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Crown Law Department,
Perth, 4th August, 1969.

THE undermentioned By-laws made under the provisions of the Parks and Reserves Act, 1895, and amended from time to time up to and including the 18th May, 1969, are reprinted as so amended pursuant to the Reprinting of Regulations Act, 1954, by authority of the Minister for Justice.

W. J. ROBINSON,
Under Secretary for Law.

Parks and Reserves Act, 1895.

KING'S PARK BY-LAWS

Published in the *Government Gazette* on the 18th June, 1943, and reprinted as amended up to the 7th December, 1956, in the *Government Gazette* on the 11th March, 1957, and incorporating the amendments thereto published in the *Government Gazette* on the 1st December, 1961, the 22nd December, 1964, and the 28th November, 1968, and the amendments that, pursuant to the provisions of section 8 of the Decimal Currency Act, 1965, are deemed for the purposes of this reprint to be amendments to the By-laws; and reprinted pursuant to the Reprinting of Regulations Act, 1954.

Reprinted pursuant to the Reprinting of Regulations Act, 1954, by authority of the Minister dated 1st August, 1969.

PARKS AND RESERVES ACT, 1895.

KING'S PARK BY-LAWS

By-law 1.
Substituted
by G.G.
16/4/48,
p. 824.
Amended by
G.G.
28/11/68,
p. 3462.

1. In these by-laws the terms shown below shall, unless the context otherwise indicates, bear the meanings set against them respectively, that is to say:—

- (a) "The Park" means King's Park, Reserve No. A1720, the boundaries of which are gazetted in the *Government Gazette* of Western Australia dated the 27th November, 1942, and includes any part of the said reserve.
- (b) "Road" means any thoroughfare surfaced with bitumen, gravel, concrete, wood or other hard material, other than a footpath, and includes every part thereof, and includes any land marked as a road upon the plan of the Park deposited in the Office of Titles either prior to or after the making of these by-laws.
- (c) "Footpath" means any thoroughfare of a width of less than 14 feet.
- (d) "Bridle tracks" means all thoroughfares marked upon the said plan of the Park as reserved for equestrians.
- (e) "Traffic Act" means the Traffic Act, 1919-1946, and all amendments thereto from time to time in force, and includes all regulations made thereunder from time to time in force.
- (f) "the Board" means "The King's Park Board" constituted under section 3 of the Parks and Reserves Act, 1895.

Park to be Open.

By-law 2.
Amended by
G.G. 16/4/48,
p. 824.

2. The Park shall be open to the public continuously, but the Board may close any road or footpath in the Park or any other part or parts of the Park for any period or purpose at any time the Board may think fit by notice posted on such road or footpath or such part or parts of the Park.

Restricting Driving or Riding over the Park.

By-law 3.
Amended by
G.G. 16/4/48,
p. 824.

3. No person shall drive or ride upon or over the Park save along a road or parking area without permission from the Board first obtained: Provided, however, that the Board may set apart bridle tracks which equestrians and pedestrians may use, and push-bicycle tracks which push-cyclists may use.

By-law 4.
Amended by
G.G. 16/4/48,
p. 824.

4. No person shall drive upon or over the Park or any part thereof any passenger vehicle plying as an omnibus, nor any vehicle, team, cart, or wagon used for carrying any goods, timber, bricks, stone, wood, iron, or merchandise of any kind (whether laden or not), nor any hearse or mourning coach, nor cause or suffer any camel, donkey, mule, pack horse, bull, cow, calf, heifer, steer, sheep, lamb, dog (excepting a dog on leash), goat, or pig belonging to him or in his charge to enter or go upon depasture upon the Park unless with the permission in writing of the Board first obtained.

Injuring or Destroying Flora.

5. No person shall injure, cut, break, deface, pull up, pick, remove, or destroy any tree, shrub, plant, or flower growing on the Park, nor climb any tree thereon. Nor shall any person cut or remove any dead wood or timber on or from the Park, unless with the permission in writing of the Board first obtained.

Injuring the Soil or Surface or Fences, etc.

6. No person shall cut, damage, injure, deface, disfigure, remove, or interfere with the soil or turf or surface of the Park, or any road or footway on the same, or any fence, building, rockwork,

watercock, plant, tool, seat, notice, notice board, post, railing barrier or other thing which may be from time to time erected or placed on the Park by or by the authority of the Board or pollute or interfere with any ornamental water therein, or catch, trap, chase, interfere with, disturb, injure, destroy, or lay or place any trap for the taking of any bird or animal on or in the Park, or deposit or leave thereon, any rubbish or other substance or material whatsoever.

Unauthorised Removal, etc., of Leaf Mould, Personal Property, etc., Forbidden.

6A. A person shall not, without the authority of the Board, remove from the Park or disturb or move—

- (a) any leaf mould or other decayed or decaying vegetable lying within the Park or;
- (b) any article or property which is lying or left within the Park and of which he is not—
 - (i) the owner; or
 - (ii) legally entitled to possession.

Heading and
By-law 6A.
Added by
G.G. 1/12/61,
p. 3315.

Persons Misconducting Themselves.

7. No person shall misconduct himself in any way in the Park or shall indulge in any riotous, disorderly, offensive, suspicious, or indecent conduct, or make use of any indecent or improper language, or commit any nuisance on the Park, nor shall any person sell, distribute or exhibit any indecent or infamous book, picture, or representation in the Park.

By-law 7.
Amended by
G.G. 16/4/48,
p. 824.

7A. While in the park a person shall at all times be decently clothed and shall not expose or allow to remain exposed any part of the trunk of his body below six inches from the neck.

By-law 7A.
Added by
G.G. 9/12/55,
p. 2943.

Lodging on the Park in the open Air.

8. No person shall camp, lodge, sleep, or tarry overnight on the Park or sleep during the day on the Park.

By-law 8.
Amended by
G.G. 16/4/48,
p. 824.

Posting Bills.

9. No person shall post, stick, stamp, stencil, paint, or otherwise affix, or cause to be posted, stuck, stamped, stencilled, painted, or otherwise affixed any placard, handbill, notice, advertisement, or any document whatsoever upon any tree, fence, post, gate, wall flagging, road, path, or any place whatever on the Park.

Carving Names, etc.

10. No person shall paint, write, cut, carve or in any manner inscribe letters, figures, or marks upon or otherwise disfigure any rock or tree or any wall or fence or other structure or erection on the Park.

Shooting, etc., on the Park.

11. No person shall fire or discharge any firearm, or throw, dislodge or discharge any stone or other missile, or set off any fire balloon, or throw or set fire to any fireworks, or kindle or make any fire, or use any explosive substance whatever on the Park, unless the consent, in writing, of the Board shall be previously obtained.

By-law 11.
Amended by
G.G. 16/4/48,
p. 824.

Selling Goods on the Park.

12. (1) No person shall sell or expose for sale or distribute for the purpose of promoting a sale any goods, wares, merchandise, or things, or solicit or gather money on the Park or place on the Park any chair, seat, or other thing for hire unless the consent in writing of the Board shall be previously obtained.

By-law 12.
Amended by
G.G. 1/12/61,
p. 3316.

(2) A person shall not, within the Park, distribute, sell, carry for sale or distribution, or expose for sale or distribution any printed or written matter without the permission in writing of the Board.

Fetes, etc., in Park without Permission Forbidden.

By-law 12A.
Added by
G.G. 1/12/61,
p. 3316.

12A. (1) A person shall not, within the Park, organise, hold, advertise or take part in any fete, picnic or concert, or engage in public worship, in preaching or in public speaking of any kind, or hold or take part in any public meeting, or collect money for any purpose, without the permission in writing of the Board.

(2) For the purposes of this by-law "picnic" does not include a family gathering not exceeding twelve persons in number.

Races, etc., Forbidden.

By-law 13.
Amended by
G.G. 16/4/48,
p. 824;
G.G. 1/12/61,
p. 3316.

13. No person shall on the Park conduct or take part in any sporting game or match, or any game which may be considered dangerous or objectionable by the Board, or which may be calculated to interfere with the safety or comfort of persons lawfully using the Park, or likely to injure the surface of the ground, except on such portions of the Park as may be specially set apart for such purposes, and shown thereon by boundary posts, such boundary posts to be fixed or renewed from time to time as the Board may deem necessary.

Nor shall any person use the Park for the purpose of training, or exercising, any horse or other animal thereon.

Waste Litter of Picnics to be Removed.

By-law 14.
Amended by
G.G. 16/4/48,
p. 824.

14. When any person, party, company, society, club, or organisation of any kind shall play any game or picnic on the Park, he or they (as the case may be) shall, immediately prior to leaving the ground, collect and remove, or cause to be collected and removed, all waste material, bottles, broken glass, scraps, paper, litter, or rubbish of any kind brought or made upon the ground by him or them or any member thereof, and shall deposit such collection in the receptacles provided for such purpose.

Drills, Exercises, and Games.

15. No person or organised club or body shall practise or conduct drill or gymnastics, or play golf, cricket, football, baseball, racquet, or any exercise or game of like nature on the Park, except on such portion of the Park as shall be specially set apart for that particular purpose by the Board, and, except in accordance with the terms and conditions of a permit in writing, to be first obtained from the Board, which permit may fix the day or days upon which and the bounds or limits of the area or areas within which any drill, gymnastics, exercises, or games may take place—the Board reserving the right to refuse to grant any such permit.

Making Erection or Obstruction.

16. No person shall, without the previous consent in writing of the Board, erect or place any booth, tent, shed, stand, wall, post, rail, fence, swing, chair, or seat (other than a camp stool or other portable chair or seat) or other erection or obstruction of any kind whatsoever on the Park, or make any enclosure of any part thereof.

17. [Deleted by G.G. 16/4/48, p. 824.]

Driving Vehicles and Riding Cycles.

By-law 18.
Amended by
G.G. 16/4/48,
p. 824.

18. Every person driving, riding, or in charge of any carriage, motor car, motor cycle, bicycle, tricycle, or other vehicle shall, whilst in the Park, observe and conform in all respect with the provisions of the Traffic Act, for the time being in force.

By-law 19.
Deleted by
G.G. 16/4/48,
p. 824; and
new By-law
19 added by
G.G.
28/11/68,
p. 3462.

19. (1) A person shall not drive a vehicle on a road in the Park at a speed in excess of 25 miles per hour.

(2) In this by-law the word, "vehicle", has the same meaning as it has in, and for the purposes of, the Traffic Act.

Parking.

20. (1) A person in charge of a motor vehicle or any other class of vehicle shall not park that vehicle, or cause or permit it to be parked, within the Park—

By-law 20.
Substituted
by G.G.
22/12/64,
p. 4066.

- (a) in any place that is off a carriageway, except when that place is within an area set apart by the Board for the parking of vehicles;
- (b) in any place that is on a carriageway, if the parking of vehicles in that place is prohibited;
- (c) during any period when the person is not within the Park, whether the place in which the vehicle is parked is or is not within an area set apart by the Board for the parking of vehicles; or
- (d) in any place for any period in excess of the time during which a vehicle is permitted by the Board to be parked in that place.

(2) In and for the purposes of this by-law—

“carriageway” means all that portion of a road improved, designed and ordinarily used for vehicular traffic; and includes the shoulders and areas in the road used for the parking of vehicles.

Instruction in Handling Motor Vehicles.

21. No person shall use any road within the Park for the purpose of instructing any person how to drive or effect repairs or adjustments to any motor vehicle in the Park, nor shall any person drive any motor vehicle within the Park unless he or she is the holder of the requisite Driver's License under the Traffic Act, or make use of any road within the Park for the purpose of testing any motor vehicle.

By-law 21.
Amended by
G.G. 16/4/48,
p. 824.

Motor vehicle has the same meaning as in the Traffic Act.

Driving or Riding on Footways.

22. No person shall park, drive, ride, or impel any carriage, motor vehicle, motor cycle, bicycle, tricycle, or other vehicle, or ride or drive any animal along or over any footpath in the Park.

By-law 22.
Amended by
G.G. 16/4/48,
p. 824.

Leading any Animal.

23. No person whilst riding a horse or driving or riding in a vehicle on the Park shall lead another horse or any animal or have any other horse or animal attached by any means to such vehicle.

Offensive Noises.

24. No person shall, by the use of any mechanical, wireless, or other instrument or thing commit any offensive noise in the Park.

Interference with Employees.

25. No person shall obstruct, or interfere with any employee of the Board, or with any police constable or special constable, or refuse to give, upon request, his or her name and address to any of the before-mentioned persons in the performance of his duty in the Park.

By-law 25.
Amended by
G.G. 9/12/55,
p. 2943.

General Clause.

26. No person shall do, aid in, or abet any act or thing which may not in these by-laws be specifically mentioned and which may tend to the injury or disfigurement of the Park, or to interfere with the use thereof by the public.

Removal of Offenders.

27. Any employee of the Board or any police constable or special constable may remove from the Park any person who is guilty of any breach of any of the Park by-laws.

Penalty.

28. Any person committing a breach of any of the provisions of the Park by-laws shall be liable on summary conviction to a penalty not exceeding forty dollars.