

AG301\*

Perth Market Act 1926

## **Perth Market Amendment By-laws 2008**

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 2008*.

### **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. The by-laws amended**

The amendments in these by-laws are to the *Perth Market By-laws 1990*.

**4. By-laws 10A and 10B inserted**

After by-law 9 the following by-laws are inserted —

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**10A. Access cards**

- (1) The Authority may issue access cards to occupiers and to other persons who wish to enter the public market for or in connection with a lawful purpose connected with the public market.
- (2) The Authority may cancel an access card issued to a person under sub-by-law (1) if the person —
  - (a) has contravened a provision of the Act or these by-laws; or
  - (b) in the opinion of the Authority, is not a suitable person or a fit and proper person to hold an access card.
- (3) The cancellation of an access card has effect when the holder is given written notice of the cancellation, or on any later date stated in that notice.

**10B. When persons may enter or remain in the public market**

- (1) A person must not enter or remain in the public market unless the person —
  - (a) holds an access card issued under by-law 10A; or
  - (b) has the prior consent of the Authority to do so,other than at a time when this sub-by-law does not apply, in accordance with a notice referred to in sub-by-law (2).  
Penalty: \$400.
- (2) The Authority may by notice erected in a conspicuous place in the public market, notify the public of the times during which sub-by-law (1) does not apply.
- (3) A person in, or who wishes to enter, the public market and who holds an access card must, at the request of an inspector, produce the card for inspection by the inspector, other than at a time when sub-by-law (1) does not apply, in accordance with a notice referred to in sub-by-law (2).

- (4) A person who fails to comply with the request of an inspector under sub-by-law (3) commits an offence.  
Penalty: \$400.

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**5. By-law 13A inserted**

After by-law 12 the following by-law is inserted —

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**13A. High visibility clothing to be worn in certain areas of the market**

- (1) The Authority may from time to time provide that high visibility clothing is to be worn in an area of the public market indicated by a notice erected in or adjacent to that area by the Authority.
- (2) While in any area of the public market referred to in sub-by-law (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.  
Penalty: \$400.
- (3) An occupier must ensure that each of his or her employees complies with sub-by-law (2).  
Penalty: \$400.

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**6. Part 4 Division 1 heading deleted**

The heading to Part 4 Division 1 is deleted.

**7. By-laws 29 to 32 repealed**

By-laws 29 to 32 are repealed.

**8. Part 4 Division 2 repealed**

Part 4 Division 2 is repealed.

**9. By-laws 36A and 36B inserted**

After by-law 35 the following by-laws are inserted —

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**36A. Licensing of vehicle drivers and control of vehicles generally**

- (1) A person must not drive a vehicle in the public market —
- (a) without due care and attention; and
  - (b) in a manner which, having regard to all of the circumstances, is dangerous to any person.

- (2) A person must not drive a vehicle in the public market —
  - (a) without being the holder of a current valid driver's licence, issued under the *Road Traffic Act 1974*, appropriate to the class of vehicle; or
  - (b) when under the influence of alcohol or a deleterious substance.
- (3) A person driving a vehicle in the public market must obey all traffic signs erected by the Authority in the market.
- (4) A person who contravenes sub-bylaw (1), (2) or (3) commits an offence.  
Penalty: \$1 000.

**36B. Driver to produce driver's licence for inspection**

- (1) At the request of an inspector, a person driving a vehicle in the public market must produce the person's driver's licence for inspection by the inspector.
- (2) A person who fails to comply with the request of an inspector under sub-bylaw (1) commits an offence.  
Penalty: \$1 000.

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Made by the Perth Market Authority by resolution adopted on 27 June 2008.

DAVID TAYLOR, Chairperson.

MICHAEL DONNELLY, Manager.

Approved and confirmed by the Governor,

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

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