

WR301*

Water Agencies (Powers) Act 1984

Rights in Water and Irrigation Amendment Regulations 2002

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Rights in Water and Irrigation Amendment Regulations 2002*.

2. The regulations amended

The amendments in these regulations are to the *Rights in Water and Irrigation Regulations 2000**.

[* *Published in Gazette 10 January 2001, p. 165-210.*]

3. Regulation 50 amended

Regulation 50 is amended by deleting “regulations” and inserting instead —

“

Rights in Water and Irrigation Act 1914 or these regulations

”.

4. Regulation 52 amended

Regulation 52 is amended by deleting paragraphs (a) to (f) and inserting instead the following paragraphs —

“

- (a) Director, Regional Operations; and
- (b) Manager, Regional Support Branch,

are prescribed persons.

”.

5. Regulations 52A and 52B inserted

After regulation 52 the following regulations are inserted —

“

52A. Designated person

For the purpose of section 103 of the *Water Agencies (Powers) Act 1984* the person holding, or for the time being acting in, the office of the Commission known as Manager, Finance and Administration, is designated as the person to whom payment may be made of modified penalties for the offences specified in Schedule 2.

52B. Authorised person

For the purpose of section 103 of the *Water Agencies (Powers) Act 1984* the persons holding, or for the time being acting in, the offices of the Commission known as —

- (a) Regional Manager, South West;
- (b) Regional Manager, South Coast;
- (c) Regional Manager, Swan Goldfields Agricultural;
- (d) Regional Manager, North West;
- (e) Regional Manger, Mid West Gascoyne;
- (f) Regional Manager, Kwinana Peel;
- (g) Director, Regional Operations,

are authorised to give infringement notices in respect of the offences specified in Schedule 2.

”.

6. Schedule 2 amended

Schedule 2 is amended under the heading “*Rights in Water and Irrigation Act 1914*” by inserting the following item before item 1 —

“

- 1a. Section 5C, by taking water from an underground water source in an area, and from a well, specified in an order under section 26C(2) and not using that water in accordance with that order \$100

”.

7. Schedule 3 amended

(1) Schedule 3 Form 3 is amended as follows:

- (a) by deleting “Regulation” and inserting instead —
“ Section/Regulation ”;

- (b) by inserting after “Signature” —
“ of authorised person ”;
 - (c) by deleting “* At the discretion of a person this Modified Penalty Notice may be withdrawn and other action taken.”;
 - (d) by deleting “The Accountant” and inserting instead —
“ **Manager, Finance and Administration** ”.
- (2) Schedule 3 Form 4 is amended as follows:
- (a) by deleting “A MODIFIED PENALTY” and inserting instead —
“ **AN INFRINGEMENT** ”;
 - (b) by deleting “Signature:” and inserting instead —
“
Signature of prescribed person:
Title of the office in the Water and Rivers Commission held by the prescribed person: ”.
- (3) Schedule 3 Form 5 is amended by inserting after “(Signature)” —
“
.....
(Title of the office in the Water and Rivers Commission held by the authorised person)
”.

By Command of the Governor,

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