

EVIDENCE (No. 2).

No. 90 of 1975.

AN ACT to amend the Evidence Act, 1906-1974.

[Assented to 20th November, 1975.]

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 *Evidence Act Amendment Act (No. 2)*, 1975.

Short title
and
citation.

(2) In this Act the Evidence Act, 1906-1974 is referred to as the principal Act.

Reprinted as
approved for
reprint 2nd
July, 1971
and
amended by
Acts Nos.
41 of 1971
and
18 of 1974.

(3) The principal Act as amended by this Act may be cited as the Evidence Act, 1906-1975.

Commence-
ment.

2. The provisions of this Act shall come into operation on such date or dates as is or are, respectively, fixed by proclamation.

Section 73B
amended.

3. Section 73B of the principal Act is amended—

- (a) by deleting the words “Registrar of Companies” in line four of subsection (1) and substituting the words “Commissioner for Corporate Affairs”;
- (b) by deleting the words “Registrar of Companies” in line seven of subsection (1) and substituting the passage “Commissioner for Corporate Affairs, a Deputy Commissioner for Corporate Affairs, an Assistant Commissioner for Corporate Affairs”; and
- (c) by deleting the words “Registrar of Companies” in line two of subsection (3) and substituting the words “Commissioner for Corporate Affairs”.

Section 79
amended.

4. Section 79 of the principal Act is amended—

- (a) by deleting the words “Australasian Colony” in lines four and five of subsection (1) and substituting the words “Territory of the Commonwealth”;
- (b) by deleting the word “Colony” occurring in line three of paragraph (a) and in line four of paragraph (b) of subsection (1) and substituting the word “Territory”, in both cases;
- (c) by deleting the words “Australasian Colony” in line four of subsection (2) and substituting the passage “Territory of the Commonwealth or of or from a transparency (within the meaning of the Companies Act, 1961) of a document which has been kept and registered at any such office”; and

(d) by adding after subsection (2) the following subsection—

(3) A reference in subsection (1) or (2) of this section to the registrar or an assistant or deputy registrar shall be construed—

(a) as including a reference to the Corporate Affairs Commission of the State of New South Wales or to a Commissioner of or for Corporate Affairs, an Assistant Commissioner of or for Corporate Affairs or a Deputy Commissioner of or for Corporate Affairs of the State of New South Wales, Victoria or Queensland; and

(b) as including a reference to a person holding within the office for the registration of companies in the United Kingdom or any part thereof or in any State or Territory of the Commonwealth an office which corresponds to the office of Commissioner for Corporate Affairs or Assistant Commissioner for Corporate Affairs or Deputy Commissioner for Corporate Affairs under the Companies Act, 1961. .
