

---

**AGRICULTURE AND FOOD**

---

AG301\*

Perth Market Act 1926

**Perth Market Amendment By-laws 2010**

Made by the Perth Market Authority and approved and confirmed by the Governor in Executive Council.

**1. Citation**

These by-laws are the *Perth Market Amendment By-laws 2010*.

**2. Commencement**

These by-laws come into operation as follows —

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

**3. By-laws amended**

These by-laws amend the *Perth Market By-laws 1990*.

**4. By-law 13A amended**

Delete by-law 13A(1) and (2) and insert:

- (1) A person must wear high visibility clothing that conforms with Australian/New Zealand Standard 4602-1999 “High Visibility Safety Garments” published by Standards Australia and Standards New Zealand in the public market —
  - (a) in an area of the market where; and
  - (b) in a period during which,

a vehicle is, in accordance with traffic signs erected by the Authority, permitted to be driven, or a forklift is permitted to be operated.

Penalty: a fine of \$400.

**5. By-law 13 amended**

In by-law 13 in the Penalty delete "\$200." and insert:

a fine of \$500.

**6. By-law 19 amended**

In by-law 19(1) in the Penalty delete "\$200." and insert:

a fine of \$250.

**7. By-law 24 amended**

In by-law 24(1) and (2) in the Penalty delete "\$200." and insert:

a fine of \$250.

**8. By-law 25 amended**

In by-law 25(1) and (2) in the Penalty delete "\$400." and insert:

a fine of \$500.

**9. By-law 35 amended**

In by-law 35(2) in the Penalty delete "\$200." and insert:

a fine of \$250.

**10. By-law 36A amended**

(1) Delete by-law 36A(2) and insert:

(2) A person must not drive a vehicle in the public market without being the holder of a current valid driver's licence, granted under the *Road Traffic Act 1974*, appropriate to the class of vehicle.

(2) Delete by-law 36A(3) and (4) and insert:

(3) A person who contravenes sub-by-law (1) or (2) commits an offence.

Penalty: a fine of \$800.

**11. By-law 36B amended**

In by-law 36B(2) in the Penalty delete "\$1 000." and insert:

a fine of \$800.

**12. By-law 36 amended**

In by-law 36(2) and (3) in the Penalty delete "\$200." and insert:

a fine of \$250.

**13. By-law 37 amended**

In by-law 37 in the Penalty delete "\$100." and insert:

a fine of \$250.

**14. By-law 38 amended**

(1) In by-law 38(3) in the Penalty delete "\$200." and insert:

a fine of \$250.

(2) In by-law 38(5) in the Penalty delete "\$100." and insert:

a fine of \$250.

**15. By-law 42B amended**

In by-law 42B(3) in the Penalty delete "\$200." and insert:

a fine of \$250.

**16. Various penalties amended**

In the provisions listed in the Table after "Penalty:" (each occurrence) insert:

a fine of

**Table**

bl. 9	bl. 10B(1) and (4)
bl. 10	bl. 11

bl. 12	bl. 13A(3)
bl. 14	bl. 15
bl. 16	bl. 17
bl. 18(1) and (2)	bl. 20
bl. 21	bl. 22(4)
bl. 23	bl. 26
bl. 26A(2)	bl. 39(2)
bl. 40(2)	bl. 41
bl. 44(2)	bl. 45(2)
bl. 46(2)	

**17. Schedule 1 replaced**

Delete Schedule 1 and insert:

**Schedule 1 — Prescribed offences and  
modified penalties**

[bl. 13B]

Section of Act	Brief description of offence	Modified penalty
s. 11A	Contravention of a notice referred to in section 11A of the Act .....	\$200
<b>Provision of By-laws</b>		
9	Entering or remaining in the public market except for or in connection with a lawful purpose connected with the public market .....	\$50
10B(1)	Entering or remaining in the public market without an access card or the prior consent of the Authority .....	\$50
10B(4)	Failing to produce an access card for inspection at the request of an inspector.....	\$50
11	Littering .....	\$50
12	Conducting, organising or taking part in an assembly or meeting in the public market without permission .....	\$50
13A(2)	Failing to wear high visibility clothing in areas of the public market when vehicles are permitted to be driven or forklifts operated .....	\$50
13	Smoking in a non-smoking area .....	\$100

	<b>Brief description of offence</b>	<b>Modified penalty</b>
16	Bill posting or writing on a building etc. without permission .....	\$40
17(a)	Bringing, keeping or consuming any alcoholic beverage in the public market without the prior written consent of the Authority .....	\$50
18	Obstructing roads or footways .....	\$50
19(1)	Bringing an animal into the public market (unless the animal is confined in a motor vehicle) .....	\$40
20	Interfering with or damaging Authority's property in the public market .....	\$200
21	Interfering, damaging or using without permission fire service or related equipment .....	\$200
22	Littering common areas adjacent to premises, failing to put receptacles out for collection at the place appointed by the Authority, placing liquid refuse in receptacle .....	\$50
23	Expectorating, urinating or defecating in the public market, other than in a toilet facility .....	\$200
24(1)	Soliciting business in the common area without the prior written consent of the Authority .....	\$50
24(2)	Soliciting business or causing or permitting business to be solicited for any purpose in or upon the premises of an occupier .....	\$50
25(1)	Selling of general produce by a non-occupier or agent .....	\$100
25(2)	Buying general produce when not on the premises of an occupier .....	\$100
35(2)	Delivery to, or collection from, the public market of general produce by vehicle outside of the periods permitted by the Authority for that purpose .....	\$50
36A(2)	Driving a vehicle in the public market without a valid driver's licence .....	\$50
36B	Failure by person driving a vehicle in the public market to produce driver's licence at the request of an inspector .....	\$50
36(2)	Causing or permitting a vehicle to enter, or depart from the public market other than at a place appointed for that use by the Authority .....	\$50
36(3)	Driving a vehicle in the public market contrary to a sign, line, notice or symbol of the Authority .....	\$50
37	Driving a vehicle in the public market at a speed in excess of that indicated by a sign erected by the Authority .....	\$50
38(3)	Parking or standing a vehicle contrary to regulation 38(3)	\$50
39(2)	Driver of a vehicle failing to comply with direction of inspector as to positioning of vehicle .....	\$50
40(2)	Driver of a vehicle failing to comply with direction of inspector as to parking, standing, etc. of vehicle .....	\$50

---

	<b>Brief description of offence</b>	<b>Modified penalty</b>
41	Removal of infringement notice from vehicle by a person, other than the driver of the vehicle .....	\$50
42B(3)	Offences related to the driving or operating of forklifts .....	\$50

---

Made by the Perth Market Authority by resolution adopted on 12 March 2010.

DAVID L. THOMAS, Chairperson.

MICHAEL F. DONNELLY, Manager.

Approved and confirmed by the Governor,

PETER CONRAN, Clerk of the Executive Council.