

ABORIGINAL HERITAGE ACT 1972

ABORIGINAL HERITAGE AMENDMENT REGULATIONS 1995

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Aboriginal Heritage Amendment Regulations 1995*.

Commencement

2. These regulations come into operation on the day on which the *Aboriginal Heritage Amendment Act 1995* comes into operation.

Principal regulations

3. In these regulations the *Aboriginal Heritage Act Regulations 1974** are referred to as the principal regulations.

[* *Published in Gazette of 26 April 1974 at pp. 1407-08.*
For amendments to 19 June 1995 see 1994 Index to Legislation of Western Australia, Table 4, p. 5.]

Regulation 1 amended

4. Regulation 1 of the principal regulations is amended by deleting "Aboriginal Heritage Act Regulations, 1974" and substituting the following —

" *Aboriginal Heritage Regulations 1974* ".

Regulation 2 repealed and a regulation substituted

5. Regulation 2 of the principal regulations is repealed and the following regulation substituted —

"

Interpretation

2. In these regulations —

"warden" means an honorary warden appointed by the Minister under section 50 of the Act.

".

Regulation 3 amended

6. Regulation 3 of the principal regulations is amended —

- (a) by deleting paragraph (a) and substituting the following paragraph —

"

- (a) apply in relation to any Aboriginal site or protected area or land held subject to a covenant in favour of the Minister in relation to which the Minister has a duty under the Act;

".

and

- (b) in paragraph (c) by deleting "to any of the Trustees, or to the Director or any officer of the Museum, or to any person

authorized in writing by the Director," and substituting the following —

"
to the Minister, the Registrar, any officer of the Department, or to any person duly authorized under the Act,
".

Regulation 4 amended

7. Regulation 4 of the principal regulations is amended by deleting "Trustees" in the 2 places where it occurs and substituting in each place the following —

" Minister ".

Regulation 5 amended

8. Regulation 5 of the principal regulations is amended —

(a) in subregulation (1) by deleting "Trustees" and substituting the following —

" Minister "; and

(b) in subregulation (2) by deleting "Director" and substituting the following —

" Minister ".

Regulation 6 amended

9. Regulation 6 of the principal regulations is amended —

(a) in paragraph (a) by deleting "Director, or any member of the staff of the Museum" and substituting the following —

"
Minister, the Registrar, or any officer of the Department
";

(b) in paragraph (b) by deleting "Director or any member of the staff of the Museum" and substituting the following —

"
Minister, the Registrar, or any officer of the Department
";

and

(c) in paragraph (d) —

(i) by deleting "Director" and substituting the following —

" Minister "; and

(ii) by deleting "Museum" and substituting the following —

" Minister ".

Regulation 7 amended

10. Regulation 7 of the principal regulations is amended by deleting "Director," and substituting the following —

" Minister or the Registrar, ".

Regulation 8 amended

11. Regulation 8 of the principal regulations is amended by deleting "Director, or any member of the staff of the Museum," and substituting the following —

" Minister, the Registrar, or any officer of the Department, ".

Regulation 10 amended

12. Regulation 10 of the principal regulations is amended —

(a) by deleting "Director or" in the 2 places where it occurs and substituting in each place the following —

" Minister or ";

(b) in paragraph (a) by deleting "Museum" and substituting the following —

" Registrar or any officer of the Department "; and

(c) in paragraph (h) by deleting "Director and" and substituting the following —

" Minister, or the Registrar, and ".

Regulation 11 repealed and a regulation substituted

13. Regulation 11 of the principal regulations is repealed and the following regulation substituted —

"

Powers of warden, and certificate (s. 50)

11. (1) For the purposes of section 50 (1) of the Act, the powers of a warden are those set out in the Act and these regulations, limited according to the terms of his appointment.

(2) For the purposes of section 50 (2) of the Act, a warden shall be furnished with a certificate in the form of Form 1 set out in the Schedule.

".

Regulation 12 amended

14. Regulation 12 of the principal regulations is amended by deleting "A member of the staff of the Aboriginal Sites Department of the Western Australian Museum," and substituting the following —

" An officer of the Department, ".

Schedule amended

15. The Schedule to the principal regulations is amended by deleting Forms 1 and 2 and substituting the following forms —

“

Form 1

ABORIGINAL HERITAGE ACT 1972

[s. 50 and reg. 12]

HONORARY WARDEN

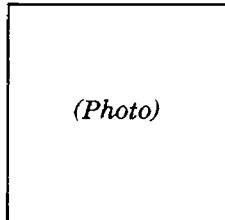
Name

of (Address)

is hereby certified to have been appointed as an honorary warden by the Minister in relation to —

Area in which the warden is authorized to act.)
)
)

The validity of this certificate expires on (Date)



[Seal of Minister]

.....
Signature of warden

Form 2

ABORIGINAL HERITAGE ACT 1972

[reg. 12 (b)]

TO WHOM IT MAY CONCERN

This is to certify that

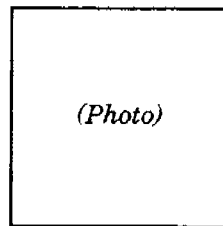
.....
is an officer of the Aboriginal Affairs Department of Western Australia, and that he/she is empowered to administer the *Aboriginal Heritage Act 1972*, and the regulations made under that Act.

Chief Executive Officer

Registrar of Aboriginal Sites

Date

Officer's signature:



”

By His Excellency's Command,

J. PRITCHARD, Clerk of the Council.