



Western Australia

Western Australian Coastal Shipping Commission Act 1965

**Western Australian Coastal Shipping
Commission By-laws**

As at 16 Apr 2004

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at 16 April 2004

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Western Australian Coastal Shipping Commission By-laws

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Western Australian Coastal Shipping Commission By-laws

1. Citation

These by-laws may be cited as the *Western Australian Coastal Shipping Commission By-laws*¹.

2. Interpretation

In these by-laws unless the contrary intention appears —

General Manager means the person from time to time appointed, pursuant to section 23 of the Act, to be the General Manager of the Commission;

the Act means the *Western Australian Coastal Shipping Commission Act 1965*.

3. Common seal

The common seal of the Commission shall be kept in safe custody by the General Manager, and shall not be affixed to a document unless —

- (a) the Commission has directed at a meeting that the common seal be affixed to the document; and
- (b) it is affixed to the document by the General Manager in the presence of the Chairman or Vice-Chairman.

4. Lost, uncollected or abandoned goods

- (1) This regulation applies only in relation to goods of which the loss, abandonment or failure to claim is not otherwise provided for by the provisions of any other law or contract.
- (2) If any thing is left in or on any property of the Commission and the owner of the thing is not known, the Commission may give notice published in the *Government Gazette* that the thing will be sold on a day, being not less than 21 days from the publication of the notice, unless the owner before that day removes the thing and pays all charges payable in respect of it.
- (3) If the owner of the thing does not so remove it and so pay those charges, the Commission may cause it to be sold.
- (4) Where the thing so left is perishable the Commission may cause it to be sold or where the thing causes offence or creates a nuisance, the Commission may cause it to be destroyed at the expense of the owner, and may cause either to be done without notice to the owner.
- (5) The Commission shall apply the proceeds of a sale made pursuant to this regulation —
 - (a) firstly, in paying the costs of and incidental to the sale, including all charges and expenses incidental to the storage and handling of the thing;
 - (b) secondly, in paying the amount of the balance to the person entitled thereto upon his establishing his claim to that amount within 30 days after the sale.
- (6) Where a claim referred to in subregulation (5)(b) is not so established the amount of the balance so referred to shall be paid by the Commission to the credit of the Western Australian Coastal Shipping Commission Account.
- (7) The amount expended in the exercise of the powers conferred upon the Commission by the provisions of subregulation (4) to the extent to which it is not recovered on sale pursuant to those provisions is recoverable by the Commission in a court of

competent jurisdiction as a debt due by the owner of the thing destroyed or sold under those provisions.

Notes

- ¹ This is a reprint as at 16 April 2004 of the *Western Australian Coastal Shipping Commission By-laws*. The following table contains information about those by-laws and any reprint.

Compilation table

| Citation | Gazettal | Commencement |
|---|------------------------|---------------------|
| <i>Western Australian Coastal Shipping Commission By-laws</i> | 16 Jun 1966 p. 1676 | 16 Jun 1966 |
| Reprint 1: The <i>Western Australian Coastal Shipping Commission By-laws</i> as at 16 Apr 2004 | | |

Defined terms

*[This is a list of terms defined and the provisions where they are defined.
The list is not part of the law.]*

| Defined term | Provision(s) |
|----------------------|---------------------|
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