

CE315*

Land Valuers Licensing Act 1978
Criminal Procedure Act 2004

Land Valuers Licensing Amendment Regulations 2006

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Land Valuers Licensing Amendment Regulations 2006*.

2. Commencement

These regulations come into operation on the later of —

- (a) the day on which they are published in the *Gazette*; and
- (b) the day on which the *Criminal Procedure Amendment Regulations (No. 2) 2006* come into operation.

3. The regulations amended

The amendments in these regulations are to the *Land Valuers Licensing Regulations 1979**.

[* *Reprint 2 as at 3 March 2006.*]

4. Regulation 2 amended

Regulation 2 is amended by inserting in the appropriate alphabetical position —

“

“**Commissioner**” has the same meaning as it has in the
Consumer Affairs Act 1971;

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5. Regulation 4 amended

- (1) Regulation 4(1) is amended by deleting “the Schedule to these regulations” and inserting instead —

“ Schedule 1 ”.

- (2) Regulation 4(2) is amended by deleting “the Schedule” and inserting instead —

“ Schedule 1 ”.

6. Regulations 10 and 11 inserted

After regulation 9 the following regulations are inserted —

“

10. Infringement notices

- (1) The offences specified in Schedule 2 are offences for which an infringement notice may be issued under Part 2 of the *Criminal Procedure Act 2004*.
- (2) The modified penalty specified opposite an offence in Schedule 2 is the modified penalty for that offence for the purposes of section 5(3) of the *Criminal Procedure Act 2004*.
- (3) The Commissioner may, in writing, appoint persons or classes of persons to be authorised officers or approved officers for the purposes of Part 2 of the *Criminal Procedure Act 2004*.

- (4) The Commissioner is to issue to each authorised officer a certificate, badge or identity card identifying the officer as a person authorised to issue infringement notices.

11. Forms

The forms set out in Schedule 3 are prescribed in relation to the matters specified in those forms.

7. Schedule heading amended

The heading to the Schedule is deleted and the following heading is inserted instead —

Schedule 1 — Fees

8. Schedules 2 and 3 inserted

After Schedule 1 the following Schedules are inserted —

Schedule 2 — Prescribed offences and modified penalties

[r. 10]

Offences under <i>Land Valuers Licensing Act 1978</i>		Modified penalty
s. 23(1)	Unlicensed person on business as land valuer	\$100
s. 24	Unlicensed person claiming to be licensed	\$100
s. 25(3)	Demanding or receiving remuneration in excess of permitted amount	\$100
Offences under <i>Land Valuers Licensing Regulations 1979</i>		Modified penalty
r. 7	Failing to notify Registrar of change of particulars.	\$20

Schedule 3 — Forms

[r. 11]

Form 1 — Infringement notice

<i>Land Valuers Licensing Act 1978</i>		Infringement notice no.
Infringement notice		
Alleged offender	Name: Family name	
	Given names	
	or Company name _____	
	ACN _____	
Alleged offence	Address _____	
	Postcode _____	
	Description of offence _____	
	<i>Land Valuers Licensing Act 1978 s.</i> <i>Land Valuers Licensing Regulations 1979 r.</i>	
Date / /20		Time a.m./p.m.
Modified penalty \$		

Officer issuing notice	Name
	Signature
	Office
Date	Date of notice / /20
Notice to alleged offender	<p>It is alleged that you have committed the above offence. If you do not want to be prosecuted in court for the offence, pay the modified penalty within 28 days after the date of this notice.</p> <p>How to pay</p> <p>By post: Send a cheque or money order (payable to 'Approved Officer — <i>Land Valuers Licensing Act 1978</i>') to: Approved Officer — <i>Land Valuers Licensing Act 1978</i> Department of Consumer and Employment Protection Locked Bag 14 Cloisters Square Perth WA 6850</p> <p>In person: Pay the cashier at: Department of Consumer and Employment Protection 219 St George's Terrace, Perth WA</p> <p>If you do not pay the modified penalty within 28 days, you may be prosecuted or enforcement action may be taken under the <i>Fines, Penalties and Infringement Notices Enforcement Act 1994</i>. Under that Act your driver's licence and/or vehicle licence may be suspended.</p> <p>If you need more time to pay the modified penalty, you can apply for an extension of time by writing to the Approved Officer at the above postal address.</p>
	<p>If you want this matter to be dealt with by prosecution in court, sign here _____ and post this notice to the Approved Officer at the above postal address within 28 days after the date of this notice.</p>

Form 2 — Withdrawal of infringement notice

<i>Land Valuers Licensing Act 1978</i>		Withdrawal no.
Withdrawal of infringement notice		
Alleged offender	Name: Family name	
	Given names	
	or Company name _____ ACN	
	Address _____ Postcode	
Infringement notice	Infringement notice no.	
	Date of issue / /20	
Alleged offence	Description of offence _____	
	<i>Land Valuers Licensing Act 1978 s.</i>	
	<i>Land Valuers Licensing Regulations 1979 r.</i>	
	Date / /20	Time a.m./p.m.
Officer withdrawing notice	Name	
	Signature	
	Office	
Date	Date of withdrawal / /20	

Withdrawal of infringement notice <i>[*delete whichever is not applicable]</i>	<p>The above infringement notice issued against you has been withdrawn.</p> <p>If you have already paid the modified penalty for the alleged offence you are entitled to a refund.</p> <p>* Your refund is enclosed.</p> <p><i>or</i></p> <p>* If you have paid the modified penalty but a refund is not enclosed, to claim your refund sign this notice and post it to:</p> <p style="text-align: center;">Approved Officer — <i>Land Valuers Licensing Act 1978</i> Department of Consumer and Employment Protection Locked Bag 14 Cloisters Square Perth WA 6850</p> <p>Signature _____ / _____ /20</p>
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By Command of the Governor,

G. M. PIKE, Clerk of the Executive Council.
