

## STATUTE LAW REVISION.

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No. 10 of 1970.

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AN ACT to revise the Statute Law by repealing spent, unnecessary or superseded enactments, to give short titles to certain Acts of Parliament and to amend the short titles of others.

[Assented to 29th April, 1970.]

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. This Act may be cited as the *Statute Law* Short title.  
*Revision Act, 1970.*
2. The enactments mentioned in the *First* Repeal.  
Schedule to this Act are repealed.

Short titles  
provided.

3. The enactments mentioned in the first column of the Second Schedule to this Act and cited in the manner appearing in the second column of the Schedule are amended as provided, in each case, in the third column of the Schedule.

Short titles  
amended.

4. The Acts appearing in the Third Schedule to this Act and cited in the manner appearing in the second column of the Schedule may be cited (together with amendments, if any,) in the manner appearing, in each case, in the third column of the Schedule.

## FIRST SCHEDULE.

## PART I.—SUPPLY AND APPROPRIATION ACTS.

<i>Year.</i>	<i>Act.</i>	<i>Title.</i>
1964 ....	No. 1 of 1964 ....	
1964 ....	No. 42 of 1964 ....	
1964 ....	No. 109 of 1964 ....	Appropriation Act, 1964-65.
1965 ....	No. 1 of 1965 ....	
1965 ....	No. 46 of 1965 ....	
1965 ....	No. 111 of 1965 ....	Appropriation Act, 1965-66.
1966 ....	No. 1 of 1966 ....	
1966 ....	No. 32 of 1966 ....	
1966 ....	No. 97 of 1966 ....	Appropriation Act, 1966-67.
1967 ....	No. 1 of 1967 ....	Supply Act, 1967.
1967 ....	No. 31 of 1967 ....	Supply Act, (No. 2), 1967.

## PART II.—LOAN ACTS.

1956 ....	No. 88 of 1956 ....	Loan Act, 1956.
1957 ....	No. 80 of 1957 ....	Loan Act, 1957.
1958 ....	No. 62 of 1958 ....	Loan Act, 1958.
1959 ....	No. 81 of 1959 ....	Loan Act, 1959.
1960 ....	No. 83 of 1960 ....	Loan Act, 1960.
1961 ....	No. 80 of 1961 ....	Loan Act, 1961.
1962 ....	No. 77 of 1962 ....	Loan Act, 1962.
1963 ....	No. 67 of 1963 ....	Loan Act, 1963.
1964 ....	No. 106 of 1964 ....	Loan Act, 1964.
1965 ....	No. 112 of 1965 ....	Loan Act, 1965.
1966 ....	No. 64 of 1966 ....	Loan Act, 1966.
1967 ....	No. 75 of 1967 ....	Loan Act, 1967.

## PART III.—RAILWAYS ACTS.

*Discontinuance Acts.*

<i>Year.</i>	<i>Act.</i>	<i>Title.</i>
1960 ....	No. 76 of 1960 ....	Railways (Cue-Big Bell and other Railways) Discontinuance Act, 1960.
1964 ....	No. 27 of 1964 ....	Bellevue-Mount Helena Railway Discontinuance and Land Revestment Act, 1964.
1964 ....	No. 30 of 1964 ....	Bibra Lake-Armadale Discontinuance and Land Revestment Act, 1964.
1967 ....	No. 43 of 1967 ....	Railway (Midland-Walkaway Railway) Discontinuance Act, 1967.

*Miscellaneous.*

1916 ....	No. 14 of 1916 ....	Flinders Bay-Margaret River Railway Act, 1916.
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## PART IV.—ACTS AMENDMENT ACTS.

<i>Year.</i>	<i>Act.</i>	<i>Title.</i>
1947 ....	No. 52 of 1947 ....	Acts Amendment (Allowances and Salaries Adjustment) Act, 1947.
1949 ....	No. 17 of 1949 ....	Acts Amendment (Increase in number of Judges of the Supreme Court) Act, 1949.
1950 ....	No. 2 of 1950 ....	Acts Amendment (Increase in number of Ministers of the Crown) Act, 1950.
1950 ....	No. 16 of 1950 ....	Acts Amendment (Allowances and Salaries Adjustment) Act, 1950.
1953 ....	No. 71 of 1953 ....	Acts Amendment (Allowances and Salaries Adjustment) Act, 1953.
1955 ....	No. 47 of 1955 ....	Acts Amendment (Allowances and Salaries Adjustment) Act, 1955.

## PART V.—SUPERSEDED ENACTMENTS.

<i>Year.</i>	<i>Act or Ordinance.</i>	<i>Title.</i>
1851 ....	14 Vict, No. 18 ....	An Ordinance for the better apprehension of Offenders who shall have escaped to parts within the Territory of Western Australia, from any other of the Australian Colonies.
1861 ....	25 Vict, No. 2 ....	An Ordinance for vesting the Ordnance Lands and Buildings in the Principal Secretary of State for the War Department.
1862 ....	25 Vict, No. 19 ....	An Ordinance to amend "An Ordinance for vesting the Ordnance Lands and Buildings in the Principal Secretary of State for the War Department".
1863 ....	27 Vict, No. 11 ....	An Ordinance for Vesting all Estates and Property occupied by or for the Naval Service of the United Kingdom of Great Britain and Ireland, in the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, of the said United Kingdom, for the Time being.
1871 ....	34 Vict, No. 2 ...	An Act to provide for the repayment of expenses on account of distressed Colonial Seamen.
1877 ....	41 Vict, No. 14 ....	An Act to vest in certain Officers of Customs in this Colony certain powers which, by "The Merchant Shipping Act, 1871," are, in the United Kingdom, vested in the Board of Trade.
1887 ....	51 Vict. No. 9 ....	An Act to prevent the bringing of Spirituous or Fermented Liquors on board Her Majesty's ships, and the aiding any Officer, Seaman, or Marine to desert therefrom.

## PART VI.—ENACTMENTS NOT IN OPERATION.

<i>Year.</i>	<i>Act or Ordinance.</i>	<i>Title.</i>
1839 ....	2 Vict, No. 6 ....	An Act for appointing and authorising certain persons to be Commissioners and to act as Guardians to Emigrants, being Minors, sent to this Colony from the United Kingdom by a Society known by the style of "The Children's Friend Society".
1840 ....	4 Vict, No. 1 ....	An Act to constitute the Island of Rottnest a Legal Prison.
1840 ....	4 Vict, No. 2 ....	An Act to extend the Jurisdiction of Magistrates in Cases of Complaint between Masters and Servants.
1840 ....	4 Vict, No. 4 ....	An Act to provide more suitable remedies in case of Seamen deserting from the Merchant Service in this Colony.
1840 ....	4 Vict, No. 8 ....	An Act to allow the Aboriginal Natives of Western Australia to give information and evidence in Criminal cases, and to enable Magistrates to award summary punishment, for certain offences.
1841 ....	4 and 5 Vict, No. 19	An Act to secure the repayment in certain cases of Expenses incurred by the Local Government for the introduction of Labourers, Domestic Servants, Mechanics, and Artizans, into the Colony of Western Australia.
1842 ....	6 Vict, No. 6 ....	An Act to prevent the unauthorised occupation of Crown Lands.
1845 ....	9 Vict, No. 3 ....	An Ordinance to authorise the Governor of Western Australia to raise the sum of Two Thousand Pounds on Loan, for the erection of a Gaol, or for other public services of the colony.

<i>Year.</i>	<i>Act or Ordinance.</i>		<i>Title.</i>
1855 ....	18 Vict, No. 6	....	Larceny Summary Conviction Ordinance, 1855.
1863 ....	27 Vict, No. 16	....	"The Vineyard Distillation Ordinance, 1863".
1875 ....	39 Vict, No. 14	....	"The High School Act, 1875".
1888 ....	52 Vict, No. 21	....	"The Railways Amendment Act, 1888".

## PART VII.—GENERAL.

<i>Year.</i>	<i>Act or Ordinance.</i>		<i>Title.</i>
1845 ....	8 Vict, No. 12	....	An Ordinance to remove doubts as to the power of Justices of the Peace in the Colony of Western Australia to inflict penalties under certain Acts of Parliament.
1847 ....	10 Vict, No. 16	....	An Ordinance to provide a summary remedy for Breach of Contracts connected with the Fisheries of the Colony.
1850 ....	14 Vict, No. 5	....	An Ordinance to facilitate the performance of the duties of Justices of the Peace out of Sessions, within the Colony of Western Australia, with respect to Summary Convictions and Orders.
1852 ....	16 Vict, No. 8	....	An Ordinance for further improving the administration of Criminal Justice.
1860 ....	24 Vict, No. 14	....	An Ordinance to provide for the Extension of the Boundaries of the Town of Newcastle.
1863 ....	27 Vict, No. 17	....	An Ordinance to extend the Jurisdiction of the Police and Resident Magistrates.
1876 ....	39 Vict, No. 20	....	An Act to amend the Law concerning the Remission of Penalties.

<i>Year.</i>	<i>Act or Ordinance.</i>	<i>Title.</i>
1877 ....	41 Vict, No. 9 ....	An Act to facilitate Leases and Sales of Settled Estates.
1879 ....	43 Vict, No. 13 ....	An Act to regulate the Forfeiture of Recognizances to keep the Peace and to obtain the Attendance of Prisoners as Witnesses in any Cause or Matter.
1900 ....	64 Vict, No. 2 ....	An Act to correct certain errors in the Constitution Acts Amendment Act, 1899.
1911 ....	No. 13 of 1911 ....	Bread Act Amendment Act, 1911.
1912 ....	No. 31 of 1912 ....	Tramways Purchase Act, 1912.
1914 ....	No. 11 of 1914 ....	Osborne Park Tramways Purchase Act, 1914.
1916 ....	No. 6 of 1916 ....	The Western Australian Day Funds Act, 1916.
1940 ....	No. 30 of 1940 ....	Tramways Purchase Act Amendment Act, 1940.

## SECOND SCHEDULE.

<i>Year and Act or Ordinance.</i>	<i>Long Title.</i>	<i>Amendment.</i>
1836—6 Wil. IV, No. 4	An Act for adopting, and applying certain Acts of Parliament, passed in the first, the first and second, the second, the second and third, and the third and fourth years of the reign of His present Majesty, respectively, in the Administration of Justice in the Colony of Western Australia, in like manner as other laws of England are applied therein.	The following paragraph is added at the end of the Act—  This Act may be cited as the Imperial Acts Adopting Act, 1836.

<i>Year and Act or Ordinance.</i>	<i>Long Title.</i>	<i>Amendment.</i>
1839—2 Vict, No. 1	An Act for adopting and applying certain Acts of the Parliament of the United Kingdom passed in the first year of the Reign of Her present Majesty in the Colony of Western Australia, in like manner as other Laws of England are applied therein.	The following paragraph is added at the end of the Act— This Act may be cited as the Imperial Acts Adopting Act, 1839.
1841—4 and 5 Vict, No. 20	An Act to provide for the more effectual and accurate establishment of the Boundaries of Lands within the Colony of Western Australia.	A section is added after section ten as follows— 11. This Act may be cited as the Land Boundaries Act, 1841.
1844—7 Vict, No. 13	An Act for adopting certain Acts of Parliament passed in the Third and Fourth, the Fourth and Fifth, the Fifth and Sixth, and the Sixth and Seventh years of the reign of His late Majesty King William the Fourth; and also certain Acts of Parliament passed in the First and Second, the Second and Third, and the Fifth and Sixth years of the reign of Her present Majesty Queen Victoria respectively; and applying the same in the Administration of Justice in Western Australia in like manner as the other Laws of England are applied therein.	A section is added after section four as follows— 5. This Act may be cited as the Imperial Acts Adopting Act, 1844.



<i>Year and Act or Ordinance.</i>	<i>Long Title.</i>	<i>Amendment.</i>
1844—8 Vict, No. 8	An Act to provide for the Alignment of Streets in the several Towns in the Colony of Western Australia.	A section is added after section seventeen as follows— 18. This Act may be cited as the Street Alignment Act, 1844.
1844—8 Vict, No. 9	An Act for the adjustment of Divisional Boundaries of Allotments in Towns, and to prevent Litigation from undesigned encroachments on adjoining Allotments.	A section is added after section twenty-three as follows— 24. This Act may be cited as the Town Allotments (Boundaries) Act, 1844.
1847—10 Vict, No. 8	An Ordinance to adopt certain Improvements made in the Law of England respecting Libel.	The following paragraph is added at the end of the Ordinance— This Ordinance may be cited as the Imperial Act Adopting Ordinance, 1847.
1849—12 Vict, No. 21	An Ordinance for adopting certain Acts of the Imperial Parliament.	The following paragraph is added at the end of the Ordinance— This Ordinance may be cited as the Imperial Acts Adopting Ordinance, 1849.
1850—14 Vict, No. 3	An Ordinance for the adoption of an Act of the Imperial Parliament for the removal of defects in the administration of Criminal Justice.	The following paragraph is added at the end of the Ordinance— This Ordinance may be cited as the Imperial Act Adopting Ordinance, 1850.
1853—16 Vict, No. 16	An Ordinance to provide for the removal of Boundary Posts in Towns, and for the substitution, under certain circumstances, of other Boundary Marks.	A section is added after section four as follows— 5. This Ordinance may be cited as the Town Boundary Marks Ordinance, 1853.

<i>Year and Act or Ordinance.</i>	<i>Long Title.</i>	<i>Amendment.</i>
1855—18 Vict, No. 10	An Ordinance to remove doubts as to the service or execution of Common Law Process on the Sea within the Harbours of Western Australia.	A section is added after section two as follows— 3. This Ordinance may be cited as the Service and Execution of Process (Harbours) Ordinance, 1855.
1856—19 Vict, No. 5	An Ordinance to empower the Governor to alienate Lands in Western Australia purchased out of Imperial or Colonial Funds.	A section is added after section five as follows— 6. This Ordinance may be cited as the Lands Alienation Ordinance, 1856.
1856—20 Vict, No. 7	An Ordinance for adopting and applying an Act of Parliament, intituled "An Act to amend the Law relating to Bills of Lading" in the administration of justice in the Colony of Western Australia.	The following paragraph is added at the end of the Ordinance— This Ordinance may be cited as the Imperial Act Adopting Ordinance, 1856.
1861—25 Vict, No. 5	An Ordinance for the more speedy Levying of forfeited Recognizances.	A section is added after section three as follows— 4. This Ordinance may be cited as the Recognizances (Forfeiture) Ordinance, 1861.
1863—27 Vict, No. 19	An Ordinance to regulate Divorce and Matrimonial Causes.	A section is added as follows— 67. This Ordinance may be cited as the Matrimonial Causes Ordinance, 1863.
1867—31 Vict, No. 8	An Ordinance for adopting certain Acts of the Imperial Parliament.	A section is added after section three as follows— 4. This Ordinance may be cited as the Imperial Acts Adopting Ordinance, 1867.

<i>Year and Act or Ordinance.</i>	<i>Long Title.</i>	<i>Amendment.</i>
1873—37 Vict, No. 4	An Act to remove some defects in the administration of the Criminal Law.	A section is added after section seven as follows— 8. This Act may be cited as the Delivery of Prisoners Act, 1873.
1873—37 Vict, No. 12	An Act to declare the Law relating to Masters and Apprentices.	A section is added after section two as follows— 3. This Act may be cited as the Imperial Acts (Masters and Apprentices) Adopting Act, 1873.
1877—41 Vict, No. 10	An Act to amend The Pawnbroker's Ordinance, 1860.	A section is added after section two as follows— 3. This Act may be cited as the Pawnbroker's Ordinance Amendment Act, 1877.
1885—49 Vict, No. 4	An Act to explain The Superannuation Act.	A section is added after section two as follows— 3. This Act may be cited as the Superannuation Act Amendment Act, 1885.
1906—No. 4 of 1906	An Act to authorise the Trustees of the Nelson Agricultural Society to sell Bridgetown Town Lots twenty-nine and thirty, and to apply the proceeds to the improvement of Reserve numbered 6877.	A section is added after section two as follows— 3. This Act may be cited as the Nelson Agricultural Society Land Act, 1906.

## THIRD SCHEDULE.

<i>Year and Act.</i>	<i>Short Title.</i>	<i>Amendment.</i>
1883—47 Vict, No. 8	The Aboriginal Offenders Act, 1883.	Aboriginal Offenders Act, 1883.
1884—48 Vict, No. 9	The Bank Holidays Act, 1884.	Bank Holidays Act, 1884.

<i>Year and Act.</i>	<i>Short Title.</i>	<i>Amendment.</i>
1888—52 Vict, No. 3	The Bank Holidays Act, 1884, Amendment Act, 1888.	Bank Holidays Act, 1884, Amendment Act, 1888.
1889—52 Vict, No. 23	The Constitution Act, 1889.	Constitution Act, 1889.
1891—54 Vict, No. 7	The Census Act, 1891.	Census Act, 1891.
1892—55 Vict, No. 14	The Affirmations Act, 1892.	Affirmations Act, 1892.
1895—59 Vict, No. 13	The Arbitration Act, 1895.	Arbitration Act, 1895.
1895—59 Vict, No. 24	The Copyright Act, 1895.	Copyright Act, 1895.