82 (2)	s. 190
s. 85	s. 192 (1)
s. 99 (1), (3)	s. 207 (1) (g)
s. 102	s. 215
s. 133 (1)	s. 249
s. 160 in the definition of “prescribed date”	s. 348
s. 162 (2), (3)	s. 360 (2), (3), (4) (a)
s. 163	s. 362 (1), s. 378

Various references to “local authority” amended

In each place listed in the Table to this clause “local authority” is deleted in each place where it occurs and the following is substituted —

“ local government ”.

Table

s. 3 (1) in the definitions of “Medical officer” and “Sewer”	s. 35 (1), (2), (3), (4)
s. 5 (1), (3)	s. 36 (1), (2)
s. 12	s. 37 (1), (3), (4)
s. 14	s. 38
s. 15 (1) (a)	s. 39 (1), (2)
s. 16	s. 40 (1)
s. 17	s. 41
s. 26	s. 42
s. 27 (1), (2), (4), (5)	s. 44 (1) (a), (d), (e), (2)
s. 28 (1), (2)	s. 45, (b)
s. 29	s. 46 (1), (2)
s. 30 (2), (2a), (3)	s. 47
s. 32 (1), (3), (4)	s. 48
s. 34 (1), (2)	s. 49 (2)
	s. 52 (2)

Schedule 1 continued

- | | |
|--|---|
| s. 53 (1), (2) | s. 102 |
| s. 54, (a) | s. 103 |
| s. 55 (2), (4) (g), (5), (6) | s. 104 |
| s. 56 | s. 105 (1), (2), (3) |
| s. 57 (1), (2), (2) (a) | s. 106 (1), (2), (4), (5), (7), (8) |
| s. 58 (2) | s. 107 (1), (4) (b), (c), (6), (7), (8) |
| s. 59 | s. 108 (1), (2), (3), (4a), (5) |
| s. 60, (c) | s. 109 |
| s. 61 | s. 110 |
| s. 62, (g), (j) | s. 111 |
| s. 63 (1) | s. 112 (1), (2), (3) |
| s. 63A | s. 112A (1), (1) (a), (b), (2),
(2) (a), (3), (3) (a), (b) |
| s. 64 (1), (2), (3), (3) (c), (4),
(5), (6), (7), (8) | s. 113 |
| s. 65 (a), (b) | s. 114 (1) |
| s. 66 | s. 115 |
| s. 67 | s. 116, (a), (b), (c), (d), (e) |
| s. 68 | s. 117 (1), (2) |
| s. 69 | s. 118 (1), (2) |
| s. 70 | s. 119 |
| s. 71 | s. 120 (4) |
| s. 72 (1), (2) | s. 122 (1), (6), (7), (8), (9) |
| s. 73 (1), (2), (3) | s. 123 |
| s. 74 (1), (3) | s. 124 |
| s. 75 | s. 125 |
| s. 76 | s. 126 (1), (2) |
| s. 77 (a), (b) (i), (ii) | s. 127 (1), (2), (3) |
| s. 78 (1), (1a), (1a) (a) | s. 128 |
| s. 79 (1), (2) | s. 130 |
| s. 80 (1), (2), (3) | s. 131 (1), (3) |
| s. 81 (1), (4), (5) | s. 132 (1), (3) |
| s. 82 (1), (2) | s. 133 (1), (3) |
| s. 82A (1), (2), (3) | s. 134, (6), (8), (9), (18), (19),
(22), (28), (35), (46) |
| s. 83, (a), (b), (c), (d), (d) (b), (c) | s. 135 (1) |
| s. 84, (b), (c) | s. 137 |
| s. 85 | s. 138 |
| s. 86 (1), (2a) | s. 139 |
| s. 87 | s. 140 (1), (2) |
| s. 88 (1), (2), | s. 141 (1) |
| s. 89 | s. 142 (1), (2) |
| s. 90 | s. 143 (1) |
| s. 91 (1), (1) (a), (2) | s. 144 |
| s. 92 (1), (2) | s. 145 (2) |
| s. 93 | s. 146 (1) (2) |
| s. 94 (1), (2) | s. 148 (1), (2) |
| s. 95 | s. 149 |
| s. 96 | s. 150 (1), (2) |
| s. 97 (1), (2) | s. 151 |
| s. 99 (1), (3), (4a) | s. 152 |
| s. 100 (1), (2), (3) | s. 153 (1) |
| s. 101 (1), (2), (4) | |

Schedule 1 *continued*

- s. 154 (a)
- s. 157 (3)
- s. 158, (2) (f), (4)
- s. 160 in the definition of
“Prescribed date”
- s. 161 (c)
- s. 162 (2), (3)
- s. 163
- s. 164
- s. 165 (1), (2), (3), (3) (b)
- s. 166 (1), (2), (2) (c), (3)
- s. 167 (1), (1) (a), (2), (3)
- s. 168 (2)
- s. 169
- s. 170
- s. 171 (1), (3), (4)
- s. 172
- s. 173 in para (a) of the
definitions of “authorized
person” and “relevant
certifying officer”
- s. 176 (1), (2) (b) (i), (3) (b)
- s. 178 (1)
- s. 180 (2) (k), (l)
- s. 181 (3), (4), (5)
- s. 184 (1), (4), (5)
- s. 185
- s. 187 (1), (2), (3)
- s. 190
- s. 191 (1)
- s. 192 (1), (2)
- s. 196 (1), (3), (4)
- s. 199, (5), (6), (14)
- s. 205 (8), (9)
- s. 207 (1), (1) (a), (b), (c), (d),
(3), (3) (d), (g), (h)
- s. 215
- s. 216 (1)
- s. 220 (1), (1) (e), (m), (2)
- s. 226 (1)
- s. 227 (1)
- s. 228 (1)
- s. 231 (3), (4), (5)
- s. 234 (1)
- s. 246F (4) (b), (6), (6) (a), (b)
- s. 246K (1) (a), (2)
- s. 246Y (1), (2), (4), (5), (9)
- s. 246Z (1), (3), (4), (6) (a), (7)
- s. 246ZB (5), (5) (a), (b)
- s. 246ZG (6) (b)
- s. 246ZI (2) (b)
- s. 246ZJ (b)
- s. 246ZP (1) (d), (2) (b)
- s. 246ZQ (b)
- s. 246ZR (1) (b), (7) (a)
- s. 246ZX (6)
- s. 246ZY (e)
- s. 246ZZ (1) (d), (f)
- s. 247 (3) (b)
- s. 247D (1), (2), (2) (a), (b),
(3), (4), (4) (b)
- s. 249
- s. 250, (2)
- s. 254
- s. 255 (a), (b), (c)
- s. 256 (1), (2)
- s. 259, (4)
- s. 260, (4), (5), (6), (7)
- s. 261
- s. 262, (5)
- s. 263 (3)
- s. 268 (a)
- s. 270
- s. 271
- s. 272
- s. 276 (1) (a), (c), (2) (c), (4),
(6), (7)
- s. 277 (1) (c), (2), (3)
- s. 278 (1)
- s. 280 (1), (3)
- s. 281
- s. 282 (2)
- s. 283
- s. 284
- s. 286
- s. 287 (1)
- s. 288
- s. 289
- s. 292
- s. 324 (1), (2)
- s. 324A
- s. 330B (1), (2), (3)
- s. 337 (2), (4)
- s. 340 (1)
- s. 344 (1) (b), (c)
- s. 348
- s. 349 (1)
- s. 350 (1)
- s. 351 (1), (2), (5)
- s. 353
- s. 354 (8)
- s. 357

Schedule 1 *continued*

s. 358 (1), (2)	s. 372 (2), (5)
s. 362 (2)	s. 374
s. 363	s. 375
s. 365 (1)	s. 376
s. 366 (1)	s. 377 (1), (2), (4), (8), (9)
s. 367 (1), (2)	cl. 2 of Schedule 3
s. 369 (1) (c)	cl. 3 of Schedule 3
s. 371	

Various references to “local authorities” amended

In each place listed in the Table to this clause “local authorities” is deleted in each place where it occurs and the following is substituted —

“ local governments ”.

Table

s. 27 (6)	s. 122 (1), (2) (b), (c), (3), (4), (8)
s. 30 (1), (2), (2a), (3)	s. 134 (20)
s. 44 (2)	s. 247A (1), (3) (a), (b), (c)
s. 52 (1)	s. 247C (a), (b)
s. 57 (3) (a)	s. 252
s. 61	s. 282 (1)
s. 96	
s. 118 (1), (2)	

Various headings amended

In the heading to Division 2 of Part II “*Local Authorities*” is deleted and the following is substituted —

“ *Local Governments* ”.

In the heading to Division 2 of Part IV “*local authority*” is deleted and the following is substituted —

“ *local government* ”.

In the headings to Division 9 of Part IV and Division 3 of Part VII “*By-laws*” is deleted and the following is substituted —

“ *Local laws* ”.

In the heading to Part XIV “**BY-LAWS**” is deleted and the following is substituted —

“ **LOCAL LAWS** ”.

Schedule 1 *continued*

Various provisions repealed

The provisions listed in the Table to this clause are repealed.

Table

s. 4	s. 51
s. 18	s. 345 (2)
s. 19	s. 346
s. 19A	s. 347

Savings

The repeal of any provision by the previous clause does not affect the continuation of any thing done by or under that provision prior to its repeal.

Heritage of Western Australia Act 1990

Section 3 (1)

In paragraph (a) of the definition of “public authority”, “the council of a municipality within the meaning of the *Local Government Act 1960*” is deleted and the following is substituted —

“ a local government ”.

Section 23 (4)

“local Council” is deleted and the following is substituted —

“ local government of the district in which the place is situated ”.

Section 23 (6)

Repealed.

Section 27 (3) (b)

“council” is deleted in the second place where it occurs and the following is substituted —

“ local government ”.

Schedule 1 *continued*

Sections 34 (1) and 44 (2) (a)

In each provision “municipal” is deleted and the following is substituted —

“ local government ”.

In section 44 (2) (a), “clerk of the council of the municipality” is deleted and the following is substituted —

“ chief executive officer of the local government ”.

Section 36 (3)

“penalty under section 550A of the *Local Government Act 1960* shall apply” is deleted and the following is substituted —

“
interest shall accrue under section 6.51 of the *Local
Government Act 1995* ”.

Sections 43 and 47 (3) (a)

In each provision “local municipal councils” is deleted and the following is substituted —

“ local governments ”.

Section 45 (1), (3) and (4)

In each subsection “The Council of a municipality” or “The council of a municipality” is deleted and the following is substituted —

“ A local government ”.

Section 47 (3) (b) (iii)

“council of the municipal district where” is deleted and the following is substituted —

“ local government of the district in which ”.

Schedule 1 *continued*

Sections 49 (4) (b) and 56 (3) (b)

In each paragraph —

(a) “council of the municipality in the district of” is deleted and the following is substituted —

“ local government of the district in ”; and

(b) “council” is deleted in the second place where it occurs and the following is substituted —

“ local government ”.

Section 56 (2) (a)

“municipality in the district of” is deleted and the following is substituted —

“ local government of the district in ”.

Section 79 (4) (a) (i)

“council of the municipality in whose district” is deleted and the following is substituted —

“ local government of the district in which ”.

Various references to “municipal council” amended

In each place listed in the Table to this clause “municipal council” is deleted in each place where it occurs and the following is substituted —

“ local government ”.

Table

- s. 8 (2) (g)
- s. 27 (3) (b), (c)
- s. 29 (13) (b) (ii)
- s. 36 (2) (c), (3)
- s. 40 (3)
- s. 49 (1) (b) (ii)

Schedule 1 *continued*

Various references to “*Local Government Act 1960*” amended

In each place listed in the Table to this clause “*Local Government Act 1960*” is deleted in each place where it occurs and the following is substituted —

“ *Local Government (Miscellaneous Provisions) Act 1960* ”.

Table

s. 34 (2), (2) (b)
s. 75 (3) (a) (i)
s. 78 (1) (c)

Home Building Contracts Act 1991

Section 8 (5)

Repealed and the following subsection is substituted —

“ (5) In subsection (1) (a) —
“**building surveyor**” means the employee of the local government who exercises the powers of building surveyor in the local government district. ”.

Section 9 (1) (a)

“*Local Government Act 1960*” is deleted and the following is substituted —

“ *Local Government (Miscellaneous Provisions) Act 1960* ”.

Hospitals and Health Services Act 1927

Section 2 (1)

The definition of “local authority” is deleted.

Schedule 1 *continued*

Section 27 (1), (2) and (4)

In each subsection “local authority” is deleted in each place where it occurs and the following is substituted —

“ local government ”.

Section 27 (2)

“and such objects shall be deemed to be works and undertakings within the meaning of Part XXVI of the *Local Government Act 1960*, as though the same had been included therein respectively,” is deleted.

“that Act” is deleted and the following is substituted —

“ the *Local Government Act 1995* ”.

Section 27 (4)

“*Local Government Act 1960*” is deleted and the following is substituted —

“ *Local Government Act 1995* ”.

Section 27 (5)

“Any 2 or more local authorities, whose boundaries” is deleted and the following is substituted —

“ The local governments of 2 or more districts the boundaries of which ”.

Housing Act 1980

Section 5 (1) (a)

The definition of “local authority” is deleted and the following definition is substituted —

“ **“local government”** means a local government or a person exercising the powers of a local government under the *Health Act 1911*; ”.

Schedule 1 *continued*

Section 21 (1)

“*Local Government Act 1960*” is deleted in both places where it occurs and the following is substituted —

“ *Local Government Act 1995* ”.

Section 38 (1)

“by-laws” is deleted and the following is substituted —

“ local laws ”.

Section 38 (2)

““local authority”” is deleted and the following is substituted —

“ **“local government”** ”.

Section 52 (1)

In the definition of “instrument of constitution” after “rules,” the following is inserted —

“ local laws ”.

Section 79

After “rule,” the following is inserted —

“ local law, ”.

Various references to “local authority” amended

In each place listed in the Table to this clause “local authority” is deleted in each place where it occurs and the following is substituted —

“ local government ”.

Table

s. 5 (1) (a) in the definition of “public authority”
s. 21 (1), (1) (a), (2)
s. 22 (1) (g), (h)
s. 24 (1)

Schedule 1 *continued*

s. 36 (2) (a)
s. 38 (1)
s. 60 (1) (e)

Housing Loan Guarantee Act 1957

Section 3

In the definition of “instrument of constitution” after “rules,” the following is inserted —

“ local laws, ”.

Income Tax Assessment Act 1937

Section 15 (d)

“municipal corporation or other local governing body” is deleted and the following is substituted —

“ local government ”.

Industrial and Commercial Employees’ Housing Act 1973

Section 7 (1)

“municipalities within the meaning of the *Local Government Act 1960*” is deleted and the following is substituted —

“ local governments ”.

Schedule 1 *continued*

Industrial Relations Act 1979

Section 7 (1)

In the definition of “public authority”, “municipality or regional council constituted under the *Local Government Act 1960*” is deleted and the following is substituted —

“ local government or regional local government ”.

Interpretation Act 1984

Section 5

The following definitions are inserted in the appropriate alphabetical positions —

“ **“local government”** means a local government established under the *Local Government Act 1995*; ”;

“ **“local law”** means a local law made by a local government under the Act in which the term is used; ”;

“ **“regional local government”** means a regional local government established under the *Local Government Act 1995*; ”.

In the definitions of “subsidiary legislation”, after “rule,” in the first place where it occurs the following is inserted —

“ local law, ”.

Section 32 (2)

After “rule,” in both places where it occurs the following is inserted —

“ local law, ”.

Sections 42 (8) (b), 43 (6) and 72 (2)

In each provision after “rules” the following is inserted —

“ , local laws ”.

Schedule 1 *continued*

Jetties Act 1926

Section 3

The definition of “Local Authority” is deleted.

Section 5 (1) (b)

“local authority, but subject to any by-law made pursuant to the *Municipal Corporations Act 1906*, or the *Road Districts Act 1919*,” is deleted and the following is substituted —

“
 local government, but subject to any local law made under
 the *Local Government Act 1995*
”.

Justices Act 1902

Section 9 (1)

“*Local Government Act 1960*” is deleted and the following is substituted —

“ *Local Government Act 1995*”.

“the municipal district of” is deleted.

Section 9 (2)

“relevant town clerk or shire clerk, as the case may be,” is deleted and the following is substituted —

“ chief executive officer of the relevant local government”.

Section 15 (2)

“municipality, board of health, or any local authority” is deleted and the following is substituted —

“ local government”.

Schedule 1 continued

Section 45

After “order,” the following is inserted —

“ local law, ”.

Section 56A (1) (c) and (2) (c)

In each paragraph after “rule,” the following is inserted —

“ local law, ”.

Forms 28, 45 and 48 in the Fourth Schedule

In each form “Act or by-law” is deleted in each place where it occurs and the following is substituted —

“ Act, local law or by-law ”.

Kojonup Cemetery Act 1928

Long title and sections 2 and 3

In each provision “Kojonup District Road Board” is deleted and the following is substituted —

“ Shire of Kojonup ”.

In section 3 —

(a) “Trustees” is deleted and the following is substituted —

“ Trustee ”; and

(b) “, and by the provisions of the *Road Districts Act 1919*, relating to cemeteries of which a road board is appointed the trustees” is deleted.

Schedule 1 *continued*

Land Act 1933

Section 6A (1)

“or the *Local Government Act 1960*” is deleted and the following is substituted —

“
 , the *Local Government Act 1995* or the *Local Government (Miscellaneous Provisions) Act 1960*
”.

Sections 29 (2) and 118A (2)

In each subsection “municipality” is deleted in each place where it occurs and the following is substituted —

“ local government ”.

In each subsection “under the *Local Government Act 1960*” is deleted.

In section 118A (2), “constituted” is deleted.

Section 117A (1)

“*Local Government Act 1960*” is deleted and the following is substituted —

“ *Local Government (Miscellaneous Provisions) Act 1960* ”.

Section 117A (2)

Repealed and the following subsections are substituted —

“
 (2) Any lease or licence granted under this section is subject to the right of a local government to construct and maintain any —
 (a) subway;
 (b) pedestrian bridge or overway; or
 (c) pipe, conduit or conveyor for transporting material,
”

Schedule 1 *continued*

under or over (at a height of not less than 4.5 metres) a thoroughfare or from land abutting a thoroughfare to or onto that thoroughfare or another thoroughfare.

(3) In subsection (2) —

“**thoroughfare**” has the same meaning as in the *Local Government Act 1995*.

”.

Land Acquisition and Public Works Act 1902

Section 2

In the definition of “Local authority”, “and includes any municipal council or road board, and any” is deleted and the following is substituted —

“ any local government or any other ”.

Section 25 (1) (b) (i) (A)

Deleted and the following item is substituted —

“ (A) is situate in an area that has been declared to be a district under the *Local Government Act 1995* or an area that has been, or is to be regarded as having been, constituted a townsite, and given a name, under section 10 of the *Land Act 1933* or any other area subdivided into sites for urban or suburban purposes;

”.

Section 86 (1)

“municipality or road board” is deleted and the following is substituted —

“ local government ”.

Section 86 (3) and (4)

In each subsection “municipal council or road board” is deleted and the following is substituted —

“ local government ”.

Schedule 1 *continued*

Section 87 (2)

“by-laws as any road board” is deleted and the following is substituted —

“ local laws as any local government ”.

“by-law” is deleted and the following is substituted —

“ local law ”.

Section 114

After “by-laws” the following is inserted —

“ , local laws ”.

Sections 117

Repealed.

Land Drainage Act 1925

Section 6 (1)

The definition of “townsite” is deleted and the following definition is substituted —

“
 “townsite” means an area that has been, or is to be regarded as having been, constituted a townsite, and given a name, under section 10 of the *Land Act 1933*; ”.

Section 100 (1)

“*Local Government Act 1960*” is deleted and the following is substituted —

“ *Local Government Act 1995* ”.

Schedule 1 *continued*

Land Tax Assessment Act 1976

Section 5 (1)

The definitions of “local authority” and “municipal district” are deleted.

The following definition is inserted in the appropriate alphabetical position —

“**“district”** means an area that has been declared to be a district under the *Local Government Act 1995*;”.

Section 8

“rate-books” is deleted and the following is substituted —

“ rate records ”.

“the council or any officer of” is deleted.

Clause 7B (a) of Part I of the Schedule

In the definition of “retirement village scheme”, “*Local Government Act 1960*” is deleted and the following is substituted —

“ *Local Government (Miscellaneous Provisions) Act 1960* ”.

Various references to “local authority” amended

In each place listed in the Table to this clause “local authority” is deleted in each place where it occurs and the following is substituted —

“ local government ”.

Table

- s. 5 (1) in paragraph (c) of the definition of “owner”
- s. 8
- s. 24 (8)
- s. 45 (2)
- s. 46 (4)
- s. 62 (2) (a)
- cl. 1 (a) in Part 1 of the Schedule

Schedule 1 *continued*

Library Board of Western Australia Act 1951

Section 3 (1)

The definition of “local authority” is deleted.

In the definition of “public office” —

- (a) after paragraph (b) the following is inserted —
“ or ”; and
- (b) paragraphs (c) and (d) and the “or” after paragraph (c) are deleted and the following paragraph is substituted —
“ (c) any local government; ”.

Section 4 (2) (a) and (b)

In each paragraph “the governing body of” is deleted.

Section 5 (6)

“governing body” is deleted and the following is substituted —

“ council ”.

Various references to “local authority” amended

In each place listed in the table to this clause “local authority” is deleted in each place where it occurs and the following is substituted —

“ local government ”.

Table

- s. 3 (1) in the definitions of “approved body”
and “participating body”
- s. 4 (1), (2) (a), (b), (3), (4) (a), (c), (5)
- s. 5 (6)
- s. 18 (b)
- s. 19 (1), (3)

Schedule 1 *continued*

Life Assurance Companies Act 1889

Section 4

“municipal corporation” is deleted and the following is substituted —

“ local government ”.

Lights (Navigation Protection) Act 1938

Section 2

In the definition of “Owner”, “authority in whose district” is deleted and the following is substituted —

“ of the district in which ”.

Liquor Licensing Act 1988

Section 39 (2)

“*Local Government Act 1960*” is deleted and the following is substituted —

“
Local Government Act 1995 and the *Local Government
(Miscellaneous Provisions) Act 1960*”.

Section 69 (7)

“The council of a municipality” is deleted and the following is substituted —

“ A local government ”.

Schedule 1 *continued*

Section 69 (8) (c)

“*Local Government Act 1960*” is deleted and the following is substituted —

“

Local Government Act 1995 or the *Local Government (Miscellaneous Provisions) Act 1960*

”.

Section 95 (5) (c)

“the area of” is deleted.

Clause 1 of Schedule 2

In the definition of “the State Branch Headquarters”, “the City of” is deleted.

Various references to “local health authority” amended

In each place listed in the Table to this clause “local health authority” is deleted in each place where it occurs and the following is substituted —

“ local government ”.

Table

- s. 39 (2)
- s. 69 (8)
- s. 153 (2) (b)
- s. 156 (1), (2), (3)

Various references to “council” and “municipality” amended

In each place listed in the Table to this clause —

- (a) “council” is deleted in each place where it occurs and the following is substituted —

“ local government ”; and

- (b) “municipality” is deleted in each place where it occurs and the following is substituted —

“ district ”.

Schedule 1 continued

Table

- s. 61 (1) (d), (2)
- s. 69 (4) (b)
- s. 87 (1) (e)
- s. 95 (5) (c)
- s. 117 (2) (b)

Litter Act 1979**Section 4 (4)**

After “rules,” the following is inserted —

“ local laws, ”.

Section 5 (1)

The definition of “municipality” is deleted.

In the definition of “public authority”, “the council of a municipality” is deleted and the following is substituted —

“ a local government ”.

In the definition of “public place”, “street, road or way within the meaning of the *Local Government Act 1960*” is deleted and the following is substituted —

“ thoroughfare, as defined in the *Local Government Act 1995*, ”.

Section 26 (1) (c)

Deleted and the following paragraph is substituted —

- “
- (c) within the district of a local government, any person who is —
 - (i) a member of the council of the local government;
 - (ii) an employee of the local government; or

Schedule 1 *continued*

- (iii) an honorary inspector appointed by the local government under section 27AA.

”.

Section 26 (3) (a) and (b)

In each paragraph “municipal” is deleted.

Section 27AA

Before section 28 the following section is inserted —

“

Honorary inspectors

27AA. A local government may appoint a person to be an honorary inspector to assist in the enforcement of regulations relating to the securing of loads carried by vehicles.

”.

Section 31 (1)

“municipality shall be paid to the council of the municipality and become the property of and part of the ordinary revenue of the municipality.” is deleted and the following is substituted —

“ local government shall be paid to the local government. ”.

Paragraphs (l) and (m) of the Second Schedule

In each paragraph “municipalities” is deleted in each place where it occurs and the following is substituted —

“ local governments ”.

Third Schedule

In column 1 the item “Members, officers, employees or honorary inspectors of a municipality” is deleted and the following item is substituted —

“

Members of the council of, or employees or honorary inspectors of, a local government

”.

Schedule 1 *continued*

In column 2 “municipality” is deleted and the following is substituted —

“ local government ”.

Local Courts Act 1904

Section 50 (1)

“a Town Clerk” is deleted and the following is substituted —

“ the chief executive officer of a local government ”.

“a Shire Clerk,” is deleted.

Local Government Act 1995

Clause 33 of Schedule 9.3

After subclause (6) the following subclause is inserted —

“
(7) The citation of by-laws that, under this Act or section 7 of the *Local Government (Consequential Amendments) Act 1996*, become local laws (in the provision assigning the citation to the by-laws and in a reference in a written law to that citation) is to be read as if “*By-law*” or “*By-laws*”, where it occurs in that citation, had been amended to be “*Local laws*”.
”.

Local Government (Miscellaneous Provisions) Act 1960

Sections 157, 159 and 160 amended

To the extent that they continue to have effect under clause 4 (2) of Schedule 9.2 of the *Local Government Act 1995* —

(a) in each section “council” is deleted in each place where it occurs and the following is substituted —

“ local government ”; and

Schedule 1 *continued*

- (b) in section 159 (a) —
- (i) “councils” is deleted and the following is substituted —
- “ local governments ”;
- (ii) “municipality” is deleted in the first place where it occurs and the following is substituted —
- “ local government ”; and
- (iii) “of a municipality” is deleted in the second place where it occurs.

Section 245A (4)

“and (6)” is deleted and the following is substituted —

“ , (6) and (7) ”.

“officer” is deleted in the second place where it occurs and the following is substituted —

“ employee ”.

Section 288 (1) (b) (ii)

“property” and “properties” are deleted in each place where they occur and the following is substituted —

“ land ”.

Sections 292 (3) and 374 (1b) (a) and (b)

In each provision, “council’s” is deleted and the following is substituted —

“ local government’s ”.

Section 294 (2) (c)

“municipalities” is deleted in both places where it occurs and the following is substituted —

“ local governments ”.

Schedule 1 *continued*

Section 295 (5)

“, subsection (5) of section one hundred and fifty-seven of the *Road Districts Act 1919* or any Act repealed by that Act” is deleted.

Section 364 (3) (a)

“under section three hundred and sixty-one or section three hundred and sixty-three” is deleted and the following is substituted —

“ for or in relation to the provision of, or widening of, a street ”.

Section 364 (4)

“municipal” is deleted.

Section 364 (5) (b) and (6)

In each provision “under subsection (4) of section three hundred and sixty-three” is deleted and the following is substituted —

“ to the previous owners of the land at the time it was acquired by the local government ”.

Paragraph (5) (c) is deleted.

In subsection (6), “, pursuant to section three hundred and sixty-two,” is deleted.

Sections 379 (1) and 380 (1)

In each subsection “of the municipality” is deleted in the second place where it occurs and the following is substituted —

“ for that district ”.

Section 410A (2) (b)

“raised money on loan by the issue of debentures” is deleted and the following is substituted —

“ borrowed the money ”.

Schedule 1 *continued*

Section 410A (3)

“this Act” is deleted and the following is substituted —

“ the *Local Government Act 1995* ”.

Sections 423 (2) (b) and 424 (2)

In each provision “a member or officer of the council” is deleted and the following is substituted —

“
an employee of, or a member of the council of, the local
government

Section 432

“*Local Government Act 1960*” is deleted and the following is substituted —

“ *Local Government (Miscellaneous Provisions) Act 1960.* ”.

Section 433 (3)

“municipal district of the council” is deleted and the following is substituted —

“ district ”.

Section 433A (2)

“Without affecting the application of section 678A to regulations made under subsection (1), regulations” is deleted and the following is substituted —

“ Regulations ”.

Section 433A (5)

Repealed.

Schedule 1 continued

Section 458 (2)

In paragraph (a), “council, or an officer of the council, or a person authorized to do so by the council, or the ranger or officer of the council” is deleted and the following is substituted —

“
 local government, or an employee of, or other person
 authorized by, the local government
”.

In paragraphs (b) and (c), “officer” is deleted and the following is substituted —

“ employee ”.

Section 474 (6)

“or clerk of the council” is deleted and the following is substituted —

“
 of the council of the local government or the chief executive
 officer of the local government
”.

Section 684

The words from “Where under” to “reference to arbitration,” are deleted and the following is substituted—

“
 Where under section 287 (4) (b), 288 (8), 291 (5) (b) or
 364 (8) provision is made for determination of a question or
 matter only on a reference to arbitration —
”.

Various references to “the district of a municipality” amended

In each place listed in the Table to this clause “the district of a municipality” is deleted in each place where it occurs and the following is substituted —

“ a district ”.

Table

s. 294A (1) (a)
s. 295 (1)
s. 379 (1)
s. 380 (1)

Schedule 1 *continued*

Various references to “of the municipality” deleted

In each place listed in the Table to this clause “of the municipality” is deleted in each place where it occurs.

Table

s. 293 (1)
s. 378 (1) (c) (i)
s. 379 (2)
s. 401A (1), (4) (a)

Various references to “clerk” amended

In each place listed in the Table to this clause “clerk” is deleted in each place where it occurs and the following is substituted —

“ chief executive officer ”.

Table

s. 293 (1)	s. 430 (1) (a)
s. 374 (2a), (2b)	s. 455 (2) (c), (4), (5) (b)
s. 412A (3)	s. 457 (2)
s. 429 (b)	s. 478 (1), (2) (b)

Various references to “municipality” amended

In each place listed in the Table to this clause “municipality” is deleted in each place where it occurs and the following is substituted —

“ local government ”.

Table

s. 286 (3)	s. 403 (1)
s. 294 (2) (b), (d)	s. 404
s. 375 (1)	s. 416 (1)
s. 399 (1)	s. 419
s. 400 (2) (b)	s. 430 (4)
s. 401 (4), (5)	s. 447

Various references to “council” amended

In each place listed in the Table to this clause “council” (but not “Council”) is deleted in each place where it occurs and the following is substituted —

“ local government ”.

Schedule 1 *continued*

Table

s. 245A (2) (aa), (4), (5) (aa), (c), (7), (8), (9), (10), (11)	s. 405 (1), (2), (3), (4)
s. 286 (4) (b)	s. 406
s. 287 (1) (a), (2), (3), (4) (b), (5) (a)	s. 408 (1), (1) (a), (2), (3), (4), (5), (6), (7), (8)
s. 288 (1), (1) (a), (b), (b) (i), (ii), (2), (3), (8)	s. 409 (1), (2), (3), (4), (5), (6), (7)
s. 288A (1), (2), (3), (4),	s. 409A (1), (2), (2) (a)
s. 288B (a)	s. 410 (1), (2)
s. 291 (1), (2), (3) (a), (b), (4), (5), (5) (a), (6), (7), (8), (9)	s. 410A (1), (1) (a), (b), (2), (2) (a), (a) (i), (ii), (b), (3), (4), (5), (5) (b)
s. 292 (1), (2), (4), (5), (6) (a), (b)	s. 411 (1), (2), (3), (4), (5), (6)
s. 293 (1), (5)	s. 412
s. 294A (1)	s. 412A (1), (2), (3)
s. 295 (1), (2b), (3) (a), (a) (iv), (b), (b) (iv), (3c), (3c) (a), (4) (a), (c), (d), (5), (6) (a) (ii), (b), (b) (i), (ii), (c)	s. 413 (1), (4)
s. 297A (1), (2) (b), (3), (4), (4) (a) (ii), (5), (5) (b), (6), (6) (c), (7), (12) (b)	s. 416 (1), (2)
s. 364 (2), (3)(a), (c), (6), (7), (9), (11) (a)	s. 417 (1), (2), (3)
s. 374 (1), (1b), (1ba), (1c), (1d), (2) (a), (b), (2a), (2b), (3), (5)	s. 418
s. 374A (1), (2), (2A) (a), (b), (3)	s. 419
s. 374AA	s. 421
s. 374B (1)	s. 423 (1)
s. 374C (2), (3), (6)	s. 424 (2) in the second and third places where it occurs
s. 375 (1), (2)	s. 429 (b)
s. 376 (1)	s. 430 (1) (a), (3)
s. 377 (1), (2), (3), (4), (5), (6), (7) (b)	s. 433 (11), (12), (21), (40), (40) (b)
s. 378 (1), (1) (c) (ii), (2)	s. 448
s. 379 (2)	s. 449
s. 399 (2), (3) (b), (4), (4) (a), (b), (5)	s. 450
s. 400 (1) (a), (b), (c), (d), (1b), (2), (2) (a), (3)	s. 451 (1), (2)
s. 401 (1), (1) (b), (c), (4), (7), (8)	s. 452 (1)
s. 401A (1), (3), (4) (a)	s. 453
s. 403 (1), (2), (3), (4), (5), (6)	s. 455 (1), (2) (c), (3), (4)
s. 404	s. 456
	s. 457 (2), (3), (4)
	s. 460 (3) (b) (ii), (3a)
	s. 464
	s. 474 (4) (a), (6), (8)
	s. 477 (1)
	s. 478 (1), (2) (b)
	s. 666
	s. 682

Schedule 1 *continued*

Local Government Grants Act 1978

Long title

“**municipalities**” is deleted and the following is substituted —

“ **local governments** ”.

Section 3

The definition of “municipality” is deleted.

Sections 10 and 15 (2)

In each provision “municipality” is deleted and the following is substituted —

“ local government ”.

Section 12 (4)

Repealed and the following subsection is substituted —

“
 (4) The Commission may require a local government to supply to the Commission such financial and other information as to the affairs of the local government as the Commission specifies and the local government shall comply with that requirement.”.

Sections 13, 15 (1) and 16

In each provision “municipalities” is deleted and the following is substituted —

“ local governments ”.

In section 13 “the council of each municipality” is deleted and the following is substituted —

“ each local government ”.

Schedule 1 *continued*

Lotteries Commission Act 1990

Section 19

In the definition of “eligible organization” paragraph (b) is deleted and the following paragraph is substituted —

“ (b) a local government or regional local government ”.

Main Roads Act 1930

Section 6

The definitions of “district” and “local authority” are deleted.

The following definition is inserted in the appropriate alphabetical position —

“
“**district**” means an area that has been declared to be a
district under the *Local Government Act 1995*;
”.

Section 13A (1) and (2)

In each subsection “each local authority in whose district” is deleted and the following is substituted —

“ the local government of each district in which ”.

Section 16 (3)

“In any case where a local authority undertakes the work at the request of the Commissioner and as his agent, and the actual cost incurred by the local authority exceeds the cost to the Commissioner stated in the request, the amount of the excess shall be deemed to be expense incurred by the local authority under the authority of section 33 (b).” is deleted.

Section 21

“authority” is deleted in the second place where it occurs and the following is substituted —

“ local government ”.

Schedule 1 *continued*

Section 24 (5)

“A local authority in whose district” is deleted and the following is substituted —

“ The local government of a district in which ”.

Section 27A (2)

“local authority in whose district” is deleted and the following is substituted —

“ local government of the district in which ”.

Section 32 (11)

“Part XXVII of the *Local Government Act 1960*” is deleted and the following is substituted —

“ Part 7 of the *Local Government Act 1995* ”.

Section 33

Repealed.

Various references to “local authority” amended

In each place listed in the Table to this clause “local authority” is deleted in each place where it occurs and the following is substituted —

“ local government ”.

Table

s. 13A (2) in the second and third places where it occurs, (3)	s. 28 (1) (b), (8) (b)
s. 16 (1) (b), (2), (3) in the first and second places where it occurs	s. 28B (1), (2), (3), (3) (a)
s. 21	s. 31 (1) (b)
s. 24 (3), (4), (5), (6), (7), (8)	s. 32 (2) (c), (3) (d), (e), (4) (a), (b), (5) (d), (e), (h), (h) (i), (ii), (6) (a), (b), (7), (8), (11), (12) (a) (i), (13)
s. 27A (2) in the first and third places where it occurs	s. 33C (1) (a), (2), (2) (b)

Schedule 1 *continued*

Various references to “local authorities” amended

In each place listed in the Table to this clause “local authorities” is deleted in each place where it occurs and the following is substituted —

“ local governments ”.

Table

s. 24 (4), (5),
s. 32 (1) (d), (e),
(2) (a) in the definitions of “Group”,
“the Commonwealth Act” and paragraph (ii) of the
definition of “the prescribed table”,
(3) (b), (5) (b), (9) (a), (12) (a) (iii)

Marine and Harbours Act 1981

Section 11 (2)

“municipal council under the *Local Government Act 1960*” is deleted and the following is substituted —

“ local government ”.

Married Women’s Property Act 1892

Sections 6 and 10

In each section “or public body, municipal” is deleted and the following is substituted —

“ local government or public body ”.

Section 7

After “charter,” the following is inserted —

“ local law, ”.

Schedule 1 *continued*

Mental Health Act 1962

Section 26H (2) (c)

“local authority or local authorities within the meaning of the *Local Government Act 1960*, in” is deleted and the following is substituted —

“
 local government or local governments of the district or
 districts within
”.

Metric Conversion Act 1972

Section 3

In paragraph (b) of the definition of “statutory instrument” after “rule,” the following is inserted —

“ local law,
”.

Metropolitan Region Town Planning Scheme Act 1959

Sections 23 (1) and (3) (a) and (c)

In each provision “local authorities” is deleted and the following is substituted —

“ local governments
”.

Sections 23 (1) and 34

In each provision “the Council of the Municipality of” is deleted.

Schedule 1 *continued*

Section 23 (2)

Repealed and the following subsection is substituted —

“
(2) In the case of the City of Perth, the City of Perth
Town Planning Committee for the time being is the District
Planning Committee.
”.

Section 24 (1)

“of the local authorities” is deleted.

Sections 31 (b) and 33 (2) (b) (ii)

In each provision “Council Offices of the Municipalities” is deleted and
the following is substituted —

“ offices ”.

Heading to Part IV

“**LOCAL AUTHORITY**” is deleted and the following is substituted —

“ **LOCAL GOVERNMENT** ”.

Section 34

“by-laws” is deleted in both places where it occurs and the following is
substituted —

“ local laws ”.

First Schedule

“Councils of the —” is deleted in each place where it occurs.

Third Schedule

“district of the Shire” and “district of the Town” are deleted in each
place where they occur and the following is substituted —

“ local government district ”.

Schedule 1 *continued*

Various references to “local authority” amended

In each place listed in the Table to this clause “local authority” is deleted in each place where it occurs and the following is substituted —

“ local government ”.

Table

s. 23 (3) (a), (b)	s. 35E (1), (2)
s. 34	s. 36 (1) (a)
s. 35 (1), (1a), (2), (3) (a), (b), (4)	s. 42 (a)
s. 35A (2), (2a), (3), (4), (5)	s. 43 (1), (5)
	s. 43A (1), (1) (b), (d)

Metropolitan Water Authority Act 1982

Section 4 (2)

Repealed and the following subsection is substituted —

“

(2) In Part IV —

“**Land Valuation Tribunal**” means a Land Valuation Tribunal under the *Land Valuation Tribunals Act 1978*;

“**occupied**” in relation to land, means actually occupied by a person;

“**owner**” has the same meaning as in section 6.1 of the *Local Government Act 1995*.

”.

Section 98 (4)

“councils, the districts of” is deleted and the following is substituted —

“ local governments of the districts ”.

Schedule 1 *continued*

Sections 98 (5) and 99 (4) (e)

In each provision “local authorities” is deleted and the following is substituted —

“ local governments ”.

Sections 99 (4) (d) and 106 (2) (a)

In each paragraph “each local authority in the district of” is deleted and the following is substituted —

“ the local government of each district in ”.

Section 99 (5)

“the district of more than one local authority” is deleted and the following is substituted —

“ more than one district ”.

Sections 100 (4) and 106 (2) (c)

In each provision “local authority” is deleted in each place where it occurs and the following is substituted —

“ local government ”.

Metropolitan Water Supply, Sewerage, and Drainage Act 1909

Section 5 (1)

The definition of “local government Act” is deleted.

Section 17 (1) and (2)

In each subsection “Local Board of Health” is deleted and the following is substituted —

“ local government ”.

In section 17 (1), “by-laws” is deleted and the following is substituted —

“ local laws ”.

Schedule 1 *continued*

Section 166

“any local government Act” is deleted and the following is substituted —

“ the *Local Government Act 1995* ”.

Various references to “local authority” amended

In each place listed in the Table to this clause “local authority” is deleted in each place where it occurs and the following is substituted —

“ local government ”.

Table

s. 45 (4), (7), (8),
(9), (10), (11)
s. 122

Midland Railway Act 1919

Section 2 (1)

In the first and second provisos “local authority” is deleted and the following is substituted —

“ local government ”.

Mines Safety and Inspection Act 1994

Section 4 (1)

In paragraph (t) of the definition of “mining operations” —

(a) “local authority” is deleted and the following is substituted —

“ local government ”; and

(b) “authority” is deleted in the second place where it occurs and the following is substituted —

“ local government ”.

Schedule 1 continued

Mining Act 1978**Section 6**

After the section designation “6.” the subsection designation “ (1) ” is inserted.

After the end of the section the following subsection is inserted —

- “
- (2) Notwithstanding anything in this Act —
- (a) a local government is not required to hold a mining tenement to —
- (i) exercise the power given to it by section 3.27 of, and clause 3 of Schedule 3.2 to, the *Local Government Act 1995*; or
- (ii) remove from local government property (as defined in that Act), rock, stone, clay, sand or gravel for use in the construction of local government facilities; and
- (b) if a local government leases local government property to another person, that person is not required to hold a mining tenement to remove from that land, rock, stone, clay, sand or gravel for use in the construction of local government facilities, unless the Minister requires that person to hold a tenement.
- ”.

Section 8 (1)

The definition of “council of the municipality” is deleted.

The following definition is inserted in the appropriate alphabetical position —

- “
- “local government”** means the local government of the district in which the matter in relation to which the term is used, arose or is situated;
- ”.

Schedule 1 *continued*

Section 24 (1) (a)

“municipal district of the Shire” is deleted and the following is substituted —

“ local government district ”.

Section 25 (3) (b)

“in whose municipal district the land is” is deleted.

Section 33 (1) (a)

“clerk” is deleted and the following is substituted —

“ chief executive officer ”.

Section 91 (9)

“in whose municipal district the land to which the application relates is” is deleted.

Section 91 (10)

“council” is deleted and the following is substituted —

“ local government ”.

Section 120 (1) and (2) (b)

In each provision “by-laws” is deleted in each place where it occurs and the following is substituted —

“ local laws ”.

In section 120 (1), “section 248 of the *Local Government Act 1960*” is deleted.

Various references to “council of the municipality” amended

In each place listed in the Table to this clause “council of the municipality” is deleted in each place where it occurs and the following is substituted —

“ local government ”.

Schedule 1 *continued*

Table

- s. 24 (5) (b)
- s. 25 (3) (b)
- s. 33 (1) (a)
- s. 91 (9)
- s. 120 (2) (b)

Morley Shopping Centre Redevelopment Agreement Act 1992

Section 8

“Part XXV of the *Local Government Act 1960*” is deleted and the following is substituted —

“ Part 6 of the *Local Government Act 1995* ”.

In paragraph (b), “property” is deleted and the following is substituted —

“ land ”.

Motor Vehicle (Third Party Insurance) Act 1943

Section 17

“local” is deleted.

Mount Yokine Land Acquisition Act 1960

Section 7 (b)

“*Road Districts Act 1919*” is deleted and the following is substituted —

“ *Local Government Act 1995* ”.

Schedule 1 *continued*

Museum Act 1969

Section 36 (1)

“municipal district of the City” is deleted and the following is substituted —

“ local government district ”.

Section 37 (1) (a)

Paragraph (a) and the “or” after paragraph (a) are deleted and the following is substituted —

“
(a) under the *Local Government Act 1995*, a local
government; or
”.

Section 37 (3) (c)

“local authority” is deleted and the following is substituted —

“ local government ”.

National Trust of Australia (W.A.) Act 1964

The Schedule

In paragraph (p), “Authority” is deleted.

In paragraph (q), “Government Authorities” is deleted and the following is substituted —

“ Governments ”.

Schedule 1 *continued*

Northam Cemeteries Act 1944

Section 3

“Northam Road Board as the Trustees” is deleted and the following is substituted —

“ Shire of Northam as the Trustee ”.

Official Prosecutions (Defendants’ Costs) Act 1973

Sections 4 (1) and 9 (b)

In section 4 (1) in the definition of “public official” and in section 9 (b), “municipality within the meaning of the *Local Government Act 1960*” is deleted and the following is substituted —

“ local government ”.

Oil Refinery (Kwinana) Agreement Act 1952

Section 3 (3)

After “regulations,” the following is inserted —

“ local laws, ”.

Painters’ Registration Act 1961

The Schedule

In clause 1 “district of the Shire” and “district of the Town” are deleted in each place where they occur and the following is substituted —

“ local government district ”.

In the heading to clause 2, “The Shire of” is deleted.

In clause 3 “Shires” is deleted and the following is substituted —

“ local government districts ”.

Schedule 1 *continued*

In clause 4 “City” and “Shire” are deleted in each place where they occur and the following is substituted —

“ local government district ”.

Parliamentary Commissioner Act 1971

The Schedule

In the second item paragraphs (a) and (b) are deleted and the following paragraph is substituted —

“ (a) a local government and a regional local government; ”.

Pawnbrokers and Second-hand Dealers Act 1994

Section 14 (b)

“council of the local government district” is deleted and the following is substituted —

“ local government of the district ”.

Pay-roll Tax Assessment Act 1971

Section 3 (1)

The definition of “council” is deleted.

Section 10 (1) (e)

“council” is deleted and the following is substituted —

“ local government, a regional local government or one of the associations constituted under section 9.58 of the *Local Government Act 1995* ”.

Schedule 1 *continued*

Perth Market Act 1926

Section 11 (2) (e)

“council of the appropriate municipality” is deleted and the following is substituted —

“ appropriate local government ”.

Section 11 (4) and (4a) (a) and (b)

In each provision “municipal” is deleted and the following is substituted —

“ local government ”.

Section 11 (6)

Repealed.

Section 12 (1)

“*Local Government Act 1960* enabling the council of a municipality” is deleted and the following is substituted —

“ *Local Government Act 1995* enabling a local government ”.

Section 12 (2)

“The council of a municipality” is deleted and the following is substituted —

“ A local government ”.

“Part XXI of the *Local Government Act 1960*” is deleted and the following is substituted —

“ *Local Government Act 1995* ”.

Section 13 (3)

“by-law made under the *Local Government Act 1960*” is deleted and the following is substituted —

“ local law made under the *Local Government Act 1995* ”.

Schedule 1 *continued*

Petroleum Act 1967

Section 16 (1)

“authority” is deleted.

=====

Petroleum Pipelines Act 1969

Section 8 (3) (a)

“council of each municipality in whose district” is deleted and the following is substituted —

“ local government of each district in which ”.

Section 32 (a)

Deleted and the following paragraph is substituted —

“

(a) local laws made under the *Local Government Act 1995* in relation to —

(i) the keeping, carrying, handling and storage of dangerous things; or

(ii) the use, management and maintenance of thoroughfares;

”.

=====

Petroleum Products Pricing Act 1983

Section 4 (1)

After “regulation,” the following is inserted —

“ local law, ”.

=====

Schedule 1 *continued*

Petroleum Retailers Rights and Liabilities Act 1982

Section 5 (6) (a)

After “regulations,” the following is inserted —

“ local laws, ”.

Pigment Factory (Australind) Agreement Act 1986

Section 4B (1)

Repealed.

Plant Diseases Act 1914

Section 38 (1) (a)

“by any council of a shire or municipal council in respect of any land to any rate for the municipal or road” is deleted and the following is substituted —

“ of any land by the local government of the ”.

Poisons Act 1964

Section 6 (2)

After “rule” the following is inserted —

“ , local law ”.

Schedule 1 *continued*

Police Act 1892

Section 2

The definition of “local authority” is deleted.

Section 3

In the heading to Part VII, “APPLICABLE ONLY WHERE NOT THE SUBJECT OF MUNICIPAL OR OTHER BY-LAW, ETC” is deleted and the following is substituted —

“
: NOT TO APPLY WHERE SIMILAR PROVISIONS MADE
BY LOCAL LAW
”.

Section 50A

“by-law or regulation made by any municipality, council of a shire, or board of health” is deleted and the following is substituted —

“ local law made by a local government ”.

Section 80 (1)

After “public” the following is inserted—

“ authority ”.

Section 80A (1)

In the definition of “public property” paragraph (d) is deleted and the following paragraph is substituted —

“ (d) a local government or a regional local government; ”.

Heading to Part VII

“BY-LAW OF MUNICIPAL OR OTHER PUBLIC AND AUTHORIZED BODY” is deleted and the following is substituted —

“ LOCAL LAW ”.

Schedule 1 *continued*

Section 95

“by-law or regulations” is deleted and the following is substituted —

“ local laws ”.

“Municipality, Council of a Shire, or Board of Health” is deleted and the following is substituted —

“ local government ”.

Section 96 (8)

“, or of the Council of the Shire” is deleted.

Various references to “local authority” amended

In each place listed in the table to this clause “local authority” is deleted in each place where it occurs and the following is substituted —

“ local government ”.

Table

s. 2 in the definition of “chairman”	s. 117 s. 118
s. 80 (1)	s. 120
s. 96 (3), (8)	s. 121
s. 111	

Port Hedland Port Authority Act 1970

Section 21 (2)

“municipal council under the *Local Government Act 1960*,” is deleted and the following is substituted —

“ local government ”.

Schedule 1 *continued*

Port Kennedy Development Agreement Act 1992

Section 8 (2) (b) and (3)

In each provision “street under the *Local Government Act 1960*” is deleted and the following is substituted —

“ thoroughfare under the *Local Government Act 1995* ”.

Presbyterian Church Act 1908

Section 21 (6)

“rateable property or” is deleted.

“*Local Government Act 1960*” is deleted and the following is substituted —

“ *Local Government Act 1995* ”.

Prevention of Cruelty to Animals Act 1920

Section 6 (1) (d)

After “regulation,” the following is inserted —

“ local law ”.

Property Law Act 1969

Sections 122 (6) and 123 (8)

In each subsection “council of the municipality in whose municipal district” is deleted and the following is substituted —

“ local government of the district in which ”.

Schedule 1 *continued*

Section 123 (6)

“local authority” is deleted and the following is substituted —

“ local government ”.

Public Sector Management Act 1994

Section 102 (1) (a)

“municipality or regional council established under the *Local Government Act 1960*” is deleted and the following is substituted —

“ local government or regional local government or the council of a local government or regional local government ”.

Section 102 (3)

After section 102 (2) the following subsection is inserted —

“ (3) A person shall not be regarded as holding a paid office, post or position in or under any local government or regional local government or the council of a local government or regional local government for the purposes of subsection (1) (a) by reason only of the person being paid a fee or allowance or being reimbursed for an expense if the payment or reimbursement is in accordance with Part 5, Division 8 of the *Local Government Act 1995*. ”.

Schedule 1

In column 2 the entry for item 15 is deleted and the following is substituted —

“ Any local government or regional local government or the council of a local government or regional local government ”.

Schedule 1 *continued*

Rates and Charges (Rebates and Deferments) Act 1992

Sections 3 (1), 33 (5) and 34 (1) (a) (i)

In section 3 (1) in paragraphs (a) (i) and (b) (iv) of the definition of “prescribed charge” and in sections 33 (5) and 34 (1) (a) (i), “*Local Government Act 1960*” is deleted and the following is substituted —

“ *Local Government Act 1995* ”.

Section 9 (5)

Repealed.

Section 15 (1)

The words from “purportedly under” to “may be reimbursed.” are deleted and the following is substituted —

“
purportedly under this Act, the administrative authority —
(c) if it is a local government, may; or
(d) if it is an accountable authority or an accountable officer within the meaning of the *Financial Administration and Audit Act 1985*, may by way of request to the Treasurer for an act of grace payment under section 58B of that Act,
make such provision, whether by way of payment, waiver or deferral, as may be appropriate and any such provision may for the purposes of section 17 be treated as though it had been a rebate and may be reimbursed.”.

Section 16 (2)

“municipality constituted under the *Local Government Act 1960*” is deleted and the following is substituted —

“ local government ”.

In paragraphs (a), (b) (i) and (ii) and (c), “municipality” is deleted and the following is substituted —

“ local government ”.

Schedule 1 *continued*

Regional Development Commissions Act 1993

Section 3

The definition of “local government authority” is deleted.

Sections 16 (b) and 23 (2) (f) (ii)

In each provision “government authorities” is deleted and the following is substituted —

“ governments ”.

Section 40 (1) (c)

“authority” is deleted in the second place where it occurs.

Schedule 1

Repealed and the following schedule is substituted —

“

**SCHEDULE 1 — REGIONS DEFINED BY
REFERENCE TO DISTRICTS**

[Sections 3, 4, 5, 6, 7, 8,
9, 10, 11, 12 and 13]

PART A — GASCOYNE REGION

The local government districts of Carnarvon, Exmouth, Shark Bay and Upper Gascoyne.

PART B — GOLDFIELDS-ESPERANCE REGION

The local government districts of Coolgardie, Dundas, Esperance, Kalgoorlie-Boulder, Laverton, Leonora, Menzies, Ngaanyatjarraku and Ravensthorpe.

PART C — GREAT SOUTHERN REGION

The local government districts of Albany (Town), Albany (Shire), Broomehill, Cranbrook, Denmark, Gnowangerup, Jerramungup, Katanning, Kent, Kojonup, Plantagenet, Tambellup and Woodanilling.

Schedule 1 *continued*

PART D — KIMBERLEY REGION

The local government districts of Broome, Derby-West Kimberley, Halls Creek and Wyndham-East Kimberley.

PART E — MID WEST REGION

The local government districts of Carnamah, Chapman Valley, Coorow, Cue, Geraldton, Greenough, Irwin, Meekatharra, Mingenew, Morawa, Mt. Magnet, Mullewa, Murchison, Northampton, Perenjori, Sandstone, Three Springs, Wiluna and Yalgoo.

PART F — PEEL REGION

The local government districts of Boddington, Mandurah, Murray, Serpentine-Jarrahdale and Waroona.

PART G — PILBARA REGION

The local government districts of Ashburton, East Pilbara, Port Hedland and Roebourne.

PART H — SOUTH WEST REGION

The local government districts of Augusta-Margaret River, Boyup Brook, Bridgetown-Greenbushes, Bunbury, Busselton, Capel, Collie, Dardanup, Donnybrook-Balingup, Harvey, Manjimup and Nannup.

PART I — WHEATBELT REGION

The local government districts of Beverley, Brookton, Bruce Rock, Chittering, Corrigin, Cuballing, Cunderdin, Dandaragan, Dalwallinu, Dowerin, Dumbleyung, Gingin, Goomalling, Kellerberrin, Kondinin, Koorda, Kulin, Lake Grace, Merredin, Moora, Mt. Marshall, Mukinbudin, Narembeen, Narrogin (Town), Narrogin (Shire), Northam (Town), Northam (Shire), Nungarin, Pingelly, Quairading, Tammin, Toodyay, Trayning, Victoria Plains, Wagin, Wandering, West Arthur, Westonia, Wickelpin, Williams, Wongan-Ballidu, Wyalkatchem, Yilgarn and York.

Schedule 1 *continued*

Residential Tenancies Act 1987

Section 48 (a)

Deleted and the following paragraph is substituted —

“ (a) the *Local Government Act 1995*; ”.

Retail Trading Hours Act 1987

Section 13 (1)

“a local authority whose district is outside or portion of whose district”
is deleted and the following is substituted —

“ the local government of a district that is, in whole or part, ”.

“of the local authority” is deleted in both places where it occurs.

Section 13 (2a)

“a local authority whose district” is deleted and the following is
substituted —

“ the local government of a district that ”.

Section 13 (2b)

Repealed and the following subsection is substituted —

“
(2b) Where a non-metropolitan zone forms part of
more than one local government district an application
under subsection (2a) shall be made by the local
governments of each of those districts, but where all the
local governments in question do not apply the application
shall be deemed to have been made only in relation to the
portions of the non-metropolitan zone within the districts of
the local governments that are applicants under that
subsection and any order made by the Minister in relation
to such application shall have effect only in those districts.
”.

Schedule 1 *continued*

Retirement Villages Act 1992

Section 15 (4) (a) and (5) (b)

In each paragraph “*Local Government Act 1960*” is deleted and the following is substituted —

“ *Local Government (Miscellaneous Provisions) Act 1960* ”.

Rights in Water and Irrigation Act 1914

Section 6 (4)

“local authority” is deleted and the following is substituted —

“ local government ”.

Section 6 (5)

“the district of a local authority that local authority” is deleted and the following is substituted —

“
a local government district, the local government of that
district ”.

“local authority” is deleted in the third place where it occurs and the following is substituted —

“ local government ”.

Road Traffic Act 1974

Section 5 (1)

The definitions of “district”, “local authority” and “municipality” are deleted.

Schedule 1 *continued*

The following definition is inserted in the appropriate alphabetical position —

“**district**” means an area that has been declared to be a district under the *Local Government Act 1995*;”.

In the definition of “regulation”, “by-law made by a local authority” is deleted and the following is substituted —

“ local law made by a local government ”.

Section 11 (4) (c)

“local authorities” is deleted in both places where it occurs and the following is substituted —

“ local governments ”.

Section 81C (2) (b) and (4) (b)

In each paragraph “each local authority for the” is deleted and the following is substituted —

“ the local government of each ”.

Section 87 (1)

In the definition of “owner”, “local authority in whose district” is deleted and the following is substituted —

“ local government of the district in which ”.

Section 98 (2c)

After “regulation,” the following is inserted —

“ local law, ”.

Section 98 (4)

“the district of the local authority” is deleted and the following is substituted —

“ a local government district ”.

Schedule 1 *continued*

Various references to “local authority” amended

In each place listed in the Table to this clause “local authority” is deleted in each place where it occurs and the following is substituted —

“ local government ”.

Table

s. 81D	s. 91
s. 83 (2)	s. 92 (2)
s. 84 (4) in the definition of “road authority”	s. 100 (1)
s. 85 (1), (2), (3)	s. 110 (3), (3) (b)

Rottnest Island Authority Act 1987

Section 44 (4)

“*Local Government Act 1960*” is deleted and the following is substituted —

“ *Local Government (Miscellaneous Provisions) Act 1960* ”.

Section 45 (2) and (3)

In each subsection “local authority” is deleted and the following is substituted —

“ local government ”.

In section 45 (3), “by-laws” is deleted and the following is substituted —

“ local laws ”.

Schedule 1 *continued*

Royal Agricultural Society Act Amendment Act 1929

Section 2

“*Municipal Corporations Act 1906*, or the *Road Districts Act 1919*, or any Act that may hereafter be enacted in lieu thereof or in substitution therefor respectively.” is deleted and the following is substituted —

“ *Local Government Act 1995*. ”.

Royal Style and Titles Act 1947

Section 3 (1) and (2)

In each subsection after “rule of court,” the following is inserted —

“ local law ”.

Sale of Land Act 1970

Section 16

“by-law in force under section 248 of the *Local Government Act 1960*’ is deleted and the following is substituted —

“ local law in force under the *Local Government Act 1995* ”.

Settlement Agents Act 1981

Clauses 1 (1) (b) and 2 (a) of Schedule 2

In each provision “municipalities” is deleted and the following is substituted —

“ local governments ”.

Schedule 1 *continued*

Silicon (Kemerton) Agreement Act 1987

Section 4B (1)

Repealed.

Soil and Land Conservation Act 1945

Section 4

The definition of “municipality” is deleted.

In paragraph (d) of the definition of “Public Authority”, “, municipal council or Commissioner of a municipality” is deleted and the following is substituted —

“ or local government ”.

Section 9 (2) (d)

“government authorities” is deleted and the following is substituted —

“ governments ”.

Section 25A (3)

“property in the district of a municipality for the purposes of Part XXV of the *Local Government Act 1960*” is deleted and the following is substituted —

“
land in a local government district for the purposes of
Part 6 of the *Local Government Act 1995*
”.

In paragraphs (a) and (b), “rate book of the municipality” is deleted and the following is substituted —

“ rate record of the local government of that district ”.

Schedule 1 *continued*

Section 25B (1) (b) and (4) (b)

In each provision “in whose district” is deleted and the following is substituted —

“ of the district in which ”.

Section 25B (4)

“*Local Government Act 1960*” is deleted and the following is substituted —

“ *Local Government Act 1995* ”.

Section 25B (6) (b)

“account of the municipal fund of the municipality under section 522 (3) (d) of the *Local Government Act 1960*” is deleted and the following is substituted —

“ fund of the local government kept under section 6.9 of the *Local Government Act 1995* ”.

Section 25B (7)

“book prepared by the council of the municipality pursuant to Part XXV of the *Local Government Act 1960*” is deleted and the following is substituted —

“ record kept by the local government of the district under Part 6 of the *Local Government Act 1995* ”.

Schedule

“*Local Government Act 1960*” is deleted and the following is substituted —

“ *Local Government Act 1995*
Local Government (Miscellaneous Provisions) Act 1960 ”.

Schedule 1 *continued*

Various references to “council of each municipality whose district” amended

In each place listed in the Table to this clause “council of each municipality whose district” is deleted in each place where it occurs and the following is substituted —

“ local government of each district that ”.

Table

- s. 22 (1a)
- s. 23 (2a) (b), (2b) (b)
- s. 25A (7)

Various references to “municipality” amended

In each place listed in the Table to this clause “municipality” is deleted in each place where it occurs and the following is substituted —

“ local government ”.

Table

- s. 25B (1) (b)
- (3) (a) (ii)
- (4) (b)
- (6) in the first three places where it occurs
- (7) in the first place where it occurs

Spear-guns Control Act 1955

Section 3

In the definition of “Inspector” —

- (a) “council of a municipality constituted under the *Local Government Act 1960*” is deleted and the following is substituted —

“ local government ”; and

- (b) “for that municipality as an inspector by or under that Act;” is deleted and the following is substituted —

“ by that local government as an inspector; ”.

Schedule 1 *continued*

Stamp Act 1921

Section 4 (1)

The definition of “local authority” is deleted and the following definition is substituted —

“
 “local government” means a local government or one of
 the associations constituted under section 9.58 of the
 Local Government Act 1995;
”.

In the definition of “marketable security” —

(a) in paragraphs (a) and (b), “municipal corporation” is deleted
and the following is substituted —

“ local government ”; and

(b) in paragraph (b), “or municipal or other corporation or” is
deleted and the following is substituted —

“ , local government, corporation, ”.

Section 112GA

In the definition of “relevant transaction”, “local authority or other” is
deleted and the following is substituted —

“ local government, ”.

Section 119 (1), (1a) and (3)

In each subsection “local authority” is deleted and the following is
substituted —

“ local government ”.

Item 8 (3a) (b) of the Third Schedule

Deleted and the following paragraph is substituted —

“ (b) a local government, ”.

=====

Schedule 1 *continued*

Standard Survey Marks Act 1924

Section 2

The definition of “Local Authority” is deleted.

Sections 3, 5 and 6 (1)

In each provision “local authority” is deleted and the following is substituted —

“ local government ”.

Stock Diseases (Regulations) Act 1968

Section 6

The definition of “local authority” is deleted.

Stock (Identification and Movement) Act 1970

Section 30 (1) (a)

“municipal districts of the Shires” is deleted and the following is substituted —

“ local government districts ”.

Section 42

“council” is deleted in both places where it occurs and the following is substituted —

“ local government ”.

“*Local Government Act 1960*” is deleted and the following is substituted —

“ *Local Government (Miscellaneous Provisions) Act 1960* ”.

Schedule 1 *continued*

Strata Titles Act 1985

Section 3 (1)

The definition of “local government authority” is deleted and the following definition is substituted —

“**“local government”** means the local government of the district in which the parcel in question is situated;”.

Sections 23 (1) (a) and (d), 24 (1) and 26 (4)

In each provision “*Local Government Act 1960*” is deleted and the following is substituted —

“ *Local Government (Miscellaneous Provisions) Act 1960* ”.

Section 23 (4)

“officer” is deleted and the following is substituted —

“ employee ”.

“government authorities” is deleted and the following is substituted —

“ governments ”.

Section 23 (5)

“town clerk or shire clerk of the authority” is deleted and the following is substituted —

“ chief executive officer of the local government ”.

“officer of the authority” is deleted and the following is substituted —

“ employee of the local government ”.

Section 60 (1)

Before “authority” the following is inserted —

“ local government and other ”.

Schedule 1 *continued*

Section 61 (b)

“an authority” is deleted and the following is substituted —

“ a local government or any other authority ”.

Sections 62 (4) and 63 (2)

In each subsection “any authority” is deleted and the following is substituted —

“ a local government or other authority ”.

Section 67

Repealed.

Clause 12 (b) of Schedule 2

“local government authority by-laws and ordinances” is deleted and the following is substituted —

“ local laws ”.

Clause 11 of Schedule 3

After “such an authority” the following is inserted —

“ or local government ”.

Various references to “or local government authority” amended

In each place listed in the Table to this clause “or local government authority” is deleted in each place where it occurs and the following is substituted —

“ authority or local government ”.

Table

s. 35 (1) (k)
s. 36 (1) (d)
s. 38 (1)
s. 39 (1) (b)
s. 47 (3) (b) (i)
cl. 1 (1) (a) of Schedule 1
cl. 11 of Schedule 3

Schedule 1 continued

Various references to “authority” deleted

In each place listed in the Table to this clause “authority” is deleted in each place where it occurs after “local government”.

Table

s. 5 (3) (b)	s. 26 (1), (1) (e), (i), (k),
s. 6 (3)	(n), (o), (2), (3),
s. 8 (3) (e)	(4) (a), (c), (5) (a), (c),
s. 9 (3) (b), (b) (i)	(9) (a), (10), (11), (12)
s. 10 (2) (a)	s. 62 (4) (a), (b), (c)
s. 19 (10)	s. 63 (2) (a)
s. 23 (1), (1) (a), (b), (c),	s. 126
(2), (2) (a), (3), (4), (5)	s. 127
s. 24 (1), (2), (3), (4),	
(5), (6), (7), (8)	

*Subiaco Redevelopment Act 1994***Long title**

“**City of Subiaco and in the Town of**” is deleted and the following is substituted —

“ **local government districts of Subiaco and** ”.

Section 3

The definition of “local government authority” is deleted.

Sections 4 (2) and 27 (b)

In each provision “council of the City of Subiaco or of” is deleted and the following is substituted —

“ **City of Subiaco or** ”.

Schedule 1 *continued*

Section 7 (1) (b)

Deleted and the following paragraph is substituted —

“
 (b) 2 are to be persons nominated by the City of Subiaco
 who are members of the Council of, or employees of,
 the City of Subiaco;
”.

Section 12

Repealed.

Section 21 (2) (d)

“authority” is deleted in the second place where it occurs.

Sections 26 (1) and 27

In each provision “*Local Government Act 1960*” is deleted and the following is substituted —

“ *Local Government (Miscellaneous Provisions) Act 1960* ”.

Section 26 (2)

“town clerk” is deleted and the following is substituted —

“ chief executive officer ”.

Section 26 (3)

Repealed and the following subsection is substituted —

“
 (3) In this section and section 27 —
 “**street**” means a thoroughfare as defined in the
 Local Government Act 1995.
”.

Section 27

“ “council” ” is deleted and the following is substituted —

“ “local government” ”.

Schedule 1 *continued*

Section 28 (2) (e)

Deleted and the following paragraph is substituted —

“
 (e) a local government or a committee or employee of a
 local government.”.

Section 33 (3) (b)

“councils” is deleted and the following is substituted —

“ local governments ”.

Section 34 (2) (b)

“the City of Subiaco and in the Town of” is deleted and the following is substituted —

“ the local government districts of Subiaco and ”.

Section 55 (1) (b)

“local authority” is deleted and the following is substituted —

“ local government ”.

Clause 2 (d) of Schedule 2

“officer” is deleted and the following is substituted —

“ employee ”.

**Various references to “council of the City of Subiaco and of”
amended**

In each place listed in the Table to this section “council of the City of Subiaco and of” is deleted and the following is substituted —

“ City of Subiaco and ”.

Table

s. 33 (3) (a)
s. 49 (1) (b), (2)
s. 50 (5)

Schedule 1 *continued*

Superannuation and Family Benefits Act 1938

Section 6 (1)

The definition of “local authority” is deleted.

Supreme Court Act 1935

Section 11E (4)

After “rule,” the following is inserted —

“ local law, ”.

Swan River Trust Act 1988

Section 3

The definition of “local Government authority” is deleted.

Section 4 (2) (d) (i) and (ii)

In each sub-paragraph “municipality in whose district” is deleted and the following is substituted —

“ district in which ”.

Section 5 (3)

“*Local Government Act 1960*” is deleted and the following is substituted —

“ *Local Government Act 1995* ”.

Section 9 (1)

“authority of that municipality” is deleted.

Schedule 1 *continued*

Sections 10 (2) and 29

Repealed.

Section 12 (1) (g) and (3)

In each provision “a local government authority” is deleted and the following is substituted —

“ the council of a local government ”.

Section 23 (2) (b)

“municipalities” is deleted and the following is substituted —

“ local governments ”.

Section 26 (2)

Repealed and the following subsection is substituted —

“
(2) The Trust may in a resolution under subsection (1) empower a public authority or a local government to subdelegate a function delegated to it under this section to —

- (a) in the case of a public authority, a committee of, a member of, or an officer of, the authority;
or
- (b) in the case of a local government, the council of, a committee of, or an employee of, the local government, or a member of the council of the local government.

”.

Section 26 (5) (d)

Deleted and the following paragraph is substituted —

“
(d) a local government or a member of the council of, or an employee of, a local government.

”.

Schedule 1 *continued*

Section 39 (3)

The definition of “relevant local government authority” is deleted and the following definition is substituted —

“
 “relevant local government” means a local government referred to in Schedule 2 which was consulted under section 35;
”.

Section 54 (3)

“authority” is deleted in the second place where it occurs and the following is substituted —

“ local government ”.

Schedule 2

“MUNICIPALITIES” is deleted and the following is substituted —

“ LOCAL GOVERNMENTS ”.

Various references to “the local government authority of” deleted

In each place listed in the Table to this clause “the local government authority of” is deleted.

Table

s. 23 (1)
s. 35 (b)
s. 52 (1) (a)
s. 53 (1) (b)
s. 54 (3)

Various references to “municipality” amended

In each place listed in the Table to this clause “municipality” is deleted in each place where it occurs and the following is substituted —

“ local government ”.

Schedule 1 *continued*

Table

s. 9 (1) in the first place where it occurs
s. 23 (1), (2), (2) (a), (b), (3)
s. 24 (2)
s. 35 (b)
s. 52 (1) (a), (b)
s. 53 (1) (b)
s. 54 (3)

Various references to “authority” deleted

In each place listed in the Table to this clause “authority” is deleted in each place where it occurs after “local government”.

Table

s. 4 (2) (d)	s. 53 (2)
s. 5 (3), (3) (b), (c)	s. 55 (2) (b)
s. 9 (2), (4)	s. 59 (5)
s. 39 (1)	s. 60 (3)
s. 52 (3)	

Swan Valley Planning Act 1995**Section 3**

In the definition of “Shire town planning scheme”, “Shire of” is deleted and the following is substituted —

“ local government district of”.

Section 15 (1), (2), (4) and (5)

In each subsection “Council” is deleted in each place where it occurs (except the first place in subsection (1)) and the following is substituted —

“ Shire of Swan ”.

Section 21

Repealed.

Schedule 1 *continued*

Various references to “Council of the” deleted

In each place listed in the Table to this clause “Council of the” is deleted in each place where it occurs.

Table

s. 5 (3) (a)
s. 13 (1) (f), (2)
s. 15 (1)
s. 23 (1)

***The Confederation of Western Australian
Industry (Incorporated) Act 1976***

Section 3

In paragraphs (b) and (c) of the definition of “law of the State”, after “rules,” the following is inserted —

“ local laws ”.

The Magisterial Districts Act 1886

Sections 3 and 4

In each section after “regulation,” the following is inserted —

“ local law, ”.

The Municipal Water Supply Preservation Act 1892

Section 2

“Local Board of Health of the Municipality” is deleted and the following is substituted —

“ local government of the district ”.

Schedule 1 *continued*

“Municipality” is deleted in the second place where it occurs and the following is substituted —

“ local government district ”.

Section 3

“ “*The Public Health Act 1886*,” and any Act incorporated therewith,” is deleted and the following is substituted —

“ the *Health Act 1911* ”.

“Municipal boundaries” is deleted and the following is substituted —

“ a local government district ”.

“ “*The Public Health Act 1886*.” ” is deleted and the following is substituted —

“ the *Health Act 1911*. ”.

Section 4

All the words from “Every Local Board” to “especially” are deleted and the following is substituted —

“
A local government may make local laws for the purposes of
this Act and in particular — ”.

Various references to “Municipal” amended

In each place listed in the Table to this clause “Municipal” is deleted in each place where it occurs and the following is substituted —

“ Local Government ”.

Table

Short title
Long title
Preamble
s. 1
s. 2

Schedule 1 *continued*

***The Newspaper Libel and Registration Act 1884
Amendment Act 1888***

Section 6

“municipal” is deleted in both places where it occurs and the following is substituted —

“ local government ”.

The Standard Time Act 1895

Section 4

After “regulation,” the following is inserted —

“ local law ”.

Toodyay Cemeteries Act 1939

Section 4

“Toodyay Road Board” is deleted and the following is substituted —

“ Shire of Toodyay ”.

Town Planning And Development Act 1928

Section 2 (1)

The definitions of “district” and “local authority” are deleted.

The following definition is inserted in the appropriate alphabetical position —

“
 “district” means an area that has been declared to be a
 district under the *Local Government Act 1995*;
”.

Schedule 1 *continued*

In the definition of “building line”, “by-law” is deleted and the following is substituted —

“ local law ”.

Section 7 (6)

“the district of any municipality” is deleted and the following is substituted —

“ a local government district ”.

Section 7 (7)

“municipality” is deleted in both places where it occurs and the following is substituted —

“ local government ”.

“the local authority of” is deleted.

Section 7A (1) and (4)

In each subsection “Council of the” is deleted.

Section 7A (1), (2) and (5)

In each subsection “Council” is deleted in each place where it occurs (other than the first place in subsection (1)) and the following is substituted —

“ Shire ”.

Section 7B (4)

“councils of a municipality” is deleted and the following is substituted —

“ local governments ”.

Schedule 1 *continued*

Section 7B (5) (d) and (11)

In each provision “*Local Government Act 1960*” is deleted and the following is substituted —

“
 Local Government Act 1995 and the *Local Government
 (Miscellaneous Provisions) Act 1960*”.

Section 7B (9)

“that authority and the council” is deleted and the following is substituted —

“
 the public authority or local government desiring to carry
 out the work or undertaking and the local government
 administering the order”.

Section 16

Repealed.

Section 20 (1) (d) (i)

“*Local Government Act 1960*” is deleted and the following is substituted —

“
 Local Government (Miscellaneous Provisions) Act 1960”.

Section 33A

After section 33 the following section is inserted —

“
 Compliance with Local Government Regulations

 33A. (1) If there is any inconsistency between a town
 planning scheme and a regulation made under section 433A
 of the *Local Government (Miscellaneous Provisions)
 Act 1960*, the town planning scheme prevails to the extent
 of the inconsistency.

 (2) In the exercise of any power conferred on it by a
 town planning scheme, a local government is not obliged to
 have regard to any regulations made under section 433A of
 the *Local Government (Miscellaneous Provisions) Act 1960*.”.

Schedule 1 *continued*

Clause 5 (b) of the First Schedule

“section 225 of the *Municipal Corporations Act 1906*, and of section 146 of the *Road Districts Act 1919*” is deleted and the following is substituted —

“ the *Local Government Act 1995* ”.

Clause 5 (c) of the First Schedule

“council” is deleted and the following is substituted —

“ local government ”.

Heading to the Second Schedule

“BY-LAWS MAY BE MADE BY A LOCAL AUTHORITY” is deleted and the following is substituted —

“ LOCAL LAWS MAY BE MADE BY A LOCAL GOVERNMENT ”.

Clause 8 of the Second Schedule

“by-law” is deleted and the following is substituted —

“ local law ”.

Various references to “by-laws” amended

In each place listed in the Table to this clause “by-laws” is deleted in each place where it occurs and the following is substituted —

“ local laws ”.

Table

s. 7B (5) (d), (6) (c), (11)
s. 12 (1), (2a) (b) (ii)
s. 31 (1)
cl. 2 of the Second Schedule
cl. 5 of the Second Schedule
cl. 6 of the Second Schedule
cl. 7 of the Second Schedule
cl. 8 of the Second Schedule
cl. 11 of the Second Schedule

Schedule 1 *continued*

Various references to “council” amended

In each place in section 7B listed in the Table to this clause “council” is deleted in each place where it occurs (but not “Council”) and the following is substituted —

“ local government ”.

Table

subs. (4)
subs. (5) (a) (i), (iv), (b), (c)
subs. (6) (d)
subs. (7) (a) (ii)
subs. (8) (a), (c)
subs. (9) in the first and third places where it occurs
subs. (12) (a) (i), (b)

Various references to “local authority” amended

In each place listed in the Table to this clause “local authority” is deleted in each place where it occurs and the following is substituted —

“ local government ”.

Table

s. 2 (1) in the definitions of “building line” and “responsible authority”	s. 18A (1), (1) (a), (b), (c), (2), (3), (4), (5), (6), (7)
s. 5AA (3), (5)	s. 19 (2), (4) (a) (ii), (iii)
s. 7 (1), (2), (2a) (b), (4) (b), (c), (5)	s. 20 (1) (d) (i)
s. 7AA (1) (a), (2) (a), (aa), (b), (c), (3a) (a)	s. 20C (1), (2), (2) (a), (b), (c), (4) (b), (5), (6)
s. 7B (2) (a), (6) (c), (9)	s. 22 (2)
s. 8 (2) (b), (3)	s. 24 (1), (2)
s. 9 (2) (a), (b)	s. 27A (1) (b) (i)
s. 11 (1)	s. 28 (1), (2)
s. 12 (1), (2), (2a) (b) (ii)	s. 31 (1)
s. 17 (1), (2)	s. 32
s. 18 (1), (2), (3)	cl. 11A (3) of the First Schedule
	cl. 17 of the First Schedule
	cl. 9 of the Second Schedule

Various references to “local authorities” amended

In each place listed in the Table to this clause “local authorities” is deleted in each place where it occurs and the following is substituted —

“ local governments ”.

Schedule 1 *continued*

Table

s. 5AA (2), (3)
s. 7B (2) (a)
s. 8 (3)
cl. 1 of the Second Schedule

Transfer of Land Act 1893

Section 129C (4)

“council of the municipality or the board of the road” is deleted and the following is substituted —

“ local government of the ”.

Section 145 (1) (b)

“the mayor or other chief officer or town clerk or the acting mayor or other acting chief officer or acting town clerk of any city or municipal corporation” is deleted and the following is substituted —

“ the mayor, president or chief executive officer of a local government or a person acting as mayor, president or chief executive officer ”.

Section 223

“City” is deleted and the following is substituted —

“ city ”.

Section 231

“town or city” is deleted in both places where it occurs and the following is substituted —

“ local government ”.

“municipality” is deleted and the following is substituted —

“ local government ”.

Schedule 1 *continued*

Transport Co-ordination Act 1966

Section 4 (1)

The definition of “local authority” is deleted.

Section 27 (3)

“*Local Government Act 1960*” is deleted and the following is substituted —

“ *Local Government Act 1995* ”.

Section 47Z (1)

The definitions of “district” and “municipality” are deleted.

The following definition is inserted in the appropriate alphabetical position —

“
 “**district**” means an area that has been declared to be a
 district under the *Local Government Act 1995*;
”.

Section 47ZG (2)

“local authorities in whose district or districts” is deleted and the following is substituted —

“ local governments of the district or districts in which ”.

Section 47ZG (3)

“A local authority in” is deleted and the following is substituted —

“ The local government of”.

“by-laws” is deleted and the following is substituted —

“ local laws ”.

Section 47ZG (4)

“by-law” is deleted in both places where it occurs and the following is substituted —

“ local law ”.

Schedule 1 continued

Section 47ZG (5)

After “as if” the following is inserted —

“ they were local laws ”.

Section 47ZG (7)

“by-laws made by the local authority for” is deleted and the following is substituted —

“ local laws made by the local government of ”.

Various references to “local authority” amended

In each place listed in the Table to this clause “local authority” is deleted in each place where it occurs and the following is substituted —

“ local government ”.

Table

s. 27 (3), (4), (5)
s. 47ZF (1) (za)
s. 47ZG (2), (6)
cl. 7 of the First Schedule

Trustees Act 1962

Section 16 (1) (c)

Deleted and the following paragraph is substituted —

“ (c) in any securities issued by a local government; ”.

Unclaimed Money Act 1990

Section 11 (4)

“local authority” is deleted and the following is substituted —

“ local government ”.

Schedule 1 *continued*

Valuation of Land Act 1978

Section 4 (1)

The definition of “municipality” is deleted.

In the definition of “metropolitan region” —

- (a) “districts of the following municipalities — the cities of” is deleted and the following is substituted —
“ following local government districts — ”;
- (b) “and Subiaco; the towns of” is deleted and the following is substituted —
“ , Subiaco, ”; and
- (c) “and Vincent; and the shires of” is deleted and the following is substituted —
“ , Vincent, ”.

In the definition of “townsite” —

- (a) in paragraph (ii), “the district of a municipality” is deleted and the following is substituted —
“ a district ”; and
- (b) in paragraph (iv), “currently declared a townsite under section 686 of the *Local Government Act 1960* or any Act repealed thereby” is deleted and the following is substituted —
“
in an area that has been, or is to be regarded as having been, constituted a townsite, and given a name, under section 10 of the *Land Act 1933*
”.

Sections 9, 37 and 49 (2) (a)

In each provision “municipality” is deleted and the following is substituted —

“ local government ”.

Schedule 1 *continued*

Section 30

Repealed.

Section 31

Repealed and the following section substituted —

“

Concessional valuations for land subject to special agreements

31. (1) This section applies to the owner of any land to whom section 533B of the *Local Government Act 1969* as in force before the commencement of this Act applied by virtue of the operation of section 533AA of that Act.

(2) If this section applies to a person, any land owned by that person which was valued under that section 533B is, for the purpose of imposing rates under the *Local Government Act 1995*, to be valued under section 6.30 of that Act.

”

Section 31A (a) and (b)

Repealed and the following paragraphs are substituted —

“

(a) is requested under clause 1 (5) of Schedule 6.1 to the *Local Government Act 1995* to determine the value of land, he shall make the determination in accordance with clause 1 (6) of that Schedule; and

(b) is requested under clause 2 (5) of Schedule 6.1 to the *Local Government Act 1995* to determine the value of land, he shall make the determination in accordance with clause 2 (6) of that Schedule.

”

Warehousemen's Liens Act 1952

Section 7 (5) (a)

“City” is deleted and the following is substituted —

“ local government district ”.

Schedule 1 *continued*

Water Agencies (Powers) Act 1984

Section 3 (1)

The definition of “council” is deleted.

In the definition of “local authority” paragraph (b) and the “or” after paragraph (b) are deleted and the following is substituted —

“
 (b) any other person exercising the powers of a local
 government under the *Health Act 1911*; or
”.

Section 38 (1)

“by-law” is deleted in each place where it occurs and the following is substituted —

“ local law ”.

Section 41A (1) (a)

Deleted and the following paragraph is substituted —

“
 (a) is not within an area that has been, or is to be
 regarded as having been, constituted a townsite, and
 given a name, under section 10 of the *Land Act 1933*;
”.

Section 65 (a) and 67 (4)

In section 65 (a) in paragraph (b) of the definition of “planning condition” and in section 67 (4), “*Local Government Act 1960*” is deleted and the following is substituted —

“ *Local Government (Miscellaneous Provisions) Act 1960* ”.

Section 69A (4)

“, rate book or other valuation” is deleted.

“municipality” is deleted in both places where it occurs and the following is substituted —

“ local government ”.

Schedule 1 continued

“town clerk or the shire clerk” is deleted and the following is substituted —

“ chief executive officer ”.

Section 85 (1)

“Division 2 or 3 or Part XXVI” is deleted.

Various references to “*Local Government Act 1960*” amended

In each place listed in the Table to this clause “*Local Government Act 1960*” is deleted and the following is substituted —

“ *Local Government Act 1995* ”.

Table

s. 3 (1) in the definition of “owner”
s. 38 (1)
s. 69A (4) (a)
s. 85 (1)

Various references to “council” amended

In each place listed in the Table to this clause “council” is deleted in each place where it occurs and the following is substituted —

“ local government ”.

Table

s. 3 (1) in the definitions of “local authority” and “street”	s. 89 (1)
s. 38 (1)	s. 93 (1) (b) (ii), (2)
s. 67 (3), (3) (c)	s. 94 (1)
s. 72 (4)	s. 98
s. 85 (1), (2), (2) (c)	s. 99 (1), (2), (3), (4), (5)
s. 88 (1) (c) (ii)	s. 100 (a)

Schedule 1 *continued*

Water Boards Act 1904

Section 3 (1)

The definitions of “district” and “local authority” are deleted.

The following definition is inserted in the appropriate alphabetical position —

“**“district”** means an area that has been declared to be a district under the *Local Government Act 1995*;”.

In the definition of “chairman”, “*Local Government Act 1960*” is deleted and the following is substituted —

“*Local Government Act 1995*”.

In the definition of “country land”, “municipal” is deleted.

Section 4 (1)

“the District of a Local Authority, or the Districts of two or more Local Authorities” is deleted and the following is substituted —

“a District, or 2 or more Districts”.

Section 7 (1)

“a Local Authority whose District, or part of whose District,” is deleted and the following is substituted —

“the Local Government of a District all or part of which”.

Section 37

“Local Board of Health” is deleted in the first place where it occurs and the following is substituted —

“local government under the *Health Act 1911*”.

“by-laws” is deleted and the following is substituted —

“local laws”.

Schedule 1 *continued*

“*Health Act 1898*” is deleted and the following is substituted —

“ *Health Act 1911* ”.

“the district of a Local Board of Health” is deleted and the following is substituted —

“ a local government district ”.

Section 49

“officer” is deleted in each place where it occurs and the following is substituted —

“ employee ”.

Section 63 (7)

“in whose district” is deleted and the following is substituted —

“ of the district in which ”.

Section 84

“property” is deleted in both places where it occurs and the following is substituted —

“ land ”.

Section 108 (7)

In the paragraph beginning “Thirdly” —

- (a) “municipal council or road board and the local authority under the *Health Act 1911-1937*,” is deleted and the following is substituted —

“ local government ”; and

- (b) in the proviso “, the municipal council or road board and the local health authority” is deleted and the following is substituted —

“ and the local government ”.

Schedule 1 *continued*

Various references to “Local Authority” amended

In each place listed in the Table to this clause “Local Authority” and “local authority” are deleted in each place where they occur and the following is substituted —

“ Local Government ”.

Table

s. 3 (1) in the definition of “rateable land”	s. 62A (1)
s. 9	s. 62B
s. 10 (5), (11)	s. 63 (4), (7), (8), (9), (10), (11), (13), (15)
s. 44 (1)	s. 65A (1)
s. 48	s. 80
s. 49	s. 82
s. 51 (1), (2)	s. 126
s. 60 (1) (d)	s. 159

Various references to “Local Authorities” amended

In each place listed in the Table to this clause “Local Authorities” is deleted in each place where it occurs and the following is substituted —

“ Local Governments ”.

Table

s. 9
s. 10 (11)
s. 13
s. 14

Waterways Conservation Act 1976

Section 3 (1)

The definition of “local government authority” is deleted.

The following definition is inserted in the appropriate alphabetical position —

“
 “by-law” means a by-law or, in relation to a local
 government, a local law, made under this Act;
”.

Schedule 1 *continued*

Section 5 (1)

After “regulation,” the following is inserted —

“ local law, ”.

Sections 5 (3) and 56 (5)

In each subsection “*Local Government Act 1960*” is deleted and the following is substituted —

“ *Local Government Act 1995* ”.

Sections 28 (3) (a) and 35 (1)

In each provision “government” is deleted and the following is substituted —

“ governments ”.

In section 28 (3) (a) after “reimburse the” the following is inserted —

“ local government or ”.

Section 34 (2)

Repealed.

Section 56 (1) and (4)

In subsection (1), “ by-laws” is deleted and the following is substituted —

“ local laws ”.

In each subsection “by-law” is deleted and the following is substituted —

“ local law ”.

Section 56 (1a) and (5)

In each subsection “By-laws” is deleted and the following is substituted —

“ Local laws ”.

Schedule 1 *continued*

Section 56 (2)

After “adopt” the following is inserted —

“ as a local law ”.

Section 56 (3)

“by-law so adopted” is deleted and the following is substituted —

“ local law adopting the model by-law ”.

Various references to “local government authority” amended

In each place listed in the Table to this clause “authority” is deleted in each place where it occurs after “local government”.

Table

s. 5 (3), (3) (b), (c)	s. 54 (6) (d) (i), (7)
s. 24 (3) (b)	s. 56 (1), (2), (3), (4), (5)
s. 32 (2) (b)	s. 57
s. 33 (1), (2), (3)	s. 58 (1)
s. 35 (3)	

Various references to “local government authorities” amended

In each place listed in the Table to this clause “government authorities” is deleted in each place where it occurs and the following is substituted —

“ governments ”.

Table

s. 14 (3), (4) (b)
s. 23 (2) (d)
s. 25 (2) (d)
s. 54 (6) (d) (i)

Schedule 1 *continued*

Weights and Measures Act 1915

Section 33 (1)

“municipal” is deleted and the following is substituted —

“ local government ”.

Western Australian Development Corporation Act 1983

Section 11 (4)

“local authority” is deleted and the following is substituted —

“ local government ”.

Western Australian Land Authority Act 1992

Section 4

The definition of “local government authority” is deleted.

Section 17 (2) (c)

“or a local government authority” is deleted and the following is substituted —

“ , a local government or a regional local government ”.

Western Australian Marine (Sea Dumping) Act 1981

Section 14 (8) (e)

“councils within the meaning of the *Local Government Act 1960*” is deleted and the following is substituted —

“ local governments ”.

Schedule 1 *continued*

Western Australian Meat Industry Authority Act 1976

Section 24

After “rule” the following is inserted —

“ , local law ”.

Western Australian Planning Commission Act 1985

Section 3

The definition of “local government authority” is deleted.

The following definitions are inserted in the appropriate alphabetical positions —

“
 “district” means an area that has been declared to be a
 district under the *Local Government Act 1995*;
”;
“
 “local government” means a local government or a
 regional local government;
”.

In the definition of “WAMA”, “*Local Government Act 1960*” is deleted and the following is substituted —

“ *Local Government Act 1995* ”.

Sections 6 (7), 55 (1) and 66 (2)

In sections 6 (7) and 66 (2) and in section 55 (1) in paragraph (e) of the definition of “member”, “local government authority” is deleted in each place where it occurs and the following is substituted —

“ local government ”.

Section 18 (1) (b)

“local authorities” is deleted and the following is substituted —

“ local governments ”.

Schedule 1 *continued*

Section 18 (1b) (c)

“municipalities the districts of” is deleted and the following is substituted —

“ local governments of the districts ”.

Section 19 (1d) (a) and (b)

In each paragraph “the municipality of” is deleted.

Section 20 (4)

After paragraph (c), “or” is deleted.

Paragraph (d) is deleted and the following is substituted —

“

- (d) a public authority or a member or officer of a public authority; or
- (e) a local government, or the council of, or an employee of, a local government, or a member of the council of a local government.

”.

Section 56

Repealed.

Schedule 1

In items 1 and 4 “of the Shires” is deleted.

In items 2, 5, 6, 7 and 8 —

- (a) “of the City” or “of the Town” is deleted; and
- (b) “and of the Shires of” is deleted and a comma is substituted.

In item 3 “the Town of Albany and of the Shires of Albany,” is deleted and the following is substituted —

“ Albany (Town), Albany (Shire), ”.

Schedule 1 *continued*

In item 9 —

- (a) “the Towns of Narrogin and Northam and of the Shires of”
is deleted and the following is substituted —
“ Narrogin (Town), Northam (Town), ”; and
- (b) after “Narrogin” and “Northam” in the second places where
they occur the following is inserted —
“ (Shire) ”.

Various references to “local authority” amended

In each place in section 18 listed in the Table to this clause “local
authority” is deleted in each place where it occurs and the following is
substituted —

“ local government ”.

Table

subs. (1a)
subs. (1c), (1c) (a), (b), (b) (i) (B)
subs. (1d)
subs. (1e)
subs. (1f)
subs. (1g)

Various references to “local government authorities” amended

In each place listed in the Table to this clause “government authorities”
is deleted in each place where it occurs and the following is
substituted —

“ local governments ”.

Table

s. 5 (1) (b) (i), (ii)
s. 18 (1) (c)
s. 19 (1c) (a) (vi),
(1e) (a) (viii),
(1g) (a) (ix),
(1i) (a) (iv)

Schedule 1 *continued*

Western Australian Tourism Commission Act 1983

Section 3

The definition of “local authority” is deleted and the following definition is substituted —

“**“local government”** means a local government or a regional local government;”.

Section 14 (2) (c) and (j)

In each paragraph “local authority” is deleted and the following is substituted —

“ local government ”.

=====

Western Australian Treasury Corporation Act 1986

Section 10 (4a) (b)

“an authority under the *Local Government Act 1960* or any Act repealed by that Act” is deleted and the following is substituted —

“ a local government ”.

=====

Wildlife Conservation Act 1950

Section 9 (2) and (3)

“local authority” is deleted in the first place where it occurs in section 9 (2) and in section 9 (3) and the following is substituted —

“ local government ”.

Schedule 1 *continued*

Section 9 (2) (b) is deleted and the following paragraph is substituted —

“
(b) where the matter relates to a local government — the local government shall refer the matter to the Minister charged with the administration of the *Local Government Act 1995*, who may consult with the Minister;
”.

Workers' Compensation and Rehabilitation Act 1981

Section 6

“municipal corporation” is deleted in both places where it occurs and the following is substituted —

“ local government ”.

“local,” is deleted.

Workplace Agreements Act 1993

Section 41 (f)

“municipality or regional council constituted under the *Local Government Act 1960*” is deleted and the following is substituted —

“ local government or regional local government ”.

York Cemeteries Act 1933

Section 3

“York Municipal Council as the trustees” is deleted and the following is substituted —

“ Shire of York as the trustee ”.
