

WESTERN AUSTRALIA

**STATE SUPPLY COMMISSION
AMENDMENT ACT 1995**

No. 32 of 1995

AN ACT to amend the State Supply Commission Act 1991.

[Assented to 29 September 1995]

The Parliament of Western Australia enacts as follows:

Short title

1. This Act may be cited as the *State Supply Commission Amendment Act 1995*.

Commencement

2. This Act comes into operation on the day on which it receives the Royal Assent.

Principal Act

3. In this Act the *State Supply Commission Act 1991** is referred to as the principal Act.

[* *Act No. 5 of 1991.*

*For subsequent amendments see 1994 Index to
Legislation of Western Australia, Table 1, p. 204.]*

Section 3 amended

4. Section 3 (1) of the principal Act is amended by deleting the definition of "supply" and substituting the following definition —

“

“**supply**”, in relation to goods and services,
includes —

- (a) the doing of anything described in section 5 (ba); and
- (b) storage and distribution.

”.

Section 5 amended

5. After section 5 (b) of the principal Act the following paragraph is inserted —

“

(ba) to acquire ownership of, rights to, or other proprietary or possessory interests in respect of, goods or services and to —

- (i) transfer ownership of goods or rights to services; or

- (ii) otherwise dispose of any interest in, or rights to, goods or services (including without limitation by way of licence or bailment),

to public authorities;

”

Section 5A inserted

6. After section 5 of the principal Act the following section is inserted —

“

Sale and lease-back of goods

5A. (1) The Commission also has the function of giving effect to a requirement under subsection (3).

(2) The Minister may determine that certain goods used in the operations of any public authority, or goods of a particular class so used, are to be sold as part of a scheme for the sale and lease-back of those goods.

(3) If the Minister makes a determination under subsection (2), the Minister may require the Commission to enter into a contract or contracts for the sale of the goods to which the determination applies.

(4) A determination under subsection (2) and a requirement under subsection (3) have effect in relation to goods despite the fact that ownership of the goods is vested in a public authority.

”

Section 19 amended

7. Section 19 (1) of the principal Act is amended by inserting after "public authority" the following —

"

including, where the Commission thinks fit, supply in the manner described in section 5 (ba)

".

Section 23 amended

8. Section 23 of the principal Act is amended by inserting after "services" the following —

"

, including where the Commission thinks fit supply in the manner described in section 5 (ba),

".
