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— PART 1 —

PROCLAMATIONS

AA101*

Criminal Code Amendment (Unlawful Possession) Act 2014

Criminal Code Amendment (Unlawful Possession) Act 2014 Commencement Proclamation 2014

Made under the *Criminal Code Amendment (Unlawful Possession) Act 2014* section 2(b) by the Administrator in Executive Council.

1. Citation

This proclamation is the *Criminal Code Amendment (Unlawful Possession) Act 2014 Commencement Proclamation 2014*.

2. Commencement

The *Criminal Code Amendment (Unlawful Possession) Act 2014*, other than Part 1 and section 8(2), comes into operation on the day after the day on which this proclamation is published in the *Gazette*.

W. S. MARTIN, Administrator.

L.S.

M. MISCHIN, Attorney General.

COAL INDUSTRY SUPERANNUATION

CZ301*

Coal Industry Superannuation Act 1989

Coal Industry Superannuation Amendment Regulations 2014

Made by the Administrator in Executive Council.

1. Citation

These regulations are the *Coal Industry Superannuation Amendment Regulations 2014*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

3. Regulations amended

These regulations amend the *Coal Industry Superannuation Regulations 2014*.

4. Regulation 13 amended

In regulation 13(2)(a) after “employer” insert:

on

5. Regulation 20 amended

In regulation 20(2)(b) delete “advice” and insert:

advise

6. Regulation 25 amended

In regulation 25(1)(b) delete “making” and insert:

requesting the Governor to make

JUSTICE

JU301*

Statutory Corporations (Liability of Directors) Act 1996

**Statutory Corporations (Liability of Directors)
(Act Amendment) Regulations 2014**

Made by the Administrator in Executive Council.

1. Citation

These regulations are the *Statutory Corporations (Liability of Directors) (Act Amendment) Regulations 2014*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

3. Act amended

These regulations amend the *Statutory Corporations (Liability of Directors) Act 1996*.

4. Schedule 1 amended

- (1) In Schedule 1 delete the items relating to the Mid West Ports Authority.
- (2) In Schedule 1 insert in alphabetical order:

Mid West Ports Authority	a director of the Authority	<i>Port Authorities Act 1999</i>
Pilbara Ports Authority	a director of the Authority	<i>Port Authorities Act 1999</i>

N. HAGLEY, Clerk of the Executive Council.

JU302*

Magistrates Court Act 2004

**Magistrates Court (General) Amendment Rules
(No. 4) 2014**

Made by the Magistrates Court.

1. Citation

These rules are the *Magistrates Court (General) Amendment Rules (No. 4) 2014*.

2. Commencement

These rules come into operation as follows —

- (a) rules 1 and 2 — on the day on which these rules are published in the *Gazette*;
- (b) the rest of the rules — on the day after that day.

3. Rules amended

These rules amend the *Magistrates Court (General) Rules 2005*.

4. Rule 47 amended

- (1) In rule 47 insert in alphabetical order:

prosecuting authority has the meaning given in the Act.

- (2) In rule 47 in the definition of *Act* delete “1994.” and insert:

1994;

Note: The heading to amended rule 47 is to read:

Terms used**5. Rule 48 amended**

- (1) In rule 48(1) delete “3.” and insert:

3 at the registry closest to where the alleged offence took place.

- (2) Delete rule 48(2)(c) and insert:

- (c) at least 5 clear days before the date set by the Court for the hearing of the application, return

one copy of the form to the applicant and give one copy to each of the following —

- (i) the Commissioner of Police;
- (ii) if the Commissioner of Police is not the relevant prosecuting authority, the relevant prosecuting authority.

6. Rule 49A amended

- (1) In rule 49A(1) delete “4AA.” and insert:

4AA at the registry closest to where the alleged offence took place.

- (2) Delete rule 49A(2)(c) and insert:

- (c) at least 5 clear days before the date set by the Court for the hearing of the application, return one copy of the form to the applicant and give one copy to the relevant prosecuting authority; and
- (d) as soon as practicable after reaching a decision on the application, the Court must advise the Sheriff referred to in the *Supreme Court Act 1935* section 156 of that decision.

7. Rule 49 amended

- (1) In rule 49(1) delete “4.” and insert:

4 at the registry closest to where the alleged offence took place.

- (2) Delete rule 49(2)(c) and insert:

- (c) at least 5 clear days before the date set by the Court for the hearing of the application, return one copy of the form to the applicant and give one copy to the relevant prosecuting authority.

8. Schedule 2 amended

- (1) In Schedule 2 Form 1 delete “42C)” and insert:

40C)

- (2) In Schedule 2 Form 5 after “date of this application.” insert:

I am not disqualified from holding or obtaining a driver’s licence under the *Road Traffic Act 1974* section 71D(1).

Dated: 7 August 2014.

Magistrates’ signatures

STEVEN HEATH, Chief Magistrate.

ELIZABETH WOODS, Deputy Chief Magistrate.

LEANNE ATKINS, Magistrate.

FELICITY ZEMPILAS, Magistrate.

LOCAL GOVERNMENT

LG301*

LOCAL GOVERNMENT ACT 1995

SHIRE OF SHARK BAY ACTIVITIES ON THOROUGHFARES AND PUBLIC PLACES AND LOCAL GOVERNMENT PROPERTY AMENDMENT LOCAL LAW 2014

Under the powers conferred by the *Local Government Act 1995*, and all other powers enabling it, the Council of the Shire of Shark Bay resolved on 30 July 2014 to make the following local law.

1. Citation

This local law is cited as the *Shire of Shark Bay Activities on Thoroughfares and Public Places and Local Government Property Amendment Local Law 2014*.

2. Commencement

This local law comes into operation 14 days after its publication in the *Government Gazette*.

3. Local Government Property Local Law amended

(1) The *Shire of Shark Bay Local Government Property Local Law* published in the *Government Gazette* on 24 July 2002 is amended as follows—

- (a) Clause 7.4 is deleted and a new clause 7.4 inserted as follows—

7.4 When boat may remain moored

Without the prior consent of the local government, a person in control of a boat shall not moor or make fast the boat to the Jetty unless—

- (a) the boat is in distress and then only to effect the minimum repairs necessary to enable the boat to be moved elsewhere;
- (b) the embarking or disembarking of passengers is in progress, and—
- (i) the boat is moored for no longer than two hours; and
- (ii) a period of not less than one hour has passed since the boat last cast off from the jetty;
- (c) the loading or discharging of cargo or other goods is in progress in accordance with Division 5; and

(d) where the boat is used at that time for commercial purposes, the person has first paid the fee (if any) for such mooring or making fast to the local government..

(b) Clause 7.6 is deleted and a new clause 7.5 inserted as follows—

7.5 Loading and discharging

A person in control of a boat shall not allow the boat to come alongside or be moored or made fast to the Jetty for the purpose of loading or discharging cargo or other goods—

- (a) until the cargo or other goods are ready to be loaded or discharged; and
- (b) without the consent of the Local Government—
 - (i) between the hours of 6.00 pm to 6.00 am on the next day;
 - (ii) for longer than two hours; and
 - (iii) a period of not less than one hour has passed since the boat last cast off from the jetty.

(2) Clauses 7.7 to 7.17 are renumbered 7.6 to 7.16 respectively.

(3) The table in Schedule 1 is amended to delete the row referring to clause 7.5, and clauses 7.6 to 7.17 are renumbered 7.5 to 7.16 respectively.

4. Activities in Thoroughfares and Public Places and Trading Local Law amended

(1) The Shire of Shark Bay *Activities on Thoroughfares and Public Places and Trading Local Law* published in the *Government Gazette* on 24 July 2002 is amended as follows—

(a) Delete clause 2.1(a) and insert—

2.1(a) plant any plant which exceeds or which may exceed 0.75 metres in height on a thoroughfare so that the plant is within 10 metres of an intersection;

(b) Delete item 2.1(a) in Schedule 1 and insert—

2.1(a) plant any plant exceeding 0.75 metres in height on a thoroughfare within 10 metres of intersection 100

The Common Seal of the Shire of Shark Bay was affixed by authority of a resolution of the Council in the presence of—

CHERYL COWELL, President.
PAUL ANDERSON, Chief Executive Officer.

TREASURY AND FINANCE

TR301*

Public Works Act 1902

Public Works (Sports or Recreation Facilities) Order 2014

Made by the Administrator in Executive Council under the *Public Works Act 1902* section 11 and paragraph (y) of the definition of *public work* in section 2.

1. Citation

This order is the *Public Works (Sports or Recreation Facilities) Order 2014*.

Note: Under the *Interpretation Act 1984* section 41(1)(b), this order comes into operation on the day on which it is published in the *Gazette*.

— PART 2 —

HEALTH

HE401*

HEALTH SERVICES (QUALITY IMPROVEMENT) ACT 1994

HEALTH SERVICES (QUALITY IMPROVEMENT) (APPROVED COMMITTEE) REPEAL ORDER (NO. 1) 2014

Made by the Executive Director, Performance, Activity & Quality (as delegate of the Minister for Health) pursuant to section 7(1) of the *Health Services (Quality Improvement) Act 1994*.

Citation

1. This order may be cited as the *Health Services (Quality Improvement) (Approved Committee) Repeal Order (No. 1) 2014*.

Commencement

2. This order comes into operation on the day on which it is published in the *Government Gazette*.

Revocation of Committee

3. The designation, as an approved quality improvement committee for the purposes of the Act for the Clinical Review Committee established by the Peel Health Campus Governing Board is revoked.

Order Repealed

4. The *Health Services (Quality Improvement) (Approved Committee) Order (No. 1) 2012* is repealed.

Dated this 25th day of July 2014.

DOROTHY JONES, Executive Director,
Performance Activity & Quality Division.

HERITAGE

HR401*

HERITAGE OF WESTERN AUSTRALIA ACT 1990

DELEGATION OF FUNCTIONS

Take notice that on 4 August 2014, in accordance with section 6(7) of the *Heritage of Western Australia Act 1990* (the Act), I delegated to the Executive Director of the Department of the State Heritage Office all of my powers under sections 7(1)(c) and 29(2)(c) of the Act, provided that the Executive Director may not direct the Heritage Council of Western Australia when making a direction pursuant to s. 29(2)(c).

All prior delegations of these powers, functions and duties are hereby revoked.

Dated the 12th day of August 2014.

ALBERT PAUL JACOB, Minister for Heritage.

LOCAL GOVERNMENT

LG401*

LOCAL GOVERNMENT ACT 1995

Shire of Chittering
(BASIS OF RATES)

This notice, which is for public information only, is to confirm that—

I, Brad Jolly, being delegated by the Minister of the Crown to whom the administration of the *Local Government Act 1995* is committed by the Governor, and acting pursuant to section 6.28 (1) of that Act, hereby, and with effect from this date, determined that the method of valuation to be used by the Shire of Chittering as the basis for a rate in respect of the land referred to in the Schedule is to be the gross rental value of the land;

Schedule

	Designated Land
UV to GRV	Lots 401-404, 422-429, 444 and 445 on Deposited Plan 401246

BRAD JOLLY, Executive Director,
Sector Regulation and Support.

LG402*

BUSH FIRES ACT 1954

Shire of Broome
APPOINTMENTS

It is hereby advised that the following persons are appointed as Shire of Broome Bush Fire Control Officers under the *Bush Fires Act 1954*, Part IV Division 1 Section 38—

Deputy Chief Bush Fire Control Officer—Craig Alexander Burgess
Bushfire Control Officers—

Mark Lee O'Connor, Amanda Jane Spencer, and Gail Barbara Harmon.

All previous appointments are hereby cancelled.

K. R. DONOHOE, Chief Executive Officer.

LG403*

SHIRE OF BROOME
APPOINTMENTS

It is hereby notified for public information that the following persons—

Mark Lee O'Connor, Craig Alexander Burgess, Amanda Jane Spencer, Gail Barbara Harmon, Chase Clark William Lurati and John William Hardbattle

have been appointed by the Shire of Broome as Authorised Officers to exercise powers pursuant to the following legislation—

Local Government Act 1995 and Regulations (as amended)—Authorised Person

Local Government (Miscellaneous Provisions) Act 1960 (as amended)—Ranger, Pound Keeper

Dog Act 1976 and Regulations (as amended)—Authorised Person

Litter Act 1979 and Regulations (as amended)—Authorised Officer

Control of Vehicles (Off Road Areas) Act 1978 and Regulations (as amended)—Authorised Officer

Caravan Parks and Camping Grounds Act 1995 and Regulations (as amended)—Authorised Person

All Shire of Broome Local Laws as Gazetted.

It is hereby notified for public information that the following persons are appointed as Shire of Broome Dog Registration Officers under the *Dog Act 1976*, Part II Section 11—

Mark Lee O'Connor, Elaine Merietta Hansen, Craig Alexander Burgess, Gail Barbara Harmon, Amanda Jane Spencer, Stephanie Louise Ann McCormick, Bronwyn Helen Jones, Rochelle Maree Piggan, Erin Claire Harding, Victoria Patricia Gardener, Brodie Joy Green, Chase Clark William Lurati and John William Hardbattle.

It is hereby notified for public information that the following persons—

Kevin Manton, Simon Pritchard, Bryan Irving, Terry Christian Panaytou, Patrick Kevin Bin Amat and Frederick John Greene

have in accordance with Part 9, Division 2, Section 9.10 of the *Local Government Act 1995*, been appointed as Authorised Officers for the Shire of Broome and are authorised to enforce and administer the following Shire of Broome Local Law at the Broome International Airport only—

Shire of Broome Local Laws Relating To Parking and Use of Vehicles 2003.

It is hereby notified for public information that the following persons—

Daniel Lewis and Stuart James

have in accordance with Part 9, Division 2, Section 9.10 of the *Local Government Act 1995*, have been appointed by the Shire of Broome as Authorised Officers to exercise powers pursuant to the following legislation at the 80 Mile Beach Caravan Park only—

Shire of Broome Local Laws relating to Parking and Parking Facilities 2012

Local Laws relating to Dogs

Caravan Park and Camping Grounds Act 1995 and Regulations (as amended); and

Litter Act 1979 and Regulations (as amended).

All previous appointments are hereby cancelled.

K. R. DONOHOE, Chief Executive Officer.

LG501*

BUSH FIRES ACT 1954

Shire of Broome

FIRE BREAK ORDER

Owners and/or occupiers of land within, the Shire of Broome

Pursuant to Section 33 of the *Bush Fires Act 1954* you are hereby required on or before the 15 May 2014, or within 14 days of the date of you becoming owner or occupier should this occur after 15 May 2014, to remove from the land owned or occupied by you, all inflammable material or to clear firebreaks in accordance with the following requirements, and thereafter to maintain the land or the firebreaks clear of inflammable material up to and including the 31 December 2014.

Inflammable material is defined for the purpose of this notice to include bush, timber, boxes, cartons, paper, rubbish and any combustible material but does not include living trees, shrubs, growing bushes, and plants under cultivation.

RURAL AND PASTORAL LAND (Refers to all land outside the town site of Broome)

Trafficable firebreaks are required to be installed on the land and clear of flammable material.

- (a) These should be not less than three (3) metres wide inside, and within ten (10) metres of all external boundaries and around all haystacks.
- (b) A twenty (20) metre “parkland cleared” low fuel buffer zone around all building on the property, which shall be clear of all inflammable material.

TOWNSITE LAND (Refers to all land within the town site of Broome)

- (a) Where the land is 2000 square metres or less, all inflammable materials must be removed from the whole of the land.
- (b) Where the land is greater than 2000 square metres, trafficable firebreaks not less than (3) three metres wide inside and within (2) metres of the external boundaries of the land, and a (20) twenty metre “parkland cleared” low fuel buffer zone around all buildings, which shall be clear of all inflammable material.

FUEL DUMPS

On all land where fuel drum ramps are located and where fuel dumps, whether containing fuel or not, are stored, clear and maintain a firebreak at least (5) five metres wide around any drum, ramp or stack of drums.

BURNING

The requirements of this notice to provide a firebreak, other than an alternative or strategic firebreak may be carried out by burning. That burning must be in accordance with the relevant provisions of the *Bush Fires Act 1954*.

ALTERNATIVE FIREBREAKS

1. (a) Should you consider it to be impracticable for any reason to clear firebreaks or remove inflammable material from the land as required by this notice, you may apply to the Shire of Broome in writing later than 7 May 2014, for permission to provide firebreaks in alternative positions or to take alternative action to abate fire hazards on the land. If permission is not granted in writing by the Council prior to 15 May 2014, you shall comply with the requirements of this notice.

- (b) When written permission to provide alternative firebreaks has been granted, you shall—
- (i) comply with all conditions endorsed on the permit.
 - (ii) provide firebreaks at least 3 metres wide in the agreed position(s) on the land.
2. (a) Where the Council has, in writing, approved a Fire Management Plan and the Fire Management Plan depicts an array of alternative firebreaks, an owner may as an alternative to the construction of a general firebreak, elect to provide the alternative firebreak depicted on the Bushfire Management Plan. However, where the alternative firebreak is not constructed by the date required by this notice, the general firebreak requirements shall apply.
- (b) Any alternative firebreak provided for under (c) above shall be of the same width requirements as that applicable to a general firebreak but shall be limited to the extent and location depicted on the Bushfire Management Plan.

STRATEGIC FIREBREAKS

1. (a) Where, under an agreement with the Council, or where depicted on an approved Bushfire Management Plan, strategic firebreaks are required to be provided on the land you are required to clear and maintain firebreaks at least 6 metres wide in the agreed position.
- (b) Strategic firebreaks shall be graded to provide a continuous trafficable surface (suitable for 4 wheel drive vehicles) at least 4 metres wide unimpeded by obstructions including boundary or dividing fences unless fitted with approved gates.

The burning of bush, grass, or garden refuse throughout the Shire is not permitted unless a written permit has been obtained from an authorised Bush Fire Control Officer, which can be contacted at the Shire of Broome on (08) 9191 3456.

The penalty for failing to comply with this notice under Section 33 of the *Bush Fires Act 1954* is a modified penalty \$250 or a penalty of \$5000 if convicted by a Court. Any person failing to comply with this notice may also be liable, whether prosecuted or not, to pay the cost of the Shire of Broome obtaining contractors to perform any fire hazard reduction works on the property.

K. R. DONOHOE, Chief Executive Officer.

DECEASED ESTATES

ZX401

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Mabel Russell, late of Shoalwater Aged Care Facility, 72 Fourth Avenue, Shoalwater, Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the deceased, who died 29 June 2014, are required by Birman & Ride of Level 3, Irwin Chambers, 16 Irwin Street, Perth WA 6000 to send particulars of their claims to them within one month of the date of this notice, after which date the Trustee may convey or distribute the assets having regard only to the claims which he then has notice.

ZX402

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Rae Dawn Boddington, late of 1 Othela Parkway, Leeming, Western Australia, Nurse, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustee Act 1962*, relates) in respect of the estate of the deceased, who died on 13 December 2013 at St John of God Hospital, Subiaco in Western Australia, are required by the personal representative, being Wendy Joy Loh to send particulars of their claims to care of Brook Legal, PO Box 93, Wembley in Western Australia 6913 within 30 days of publication of this notice, after which date the personal representative may convey or distribute the assets, having regard only to the claims of which she then has notice.

Dated: 5 August 2014.

BROOK LEGAL.

ZX403

TRUSTEES ACT 1962
DECEASED ESTATES

Notice to Creditors and Claimants

Joan May Morrish Meyn, late of Bethanie Fields, 111 Eaton Drive, Eaton in the State of Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the deceased, who died on 17 May 2014, are required by the personal representative to send particulars of their claims to her care of Clement & Co, Lawyers, Unit 2, 12 Sutton Street, Mandurah by 22 September 2014, after which date the personal representative may convey or distribute the assets having regard to the claims of which she then has notice.

CLEMENT & CO, as solicitors for the personal representative.

PUBLIC NOTICES

ZZ401*

CHARITABLE TRUSTS ACT 1962
APPLICATION TO VARY TERMS OF WILL

Estate of Beryl Sheila Price, late of Melvista Nursing Home, Betty Street, Nedlands, Western Australia, deceased.

Take notice that Roger Price ("Trustee") has applied to the Supreme Court pursuant to the Charitable Trusts Act 1962 (WA) for the approval of a Scheme ("the Scheme") to vary the Will of the Deceased dated 4 February 1997 as follows—

- (a) by deleting the existing clause 3 of the Will, which presently provides—

"I give the sum of two hundred and fifty thousand dollars (\$250,000.00) to the Aboriginal Women's Tertiary Institute."

- (b) by inserting a new clause 3 into the Will as follows—

"I give the sum of Two Hundred and Fifty Thousand Dollars (\$250,000.00) to—

- (1) the Roberta Sykes Indigenous Education Foundation; and*
(2) the Batchelor Institute of Indigenous Tertiary Education,

as tenants in common in equal shares on condition that the moneys from the bequest be used and applied for the tertiary education for Aboriginal women."

The application is to be heard by the Supreme Court of Western Australia at Perth at 10:30am on 15 October 2014.

Any person desiring to oppose the Scheme is required to give written notice of their intention to do so to the Principal Registrar of the Supreme Court, the Trustee (care of MDS Legal, Level 2, 16 Irwin Street, Perth, Western Australia) and the Attorney-General of Western Australia not less than seven clear days before the date proposed for the hearing.

Dated this 6th day of August 2014.

MDS LEGAL, for the Trustee.

WESTERN AUSTRALIA

FAIR TRADING (RETIREMENT VILLAGES INTERIM CODE) REGULATIONS 2014

***Price: \$11.50 plus postage**

* Prices subject to change on addition of amendments.

WESTERN AUSTRALIA

**MINES SAFETY AND INSPECTION
ACT 1994**

Price: \$46.25 plus postage

**MINES SAFETY AND INSPECTION
REGULATIONS 1995**

Price: \$49.40 plus postage

*Prices subject to change on addition of amendments.

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