

STATE ENERGY COMMISSION.

No. 36 of 1984.

AN ACT to amend the State Energy Commission Act 1979-1981.

[Assented to 20 June 1984.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the *State Energy Commission Amendment Act 1984*. Short title and citation.

(2) In this Act the State Energy Commission Act 1979-1981 is referred to as the principal Act. Act No. 111 of 1979 as amended by Acts Nos. 63 and 101 of 1981.

(3) The principal Act as amended by this Act may be cited as the State Energy Commission Act 1979-1984.

Section 28
amended.

2. Section 28 of the principal Act is amended by inserting after subsection (3) the following subsection—

“ (4) Where pursuant to this Act the Commission enters into or participates in any agreement or arrangement for the provision of energy or for the carrying out, utilization, control or management of any works, matters or things related thereto such agreement or arrangement shall be deemed to have been entered into for the purposes of carrying out the provisions of this Act and any works or other things constructed, maintained or managed by the Commission pursuant to such agreement or arrangement shall, without affecting the rights and obligations of the parties to the agreement or arrangement, be deemed to be works constructed, maintained or managed by the Commission for the purposes of this Act. ”.

Section 43
amended.

3. Section 43 of the principal Act is amended—

(a) by inserting after subsection (1), the following subsection—

“ (1a) Where for the purposes of any agreement or arrangement entered into by the Commission pursuant to this Act the Commission has transferred or conveyed to another person the property or any other interest in any works or other things placed in, over or under any land but continues to manage or maintain such works or other things whether for itself or for or on behalf of any other person the Commission, for the purposes of this Act and any other Act administered by

the Commission, and, the transferee and any successor in title of such transferee and their servants and agents, shall be deemed to have a right of access thereto for the purposes of carrying out the agreement or arrangement "; and

- (b) in subsection (2), by inserting after "Commission", where first occurring, the following—

" and any person or body of persons authorized by the Commission in that behalf ".
