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CONTENTS

PART 1

	Page
Criminal Injuries Compensation Act 2003—Criminal Injuries Compensation Regulations 2003	5727-8
Economic Regulation Authority Act 2003—Economic Regulation Authority (Transitional) Regulations 2003	5731-3
Gas Pipelines Access (Western Australia) Act 1998— Gas Pipelines Access (Western Australia) (Funding) Amendment Regulations 2003 Gas Review Board Panels Membership Instrument 2003.....	5734-6 5724-5
Local Government Act 1995—Shire of Kalamunda—Standing Orders Local Law 1999	5728
Occupational Safety and Health Act 1984—Occupational Safety and Health Amendment Regulations (No. 6) 2003.....	5737-43
Proclamations—	
Acts Amendment and Repeal (Courts and Legal Practice) Act 2003—65 of 2003	5722
Business Tax Review (Assessment) Act (No. 2) 2003—66 of 2003.....	5721
Business Tax Review (Taxing) Act (No. 2) 2003—59 of 2003.....	5721
Corruption and Crime Commission Act 2003—48 of 2003.....	5723
Corruption and Crime Commission Amendment and Repeal Act 2003—78 of 2003..	5723
Criminal Injuries Compensation Act 2003—77 of 2003	5722
Economic Regulation Authority Act 2003—67 of 2003.....	5723
Legal Practice Act 2003—64 of 2003	5722
Racing and Wagering Western Australia Act 2003—	
Greyhound Racing Rules 1998 (2 notices).....	5729
Rules of Harness Racing 1999	5729
Rules of Thoroughbred Racing.....	5730
Spent Convictions Act 1988—Spent Convictions (Act Amendment) Regulations 2003 .	5726-7
Stamp Act 1921—Stamp Amendment Regulations 2003.....	5730
State Superannuation Act 2000—State Superannuation Amendment Regulations (No. 4) 2003.....	5725-6

PART 2

Consumer and Employment Protection	5744
Fisheries.....	5744-5
Health.....	5745
Local Government.....	5746-7
Parliament.....	5747
Premier and Cabinet.....	5747
Police	5747
Public Notices—	
Deceased Estates.....	5750-1
Dissolution of Partnership	5752
Regional Development	5748
Racing, Gaming and Liquor	5748-9
Water.....	5749
Worksafe.....	5749-50

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GOVERNMENT GAZETTE

PUBLISHING DETAILS FOR CHRISTMAS 2003 AND NEW YEAR HOLIDAY PERIOD 2004

NOTE: Due to Friday 26th December being a public holiday there will not be a gazette published on that day

Publishing Dates and times

Tuesday 30 December 2003 at 3.30 pm

Friday 2 January 2004 at 3.30 pm

Closing Dates and Times for copy

Wednesday 24 December 2003 at 12 noon

Tuesday 30 December 2003 at 3.00pm

From week commencing 5 January 2004 normal publishing resumes.



— PART 1 —

PROCLAMATIONS

AA101*

BUSINESS TAX REVIEW (TAXING) ACT (No. 2) 2003

59 of 2003

PROCLAMATION

WESTERN AUSTRALIA
John Sanderson,
Governor.
[L.S.]

} By His Excellency Lieutenant General John Murray
Sanderson, Companion of the Order of Australia,
Governor of the State of Western Australia.

I, the Governor, acting under section 2 of the *Business Tax Review (Taxing) Act (No. 2) 2003*, and with the advice and consent of the Executive Council, fix 1 January 2004 as the day on which that Act, other than section 4(3), comes into operation.

Given under my hand and the Public Seal of the State on 23 December 2003.

By Command of the Governor,

ERIC RIPPER, Treasurer.

GOD SAVE THE QUEEN !

AA102*

BUSINESS TAX REVIEW (ASSESSMENT) ACT (No. 2) 2003

66 of 2003

PROCLAMATION

WESTERN AUSTRALIA
John Sanderson,
Governor.
[L.S.]

} By His Excellency Lieutenant General John Murray
Sanderson, Companion of the Order of Australia,
Governor of the State of Western Australia.

I, the Governor, acting under section 2 of the *Business Tax Review (Assessment) Act (No. 2) 2003* and with the advice and consent of the Executive Council—

- (a) fix 1 January 2004 as the day on which Parts 1 and 2 (other than sections 70(1), 80, 81(1)(a), 82, 83, 85, 87(9), 93, 94 and 95(5)(b)) of that Act, come into operation; and
- (b) fix 1 March 2004 as the day on which section 70(1) of that Act comes into operation.

Given under my hand and the Public Seal of the State on 23 December 2003.

By Command of the Governor,

ERIC RIPPER, Treasurer.

GOD SAVE THE QUEEN !

AA201*

ACTS AMENDMENT AND REPEAL (COURTS AND LEGAL PRACTICE) ACT 2003

65 of 2003

PROCLAMATION

WESTERN AUSTRALIA John Sanderson, Governor. [L.S.]	}	By His Excellency Lieutenant General John Murray Sanderson, Companion of the Order of Australia, Governor of the State of Western Australia.
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I, the Governor, acting under section 2 of the *Acts Amendment and Repeal (Courts and Legal Practice) Act 2003*, and with the advice and consent of the Executive Council, fix 1 January 2004 as the day on which that Act comes into operation.

Given under my hand and the Public Seal of the State on 23 December 2003.

By Command of the Governor,

J. A. McGINTY, Attorney General.

GOD SAVE THE QUEEN !

AA202*

LEGAL PRACTICE ACT 2003

64 of 2003

PROCLAMATION

WESTERN AUSTRALIA John Sanderson, Governor. [L.S.]	}	By His Excellency Lieutenant General John Murray Sanderson, Companion of the Order of Australia, Governor of the State of Western Australia.
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I, the Governor, acting under section 2 of the *Legal Practice Act 2003* and with the advice and consent of the Executive Council—

(a) fix 1 January 2004 as the day on which that Act, other than Part 8, comes into operation; and

(b) fix 1 April 2004 as the day on which Part 8 of that Act comes into operation.

Given under my hand and the Public Seal of the State on 23 December 2003.

By Command of the Governor,

J. A. McGINTY, Attorney General.

GOD SAVE THE QUEEN !

AA203*

CRIMINAL INJURIES COMPENSATION ACT 2003

77 of 2003

PROCLAMATION

WESTERN AUSTRALIA John Sanderson, Governor. [L.S.]	}	By His Excellency Lieutenant General John Murray Sanderson, Companion of the Order of Australia, Governor of the State of Western Australia.
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I, the Governor, acting under section 2 of the *Criminal Injuries Compensation Act 2003*, and with the advice and consent of the Executive Council, fix 1 January 2004 as the day on which that Act comes into operation.

Given under my hand and the Public Seal of the State on 23 December 2003.

By Command of the Governor,

J. A. McGINTY, Attorney General.

GOD SAVE THE QUEEN !

AA204*

ECONOMIC REGULATION AUTHORITY ACT 2003

67 of 2003

PROCLAMATION

WESTERN AUSTRALIA John Sanderson, Governor. [L.S.]	}	By His Excellency Lieutenant General John Murray Sanderson, Companion of the Order of Australia, Governor of the State of Western Australia.
---	---	--

I, the Governor, acting under section 2 of the *Economic Regulation Authority Act 2003*, and with the advice and consent of the Executive Council, fix 1 January 2004 as the day on which that Act, other than sections 25(b) and 63(2), Schedule 2 Division 4, and Schedule 4, comes into operation.

Given under my hand and the Public Seal of the State on 23 December 2003.

By Command of the Governor,

ERIC RIPPER, Treasurer.

GOD SAVE THE QUEEN !

AA205*

CORRUPTION AND CRIME COMMISSION ACT 2003

48 of 2003

PROCLAMATION

WESTERN AUSTRALIA John Sanderson, Governor. [L.S.]	}	By His Excellency Lieutenant General John Murray Sanderson, Companion of the Order of Australia, Governor of the State of Western Australia.
---	---	--

I, the Governor, acting under section 2 of the *Corruption and Crime Commission Act 2003*, and with the advice and consent of the Executive Council, fix 1 January 2004 as the day on which that Act comes into operation.

Given under my hand and the Public Seal of the State on 23 December 2003.

By Command of the Governor,

J. A. McGINTY, Attorney General.

GOD SAVE THE QUEEN !

AA206*

CORRUPTION AND CRIME COMMISSION AMENDMENT AND REPEAL ACT 2003

78 of 2003

PROCLAMATION

WESTERN AUSTRALIA John Sanderson, Governor. [L.S.]	}	By His Excellency Lieutenant General John Murray Sanderson, Companion of the Order of Australia, Governor of the State of Western Australia.
---	---	--

I, the Governor, acting under section 2 of the *Corruption and Crime Commission Amendment and Repeal Act 2003*, and with the advice and consent of the Executive Council, fix 1 January 2004 as the day on which the provisions of that Act, other than Part 3 Division 3 Subdivision 2, sections 72(2) and 74(2) and Schedule 2, come into operation.

Given under my hand and the Public Seal of the State on 23 December 2003.

By Command of the Governor,

J. A. McGINTY, Attorney General.

GOD SAVE THE QUEEN !

ENERGY

EN301*

Gas Pipelines Access (Western Australia) Act 1998

**Gas Review Board Panels Membership
Instrument 2003**

Made by the Governor in Executive Council.

1. Citation

This instrument may be cited as the *Gas Review Board Panels Membership Instrument 2003*.

2. Appointment to panel of legal practitioners

The people listed in Schedule 1 Division 1 are appointed as members of the panel of legal practitioners referred to in section 52(1)(a) of the Act, for 5 years from the day on which they are appointed.

3. Appointment to panel of experts

The people listed in Schedule 1 Division 2 are appointed as members of the panel of experts referred to in section 52(1)(b) of the Act, for 5 years from the day on which they are appointed.

4. Removal from panel of experts

The person identified in Schedule 1 Division 3 is removed from membership of the panel of experts referred to in section 52(1)(b) of the Act.

Schedule 1 — Panel members appointed or removed**Division 1 — People appointed to panel of legal practitioners**

Mr Robert Michael EDEL

Mr Ashley Graham CASTLEDINE

Mr Angus William Morrison JONES

Division 2 — People appointed to panel of experts

Mr Max KIMBER

Mr Kit HANDYSIDE

Mr Ted WOODLEY

Mr Michael WILLIAMS

Mr Albert DE GEEST

Dr Frank HARMAN

Mr Jon RANNEY

Dr John WILLIAMS

Mr Frank OLIVER

Mr Andy WILKINSON

Division 3 — People removed from panel of experts

Mr Michael SOLTYK

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.

**GOVERNMENT EMPLOYEES SUPERANNUATION
BOARD**

GZ301*

State Superannuation Act 2000

**State Superannuation Amendment Regulations
(No. 4) 2003**

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *State Superannuation Amendment Regulations (No. 4) 2003*.

2. *State Superannuation Regulations 2001* amended

- (1) The amendments in this regulation are to the *State Superannuation Regulations 2001**.

[* *Published in Gazette 16 Feb 2001 p. 921-1074.*

For amendments to 2 December 2003 see Western Australian Legislation Information Tables for 2002, Table 4, p. 362, and Gazette 13 June and 15 and 26 August 2003.]

- (2) Schedule 1 is amended in Division 2 as follows:
- (a) by deleting item 51;

(b) by inserting after item 40 the following item —

- “
- 40a. **Public Transport Authority of Western Australia**
established under the *Public Transport Authority Act 2003*
- ”

3. Superannuation and Family Benefits Act 1938 amended

- (1) The amendment in this regulation is to the *Superannuation and Family Benefits Act 1938** as continued in force by section 26 of the *State Superannuation (Transitional and Consequential Provisions) Act 2000*.

[* Reprinted as at 20 July 1999.

For amendments to 2 December 2003 see Western Australian Legislation Information Tables for 2002, Table 1, p. 382.]

- (2) Section 6(1) is amended in the definition of “department” by inserting after “port authority” —

“

, every college (within the meaning of the *Vocational Education and Training Act 1996*),

”

Certified under section 38(4)(b) of the Act —

DERMOT BALSON	2/12/03
Actuary appointed by the Board	Date

Approved under section 38(5) of the Act —

ERIC RIPPER	16/12/03
Treasurer	Date

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.

JUSTICE

JU301*

Spent Convictions Act 1988

Spent Convictions (Act Amendment) Regulations 2003

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Spent Convictions (Act Amendment) Regulations 2003*.

2. *Spent Convictions Act 1988* amended

The amendment in these regulations is to the *Spent Convictions Act 1988*.*

[* Reprinted as at 1 September 2000.

For amendments to 15 October 2003 see *Western Australian Legislation Information Tables for 2002, Table 1, p. 362, and Act No. 50 of 2003.*]

3. Schedule 3 amended

Schedule 3 clause 2(1) is amended by inserting after item 7 of the Table to the subclause the following item —

“

- | | |
|--|-----------------------------------|
| 8. A person who is employed or who is being considered for employment by the Department of Sport and Recreation. | Sections 18 and 20 and Division 4 |
|--|-----------------------------------|

”

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.

JU302*

Criminal Injuries Compensation Act 2003

Criminal Injuries Compensation Regulations 2003

Made by the Governor in Executive Council.

Part 1 — Preliminary

1. Citation

These regulations may be cited as the *Criminal Injuries Compensation Regulations 2003*.

2. Commencement

These regulations come into operation on the day on which the *Criminal Injuries Compensation Act 2003* comes into operation.

3. Interpretation

In these regulations, unless the contrary intention appears —
“Act” means the *Criminal Injuries Compensation Act 2003*;
“section” means a section of the Act.

Part 2 — Procedural matters

4. Substituted service

- (1) If an assessor is satisfied that it is impracticable or impossible, under the *Interpretation Act 1984* section 76, to give a person notice under section 19, 25 or 63(2) or to serve a person with notice under section 51, the assessor may direct that the notice be published once in a newspaper that circulates throughout the State.
- (2) If under subregulation (1) a notice is published, it is to be taken as having been given or served on the day when it is so published.

Part 3 — Appeals

5. Costs of appeals

- (1) In relation to an appeal under Part 7 of the Act, the scale of costs for the purposes of section 56(2)(d) is as set out in this regulation.
- (2) If the successful party is represented by a legal practitioner, the party is entitled to the following costs —
 - (a) for the preparation of the appeal — a maximum of \$180;
 - (b) if a hearing is held in the District Court — a maximum of \$180 for each day of the hearing.
- (3) Whether or not the successful party is represented by a legal practitioner, the party is entitled to any expenses that he or she has reasonably and properly incurred for the purposes of the appeal.

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.

LOCAL GOVERNMENT

LG301*

LOCAL GOVERNMENT ACT 1995

Shire of Kalamunda

STANDING ORDERS LOCAL LAW 1999

Amendment to Local Law

Part 3—Business of the Meeting

Clause 3.2 Order of Business

- | | |
|---------------------|--|
| Add (k) | Questions by Members Without Notice |
| Change Existing (k) | to (l)—Urgent business approved by the person presiding or by decision |
| Change Existing (l) | to (m)—Matters behind closed doors |
| Change Existing (m) | to (n)—Closure |

DAVID E. VAUGHAN, Chief Executive Officer.

RACING, GAMING AND LIQUOR

RG301**RACING AND WAGERING WESTERN AUSTRALIA ACT 2003**
GREYHOUND RACING RULES 1998

In accordance with Section 45 (1) (c) of the *Racing and Wagering Western Australia Act 2003*, notice is hereby given that the Board of Racing and Wagering WA on 7 November 2003 resolved that the Greyhound Racing Rules 1998 be amended as follows—

Repeal of Local Rules	
Part 3 Clubs	LR 34 (1), 35 (1) & (2), 36 (1)-(3) incl. and 37.
Schedule	
Fees and Charges	FSI Stud Greyhound (life registration) \$65

A copy of the above rules may be obtained during office hours from the Western Australian Greyhound Racing Association, Cnr. Albany Highway & Station Street, Cannington, WA.

R. B. BENNETT, Chief Executive Officer.

RG302**RACING AND WAGERING WESTERN AUSTRALIA ACT 2003**
GREYHOUND RACING RULES 1998

In accordance with Section 45 (1) (c) of the *Racing and Wagering Western Australia Act 2003*, notice is hereby given that the Board of Racing and Wagering WA on 4 December 2003 resolved that the Greyhound Racing Rules 1998 be amended as follows—

Amendment to Local Rules	
Part 22 Examinations, Tests and Analysis	New LR 156
NB. Present LR 156 becomes LR156A.	

A copy of the above rules may be obtained during office hours from the Western Australian Greyhound Racing Association, Cnr. Albany Highway & Station Street, Cannington, WA.

R. B. BENNETT, Chief Executive Officer.

RG303**RACING AND WAGERING WESTERN AUSTRALIA ACT 2003**
RULES OF HARNESS RACING 1999

In accordance with Section 45 (1) (b) of the *Racing and Wagering Western Australia Act 2003*, notice is hereby given that the Board of Racing and Wagering WA on 4 December 2003 resolved that the Rules of Harness Racing 1999 be amended as follows—

Amendments to National Rules—	
Rules 33, Rule 44 (3), 75 (2) (d), 168 (1), 190 (6), 209, 231 [to 231 (1) & (2)], 240, 273 (4)-(6), 295 & 297 (8)	
Repeal of National Rule—	
295 (2)-(5)	
Additional National Rule—	
44 (4) & 119A	
Amendments to Local Rules—	
Local Rules 90 (9) (a), 156A & 377 (3) & (4)	
Repeal Local Rule—	
Local Rule 14 (1) & renumber LR 14 (2)-(4) to LR 14 (1)-(3)	

A copy of the above rules may be obtained during office hours from the Western Australian Trotting Association, Gloucester Park, Nelson Crescent, East Perth, WA.

R. B. BENNETT, Chief Executive Officer.

RG304

RACING AND WAGERING WESTERN AUSTRALIA ACT 2003**RULES OF THOROUGHBRED RACING**

In accordance with Section 45 (1) (a) of *the Racing and Wagering Western Australia Act 2003*, notice is hereby given that the Board of Racing and Wagering WA on 4 December 2003 resolved that the Rules of Thoroughbred Racing be amended as follows—

Amendment to the following Australian Rule of Racing—

Jockeys and Riders AR 87

A copy of the above rules may be obtained during office hours from the Western Australian Turf Club, 70 Grandstand Road, Ascot, WA.

R. B. BENNETT, Chief Executive Officer.

TREASURY AND FINANCE

TF301*

Stamp Act 1921

Stamp Amendment Regulations 2003

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Stamp Amendment Regulations 2003*.

2. Commencement

These regulations come into operation on the day on which sections 13 and 79 of the *Business Tax Review (Assessment) Act (No. 2) 2003* come into operation.

3. The regulations amended

The amendments in these regulations are to the *Stamp Regulations 2003**.

[* *Published in Gazette 27 June 2003, p. 2415-8.*]

4. Regulations 8 and 9 repealed

Regulations 8 and 9 are repealed.

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.

TR302*

Economic Regulation Authority Act 2003

**Economic Regulation Authority (Transitional)
Regulations 2003**

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Economic Regulation Authority (Transitional) Regulations 2003*.

2. Commencement

These regulations come into operation on 1 January 2004.

3. Terms used in these regulations

- (1) In these regulations, unless the contrary intention appears —

“**allowed period**” means the period referred to in regulation 4(2) or 5(6), as the case requires, or such further period as the Authority may allow;

“**assessment amount**” means the total amount payable as specified in a notice of assessment under regulation 4(1)(b)(i);

“**commencement day**” means 1 January 2004;

“**Gas Pipelines Access (Funding) Regulations**” means the *Gas Pipelines Access (Western Australia) (Funding) Regulations 1999* as in force immediately before the commencement day;

“**prescribed rate**” means an interest rate that is 5 percentage points higher than the bank bill rate, where the bank bill rate is —

- (a) the rate quoted on Telerate page 39373 as the Bank Bill Reference Rate (Mid-Rate) for a one month bill at or about 10:00 hours (Sydney time) on the first day after the allowed period; or
- (b) if a rate is not quoted as described in paragraph (a), the rate determined by the Authority having regard to comparable indices then available;

“**service charge**” means a charge referred to in regulation 5(1).

- (2) If these regulations use a term that is used in the Gas Pipelines Access (Funding) Regulations, the term has the same meaning in these regulations as it has in the Gas Pipelines Access (Funding) Regulations, unless the contrary intention appears in these regulations.

4. Assessment and payment of standing charges for quarter beginning 1 October 2003

- (1) As soon as practicable after the commencement day the Authority is to —
 - (a) assess the standing charges payable by a person under the Gas Pipelines Access (Funding) Regulations regulation 3(1) in respect of the quarter beginning on 1 October 2003; and
 - (b) give a notice of assessment to the person specifying —
 - (i) the amount of each of those charges and the total amount payable;
 - (ii) the amount of the core function costs used in calculating those charges; and
 - (iii) the day on which the notice of assessment was issued.
- (2) The assessment amount is payable to the Authority within 30 days after the day specified under subregulation (1)(b)(iii).
- (3) If the assessment amount is not paid in full within the allowed period, interest on the outstanding amount is payable to the Authority at the prescribed rate calculated daily.

5. Service charges in respect of functions performed by the Regulator

- (1) The Authority may give written notice to a person described in the Gas Pipelines Access (Funding) Regulations Schedule 2 requiring the person to pay a charge in connection with the performance by the Regulator before the commencement day of the corresponding function described in that Schedule or the doing of anything before the commencement day that was necessary or convenient to be done for or in connection with the performance of that function.
- (2) The Authority is not to require payment of a charge under subregulation (1) in respect of a matter if payment of a charge in respect of the same matter has been required under the Gas Pipelines Access (Funding) Regulations regulation 5(1).
- (3) The notice referred to in subregulation (1) is to specify —
 - (a) the amount of the service charge; and
 - (b) the day on which the notice was issued.

- (4) The Gas Pipelines Access (Funding) Regulations regulation 5(3) and (4) apply for the purposes of determining the amount of the service charge.
- (5) The Authority is to provide the person liable to pay a service charge with an itemised account of the costs covered by the charge if the person so requests.
- (6) The amount of a service charge is payable to the Authority within 30 days after the day specified under subregulation (3)(b).
- (7) If the amount of a service charge is not paid in full within the allowed period, interest on the outstanding amount is payable to the Authority at the prescribed rate calculated daily.

6. Recovery of unpaid amounts

- (1) The Authority may recover any unpaid assessment amount or service charge, together with any interest payable under these regulations, in a court of competent jurisdiction as if it were a debt due to the Authority.
- (2) In proceedings under this regulation a certificate —
 - (a) purporting to be signed by the chairman;
 - (b) specifying an amount as being an assessment amount or service charge;
 - (c) specifying a person as being liable to pay the amount; and
 - (d) stating that the amount is unpaid,

is, without proof of the appointment of the chairman or of the authenticity of the signature, sufficient evidence of the matters specified or stated.

7. Matters to be included in Authority's report

The annual report submitted by the Authority under the *Financial Administration and Audit Act 1985* section 66 for the financial year ending on 30 June 2004 is to include —

- (a) the total amount of standing charges paid by each person under these regulations; and
- (b) the total amount of service charges paid by each service provider under these regulations.

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.

TF303*

Gas Pipelines Access (Western Australia) Act 1998

Gas Pipelines Access (Western Australia) (Funding) Amendment Regulations 2003

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Gas Pipelines Access (Western Australia) (Funding) Amendment Regulations 2003*.

2. Commencement

These regulations come into operation on 1 January 2004.

3. The regulations amended

The amendments in these regulations are to the *Gas Pipelines Access (Western Australia) (Funding) Regulations 1999**.

[* *Published in Gazette 14 January 2000, p. 171-81.*
For amendments to 11 December 2003 see Western Australian Legislation Information Tables for 2002, Table 4, p. 148.]

4. Regulation 2 amended

Regulation 2(1) is amended as follows:

- (a) in the definition of “allowed period” —
 - (i) by deleting “or 5(6), as the case requires,”;
 - (ii) by deleting “Regulator” and inserting instead —
“ arbitrator ”;
- (b) by deleting the definition of “core function costs” and inserting the following definition instead —

“

“**core function costs**” means costs incurred in the quarter to which a standing charge relates in connection with the performance of the functions of the arbitrator and the Board under Part 6 of the Act, being costs that cannot be recovered under regulation 9;

”.

- (c) in paragraph (b) of the definition of “prescribed rate” by deleting “Regulator” and inserting instead —
“ arbitrator ”;

- (d) in the definition of “standing charge” by deleting “3(1) or (2)” and inserting instead —
“ 3(2) ”;
- (e) by deleting the definitions of “Coordinator”, “Director”, “document”, “Regulator” and “service charge”.

5. Regulation 3 amended

- (1) Regulation 3(1) is repealed.
- (2) Regulation 3(3) is amended by deleting “(1) or”.
- (3) Regulation 3(5) is amended by deleting “a charge under subregulation (1) or (2)” and inserting instead —
“ the charge under subregulation (2) ”.

6. Regulation 4 amended

- (1) Regulation 4(1) is amended as follows:
 - (a) by deleting “Regulator” and inserting instead —
“ arbitrator ”;
 - (b) in paragraph (a) by deleting “under each of regulation 3(1) and (2)”;
 - (c) in paragraph (b)(ii) by deleting “the standing charges under each of regulation 3(1) and (2)” and inserting instead —
“ those charges ”.
- (2) Regulation 4(2) is amended as follows:
 - (a) by deleting “Regulator” and inserting instead —
“ arbitrator ”;
 - (b) by deleting “4”.
- (3) Regulation 4(3) is amended by deleting “Regulator” and inserting instead —
“ arbitrator ”.
- (4) Regulation 4(4) is repealed.

7. Regulation 5 repealed

Regulation 5 is repealed.

8. Part 3 repealed

Part 3 is repealed.

9. Regulation 10 amended

- (1) Regulation 10(1) is amended as follows:
 - (a) by deleting “Regulator” in both places where it occurs and inserting instead —
“ arbitrator ”;

- (b) by deleting “or service charge”.
- (2) Regulation 10(3) is amended by deleting “under —”, and paragraphs (a) and (b), and inserting instead —
- “ under subregulation (1) or (2) ”.
- (3) Regulation 10(4) is amended as follows:
- (a) by deleting paragraph (a) and inserting the following paragraphs instead —
- “
- (a) purporting to be signed by the arbitrator;
- (aa) specifying an amount as being an assessment amount or an amount fixed under regulation 9(2);
- ”.
- (b) by deleting “the Regulator or”.

10. Regulation 11 replaced

Regulation 11 is repealed and the following regulation is inserted instead —

“

11. Matters to be included in arbitrator’s annual report

The annual report submitted by the arbitrator under section 66 of the *Financial Administration and Audit Act 1985* is to include details of the total amount of standing charges paid by each person in respect of the financial year to which the annual report relates.

”.

11. Schedule 2 repealed

Schedule 2 is repealed.

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.

WORKSAFE

WS301*

Occupational Safety and Health Act 1984

**Occupational Safety and Health Amendment
Regulations (No. 6) 2003**

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Occupational Safety and Health Amendment Regulations (No. 6) 2003*.

2. Commencement

These regulations come into operation on 1 January 2004.

3. The regulations amended

The amendments in these regulations are to the *Occupational Safety and Health Regulations 1996**.

[* Reprinted as at 19 July 2002.

For amendments to 9 December 2003 see *Western Australian Legislation Information Tables for 2002, Table 4, p. 259, and Gazette 8 April, 27 June, 15 August and 3 October 2003.*]

4. Regulation 5.1 amended

- (1) Regulation 5.1(1) is amended in the definition of “use” as follows:

- (a) by inserting after “substance,” in the first place where it occurs —

“
or an article containing a Schedule 5.6 substance,
”;

- (b) by inserting after “substance” in each other place where it occurs —

“ or article ”.

- (2) Regulation 5.1(1) is amended by inserting the following definition in the appropriate alphabetical position —

“

“**asbestos**” means the fibrous form of mineral silicates belonging to the serpentine and amphibole groups of rock forming minerals and includes actinolite, amosite (brown asbestos), anthophyllite, crocidolite (blue asbestos), chrysotile (white

asbestos), tremolite, or any material containing one or more of those minerals;

”.

5. Regulation 5.28 amended

Regulation 5.28 is amended as follows:

- (a) by deleting the definition of “bona fide research” and inserting the following definition instead —

“

“bona fide research” means —

- (a) a systematic investigative or experimental activity conducted for the purpose of —
- (i) acquiring new knowledge whether or not that knowledge will have a specific practical application; or
- (ii) creating new materials, products, devices, processes or services or improving those things;

and

- (b) the display in a museum or educational display of any article consisting of or containing a Schedule 5.6 substance and work necessary to prepare and maintain the display;

”.

”.

- (b) in the definition of “carcinogenic substance” by deleting “either a Schedule 5.4 substance or a Schedule 5.5 substance;” and inserting instead —

“

a Schedule 5.4 substance, a Schedule 5.5 substance or a Schedule 5.6 substance;

”.

”.

- (c) by deleting the full stop after the definition of “Schedule 5.5 substance” and inserting instead —

“

;

“Schedule 5.6 substance” means a substance set out in Schedule 5.6.

”.

”.

6. Regulation 5.29 amended

Regulation 5.29 is repealed and the following regulation is inserted instead —

“

5.29. Concentration of substances for Division 3 to apply

- (1) A reference in this Division to the use of a carcinogenic substance is a reference to the use of the substance or its salts —
- (a) as a pure substance; or

- (b) in a mixture containing 0.1% or more of that substance determined as a weight/weight (w/w) concentration for solids or liquids, or a volume/volume (v/v) concentration for gases.
- (2) A reference in this Division to the use of an article containing a Schedule 5.6 substance is a reference to the use of an article consisting of or containing a Schedule 5.6 substance —
 - (a) as a pure substance; or
 - (b) in a mixture containing 0.1% or more of that substance determined as a weight/weight (w/w) concentration.

”

7. **Regulation 5.30 amended**

Regulation 5.30(2) is repealed and the following subregulation is inserted instead —

“

- (2) A person who, at a workplace, is an employer or a self-employed person and who intends to use a Schedule 5.4 substance, a Schedule 5.6 substance or an article consisting of or containing a Schedule 5.6 substance for analysis or bona fide research at the workplace must, before using the substance or article, notify the Commissioner of that intention and give to the Commissioner —
 - (a) with any necessary changes being made, the information referred to in subregulation (1) paragraphs (a) to (l) inclusive; and
 - (b) a statement that the substance or article will only be used for analysis or bona fide research.

”

8. **Regulation 5.31 replaced**

Regulation 5.31 is repealed and the following regulation is inserted instead —

“

5.31. Schedule 5.4 and 5.6 substances not to be used at workplaces

- (1) Subject to subregulations (2) and (3) a person who, at a workplace, is an employer or a self-employed person must ensure that a Schedule 5.4 substance or a Schedule 5.6 substance is not used at the workplace, other than to remove and dispose of the substance, unless —
 - (a) the Commissioner has given approval to use the substance at the workplace;

- (b) the substance is used only in analysis or bona fide research; and
- (c) the use is in accordance with any condition imposed by the Commissioner.

Penalty: \$25 000.

- (2) A person does not commit an offence under subregulation (1) if the substance is a Schedule 5.6 substance that is in its natural state and has not been moved from its natural location.

”

9. Regulation 5.32A inserted

After regulation 5.32 the following regulation is inserted —

“

5.32A. Articles containing Schedule 5.6 substances not to be used at workplaces

- (1) Subject to subregulations (2) to (8), a person who, at a workplace, is an employer, the main contractor or a self-employed person must ensure that an article consisting of or containing a Schedule 5.6 substance is not used at the workplace, other than to remove and dispose of the article, unless —
 - (a) the Commissioner has given approval to use the article at the workplace;
 - (b) the article is used only in analysis or bona fide research; and
 - (c) the use is in accordance with any condition imposed by the Commissioner.

Penalty: \$25 000.

- (2) A person does not commit an offence under subregulation (1) in relation to the use with saturated steam, superheated steam or a dangerous substance, of a compressed asbestos fibre gasket consisting of or containing chrysotile (white asbestos) —
 - (a) before 1 January 2005, if the Commissioner has given written approval to use the gasket at the workplace;
 - (b) on and after 1 January 2005, if the location of the gasket in the workplace and its use are the same as they were immediately before 1 January 2005.
- (3) A person does not commit an offence under subregulation (1) in relation to the use in a plant in liquid chlorine service with design process conditions of minus 45° Celsius under 1500 kPa pressure, of a

compressed asbestos fibre gasket consisting of or containing chrysotile (white asbestos) —

- (a) before 1 January 2007, if the Commissioner has given written approval to use the gasket at the workplace;
 - (b) on and after 1 January 2007, if the location of the gasket in the workplace and its use are the same as they were immediately before 1 January 2007.
- (4) A person does not commit an offence under subregulation (1) in relation to the use in an electrolyte cell in an electrolysis plant for chlor-alkali manufacture that existed on 1 January 2004, of a diaphragm consisting of or containing chrysotile (white asbestos) —
 - (a) before 1 January 2007, if the Commissioner has given written approval to use the diaphragm at the workplace;
 - (b) on and after 1 January 2007, if the location of the diaphragm in the workplace and its use are the same as they were immediately before 1 January 2007.
- (5) A person does not commit an offence under subregulation (1) in relation to the use in a rotary vacuum pump or a rotary compressor, of a vane consisting of or containing chrysotile (white asbestos) mixed with a phenol formaldehyde resin or a cresylic formaldehyde resin —
 - (a) before 1 January 2008, if the Commissioner has given written approval to use the vane at the workplace;
 - (b) on and after 1 January 2008, if the location of the vane in the workplace and its use are the same as they were immediately before 1 January 2008.
- (6) A person does not commit an offence under subregulation (1) in relation to the use of a split face seal of at least 150 mm in diameter used to prevent leakage of water from a cooling water pump in a fossil fuel powered electricity generating station, and consisting of or containing chrysotile (white asbestos) mixed with a phenol formaldehyde resin or a cresylic formaldehyde resin —
 - (a) before 1 January 2008, if the Commissioner has given written approval to use the seal at the workplace;

- (b) on and after 1 January 2008, if the location of the seal in the workplace and its use are the same as they were immediately before 1 January 2008.
- (7) A person does not commit an offence under subregulation (1) in relation to the use of an article consisting of or containing chrysotile (white asbestos) that is the subject of an exemption under Schedule 1B of the *Occupational Health and Safety (Commonwealth Employment) (National Standards) Regulations 1994* of the Commonwealth —
- (a) before 1 January 2008, if the Commissioner has given written approval to use the article at the workplace;
- (b) on and after 1 January 2008, if the location of the article in the workplace and its use are the same as they were immediately before 1 January 2008.
- (8) A person does not commit an offence under subregulation (1) in relation to the use of an article as part of a thing if the location of the article in the thing and its use are the same as they were immediately before 1 January 2004.
- (9) In this regulation —
- “**dangerous substance**” has the meaning given to “dangerous goods” in the *Dangerous Goods (Transport) Act 1998* section 3, or in any provision that on the repeal of that section corresponds to that definition.

”.

10. Regulation 5.33 amended

- (1) Regulation 5.33(2) is amended by inserting after “substance” in each place where it occurs —
- “ or article containing a Schedule 5.6 substance ”.
- (2) Regulation 5.33(3) is amended by inserting after “substance” —
- “ or article containing a Schedule 5.6 substance ”.

11. Regulation 5.34 amended

Regulation 5.34 is amended as follows:

- (a) by inserting after “a carcinogenic substance” —
- “ or article containing a Schedule 5.6 substance ”;
- (b) by inserting after “the carcinogenic substance” —
- “ or article ”.

12. Regulation 5.35 amended

Regulation 5.35 is amended as follows:

- (a) by inserting after “ a carcinogenic substance” —
“ or article containing a Schedule 5.6 substance ”;
- (b) by inserting after “the carcinogenic substance” —
“ or article ”.

13. Regulation 5.42 amended

Regulation 5.42 is amended by deleting the definition of “asbestos”.

14. Schedule 5.4 amended

Schedule 5.4 is amended by deleting the item relating to amosite and the item relating to crocidolite.

15. Schedule 5.5 amended

Schedule 5.5 is amended by deleting the item relating to chrysotile.

16. Schedule 5.6 inserted

After Schedule 5.5 the following Schedule is inserted —

“

Schedule 5.6 — Carcinogenic substances — asbestos

[Regulation 5.28]

Note: The number in square brackets is the substance’s chemical abstract number.

Actinolite asbestos [77536-66-5]

Amosite [12172-73-5] (brown asbestos)

Anthophyllite asbestos [77536-67-5]

Crocidolite [12001-28-4] (blue asbestos)

Chrysotile [12001-29-5] (white asbestos)

Tremolite asbestos [77536-68-6]

”.

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.

— PART 2 —

CONSUMER AND EMPLOYMENT PROTECTION

CE401

COMPANIES (CO-OPERATIVE) ACT 1943
REGISTRATION OF A CO-OPERATIVE COMPANY

Notice is hereby given that, pursuant to Section 26(1) of the *Companies Co-operative Act 1943*, a Certificate of Incorporation as a Limited Company, has this day been issued to Caxton Co-operative Limited.

Dated this 18th day of December 2003.

DENIS M. BLAKEWAY, Delegate of the Registrar,
(the Commissioner for Corporate Affairs
in Western Australia).

FISHERIES

FI401*

PEARLING ACT 1990
PEARLING (ANNUAL FEES) NOTICE 2003

FD 1883/00 [612]

Made by the Minister under section 27(1)(a).

Citation

1. This notice may be cited as the *Pearling (Annual Fees) Notice 2003*.

Interpretation

2. In this notice, unless the contrary intention appears—

“pearling (seeding) licence” has the same meaning as in the regulations;

“pearling (wildstock) licence” has the same meaning as in the regulations;

“pearl shell unit”—

(a) in respect of a pearling (wildstock) licence, means 1000 pearl oysters that may be taken under that licence;

(b) in respect of a pearling (seeding) licence, means 1000 pearl oysters that may be seeded under that licence;

“regulations” means the Pearling (General) Regulations 1991.

Commencement

3. This notice shall commence operation on 1 January 2004.

Annual fees for farm leases, pearling licences, hatchery licences and permits

4. For the purposes of section 27(1)(a) of the Act, the annual fee declared for the year ending 31 December 2004 in respect of—

(a) a farm lease is \$155.00 per square nautical mile or part thereof of the area of the relevant pearl oyster farm;

(b) a pearling (wildstock) licence is \$5286.00 per pearl shell unit or part thereof;

(c) a pearling (seeding) licence is \$600.00 per pearl shell unit or part thereof;

(d) a hatchery licence is \$280.00;

(e) a pearling permit is \$67.00;

(f) a hatchery permit is \$67.00.

Payment by instalments

5. (1) For the purposes of regulation 9A of the regulations, the annual fee for a pearling (wildstock) licence, pearling (seeding) licence or hatchery licence may be paid by instalments as specified in the Schedule to this notice if—

- (a) an election to pay by instalments is made by the holder of the licence in accordance with subclause (2); and
 - (b) there is no other fee, charge or levy in respect of the licence which has not been paid at the time the election is received at the head office of the Department.
- (2) An election made for the purposes of subclause (1) must be—
- (a) made in writing;
 - (b) received at the head office of the Department prior to the commencement of the licensing period to which the election relates; and
 - (c) accompanied by the first instalment plus the surcharge.
- (3) For the purposes of regulation 9A(2) of the regulations, the surcharge shall be 3.13% of the total fee.
- (4) The holder of a licence, or a person acting on that person's behalf, must not engage in any pearling activity at any time when the fee or surcharge payable in respect of the licence is outstanding.

Schedule**Payment by Instalments**

- (a) The first instalment is 25% of the annual fee and is due for payment on or before 1 January of the year for which the licence is granted or renewed.
- (b) The second instalment is 25% of the annual fee and is due for payment on or before 1 April immediately following the period specified in paragraph (a).
- (c) The third instalment is the annual fee less the instalments provided for in paragraphs (a) and (b) and is due for payment on or before 1 July immediately following the period specified in paragraph (a).

Dated this 18th day of December 2003.

KIM CHANCE, Minister for Agriculture, Forestry and Fisheries.

HEALTH

HE401**MEDICAL ACT 1894****MEDICAL (UNMET AREA OF NEED) DETERMINATION (NO. 22) 2003**

Made by the Minister for Health pursuant to section 11AF of the *Medical Act 1894*.

Citation

1. This determination may be cited as the *Medical (Unmet Area of Need) Determination (No. 22) 2003*.

Commencement

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

Unmet area of need

3. The area of need specified in the Schedule is determined to be an unmet area of need for the purposes of section 11AF(1)D of the Act.

Expiry of determination

4. This determination expires 5 years after its commencement.

Schedule

- General Medical Services in the Shire of Brookton

Dated this 22nd day of December 2003.

JIM MCGINTY MLA, Minister for Health.

LOCAL GOVERNMENT

LG401*

LOCAL GOVERNMENT ACT 1995*Shire of Bridgetown-Greenbushes*

AUTHORISED PERSONS

It is hereby notified for public information that the following persons have been appointed Authorised Officers in accordance with the relevant Acts hereunder effectively immediately.

1. Dog Act 1976 & Regulations, Control of Off-Road Vehicles Act 1978 & Regulations, Litter Act 1979 & Regulations, Local Government Act 1995, Local Government (Miscellaneous Provisions) Act 1960, Bush Fires Act 1954 & Regulations, Shire of Bridgetown-Greenbushes Local Laws—

Timothy Clynch	Andrew Norris
Paul Furness	Samantha Elgar
Peter Royer	David Coultas
Russell Hodgkinson	Bret Howson

2. Dog Act 1976—Registration Officers

Michelle Larkworthy	Darren Wilson
Eileen Kneale	Lesla Boni
Stephanie Karafilis	Natalie Copley

3. Health Act 1911, Building Regulations 1989, Caravan Parks and Camping Grounds Act 1995—

David Coultas	Russell Hodgkinson
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4. Powers of Entry—Shire of Bridgetown-Greenbushes Town Planning Schemes No. 3 and 4

Timothy Clynch	Ferenc Stephen Kovacs
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5. Bush Fires Act 1954—Section 38 (FCO)

Brian Wheatley, Chief Bush Fire Control Officer & Fire Weather Officer	
Derek Dilkes, Deputy Chief Bush Fire Control Officer	
Rodney Hester	Phillip Prunster
James Gifford	David Jenkins
Tom Tassos	Hugh Browne
Leslie Brookes	Rodney Winchombe
Brian Hamence	Michael Woodall
Gregory John Rees	

6. Bush Fires Act 1954—Section 40 (Dual FCO)

Ian Muir	Richard Gifford
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All previous authorisations are hereby revoked.

TIM CLYNCH, Chief Executive Officer.

LG402*

SHIRE OF BRIDGETOWN-GREENBUSHES

APPOINTMENTS

It is hereby notified for public information that Timothy Patrick Clynch has been appointed Chief Executive Officer for the Shire of Bridgetown-Greenbushes effective from 17th December 2003. The appointment of Andrew Geoffrey Macnish is hereby cancelled.

Cr. ROB WALSTER, Shire President.

LG403*

LOCAL GOVERNMENT ACT 1995**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1960***Shire of Lake Grace*

APPOINTMENTS

That the following persons be appointed under the provision of the *Local Government Act 1995* (s3.24, s9.10) and the *Local Government (Miscellaneous Provisions) Act 1960* (s449)—

Authorised Officers—Rangers

David Evans
Chelsea Wilson
Sean Lancaster
Alan Snow

Authorised Officers—Pound Keepers

David Evans
Chelsea Wilson

By order of the Council.

NEVILLE HALE, Chief Executive Officer.

PARLIAMENT

PA401*

PARLIAMENT OF WESTERN AUSTRALIA

Bills Assented To

It is hereby notified for public information that the Governor has Assented in the name and on behalf of Her Majesty the Queen, on the dates shown, to the undermentioned Bills passed by the Legislative Council and the Legislative Assembly during the Second Session of the Thirty-Sixth Parliament.

Short Title of Bill	Date of Assent	Act No.
Acts Amendment and Repeal (Competition Policy) Bill 2002	December 15 2003	70 of 2003
Ports and Marine Legislation Amendment Bill 2003	December 15 2003	71 of 2003
Taxi Amendment Bill 2003	December 15 2003	72 of 2003
Motor Vehicle Dealers Amendment Bill 2001	December 15 2003	73 of 2003
Statutes (Repeals and Minor Amendments) Bill 2001	December 15 2003	74 of 2003
Inspector of Custodial Services Bill 2003	December 15 2003	75 of 2003
Acts Amendment (Reserves and Reserve Boards) Bill 2003	December 15 2003	76 of 2003
Criminal Injuries Compensation Bill 2003	December 15 2003	77 of 2003
Corruption and Crime Commission Amendment and Repeal Bill 2003	December 22 2003	78 of 2003

L. B. MARQUET, Clerk of the Parliaments.

December 23 2003.

PREMIER AND CABINET

PC401*

APPOINTMENT OF DEPUTY OF THE GOVERNOR

It is hereby notified for public information that the Governor, under clause XVI of the Letters Patent relating to the Office of Governor of the State of Western Australia dated 14 February 1986, has appointed the Lieutenant-Governor the Honourable David Kingsley Malcolm AC, to be deputy of the Governor and in that capacity to perform and exercise all the powers and functions of the Governor during the following period—

29 December 2003 to 4 January 2004 (all dates inclusive).

M. C. WAUCHOPE, Director General,
Department of the Premier and Cabinet.

POLICE

PO501*

POLICE ACT 1892

POLICE AUCTION

Under the provisions of the Police Act 1892, unclaimed found and stolen property and bicycles will be sold by public auction at Smith Broughton & Sons, 1 Clayton Street, Midland on Wednesday 14th January 2004 at 10.00am.

The auction is to be conducted by Mr Jules Antenucci.

B. MATTHEWS, Commissioner of Police,
Western Australia Police Service.

REGIONAL DEVELOPMENT

RD401*

REGIONAL DEVELOPMENT COMMISSIONS ACT 1993 APPOINTMENTS

It is hereby notified for general information that the Minister for the Midwest, Wheatbelt and Great Southern has approved the appointment of the following as a board member, in accordance with Part 3 of the Regional Development Commissions Act 1993.

Great Southern Development Commission Board of Management

* Ms Colleen Donnelly, appointed as a Community Member for a term expiring in November 2006.

KIM CHANCE, MLC, Minister for the Midwest, Wheatbelt and Great Southern.

RACING, GAMING AND LIQUOR

RG401

LIQUOR LICENSING ACT 1988 SUMMARY OF LIQUOR LICENSING APPLICATIONS

The following is a summary of applications received under the Liquor Licensing Act 1988 and required to be advertised. Any person wishing to obtain more details about any application, or about the objection process, should contact the Department of Racing, Gaming and Liquor, 1st Floor, Hyatt Centre, 87 Adelaide Terrace, Perth, Telephone: (08) 9425 1888, or consult a solicitor or relevant industry organisation.

App. No.	Applicant	Nature of Application	Last Date for Objections
APPLICATIONS FOR THE GRANT OF A LICENCE			
10081	PBR Fremantle Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Fremantle and known as Pizza Bella Roma	2/1/04
10082	Deventree Enterprises Pty Ltd	Application for the grant of a Liquor Store licence in respect of premises situated in Landsdale and known as Landsdale Liquor Store	18/1/04
10083	Linton (WA) Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Wanneroo and known as Caffino's Café Ristorante Pizzeria	4/1/04
10087	Egan Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Kalgoorlie and known as Quest Yelverton Kalgoorlie	11/1/04
10088	TKT Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Victoria Park East and known as Red Rock Noodle Bar and Restaurant Victoria Park	6/1/04
10089	Russell Walker and Deborah Walker	Application for the grant of a Restaurant licence in respect of premises situated in Lake Clifton and known as Clifton Lodge	6/1/04
10090	Nino's Investments Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Mandurah and known as Nino's Fish Bar	6/1/04
10091	Wayne Hammond and Maria Hammond	Application for the grant of a Producer's licence in respect of premises situated in Donnybrook and known as Oakway Estate	5/1/04
10093	CDC Australia Pty Ltd	Application for the grant of a Wholesaler's licence in respect of premises situated in East Perth and known as CDC Australia Pty Ltd	4/1/04

App. No.	Applicant	Nature of Application	Last Date for Objections
APPLICATIONS FOR EXTENDED TRADING PERMITS—ONGOING EXTENDED HOURS			
19022	Bizzaca Hldg P/L, Ephesus Hldg P/L, Pacific Rim Thoroughbred	Application for the grant of an extended trading permit—ongoing extended hours, in respect of premises situated in Kalgoorlie and known as Kalgoorlie Hotel	8/1/04

This notice is published under section 67(5) of the Liquor Licensing Act 1988.

H. R. HIGHMAN, Director of Liquor Licensing.

WATER

WA401*

WATER SERVICES CO-ORDINATION ACT 1995

Notice under section 31 (5) Amendment of Licence.

Notice is given that the following operating licence has been amended—

Licensee:	Water Corporation
Classification:	Operating Licence, Water Supply, Sewerage, Irrigation and Drainage Services
Term of Licence:	Up to and including 28 June 2021
Amendment:	The following amendments have been included: <ul style="list-style-type: none"> • OWR-OA-095(G) Margaret River Potable Water Supply Services. • OWR-OA-217(B) Cowaramup Sewerage Services. • OWR-OA-062/1(A) Broome Potable Water Supply Services.
Inspection of Licence:	Office of Water Regulation 6th Floor 197 St George's Terrace Perth WA 6000

B. R. MARTIN, Co-ordinator of Water Services.

WORKSAFE

WS401*

OCCUPATIONAL SAFETY AND HEALTH ACT 1984 OCCUPATIONAL SAFETY AND HEALTH REGULATIONS 1996 EXEMPTION CERTIFICATE PURSUANT TO REGULATION 2.13

(No. 28 of 2003)

I, Brian Thomas Bradley, WorkSafe Western Australia Commissioner, hereby grant an exemption to Cox International Pty Ltd from the requirements of Regulation 4.3(2)(c) for the design of a building maintenance unit fitted with the Bosuns Power Chair (drawing numbers BMU 795-000 and BMU 795-010), at 240 St George's Terrace Perth, to be verified as meeting the requirements of clauses 2.5.1, 2.5.2 and 2.5.3 of AS 1418.13 – 1996.

This exemption is subject to the following conditions that—

- the design of the building maintenance unit fitted with the Bosuns Power Chair is verified by a design verifier as otherwise meeting the requirements of AS 1418.13 – 1996;
- the unit is fitted with, and the operator when seated in the Bosun's Power Chair is secured by, a full body restraint complying with AS 1891.4 – 2000;
- the hoist trolley and monorail is to be inspected by an independent competent person at least once per year, or more frequently as required by the manufacturer's instructions; and
- the Bosun's Power Chair is attached for each use by a person holding a certificate of competency as a rigger issued in accordance with the National Occupational Health and Safety Certification Standard for Users and Operators of Industrial Equipment [NOHSC: 1006 (2001)].

Dated this 19th day of December 2003.

BRIAN THOMAS BRADLEY, WorkSafe Western Australia Commissioner.

WS402*

OCCUPATIONAL SAFETY AND HEALTH ACT 1984
OCCUPATIONAL SAFETY AND HEALTH REGULATIONS 1996
 EXEMPTION CERTIFICATE PURSUANT TO REGULATION 2.13
 (No. 35 of 2003)

I, Brian Thomas Bradley, WorkSafe Western Australia Commissioner, hereby grant an exemption to Skadada from the requirements of the following regulations of the *Occupational Safety and Health Regulations 1996*—

- Regulation 4.53(2)(a) through to Regulation 4.53(2)(e), inclusive; and
- Regulation 4.54(4)(c) insofar as it relates to the requirements of Section 6.18 of AS 2550.1 – 2002

insofar as the above require a person suspended from a crane to be accommodated in a workbox, and the requirements therefor, in relation to suspending aerial performers from a crane during forthcoming City of Perth New Years Eve Celebrations.

I further grant an exemption from the requirements of Regulation 4.54(3) in relation to the use of a crane in the abovementioned performance.

The following conditions shall apply with respect to use of the crane—

- Notwithstanding that section 6.18.2 of Australian Standard AS2550.1 refers to use of a workbox from which requirement Skadada is exempted, the requirements for the crane listed in clauses (a) to (h) of 6.18.2 shall still apply;
- The crane operator shall remain at the controls of the crane at all times during the performance;
- The only crane motion permitted whilst a person is suspended from the crane hook is hoist up or down at slow speed;
- A means of lowering the person in the event of an emergency or failure of the power supply to the crane is provided; and
- A certificated dogger oversees the attachment of the lifting gear to the crane hook.

This exemption is valid on 31 December 2003 only.

Dated this 22nd day of December 2003.

BRIAN THOMAS BRADLEY, WorkSafe Western Australia Commissioner.

PUBLIC NOTICES

ZZ203

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Creditors and other persons having claims (to which section 63 of the Trustees Act relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me on or before the 29th January 2004, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Boyd, Joyce Lillian, late of Unit 1/21 Wordsworth Avenue Yokine, died 4/11/03, (DE19911537EM110)

Cedar, John Starrison, late of 27 Pelusey Way Nickol, died 23/2/2000, (DE33022623EM12)

Congdon, Beatrice May Julia, late of 32B Hope Road Palmyra, died 23/11/03, (DE19981522EM23)

Dent, Joseph James, late of 45 Wooramel Crescent Gosnells, died 24/9/03, (DE19560765EM36)

Gable, Dolores Gloria, late of 18 Helm Street Mount Pleasant, died 26/11/03, (DE19740939EM27)

Hesketh, Josephine also known as Joanne Hesketh, late of Unit 311/45 Adelaide Terrace Perth, died 7/12/03, (DE19930406EM44)

Hill, Vera Roberta Edna, late of 20 Pearse Street North Fremantle, died 27/11/03, (DE19631471EM12)

Lilly, John Thomes, late of Unit 8/55 Belgrade Road Wanneroo, died 15/12/03, (DE19893367EM37)

Lowe, Shirley Ann, late of 18 Dodonaea Court Duncraig, died 21/11/03, (DE19911134EM13)

McCann, Margaret Mary, late of St Andrew's Hostel 37 Burwood Road Balcatta, died 21/11/03, (DE19852006EM26)

McMahon, Charles Stuart, late of Kensington Park Nursing Home 62 Gwentyfred Road South Perth formerly of Unit 17/58 Railway Parade Midland, died 16/8/03, (DE19950875EM37)

Metcalf, Charles, late of 230 Hicks Street Gosnells, died 6/12/03, (DE19731614EM43)

Middleton, Phyllis Mary, late of Sandstrom Nursing Home 44 Whatley Crescent Mount Lawley, died 30/11/03, (DE19730366EM42)

Muir, Mary, late of John Wesley House Hayman Road Bentley, died 12/11/03, (DE19734367EM15)

Nesbitt, Thomas Frederick, late of Unit 21/66 Angove Road Albany, died 13/9/03, (DE19660348EM110)

Ogley, Kevin Gregory, late of 4 Earls Ferry Green Kinross, died 17/7/03, (DE33024948EM23)

Salgado, Gilbert Terence, late of 38 Ticehurst Way Balga formerly of Flat 1/550 William Street Mount Lawley, died 21/11/03, (DE33028269EM38)

Saunders, William Alfred, late of Unit 2/24 Hyde Street Midland, died 21/11/03, (DE20011995EM110)

Smith, John Maxwell, late of Brightwater Nursing Home 2-10 Oakwood Crescent Waikiki, died 12/8/03, (DE30227770EM42)

Stapleton, Lydia Jessie, late of St Vincent Nursing Home 224 Swan Street Guildford formerly of 28 East Street Guildford, died 1/12/03, (DE19642481EM22)

Ward, Ernest Henry, late of Unit 21/2 Bruce Street Como, died 8/12/03, (DE19730495EM17)

ANTONINA ROSE McLAREN, Public Trustee,
Public Trust Office, 565 Hay Street, Perth WA 6000.
Telephone 9222 6777.

ZZ201

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

In the matter of the Estate of Emily Mary Delmege Reynolds, late of Unit 10, 68 Coode Street, South Perth in the State of Western Australia, home duties, deceased.

Creditors and other persons having claims to which section 63 of the Trustees Act 1962 relate in respect of the Estate of the deceased, who died on the 9th day of March 2003, are required by the Executor, Lionel Myer King to send particulars of their claim to Hammond King Touyz of Level 3, 8 St George's Terrace, Perth in the State of Western Australia, by the 31st day of January 2004, after which date the said Executor may convey or distribute the assets, having regard only to the claims of which he then has had notice.

Dated the 19th day of December 2003.

L. M. KING, Hammond King Touyz.

ZZ202

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Ivan Zigon, late of Glinska Ulica 14, Ljubljana, Slovenia, Civil Engineer.

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 9 July 2002 at Ljubljana, Slovenia are required by the personal representative, being Alenka Burley to send particulars of their claims to 8 Mussel Place, Mullaloo WA 6027 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.

ZZ204

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Creditors and other persons having claim (to which s63 Trustees Act 1962 (WA) relates) in respect of the undermentioned deceased person, are required to send particulars of their claims to the Executors of care of Butlers, 83-85 Stirling Highway, Nedlands, Western Australia by Friday, 30 January 2004 after which date the Trustees may convey or distribute the assets having regard only to the claims of which notice has been given.

Details of Deceased Person—

Surname	Given Names	Address	Occupation	Date of Death
Davies	John Berwyn	7 Wodehouse Street, Derby, Western Australia		25 November 1999

ZZ401

THE PARTNERSHIP ACT 1895
DISSOLUTION OF PARTNERSHIP

Notice is hereby given pursuant to Section 48 of the Partnership Act 1895, that the legal partnership trading as "Polyprotex Coatings Australia" and "Bob's Wall Coatings" and comprised of the L Pace Family Trust No. 1 and the D. A. Shaw Family Trust in the State of Western Australia was dissolved on Saturday 13th December, 2003.

No new business, contracts, debts or liabilities may be incurred or entered into, in the partnership name, from that date.

D. A. SHAW, Former partner.

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STATE LAW PUBLISHER

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