



Western Australia

Warehousemen's Lien Act 1952

Warehousemen's Liens Regulations 1952

Reprint 1: The regulations as at 1 November 2007

Guide for using this reprint

What the reprint includes



Endnotes, Compilation table, and Table of provisions that have not come into operation

1. Details about the original regulations and legislation that has amended its text are shown in the Compilation table in endnote 1, at the back of the reprint. The table also shows any previous reprint.
2. Transitional, savings, or other provisions identified in the Compilation table may be important. The table may refer to another endnote setting out the text of these provisions in full.
3. A table of provisions that have not come into operation, to be found in endnote 1a if it is needed, lists any provisions of the regulations being reprinted that have not come into operation and any amendments that have not come into operation. The full text is set out in another endnote that is referred to in the table.

Notes amongst text (italicised and within square brackets)

1. If the reprint includes a regulation that was inserted, or has been amended, since the regulations being reprinted were made, editorial notes at the foot of the regulation give some history of how the regulation came to be as it is. If the regulation replaced an earlier regulation, no history of the earlier regulation is given (the full history of the regulations is in the Compilation table).

Notes of this kind may also be at the foot of Schedules or headings.

2. The other kind of editorial note shows something has been —
 - removed (because it was repealed or deleted from the law); or
 - omitted under the *Reprints Act 1984* s. 7(4) (because, although still technically part of the text, it no longer has any effect).

The text of anything removed or omitted can be found in an earlier reprint (if there is one) or one of the written laws identified in the Compilation table.

Reprint numbering and date

1. The reprint number (in the footer of each page of the document) shows how many times the regulations have been reprinted. For example, numbering a reprint as “Reprint 3” would mean that the reprint was the 3rd reprint since the regulations were published. Reprint numbering was implemented as from 1 January 2003.
2. The information in the reprint is current on the date shown as the date as at which the regulations are reprinted. That date is not the date when the reprint was published by the State Law Publisher and it is probably not the date when the most recent amendment had effect.

Reprinted under the
Reprints Act 1984 as
at 1 November 2007

Western Australia

Warehousemen's Liens Regulations 1952

CONTENTS

1.	Citation	1
3.	Notice of claim — section 6(1)(a)	1
4.	Notice of lien — section 6(2)	2
5.	Notice by advertisement — section 9(3)	2
6.	Statement of account — section 10(4)	2
7.	Offence	3
	Schedule 1 — Forms	
	Notes	
	Compilation table	6



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Warehousemen's Liens Act 1952

Warehousemen's Liens Regulations 1952

[Heading deleted in Gazette 24 Aug 2007 p. 4319.]

1. Citation

These regulations may be cited as the *Warehousemen's Liens Regulations 1952*¹.

[Regulation 1 amended in Gazette 24 Aug 2007 p. 4320.]

[2. Repealed in Gazette 24 Aug 2007 p. 4320.]

[Heading deleted in Gazette 24 Aug 2007 p. 4320.]

3. Notice of claim — section 6(1)(a)

A claim by a person to be the owner of goods deposited with a warehouseman or of an interest in them shall be in accordance with Schedule 1 Form 1.

[Regulation 3 amended in Gazette 24 Aug 2007 p. 4320.]

4. Notice of lien — section 6(2)

The notice of the lien given by the warehouseman within 3 months after the date of the deposit of the goods shall be in accordance with Schedule 1 Form 2.

[Regulation 4 amended in Gazette 24 Aug 2007 p. 4320.]

5. Notice by advertisement — section 9(3)

- (1) Where a person to whom a notice may be given pursuant to the provisions of section 6 or 7 of the Act is unknown to the warehouseman, or where no address of the person is known to the warehouseman, the notice may be given by advertisement.
- (2) The advertisement shall include a full copy of the notice and shall be published at least twice with an interval between the advertisements of at least 7 days in a newspaper circulating in the locality where the premises of the warehouseman is situated, and, if the newspaper is not a daily newspaper, in a daily newspaper circulating in the City of Perth.
- (3) The notice shall be deemed to have been given on the day upon which the last of the advertisements was published.

[Regulation 5 amended in Gazette 24 Aug 2007 p. 4320.]

6. Statement of account — section 10(4)

- (1) The duplicate copies of the statement of account required to be furnished in accordance with section 10(4) of the Act shall be verified by a statutory declaration made by the warehouseman or by some competent person on his behalf.
- (2) The warehouseman at the time of paying the surplus into a Magistrates Court or to the Treasurer as the case may be shall also furnish to the Magistrates Court or the Treasurer the following particulars in writing —
 - (a) the date of deposit of the goods;

- (b) the name and address of the person who deposited such goods and the name and address of the owner thereof and of every person claiming to be the owner thereof or of any interest therein including the name and address of the grantee of the goods under any bill of sale of which the warehouseman has notice;
- (c) full particulars known to the warehouseman of all of such claims;
- (d) full particulars of all searches made by or on behalf of the warehouseman under the *Bills of Sale Act 1899* and of the results of such searches;
- (e) such other information relating to the transaction as may be known to the warehouseman.

[Regulation 6 amended in Gazette 24 Aug 2007 p. 4320-1.]

7. Offence

A person who contravenes a provision of these regulations commits an offence.

Penalty: a fine of \$20.

[Regulation 7 inserted in Gazette 24 Aug 2007 p. 4321.]

[Part III repealed in Gazette 24 Aug 2007 p. 4321.]

Schedule 1 — Forms

[r. 3 and 4]

[Heading inserted in Gazette 24 Aug 2007 p. 4321.]

Form 1

Regulation 3

Warehousemen's Liens Act 1952

NOTICE OF CLAIM

To (insert name and address of warehouseman).

I, (insert full name of claimant) hereby give you notice that I claim to be the owner of the goods described in the Schedule hereto, or of an interest in the goods to the extent hereinafter set forth, which goods were deposited with you byon or about theday of20.... .

(If an interest only in the goods is claimed the extent of the interest should be here stated). I hereby authorise you to serve all notices to me required by the Act at the following address (insert full address of claimant).

Schedule

(Insert particulars of the goods in respect of which the claim is made.)

Dated thisday of 20.....

.....

Witness

.....

Signature of Claimant

Form 2

Regulation 4

Warehousemen's Liens Act 1952

NOTICE OF LIEN

To (insert name of person to whom notice of lien may be given)

TAKE notice that I, (insert name of warehouseman) under the provisions of section 6 of the Act hereby give notice of a lien in respect of goods deposited for storage and described in the Schedule hereto.

Schedule

Description of goods	Location of warehouse where goods are stored	Date of deposit of goods	Name of person who deposited goods
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Dated thisday of20.....

.....

Signature of Warehouseman

[Forms 3-5 deleted in Gazette 24 Aug 2007 p. 4321.]

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Notes

- ¹ This reprint is a compilation as at 1 November 2007 of the *Warehousemen's Liens Regulations 1952* and includes the amendments made by the other written laws referred to in the following table. The table also contains information about any reprint.

Compilation table

Citation	Gazettal	Commencement
<i>Warehousemen's Liens Act Regulations and Rules of Court 1952</i> ²	20 Feb 1953 p. 368-71	20 Feb 1953
<i>Decimal Currency Act 1965</i> assented to	21 Dec 1965	Act other than s. 4-9: 21 Dec 1965 (see s. 2(1)); s. 4-9: 14 Feb 1966 (see s. 2(2))
<i>Warehousemen's Liens Amendment Regulations 2007</i>	24 Aug 2007 p. 4319-21	24 Aug 2007
Reprint 1: The <i>Warehousemen's Liens Regulations 1952</i> as at 2 Nov 2007 (includes amendments listed above)		

- ² Now known as the *Warehousemen's Liens Regulations 1952*; citation changed (see note under r. 1).