



**TERRITORY OF CHRISTMAS ISLAND**

## **Applied Laws (General) Ordinance 1992**

**No. 1, 1992 as amended**

made under section 8A of the

*Christmas Island Act 1958*

### **Compilation No. 8**

<b>Compilation date:</b>	17 March 2015
<b>Includes amendments up to:</b>	SLI No. 21, 2015
<b>Registered:</b>	17 March 2015

Prepared by the Office of Parliamentary Counsel, Canberra

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## About this compilation

### This compilation

This is a compilation of the *Applied Laws (General) Ordinance 1992* that shows the text of the law as amended and in force on 17 March 2015 (the **compilation date**).

This compilation was prepared on 16 March 2015.

The notes at the end of this compilation (the **endnotes**) include information about amending laws and the amendment history of provisions of the compiled law.

### Uncommenced amendments

The effect of uncommenced amendments is not shown in the text of the compiled law. Any uncommenced amendments affecting the law are accessible on ComLaw ([www.comlaw.gov.au](http://www.comlaw.gov.au)). The details of amendments made up to, but not commenced at, the compilation date are underlined in the endnotes. For more information on any uncommenced amendments, see the series page on ComLaw for the compiled law.

### Application, saving and transitional provisions for provisions and amendments

If the operation of a provision or amendment of the compiled law is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

### Modifications

If the compiled law is modified by another law, the compiled law operates as modified but the modification does not amend the text of the law. Accordingly, this compilation does not show the text of the compiled law as modified. For more information on any modifications, see the series page on ComLaw for the compiled law.

### Self-repealing provisions

If a provision of the compiled law has been repealed in accordance with a provision of the law, details are included in the endnotes.

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*Applied Laws (General) Ordinance 1992*

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Compilation No. 8

Compilation date: 17/3/15

Registered: 17/3/15

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## **1 Name of Ordinance**

This Ordinance is the *Applied Laws (General) Ordinance 1992*.

## **2 Commencement**

This Ordinance commences on 1 July 1992.

## **3 Amendments of applied laws**

The applied laws specified in Schedule 1 are amended as set out in that Schedule.

## **6 The applied laws specified in Schedule 4 are repealed**

The applied laws specified in Schedule 4 are repealed.

## **7 Revival of applied laws omitted from Schedule 4 (Repealed applied laws)**

The omission from Schedule 4 (Repealed applied laws) of an applied law that was specified in the Schedule revives the application of that law in the Territory.

## Schedule 1—Amendments of applied laws

(section 3)

### Part 1—*Administration Act 1903* (W.A.)(C.I.)

#### **1 New section 60B**

1.1 After section 60A, insert:

#### **60B Territory transition**

- (1) If probate of a will or the administration of an estate in the Territory:
  - (a) was granted to, or vested in, the Official Assignee under the Probate and Administration Ordinance; and
  - (b) was administered, held, managed or controlled by the Official Assignee under that Ordinance before 1 July 1992;then the grant of probate or the administration of that estate is taken to be a grant of probate or administration to the Public Trustee under this Act.
- (2) The Public Trustee must administer, hold, manage or control an estate referred to in subsection (1) in accordance with the law as in force in the Territory before 1 July 1992.



## **Part 2—Associations Incorporation Act 1987 (W.A.)(C.I.)**

### **1 Section 3 (Interpretation)**

#### **1.1 Subsection 3(1):**

Insert the following definitions:

***Companies (Western Australian) Code*** must be read as a reference to the ‘Corporations Law’.

***repealed Ordinance*** means the *Associations Incorporation Ordinance 1976*, as in force in the Territory immediately before 1 July 1992.

### **2 Section 30 (Voluntary winding up)**

#### **2.1 Subsection 30(4):**

Omit the subsection, substitute:

- (4) The regulations may provide that the provisions of Part 5.5 of the Corporations Law relating to the voluntary winding up of companies apply with specified exclusions, additions and modifications to a winding up of an Association under this section as if that Law was an Ordinance of the Territory and as if the association was a company as defined in that Law.

### **3 Section 31 (Winding up by Court)**

#### **3.1 Subsection 31(3):**

Omit the subsection, substitute:

- (3) Subject to this Act and the regulations, the provisions of Part 5.4 of the Corporations Law apply, so far as they are applicable and with the prescribed modifications (if any), in relation to the winding up of an association by the Supreme Court as if the association was a company as defined in the Corporations Law.

**4 New sections 48A, 48B and 48C**

4.1 After section 48, insert:

**48A Territory savings and transition**

- (1) Unless the contrary intention appears, an association incorporated under the repealed Ordinance before 1 July 1992 is taken to be an association incorporated under this Act.
- (2) If, immediately before 1 July 1992:
  - (a) a right of an association incorporated under the repealed Ordinance arising out of a debt, liability or obligation of any person in favour of the association existed; or
  - (b) a debt, liability or obligation of the association in favour of another person existed;then, unless the contrary intention appears, the right, debt, liability or obligation of the association continues in force as if the repealed Ordinance had not been repealed.
- (3) If a person was employed immediately before 1 July 1992 by an association incorporated under the repealed Ordinance then, on and after that date, the person is taken to be employed by the association on the same terms and conditions as applied to the person immediately before that date.

**48B**

An association incorporated under the *Associations Incorporation Act 1987 (W.A.)* is taken to be an incorporated association for the purposes of this Act.

**48C**

If an application for incorporation of an association was made under the repealed Ordinance before 1 July 1992, but the association had not been incorporated before that date, the proceedings for incorporation of that association may be continued and completed as if the Ordinance had not been repealed.

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## **Part 3—*Bread Act 1982 (W.A.)(C.I.)***

### **1 New section 17A**

1.1 After section 17, insert:

### **17A Territory transition**

If a baker who is required to hold a licence under this Act:

- (a) used or occupied a bakehouse in the Territory immediately before 1 July 1992; and
- (b) applies for a licence under section 7 of this Act within two months of the commencement of the *Territories Law Reform Act 1992*;

the bakehouse is taken to be licensed under this Act until a licence is granted to the baker or the application is refused.

## Part 4—*Business Names Act 1962 (W.A.)(C.I.)*

### 1 New section 5A

1.1 After section 5, insert:

#### 5A Territory transition

If a person who is required to register a business name under this Act:

- (a) was carrying on business in the Territory under a business name, either alone or in association with other persons, immediately before 1 July 1992; and
  - (b) applies for registration of the business name under section 7 of this Act within two months of the commencement of the *Territories Law Reform Act 1992*;
- the business name is taken to be registered under this Act until registration is granted to the person or the application is refused.

**Part 5** *Children's Court of Western Australia Act  
1988 (W.A.)(C.I.)*

**1** **Section 5 (Establishment of Court)**

1.1 Repeal the section.

**2** **Sections 6 to 18 (inclusive)**

2.1 Sections 6 to 18 (inclusive) are repealed.

## Part 6—*Coroners Act 1996 (W.A.)(C.I.)*

### 1 Section 3 (Interpretation)

#### 1.1 Definition of *reportable death*:

Omit ‘Western Australian’, substitute ‘Territory’.

#### 1.2 Definition of *reportable death* (paragraph (i)):

Omit ‘Western Australia’, substitute ‘the Territory’.

#### 1.3 Definition of *reportable death* (paragraph (j)):

Omit ‘Western Australia’, substitute ‘the Territory’.

#### 1.4 Definition of *Western Australian death*:

Omit the definition.

#### 1.5 Insert the following definitions:

***coastal sea*** means:

- (a) the territorial sea adjacent to the Territory; and
- (b) the sea on the landward side of the territorial sea adjacent to the Territory and not within the limits of the Territory; and includes the airspace over, and the sea-bed and subsoil beneath, that sea.

***Territory death*** means a death:

- (a) that occurred in the Territory or the coastal sea; or
- (b) where the body is in the Territory or the coastal sea; or
- (c) the cause of which occurred in the Territory or the coastal sea; or
- (d) of a person who was ordinarily residing in the Territory at the time of death.

**2        Section 22 (Jurisdiction of coroner to hold inquest into a death)**

- 2.1       Subsection 22(1):  
Omit ‘Western Australian’, substitute ‘Territory’.

**3        Section 30 (Control of body)**

- 3.1       Subsection 30(1):  
Omit ‘Western Australia’, substitute ‘the Territory’.

## Part 7—*Criminal Code Act Compilation Act 1913* (W.A.)(C.I.)

### Schedule                      The Criminal Code

**1                      Section 282 (Punishment of wilful murder and murder)**

1.1                      Paragraph 282(a):  
                            Omit ‘mandatory’.

1.2                      Paragraph 282(b):  
                            Omit ‘mandatory’.

**2                      Section 400 (Definitions)**

2.1                      Subsections 400(3) and (4):  
                            Omit the subsections.

**3                      Section 401 (Burglary)**

3.1                      Subsections 401(4), (5) and (6):  
                            Omit the subsections.

*Note* Sections 297 and 378 of The Criminal Code, in their application to the Territory, are amended by the repeal of the *Criminal Law Amendment Act 1992* (W.A.)(C.I.) by section 6 of this Ordinance.



## **Part 8—*Debits Tax Act 1990 (W.A.)(C.I.)***

### **1 Amendments — references to Western Australia**

1.1 Amendments as set out in the following table:

<b>Provision</b>	<b>omit</b>	<b>substitute</b>
Paragraph 4(1)(c)	Western Australia	the Territory
Subparagraph 4(1)(c)(i)	Western Australia	the Territory
Subparagraph 4(1)(c)(ii)	Western Australia	the Territory
Subsection 4(2)	Western Australia (twice occurring)	the Territory

## Part 9—*Debits Tax Assessment Act 1990* (W.A.)(C.I.)

### 1 Amendments — references to Western Australia

1.1 Amendments as set out in the following table:

Provision	omit	substitute
Subsection 3(1) (definition of <i>excluded debit</i> , subparagraph (a)(iii))	the State of Western Australia	the Territory
Subsection 3(1) (definition of <i>excluded debit</i> , subparagraph (a)(iv))	the State of Western Australia	the Territory
Subsection 3(1) (definition of <i>excluded debit</i> , sub-subparagraph (b)(i) A))	Western Australia	the Territory
Subsection 3(1) (definition of <i>excluded debit</i> , sub-subparagraph (b)(i)(B))	Western Australia	the Territory
Subsection 3(1) (definition of <i>exempt account</i> )	Western Australia	the Territory
Subsection 3(1) (definition of <i>taxable account</i> )	Western Australia	the Territory
Subsection 3(2)	Western Australia	the Territory
Subparagraph 3(2)(a)(i)	Western Australia	the Territory
Subparagraph 3 (2)(a)(ii)	Western Australia (twice occurring)	the Territory
Subparagraph 3 (2)(b)(i)	Western Australia	the Territory
Subparagraph 3 (2)(b)(ii)	Western Australia (twice occurring)	the Territory
Sub-subparagraph 3(2)(b)(ii) (A)	Western Australia	the Territory
Sub-subparagraph 3(2)(b)(ii) (B)	Western Australia	the Territory
Paragraph 3(2)(c)	Western Australia	the Territory

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<b>Provision</b>	<b>omit</b>	<b>substitute</b>
Subsection 3(8)	the State of Western Australia (twice occurring)	the Commonwealth
Subsection 8(4)	Western Australia	the Territory
Subsection 11(1)	Western Australia	the Territory
Paragraph 14(1)(b)	the State of Western Australia	the Commonwealth
Subparagraph 14(5)(a)(ii)	the State of Western Australia	the Commonwealth
Subparagraph 14(5)(b)(ii)	the State of Western Australia	the Commonwealth
Paragraph 15(1)(b)	the State of Western Australia	the Commonwealth
Subparagraph 19(3)(b)(ii)	the State of Western Australia	the Commonwealth
Subsection 19(4)	the State of Western Australia	the Commonwealth
Subsection 26(1)	the State of Western Australia	the Commonwealth
Paragraph 29(1)(d)	the State of Western Australia	the Commonwealth
Subsection 3(1)	Western Australia (twice occurring)	the Territory
Subsection 39(3)	Western Australia	the Territory
Paragraph 39(3)(b)	Western Australia	the Territory

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**Part 10—*District Court of Western Australia Act*  
1989 (W.A.)(C.I.)**

**1 Section 7 (Establishment of the Court)**

1.1 Repeal the section.

**2 Section 10 (The Judges of the Court)**

2.1 Repeal the section.

**3 Section 18 (Acting appointments)**

3.1 Repeal the section.

**4 Section 24 (Power to appoint Commissioners and  
Jurisdiction of Commissioners)**

4.1 Repeal the section.

## **Part 10A—*Duties Act 2008* (WA) (CI)**

### **1 Section 142 (Transactions by first home owners that are concessional transactions)**

#### **1.1 Subparagraph 142(1)(a)(i) and (ii):**

Omit the subparagraphs, substitute:

- (i) is, or becomes, a person to whom a first home owner grant would be, or would have been, payable if section 18 of the FHOG Act applied to the person in relation to the property; or
- (ii) is, or becomes a person to whom a first home owner grant would be, or would have been, payable in relation to the property if consideration had been given for the transfer of the property; and

#### **1.2 Paragraph 142(2)(a):**

Omit the paragraph, substitute:

- (a) from a person who would have been excluded from the operation of the FHOG Act section 16(1); and

**Part 11—*Explosives and Dangerous Goods Act 1961*  
(W.A.)(C.I.)**

**1 Section 17 (Notice of arrival of imported explosive)**

**1.1** Subsection 17(4):

Omit ‘Comptroller-General of Customs of the Commonwealth,’ , substitute ‘Comptroller of the Indian Ocean Territories Customs Service,’.

## **Part 12—*Financial Institutions Duty Act 1983* (W.A.)(C.I.)**

### **1 Section 3 (Interpretation)**

1.1 Subsection 3(1) (definition of *another State*):

Omit ‘other than Western Australia’.

1.2 After subsection 3(1), insert:

- (1A) A reference in this Act to a provision of the *Companies (Western Australia) Code* or the *Securities Industry (Western Australia) Code* is a reference to the provision of the Corporations Law that corresponds to the provision of the relevant Code.

### **2 Section 6 (Act to bind Crown)**

2.1 Omit the section.

### **3 Section 11 (Financial institutions duty and short term dealings)**

3.1 Subsection 11(1):

Omit ‘the amount comprising one-tenth of’.

3.2 Subsection 11(1):

Omit ‘Australian-based’, substitute ‘Territory’.

### **4 Section 15 (Trust fund account)**

4.1 Paragraph 15(1)(a):

Omit the paragraph, substitute:

- (a) that would be a dealer's trust account for the purposes of the Corporations Law if that law were in force in the Territory; or

**5 Section 27 (Returns by certified short term dealers)**

5.1 Subsection 27(2):

Omit the subsection, substitute:

- (2) For subsection (1), a return must:
  - (a) be in a form approved by the Commissioner; and
  - (b) contain the information required by the Commissioner.

**6 Section 34 (Interpretation)**

6.1 Add at the end:

- (2) For section 35 and subsection 36(4), the question whether 2 corporations are related to each other is to be determined in the same manner as under the Corporations Law.

**7 Section 35 (Grouping of corporations)**

7.1 Subsection 35(1):

Omit 'by reason of section 7(5) of the *Companies (Western Australia) Code* to be deemed, for the purposes of that Code, to be'.

7.2 Subsection 35(2):

Omit 'deemed by reason of section 7(5) of the *Companies (Western Australia) Code* to be related for the purposes of that Code', substitute 'related'.



**8 Section 36 (Grouping of commonly controlled businesses)**

8.1 Subsection 36(4):

Omit ‘another corporation that is, by reason of section 7(5) of the *Companies (Western Australia) Code* to be deemed, for the purposes of that Code, to be related to it’, substitute ‘a related corporation’.

**9 Other amendments — references to Western Australia**

9.1 Amendments as set out in the following table:

Provision	omit	substitute
Subsection 3(1) (definition of <b><i>agent</i></b> )	Western Australia (twice occurring)	the Territory
Subsection 3(1) (definition of <b><i>dutiable deposit</i></b> )	Western Australia	the Territory
Subsection 3(1) (definition of <b><i>dutiable receipt</i></b> )	Western Australia	the Territory
Subsection 3(1) (definition of <b><i>financial institution</i></b> , subparagraph (a)(v))	Western Australia	the Territory
Subsection 3(1) (definition of <b><i>financial institution</i></b> , subparagraph (a)(viii))	Western Australia	the Territory
Subsection 3(1) (definition of <b><i>financial institution</i></b> , subparagraph (b)(i))	Western Australia	the Territory
Subsection 3(1) (definition of <b><i>financial institution</i></b> , subparagraph (b)(iii))	Western Australia	the Territory
Subsection 3(19)	Western Australia	the Territory
Paragraph 3(19e)(a)	Western Australia	the Territory
Subsection 5(1)	Western Australia	the Territory
Subsection 10(1)	Western Australia	the Territory
Subsection 12(1)	Western Australia	the Territory
Subsection 12(2)	Western Australia	the Territory

**Schedule 1** Amendments of applied laws

**Part 12** Financial Institutions Duty Act 1983 (W.A.)(C.I.)

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<b>Provision</b>	<b>omit</b>	<b>substitute</b>
Paragraph 14(6)(b)	Western Australia	the Territory
Subsection 17(1)	Western Australia (twice occurring)	the Territory
Subparagraph 17(5)(b)(i)	Western Australia	the Territory
Subsection 26(2)	Western Australia	the Territory
Section 43	Western Australia	the Territory
Subsection 66(1)	Western Australia	the Territory
Section 68	Western Australia	the Territory
Paragraph 68(c)	Western Australia	the Territory
Paragraph 68(d)	Western Australia	the Territory
Subsection 69(1)	Western Australia	the Territory
Subsection 69(2)	Western Australia	the Territory

## **Part 13—*Financial Institutions Duty Regulations 1984 (W.A.)(C.I.)***

### **1 Amendments — references to Western Australia**

1.1 Amendments as set out in the following table:

<b>Provision</b>	<b>omit</b>	<b>substitute</b>
Paragraph 5(5 (a)	Western Australia	the Territory
Paragraph 5(5)(b)	Western Australia	the Territory
Paragraph 7I(b)	Western Australia	the Territory
Schedule 1	Western Australia	the Territory

## **Part 14—*Family Court Act 1975 (W.A.)(C.I.)***

- 1           Section 6 (Creation of the Court)**
  - 1.1       Repeal the section.
  
- 2           Section 9 (Appointment of Judges)**
  - 2.1       Repeal the section.
  
- 3           Section 11 (Acting appointments)**
  - 3.1       Repeal the section.

## **Part 16—*Limitation Act 1935 (W.A.)(C.I.)***

### **1 Section 38A (Extended limitation period in certain circumstances)**

#### **1.1 Subsection 38A(2):**

Omit subsection (2), substitute:

#### **(2) Where:**

- (a)** the period of limitation within which an action, suit or other proceeding may be brought would, but for this section, be fixed by section 38(1)(c) of this Act; and
- (b)** the person who suffered the latent injury had knowledge of the relevant facts before 1 July 1992; and
- (c)** the period of limitation that would be applicable had the amending Act not come into operation had expired before 1 July 1992;

that action, suit or other pending proceeding may be commenced within the period of three years commencing on 1 July 1992.

#### **1.2 Subsection 38A(3):**

Omit paragraphs (3)(a) and (b), substitute:

- (a)** the person who suffered the latent injury had knowledge of the relevant facts before 1 July 1992; and
- (b)** the period of limitation that would be applicable had the amending Act not come into operation had expired before 1 July 1992 and before the action, suit or other proceeding was commenced;

#### **1.3 Subsection 38A(4):**

Omit subsection (4), substitute:

#### **(4) Where:**

- (a) the period of limitation within which an action, suit or other proceeding may be brought would, but for this section, be fixed by section 38(1)(c) of this Act; and
- (b) the cause of action arises from a person having suffered a latent injury that is attributable to the inhalation of asbestos; and
- (c) the person who suffered the latent injury had knowledge of the relevant facts before 1 July 1992; and
- (d) the period of limitation that would be applicable had the amending Act not come into operation had not expired before 1 July 1992;

that action, suit or other proceeding may be commenced within the period referred to in paragraph (d) or, if that period expires less than 3 years after the coming into operation of the amending Act, may be commenced within the period of three years after the coming into operation of that Act.

1.4 Subsection 38A(5):

Omit paragraphs (5)(a) and (b), substitute:

- (a) the person who suffered the latent injury had knowledge of the relevant facts before 1 July 1992; and
- (b) the period of limitation that would be applicable had the amending Act not come into operation had expired before 1 July 1992 and before the action, suit or other proceeding was commenced;

1.5 Subsection 38A(6):

Omit subsection (6), substitute:

(6) Where:

- (a) the period of limitation within which an action, suit or other proceeding may be brought is fixed by section 38(1)(c) of this Act; and
- (b) the cause of action arises from a person having suffered a latent injury that is attributable to the inhalation of asbestos; and

- (c) the person who suffered the latent injury did not have knowledge of the relevant facts before 1 July 1992;  
the period of limitation runs from the time when the person has knowledge of the relevant facts instead of the time provided by section 38.

**2 Section 47A (Protection of persons acting etc)**

2.1 Subsection 47A(5):

Omit paragraph (5)(b), substitute:

- (b) the person who suffered the latent injury had the knowledge referred to in section 38A of this Act before 1 July 1992;

2.2 Subsection 47A(6):

Omit paragraph (6)(a), substitute:

- (a) the person who suffered the latent injury had the knowledge referred to in section 38A of this Act before 1 July 1992;

2.3 Subsection 47A(7):

*Omit paragraph (7)(b), substitute:*

- (b) the person who suffered the latent injury did not have the knowledge referred to in section 38A of this Act before 1 July 1992;

**3 New section 49A**

3.1 After section 49, insert:

**49A Territory transition**

Subject to sections 38A, 38B and 47A, nothing in this Act:

- (a) affects an action or proceeding commenced before the commencement of the *Territories Law Reform Act 1992*;  
or

- (b) enables an action or proceeding to be commenced or maintained which is barred by a law in force in the Territory that was repealed by the *Territories Law Reform Act 1992*; or
- (c) subject to paragraph (b), prevents the commencement and maintenance of an action or proceeding within the time allowed by a law in force in the Territory that is repealed by the *Territories Law Reform Act 1992* on a cause of action which accrued before the commencement of that Act.



## **Part 17—*Medical Act 1894 (W.A.)(C.I.)***

### **1 New section 25**

1.1 After section 24, insert:

### **25 Territory transition**

If a medical practitioner who is required to be registered under this Act:

- (a) was registered or licensed to practise as a medical practitioner under a law of a State or Territory; and
- (b) practised medicine in the Territory immediately before 1 July 1992; and
- (c) applies for registration under section 11 of this Act within two months of the commencement of the *Territories Law Reform Act 1992*;

the medical practitioner is taken to be registered under this Act until registration is granted to the medical practitioner or the application is refused.

## Part 20—*Navigable Waters Regulations* (W.A.)(C.I.)

### 1 Section 45B

1.1 Add at the end:

- (9) If a person who is required to register a vessel under these Regulations:
  - (a) used the vessel in the Territory immediately before 1 July 1992; and
  - (b) applies for registration of the vessel under these Regulations within two months of the commencement of the *Territories Law Reform Act 1992*;the person is taken to be registered under these Regulations until the registration is granted or refused.
- (10) The application fees specified in subregulation (3) are not required to be paid if a person applies for registration of a vessel in accordance with subregulation (9).

## **Part 21—*Nurses Act 1968 (W.A.)(C.I.)***

### **1 New Section 42A**

1.1 After section 42, insert:

#### **42A Territory transition**

If a person who is required to be registered under this Act:

- (a) practised nursing in the Territory immediately before 1 July 1992; and
- (b) applies for registration under section 20 of this Act within two months of the commencement of the *Territories Law Reform Act 1992*;

the person is taken to be registered under this Act until registration is granted to the person or the application is refused.

## Part 22—*Pay-roll Tax Act 1971 (W.A.)(C.I.)*

### 1 Section 7 (Rates for group employers)

#### 1.1 Subsection 7(3):

Omit ‘Western Australia.’, substitute ‘the Territory.’.

#### 1.2 Subsection 7(4):

Omit ‘Western Australia’, substitute ‘the Territory’.

#### 1.3 Subsection 7(5):

Omit ‘Western Australia,’, substitute ‘the Territory,’.

#### 1.4 Paragraph 7(5)(b):

Omit ‘Western Australia’, substitute ‘the Territory’.

#### 1.5 Subsection 7(6):

Omit ‘Western Australia’, substitute ‘the Territory’.

#### 1.6 Subsection 7(7):

Omit ‘Western Australia’, substitute ‘the Territory’.

#### 1.7 Paragraphs 7(7)(b) and (c):

Omit ‘Western Australia;’, substitute ‘the Territory;’.

#### 1.8 Subsection 7(8):

Omit ‘Western Australia’, substitute ‘the Territory’.

#### 1.9 Paragraphs 7(8)(b) and (c):

Omit ‘Western Australia;’, substitute ‘the Territory;’.

#### 1.10 Subsection 7(12):

*Omit* ‘Western Australia,’ , *substitute* ‘the Territory,’.

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## **Part 23—*Pay-roll Tax Assessment Act 1971* (W.A.)(C.I.)**

### **1 Section 3 (Interpretation)**

#### **1.1 Subsection 3(1) (definition of *agent*):**

Omit ‘Western Australia,’ , substitute ‘the Territory,’.

#### **1.2 Subsection 3(1) (definition of *agent*):**

Omit ‘Western Australia,’ , substitute ‘the Territory,’.

#### **1.3 Subsection 3(1) (definition of *corresponding law*):**

Omit ‘another State,’ , substitute ‘a State,’.

#### **1.4 Subsection 3(1) (definition of *employer*):**

After ‘any person,’ , insert ‘(except the Commonwealth)’.

#### **1.5 Subsection 3(1) (definition of *employer*):**

Omit ‘the Crown in right of the State of Western Australia and includes also’.

#### **1.6 Subsection 3(1) (definition of *wages*):**

Paragraph (a):

Omit the paragraph.

#### **1.7 Subsection 3(3):**

After ‘Act,’ , insert ‘the Territory of Cocos (Keeling) Islands,’.

### **2 Section 6 (Wages liable to pay-roll tax)**

#### **2.1 Paragraph 6(1)(a):**

Omit ‘Western Australia,’ , substitute ‘the Territory,’.

#### **2.2 Paragraph 6(1)(a):**

Omit ‘one other State;’, substitute ‘a State;’.

2.3 Paragraph 6(1)(b):

Omit ‘Western Australia’, substitute ‘the Territory’.

2.4 Paragraph 6(1)(b):

Omit ‘Western Australia.’, substitute ‘the Territory.’.

2.5 Subsection 6(2):

Omit ‘Western Australia or in another State),’, substitute ‘the Territory or in a State),’.

2.6 Paragraph 6(2)(a):

Omit ‘Western Australia — ‘, substitute ‘the Territory — ’.

2.7 Paragraph 6(2)(a):

Omit ‘Western Australia;’, substitute ‘the Territory;’.

2.8 Paragraph 6(2)(b):

Omit ‘Western Australia or wholly in one other State,’,  
substitute ‘the Territory or wholly in a State,’.

2.9 Paragraph 6(2)(b):

Omit ‘Western Australia;’, substitute ‘the Territory;’.

2.10 Paragraph 6(2)(c):

Omit ‘Western Australia or in another State — ‘, substitute ‘the Territory or in a State — ’.

### **3 Section 41 (Public officer of company)**

3.1 Subsection 41(1):

Omit ‘Western Australia),’, substitute ‘the Territory)’.

## **Part 24—*Pharmacy Act 1964 (W.A.)(C.I.)***

### **1 New sections 46A and 46B**

1.1 After section 46 insert:

#### **46A Territory transition**

If a person who is required to be registered under this Act:

- (a) carried on business as a pharmaceutical chemist in the Territory immediately before 1 July 1992; and
- (c) applies for registration as a pharmaceutical chemist under section 21 of this Act within two months of the commencement of the *Territories Law Reform Act 1992*;

the person is taken to be registered under this Act until registration is granted to the person or the application is refused.

#### **46B**

If:

- (a) premises required to be registered under this Act were being used as a pharmacy immediately before 1 July 1992; and
- (b) the occupier of the premises applies for registration of the premises within two months of the commencement of the *Territories Law Reform Act 1992*;

the premises are taken to be registered under this Act until registration is granted to the person or the application is refused.

## Part 25—*Physiotherapists Act 1950 (W.A.)(C.I.)*

### 1 New section 15A

1.1 After section 15, insert:

### 15A Territory transition

If a person who is required to be registered under this Act:

- (a) practised physiotherapy in the Territory immediately before 1 July 1992; and
- (b) applies for registration under section 10 of this Act within two months of the commencement of the *Territories Law Reform Act 1992*;

the person is taken to be registered under this Act until registration is granted to the person or the application is refused.



## **Part 26—*Podiatrists Registration Act 1984* (W.A.)(C.I.)**

### **1 New section 43A**

1.1 After section 43, insert:

### **43A Territory transition**

If a person who is required to be registered under this Act:

- (a) practised podiatry in the Territory immediately before 1 July 1992; and
- (b) applies for registration under section 10 of this Act within two months of the commencement of the *Territories Law Reform Act 1992*;

the person is taken to be registered under this Act until registration is granted to the person or the application is refused.

## Part 27—*Police Act 1892 (W.A.)(C.I.)*

### 1 New section 4A

1.1 After section 4, insert:

#### 4A Territory transition

- (1) A person who was, immediately before 1 July 1992, appointed under the *Police Force Ordinance 1973* is taken to be appointed under this Act, at the rank the person held under the Ordinance.
- (2) The person is taken to be employed on the same terms and conditions as applied to the person immediately before that date.

## **Part 28—*Psychologists Registration Act 1976* (W.A.)(C.I.)**

### **1 New Section 56A**

1.1 After section 56, insert:

#### **56A Territory transition**

If a person who is required to be registered under this Act:

- (a) practised psychology in the Territory immediately before 1 July 1992; and
- (b) applies for registration under section 24 of this Act within two months of the commencement of the *Territories Law Reform Act 1992*;

the person is taken to be registered under this Act until registration is granted to the person or the application is refused.

## **Part 29—*Public and Bank Holidays Act 1972* (W.A.)(C.I.)**

### **1 Section 7 (Special public or bank holidays and half-holidays)**

#### **1.1 Subsection 7(2):**

After ‘weeks’, insert ‘, except where this is not practicable,’.

### **2 Section 8 (Power of Governor to alter day appointed for a public holiday or bank holiday)**

#### **2.1 Subsection 8(2):**

After ‘weeks’, insert ‘, except where this is not practicable,’.

#### **2.2 Subsection 8(3):**

After ‘weeks’, insert ‘, except where this is not practicable,’.

### **3 New section 8A**

#### **3.1 After section 8, insert:**

### **8A Gazettal of certain public or bank holidays**

A proclamation made under subsection 7(1) or 8(1) that cannot practicably be published at least 3 weeks before the day specified in subsection 7(2), 8(2) or 8(3), as the case may be, must be published in the *Gazette* before the day appointed or declared by the proclamation to be a public holiday or bank holiday.

### **4 Second Schedule**

#### **4.1 Omit the Schedule, substitute:**

## **Second Schedule    Public Holidays and Bank Holidays**

1. New Year's Day (1 January)
2. Australia Day (26 January)
3. Chinese New Year's Day (Day 1) (to be appointed annually by proclamation published in the Gazette before the day so appointed)
4. Chinese New Year's Day (Day 2) (to be appointed annually by proclamation published in the Gazette before the day so appointed)
5. The Muslim festival day known as Hari Raya Puasa (to be appointed annually by proclamation published in the Gazette before the day so appointed)
6. Labour Day (to be appointed annually by proclamation published in the Gazette before the day so appointed)
7. Good Friday
8. Anzac Day (25 April)
9. The Muslim festival day known as Hari Raya Haji (to be appointed annually by proclamation published in the Gazette before the day so appointed)
10. Territory Day (the first Monday in October)
11. Christmas Day (25 December)
12. Boxing Day (26 December)
13. If a day referred to in item 1, 3, 5, 6, 8, 9 or 11 falls on a Saturday or Sunday — the immediately following Monday
14. If a day referred to in item 4 or 12 falls on a Saturday — the immediately following Monday
15. If a day referred to in item 4 or 12 falls on a Sunday or Monday — the immediately following Tuesday

## **Part 30—*Public Trustee Act 1941 (W.A.)(C.I.)***

### **1 New section 37B**

1.1 After section 37A, insert:

### **Division (7) Powers and Duties of Public Trustee with respect to Territory Estates**

#### **37B Territory transition**

- (1) If probate of a will or the administration of an estate in the Territory:
  - (a) was granted to, or vested in, the Official Assignee under the Probate and Administration Ordinance; and
  - (b) was administered, held, managed or controlled by the Official Assignee under that Ordinance before 1 July 1992;then the administration of that estate is taken to be vested in the Public Trustee on 1 July 1992.
- (2) The Public Trustee must administer, hold, manage or control an estate referred to in subsection (1) in accordance with the law of the Territory as in force in the Territory before 1 July 1992.

**Part 31—*Registration of Births, Deaths and Marriages Act 1961 (W.A.)(C.I.)***

**1 New section 75**

1.1 After section 74, insert:

**75 Territory transition**

- (1) Particulars of births and deaths registered under the *Registration of Births and Deaths Ordinance 1971* before 1 July 1992 are taken to be particulars registered under section 10 of this Act.
- (2) Particulars of marriages registered under the Civil Marriage Ordinance are taken to be particulars registered under section 10 of this Act.

**Part 32—*Residential Tenancies Act 1987***  
**(W.A.)(C.I.)**

**1 Section 3 (Interpretation)**

1.1 Definition of *clerk*:

Omit the definition, substitute:

*clerk* means the clerk, or assistant clerk, of a local court.



## **Part 33—*Registration of Deeds Act 1856*** **(W.A.)(C.I.)**

### **1 New section 21**

1.1 After section 20 , insert:

### **21 Territory transition**

- (1) A deed registered under the *Registration of Deeds Ordinance 1988* as in force at any time before 1 July 1992 is taken to have been registered under this Act on the day on which it was registered under the Ordinance.
- (2) Subsection (1) does not affect the order of priority of registration of the deed.

## Part 34—*Road Traffic Act 1974 (W.A.)(C.I.)*

### 1 New sections 29A and 29B

1.1 After section 29, insert:

#### 29A Territory savings and transition — vehicle licences

- (1) The owner of a vehicle that was registered under the *Motor Traffic Ordinance 1978* immediately before 1 July 1992, is taken to have been granted a licence for the vehicle under this Act for the period ending when the registration period would have ended if the Ordinance had not been repealed.
- (2) If a person applied for registration, or renewal of registration of a vehicle under the Ordinance before 1 July 1992 and the application had not been granted or refused before that date, the Minister may determine the application as if the Ordinance had not been repealed.
- (3) If:
  - (a) the registration period referred to in subsection (1) expires before 1 October 1992; and
  - (b) the owner applies for a licence under this Act before that date;the vehicle is taken to be licensed under this Act until the licence is granted or the application is refused.

#### 29B

If the owner of a vehicle referred to in section 29A applies under this Act for a licence for the vehicle the application is taken to be an application for the renewal of a licence under section 18 of this Act.

**2 New sections 42AA and 42AB**

2.1 After section 42A, insert:

**42AA Territory savings and transition — driver's licences**

- (1) If a person who is required to hold a driver's licence under this Act held a driving licence under the *Motor Traffic Ordinance 1978* immediately before 1 July 1992, the person is taken to be licensed under this Act until that driver's licence expires.
- (2) If a person applied for a driving licence, or renewal of a driving licence, under the Ordinance before 1 July 1992 and the application had not been granted or refused before that date, the Minister may determine the application as if the Ordinance had not been repealed.
- (3) If a person's driving licence expires before 1 October 1992, and the person applies for the renewal of the licence under this Act before that date — the person is taken to be licensed under this Act until the licence is granted or the application is refused.

**42AB**

If a person referred to in section 42AA, applies under this Act, for a driver's licence that application is taken to be an application for the renewal of a licence under section 46 of this Act.

## **Part 35—*Road Traffic Code 1975 (W.A.)(C.I.)***

**1           Section 1307**

1.1       Omit ‘1 July 1992’, substitute ‘1 January 1993.’.

**2           Section 1607**

2.1       After subsection (1), insert:

‘Subsection (1) is suspended until 1 January 1993.’.

## **Part 36—*Sentencing Act 1995 (W.A.)(C.I.)***

### **1 Section 9 (Statutory penalty: effect of)**

#### **1.1 Subsection 9(1):**

Omit ‘Subject to subsection (4),’.

#### **1.2 Subsections 9(2), (3), (4) and (5):**

Omit the subsections, substitute:

- (2) If the statutory penalty for an offence is a fine of a particular amount, or a particular term of imprisonment, that penalty is the maximum penalty that may be imposed for the offence, and a lesser penalty of the same kind may be imposed.
- (3) If a written law specifies a mandatory penalty or a minimum penalty for an offence, a lesser penalty of the same kind may nevertheless be imposed.

**Part 36A—Shipping and Pilotage (Ports and Harbours) Regulations 1966 (WA)(CI)**

**1 Division 1 of Schedule 1A (after table item dealing with the port of Carnarvon)**

Insert:

Port of Christmas Island	The area of water and land described in the plan for the Port of Christmas Island that is included in Division 2.
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**2 Division 2 of Schedule 1A (after the plan for the port of Carnarvon)**

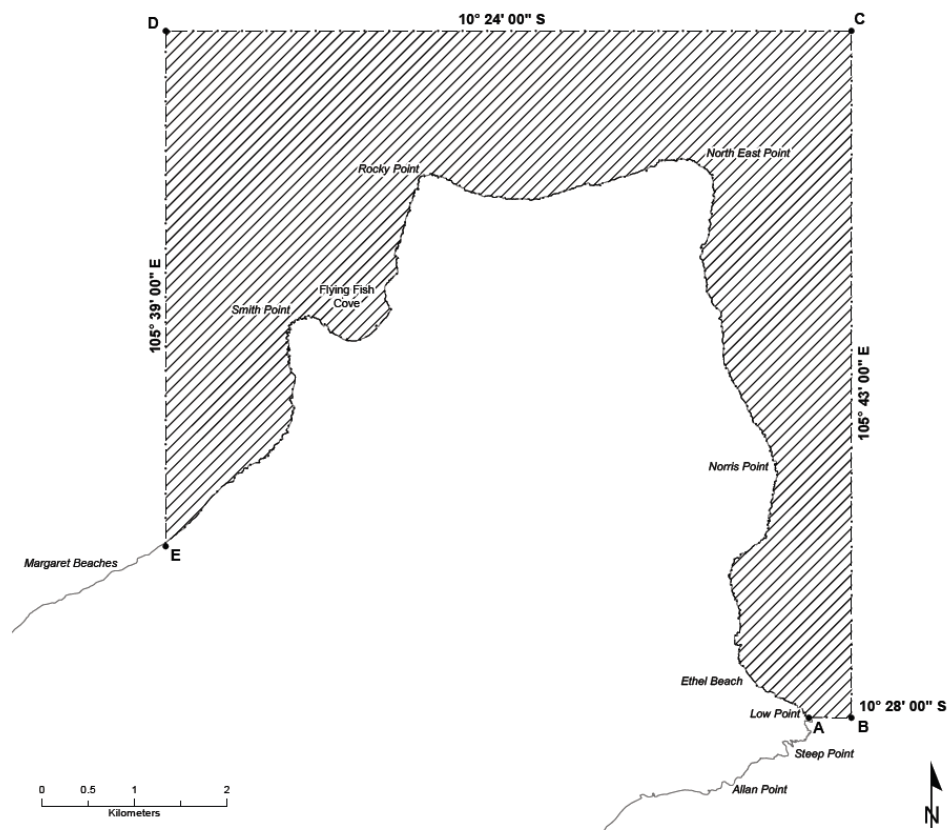
Insert:

**PORT OF CHRISTMAS ISLAND  
SHIPPING AND PILOTAGE ACT 1967  
PORT BOUNDARY**

All the waters below High Water Mark of Indian Ocean shown hatched on map  
and bounded by a line connecting the marked coordinates and the most landward High Water Marks

Point	Latitude	Longitude
A	10° 28' 00.00" S	105° 42' 45.03" E
B	10° 28' 00.00" S	105° 43' 00.00" E
C	10° 24' 00.00" S	105° 43' 00.00" E
D	10° 24' 00.00" S	105° 39' 00.00" E
E	10° 27' 00.00" S	105° 39' 00.00" E

*Indian Ocean*



*Applied Laws (General) Ordinance 1992*

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Compilation No. 8

Compilation date: 17/3/15

Registered: 17/3/15

**Part 37—*Standard Survey Marks Act 1924***  
**(W.A.)(C.I.)**

**1 New section 6A**

1.1 After section 6, insert:

**6A Territory Transition**

Section 6 of this Act applies to a Permanent Survey Mark erected in the Territory before 1 July 1992 as if the Permanent Survey Mark were a standard survey mark within the meaning of that section.



## **Part 38—*Supreme Court Act 1935 (W.A.)(C.I.)***

**1           Section 6 (The Supreme Court of Western Australia)**

1.1       Repeal the section.

**2           Section 7 (Constitution of the Court)**

2.1       Repeal the section.

**3           Section 10 (Vacancy of office, absence etc of Chief Justice)**

3.1       Repeal the section.

**4           Section 11 (Acting Judges)**

4.1       Repeal the section.

**5           Section 11A (Masters)**

5.1       Repeal the section.

**6           Section 11D (Vacancies, temporary appointments and acting appointments)**

6.1       Repeal the section.

## **Part 39—*Tobacco Control Act 1990 (W.A.)(C.I.)***

- 1**           **Part 3**   **Western Australian Health Promotion Foundation**  
1.1           Repeal the Part.

## **Part 40—*Transfer of Land Act 1893 (W.A.)(C.I.)***

### **1 Section 4 (Interpretation)**

#### **1.1 Definition of *Crown lease*:**

Add at the end ‘, and includes a lease granted under section 5 of the *Lands Ordinance 1987*.’.

### **2 Section 20 (Lands alienated in fee before etc)**

#### **2.1 Omit ‘before the first day of July, one thousand eight hundred and seventy-five’, substitute:**

‘or the Commonwealth before 1 July 1992,’.

### **3 Section 20A (Evidence and restrictions of requisitions)**

#### **3.1 Add at the end:**

- (2) The Registrar may accept a copy of a document as evidence for the purposes of bringing land in the Territory under this Act.

### **4 New sections 20AA, 20AB and 20B**

#### **4.1 After section 20A, insert:**

#### **20AA Registrar may refuse to register an instrument**

- (1) Where an instrument executed on or after 1 July 1992 and purporting to convey the fee simple of land in the Territory is lodged for registration under the *Registration of Deeds Act 1856* (W.A.)(C.I.), the Registrar of Deeds under that Act may refuse to register the instrument until the purchaser or mortgagor lodges an application in accordance with section 20.
- (2) If a purchaser or mortgagor lodges an application under section 20:

- (a) the mortgagee's consent to the making of the application, in accordance with section 20, is not required; and
- (b) section 34 does not apply to the application.

**20AB Registrar may issue notices**

- (1) The Registrar of Titles may issue a notice to a person requiring the person to inform the Registrar within a specified period, not being a period of less than 30 days, whether the person claims an estate or interest in the land specified in the notice.
- (2) If a person claims an estate or interest of the kind referred to in section 20, the Registrar may require the person to make an application under that section for the land to be brought under this Act.
- (3) If the Registrar requires a person to make application under section 20, section 34 of this Act does not apply to the application.
- (4) A person who, without reasonable excuse:
  - (a) fails to comply with a notice issued by the Registrar under subsection (1); or
  - (b) fails to make an application under section 20 when required to do so under subsection (2);commits an offence against this Act.

**20B Registrar may require a person to produce documents**

- (1) If a person applies to bring land in the Territory under this Act, the Registrar may, by written notice, require a person to:
  - (a) produce for inspection by the Registrar; or
  - (b) surrender to the Registrar;any documents in the person's possession or control that affect the land or title to the land.

- (2) A person who, without reasonable excuse, fails to comply with a notice issued by the Registrar under this section commits an offence against this Act.

**5 Section 22 (How applications to be dealt with etc)**

5.1 Omit 'fourteen days' , substitute '21 days' .

**6 Section 30 (Parties interested may lodge caveat)**

6.1 Omit 'seven days' , substitute '21 days' .

**12 Section 74 (Lost and delapidated certificate etc)**

12.1 Omit 'fourteen days' , substitute '21 days' .

**13 Section 75 (Provision in case of certificate lost etc)**

13.1 Omit 'fourteen days' , substitute '21 days' .

**14 Section 78 (Registrar may call in certificate etc)**

14.1 Omit 'seven days' , substitute '21 days' .

**15 Section 137 (Caveat may be lodged where land already under the Act)**

15.1 Omit 'seven days' , substitute '21 days' .

**16 Section 138 (Notice of caveat to be given)**

16.1 Omit 'fourteen days' , substitute '21 days' .

**17 Section 141A (Removal of caveat where etc)**

17.1 Omit 'fourteen days' , substitute '21 days' .

**18 Section 142 (A caveat of a beneficiary etc)**

18.1 Omit 'fourteen days' , substitute '21 days' .

**19 Section 148 (Persons proposing to deal etc)**

19.1 Omit 'forty-eight hours' ' , substitute '14 days' ' .

**20 Section 149 (Instrument affecting proposed dealing etc)**

20.1 Omit 'forty-eight hours' ' , substitute '14 days' ' .

**21 Section 162 (Notice to be advertised etc)**

21.1 Omit 'fourteen days' ' , substitute '21 days' ' .

**23 Section 173 (How application to be dealt with)**

23.1 Omit 'fourteen days' ' , substitute '21 days' ' .

**29 Section 203 (Proprietor may summon etc)**

29.1 Omit 'six clear days' ' substitute '21 days' ' .

**32 Section 207 (Damages against the assurance fund in certain other circumstances)**

32.1 Omit the section, substitute:

**207**

(1) A person who:

- (a) was neither a party to, nor privy to, an application or dealing in relation to land in the Territory, to which the Minister exercised the powers conferred on the Minister by this Act or by *The Transfer of Land Act 1874 (W.A.)*;
  - (b) has suffered loss or damage, or will suffer loss or damage, as a result of the Minister exercising those powers;
- may bring an action for recovery of damages against the Commonwealth, as nominal defendant.

- (2) A person referred to in subsection (1) may bring an action for recovery of damages under that subsection without being required to pursue the remedies provided in sections 201 and 205 and without prejudice to the person's rights under those sections.
- (3) A person who:
  - (a) was a party to, or privy to, an application or dealing; and
  - (b) commences an action for recovery of damages against any other person who was a party to, or privy to, the application or dealing;may join the Commonwealth as a nominal co-defendant.

**33            Section 208 (Persons claiming may before action etc)**

33.1        Omit the section, substitute:

**208**

- (1) A person who:
  - (a) has suffered loss or damage; and
  - (b) is entitled under this Act to commence an action for recovery of damages against the Commonwealth as nominal defendant;may before commencing any proceedings, apply to the Minister for compensation.
- (2) The Minister may admit the claim or a part of the claim.
- (3) If the Minister admits the claim or any part of the claim, the Commonwealth must pay to the person any damages agreed to or admitted to by the Minister.

**36            Section 220 (Application how dealt with)**

36.1        Omit 'fourteen days' , substitute '21 days' .

**37**            **Section 223 (Application to be referred to Commissioner**  
37.1           Omit ‘fourteen days’ ‘, substitute ‘21 days’ ’.



## **Part 41—*Transport Co-ordination Act 1966* (W.A.)(C.I.)**

### **1 New section 20A**

1.1 After section 20, insert:

### **20A Transitional arrangement**

If a person operates a vehicle that, under this Act, is required to be licensed, and the person applies for a licence before the end of 31 March 1995, the vehicle is taken to be licensed under the Act until:

- (a) a licence is granted in respect of the vehicle; or
- (b) the application is refused.

## Part 42—*Travel Agents Act 1985 (W.A.)(C.I.)*

### 1 New Section 7A

1.1 After section 7, insert:

#### 7A Territory transition

If a person who is required to hold a licence under this Act:

- (a) was carrying on business as a travel agent in the Territory immediately before 1 July 1992; and
- (b) applies for a licence under section 9 within two months after the commencement of the *Territories Law Reform Act 1992*;

the person is taken to be licensed as a travel agent under this Act until a licence is granted to the person or the application is refused.

## **Part 43—*Valuation of Land Act 1978 (W.A.)(C.I.)***

### **1 New section 25A**

1.1 After section 25, insert:

#### **25A Territory transition**

If a valuation of any land in the Territory:

- (a) was made before 1 July 1992 by a person:
    - (i) licensed under the *Land Valuers Licensing Act 1978* (W.A.); or
    - (ii) qualified for membership as a Fellow or Associate of the Australian Institute of Valuers (Incorporated); and
  - (b) the value of the land has not significantly increased or decreased since the valuation;
- then:
- (c) the Valuer-General may adopt that valuation as a general or interim valuation; and
  - (d) this Act applies to the valuation as if the valuation was a general or interim valuation made by the Valuer-General under the Act.
- (2) The Valuer-General must not adopt a valuation of land under subsection (1), unless the land is rateable land.

## **Part 44—*Weights and Measures Act 1915* (W.A.)(C.I.)**

### **1 New section 51A**

1.1 After section 51, insert:

#### **51A Territory transition**

If a person who is required to have a weight or measure or a weighing or measuring instrument stamped with a mark of verification under this Act:

- (a) was using the weight, measure or instrument for trade in the Territory in the period of 6 months ending immediately before 1 July 1992; and
- (b) applies for verification of the weight, measure or instrument within two months of the commencement of the *Territories Law Reform Act 1992*;

the weight, measure or instrument is taken to be verified and stamped under this Act until the weight, measure or instrument is inspected by an inspector under subsection 29 (1) or is exempted from the operation of this Act by the Minister under subsection 29 (2).

## **Part 45—*Workers' Compensation and Rehabilitation Act 1981 (W.A.)(C.I.)***

### **1 New sections 160A and 160AA**

1.1 After section 160, insert:

#### **160A Territory savings and transition**

If an employer who is required to obtain insurance under section 160 of this Act:

- (a) obtained and kept current a policy or policies of insurance or indemnity in accordance with section 18 of the *Workers' Compensation Ordinance 1980* before 1 July 1992; and
- (b) the policy or policies expire on or after 1 July 1992; and
- (c) the employer keeps the policy or policies current as required by section 18 of the Ordinance until the expiry date of the policies;

the policy or policies must be taken to satisfy the requirement to obtain insurance under section 160 of this Act.

#### **160AA**

The exemption granted by the Minister, under subsection 18(3) of the *Workers' Compensation Ordinance 1980*, to the Westpac Banking Corporation on 24 February 1991, continues in force until 31 January 1996 as if the Ordinance had not been repealed.

## Part 46—*Young Offenders Act 1994 (W.A.)(C.I.)*

**1 Section 3 (Definitions)**

1.1 Definition of *special order*:

Omit the definition.

**2 Section 58 (Responsible adult may be made liable)**

2.1 Omit the section.

**3 Part 7, Division 9 (Dealing with young person who repeatedly commits serious offences)**

3.1 Omit the Division.

## Schedule 4—Repealed applied laws

(section 6)

*Building and Construction Industry Training Fund and Levy Collection Act 1990 (W.A.)(C.I.)*  
*Building and Construction Industry Training Levy Act 1990 (W.A.)(C.I.)*  
*Casino Control Act 1984 (W.A.)(C.I.)*  
*Companies (Acquisition of Shares) (Application of Laws) Act 1981 (W.A.)(C.I.)*  
*Companies (Acquisition of Shares) (Western Australia) Code (W.A.)(C.I.)*  
*Companies (Administration) Act 1982 (W.A.)(C.I.)*  
*Companies (Application of Laws) Act 1981 (W.A.)(C.I.)*  
*Companies (Co-operative) Act 1943-1959 (W.A.)(C.I.)*  
*Companies (Western Australia) Code (W.A.)(C.I.)*  
*Companies Act 1961 (W.A.)(C.I.)*  
*Companies and Securities (Interpretation and Miscellaneous Provisions)(Application of Laws) Act 1981 (W.A.)(C.I.)*  
*Companies and Securities (Interpretation and Miscellaneous Provisions) (Western Australia) Code (W.A.)(C.I.)*  
*Company Takeovers Act 1979 (W.A.)(C.I.)*  
*Crime (Serious and Repeat Offenders) Sentencing Act 1992 (W.A.)(C.I.)*  
*Criminal Law Amendment Act 1992 (W.A.)(C.I.)*  
*Daylight Saving Act 1991 (W.A.)(C.I.)*  
*Death Duty Act 1973 (W.A.)(C.I.)*  
*Death Duty Assessment Act 1973 (W.A.)(C.I.)*  
*Domicile Act 1981 (W.A.)(C.I.)*  
*Election of Senators Act 1903 (W.A.)(C.I.)*  
*Electoral Act 1907 (W.A.)(C.I.)*  
*Electoral Distribution Act 1947 (W.A.)(C.I.)*  
*Employers' Indemnity Supplementation Fund Act 1980 (W.A.)(C.I.)*  
*First Home Owner Grant Act 2000 (WA) (CI)*  
*Fisheries Act 1905 (W.A.)(C.I.)*

*Applied Laws (General) Ordinance 1992*

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#### Schedule 4 Repealed applied laws

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*Futures Industry (Application of Laws) Act 1986 (W.A.)(C.I.)*  
*Heritage of Western Australia Act 1990 (W.A.)(C.I.)*  
*Industrial Relations Act 1979 (W.A.)(C.I.)*  
*Land (Titles and Traditional Usage) Act 1993 (W.A.)(C.I.)*  
*Local Government Grants Act 1978 (W.A.)(C.I.)*  
*Local Government Superannuation Act 1980 (W.A.)(C.I.)*  
*Marketable Securities Transfer Act 1970 (W.A.)(C.I.)*  
*Minimum Conditions of Employment Act 1993 (W.A.)(C.I.)*  
*National Companies and Securities Commission (State Provisions) Act 1980 (W.A.)(C.I.)*  
*Referendums Act 1983 (W.A.)(C.I.)*  
*Securities Industry (Application of Laws) Act 1981 (W.A.)(C.I.)*  
*Securities Industry (Release of Sureties) Act 1977 (W.A.)(C.I.)*  
*Securities Industry (Western Australia) Code (W.A.)(C.I.)*  
*Securities Industry Act 1975 (W.A.)(C.I.)*  
*State Supply Commission Act 1991 (W.A.)(C.I.)*  
*Trade Unions Act 1902. (W.A.)(C.I.)*  
*Waterfront Workers' (Compensation for Asbestos Related Diseases) Act 1986 (W.A.)(C.I.)*  
*Wildlife Conservation Act 1950 (W.A.)(C.I.)*  
*Workplace Agreements Act 1993 (W.A.)(C.I.)*



## Endnotes

### Endnote 1—About the endnotes

The endnotes provide information about this compilation and the compiled law.

The following endnotes are included in every compilation:

Endnote 1—About the endnotes

Endnote 2—Abbreviation key

Endnote 3—Legislation history

Endnote 4—Amendment history

Endnotes about misdescribed amendments and other matters are included in a compilation only as necessary.

### Abbreviation key—Endnote 2

The abbreviation key sets out abbreviations that may be used in the endnotes.

### Legislation history and amendment history—Endnotes 3 and 4

Amending laws are annotated in the legislation history and amendment history.

The legislation history in endnote 3 provides information about each law that has amended (or will amend) the compiled law. The information includes commencement details for amending laws and details of any application, saving or transitional provisions that are not included in this compilation.

The amendment history in endnote 4 provides information about amendments at the provision (generally section or equivalent) level. It also includes information about any provision of the compiled law that has been repealed in accordance with a provision of the law.

### Misdescribed amendments

A misdescribed amendment is an amendment that does not accurately describe the amendment to be made. If, despite the misdescription, the amendment can be given effect as intended, the amendment is incorporated into the compiled law and the abbreviation “(md)” added to the details of the amendment included in the amendment history.

If a misdescribed amendment cannot be given effect as intended, the amendment is set out in the endnotes.

## Endnotes

### Endnote 2—Abbreviation key

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#### Endnote 2—Abbreviation key

A = Act	orig = original
ad = added or inserted	par = paragraph(s)/subparagraph(s) /sub-subparagraph(s)
am = amended	pres = present
amdt = amendment	prev = previous
c = clause(s)	(prev...) = previously
C[x] = Compilation No. x	Pt = Part(s)
Ch = Chapter(s)	r = regulation(s)/rule(s)
def = definition(s)	Reg = Regulation/Regulations
Dict = Dictionary	reloc = relocated
disallowed = disallowed by Parliament	renum = renumbered
Div = Division(s)	rep = repealed
exp = expires/expired or ceases/ceased to have effect	rs = repealed and substituted
F = Federal Register of Legislative Instruments	s = section(s)/subsection(s)
gaz = gazette	Sch = Schedule(s)
LI = Legislative Instrument	Sdiv = Subdivision(s)
LIA = <i>Legislative Instruments Act 2003</i>	SLI = Select Legislative Instrument
(md) = misdescribed amendment	SR = Statutory Rules
mod = modified/modification	Sub-Ch = Sub-Chapter(s)
No. = Number(s)	SubPt = Subpart(s)
o = order(s)	<u>underlining</u> = whole or part not commenced or to be commenced
Ord = Ordinance	

## Endnote 3—Legislation history

## Endnote 3—Legislation history

Name	FRLI registration or gazettal	Commencement	Application, saving and transitional provisions
Applied Laws (Implementation) Ordinance 1992 No 1 of 1992	30 June 1992	1 July 1992 (s 2)	
Applied Laws (Implementation) (Amendment) Ordinance 1992 No 10 of 1992	24 Dec 1992	24 Dec 1992 (s 1)	—
Applied Laws (Implementation) (Amendment) Ordinance 1993 No 4 of 1993	30 June 1993	1 July 1993 (s 2)	—
Applied Laws (Implementation) (Amendment) Ordinance 1993 No 9 of 1993	9 Sept 1993	9 Sept 1993 (s 1)	—
Applied Laws (Implementation) (Amendment) Ordinance 1993 No 12 of 1993	16 Dec 1993	16 Dec 1993 (s 1)	—
Applied Laws (Implementation) (Amendment) Ordinance 1993 No 13 of 1993	23 Dec 1993	1 Jan 1994 (s 2)	—
Applied Laws (Implementation) (Amendment) Ordinance 1994 No 4 of 1994	23 Dec 1994	1 Jan 1995 (s 2)	—

*Applied Laws (General) Ordinance 1992*

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## Endnotes

### Endnote 3—Legislation history

Name	FRLI registration or gazettal	Commencement	Application, saving and transitional provisions
Applied Laws (Implementation) (Amendment) Ordinance 1995 No 1 of 1995	11 Apr 1995	1 Jan 1995 (s 2)	—
Applied Laws (Implementation) (Amendment) Ordinance (No. 2) 1995 No 6 of 1995	19 Dec 1995	1 Jan 1996 (s 2)	—
Applied Laws (Implementation) (Amendment) Ordinance 1996 No 8 of 1996	13 Nov 1996	13 Nov 1996 (s 1)	—
Applied Laws (Implementation) (Amendment) Ordinance (No. 2) 1996 No 11 of 1996	24 Dec 1996	1 Jan 1997 (s 2)	—
Applied Laws (Implementation) (Amendment) Ordinance 1997 No 4 of 1997	24 Dec 1997	s 9.1, 9.2 and 13: 1 July 1998 (s 2.1) Remainder: 1 Jan 1998 (s 2.2)	—
Land Laws Amendment Ordinance 1998 No 2 of 1998	5 May 1998	30 Mar 1998 (s 2)	—
Applied Laws (Implementation) Amendment Ordinance 1999 (No. 1) No 3 of 1999	15 Dec 1999	1 Jan 2000 (s 2)	—

## Endnote 3—Legislation history

<b>Name</b>	<b>FRLI registration or gazettal</b>	<b>Commencement</b>	<b>Application, saving and transitional provisions</b>
Motor Vehicle (Third Party Insurance) Legislation Amendment Ordinance 2001 (No. 1) No 3 of 2001	15 Oct 2001	15 Oct 2001 (s 2)	—
Casino Legislation Ordinance 2005 (No. 1)	22 Aug 2005 (F2005L02298)	23 Aug 2005 (s 2)	—
Applied Laws (Implementation) Amendment Ordinance 2006 (No. 1)	5 Oct 2006 (F2006L03261)	6 Oct 2006 (s 2)	s 4, 5
Applied Laws (Implementation) Amendment Ordinance 2008 (No. 1)	25 June 2008 (F2008L02041)	1 July 2008 (s 2)	—
Territories Legislation (Applied Laws) Amendment Ordinance 2013 (No. 1) No 1, 2013	17 June 2013 (F2013L01017)	18 June 2013 (s 2)	—
Christmas Island Legislation Amendment (2014 Measures No. 1) Ordinance 2014 No 2, 2014	17 Oct 2014 (F2014L01361)	Sch 1 (items 1–3): 18 Oct 2014 (s 2)	—
Spent and Redundant Instruments Repeal Regulation 2015 (No. 1) No 21, 2015	16 Mar 2015 (F2015L00297)	Sch 4 (items 1, 2): 17 Mar 2015 (s 2)	—

## Endnotes

### Endnote 4—Amendment history

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### Endnote 4—Amendment history

Provision affected	How affected
Title .....	rep No 2, 2014
s 1 .....	rs No 2, 2014
s 4 .....	am No 10, 1992
	rs No 4, 1993
	am No 13, 1993; No 4, 1994; No 6, 1995; No 11, 1996
	rep No 4, 1997
s 5 .....	am No 10, 1992; No 4, 1993; No 13, 1993; No 4, 1994; No 6, 1995; No 11, 1996; No 4, 1997; No 3, 1999
	rep No 21, 2015
s 7 .....	ad No 4, 1997
<b>Schedule 1</b>	
Schedule 1 .....	am No 4, 1994; No 8, 1996; No 11, 1996; No 4, 1997; No 2, 1998; No 3, 2001; No 1, 2006; No 1, 2008; No 2, 2014
Schedule 2 .....	rs No 4, 1993; No 4, 1994
	rep No 4, 1997
<b>Schedule 3</b>	
Schedule 3 .....	rs No 4, 1993
	am No 9, 1993
	rs No 13, 1993; No 4, 1994
	am No 1, 1995
	rs No 6, 1995
	am No 8, 1996
	rs No 11, 1996
	am No 4, 1997; No 3, 1999
	rep No 21, 2015

## Endnote 4—Amendment history

Provision affected	How affected
<b>Schedule 4</b>	
Schedule 4 .....	am No 4, 1993; No 12, 1993; No 4, 1994; No 6, 1995; No 11, 1996; No 4, 1997; No 1, 2005; No 1, 2008; No 1, 2013