

WESTERN AUSTRALIAN GOVERNMENT Gazette



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CONTENTS

PART 1

	Page
Firearms Act 1973—	
Firearms Amendment Regulations (No. 2) 2001	3913-7
Firearms Amendment Regulations (No. 4) 2001	3918
Land Tax Assessment Act 1976—Land Tax Assessment Amendment Regulations 2001	3918-9
Local Government Act 1995—Town of Victoria Park—Local Laws Relating to Standing Orders Amendments 2001	3908-13
Proclamation—Building Legislation Amendment Act 2000—76 of 2000.....	3907
Retail Trading Hours Act 1987—Retail Trading Hours (Burt Street Precinct, Boulder) Exemption Order 2001	3907-8
Water Services Coordination Act 1995—	
Water Services Coordination (Plumbers Licencing) Amendment Regulations (No. 2) 2001.....	3919-22
Water Services Coordination (Extension of Enactments) Amendment Regulations 2001	3922-8

PART 2

Justice.....	3929-30
Local Government.....	3930-1
Police	3931
Premier and Cabinet.....	3932
Public Notices—Deceased Estate.....	3932
Transport.....	3932

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Special *Government Gazettes* containing notices of an urgent or particular nature are published periodically. The following guidelines should be followed to ensure publication in the *Government Gazette*.

- Material submitted to the Executive Council prior to gazettal will require a copy of the signed Executive Council Minute Paper and in some cases the Parliamentary Counsel's Certificate.
- Copy must be lodged with the Sales and Editorial Section, State Law Publisher no later than 12 noon on Wednesday (Friday edition) or 12 noon on Friday (Tuesday edition).

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- Inquiries regarding publication of notices can be directed to the Editor on (08) 9426 0010.
- Lengthy or complicated notices should be forwarded early to allow for preparation. Failure to observe this request could result in the notice being held over.

If it is necessary through isolation or urgency to fax copy, confirmation is not required by post. *If original copy is forwarded later and published, the cost will be borne by the advertiser.*

ADVERTISING RATES AND PAYMENTS

EFFECTIVE FROM 1 JULY 2001 (Prices include GST).

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Clients who have an account will be invoiced for advertising charges.

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PUBLISHING ALTERATIONS

Periodically the normal *Gazette* publishing times need to be altered to cater for disruption caused by public holidays.

- Easter and Christmas holidays cause disruption each year.
- Australia Day and Anzac Day cause disruption when they fall on a Tuesday or Friday.

In these instances, notices warning of the change are generally published on page 2 for approximately 4 weeks prior to the date.

Readers are urged to check *Gazettes* accordingly, prior to contacting State Law Publisher.

JOHN A. STRIJK, Government Printer.

— PART 1 —

PROCLAMATIONS

AA101*

BUILDING LEGISLATION AMENDMENT ACT 2000

76 of 2000

PROCLAMATION

WESTERN AUSTRALIA John Sanderson, Governor. [L.S.]	}	By His Excellency Lieutenant General John Murray Sanderson, Companion of the Order of Australia, Governor of the State of Western Australia.
---	---	--

I, the Governor, acting under section 2 of the *Building Legislation Amendment Act 2000*, and with the advice and consent of the Executive Council—

- (a) fix 1 August 2001 as the day on which the provisions of that Act, other than sections 45, 46, 47, 49(1), 50(2), 54 and 58(a) and (b), come into operation; and
- (b) fix 1 November 2001 as the day on which sections 45, 46, 47, 49(1), 50(2), 54 and 58(a) and (b) of that Act come into operation.

Given under my hand and the Public Seal of the State on 24 July 2001.

By Command of the Governor,

JIM MCGINTY, Minister for Consumer and
Employment Protection.

GOD SAVE THE QUEEN !

FAIR TRADING

FT301*

Retail Trading Hours Act 1987

Retail Trading Hours (Burt Street Precinct, Boulder) Exemption Order 2001

Made by the Minister for Consumer and Employment Protection.

1. Citation

This order may be cited as the *Retail Trading Hours (Burt Street Precinct, Boulder) Exemption Order 2001*.

2. Exemption from section 12

Each retail shop in the area bounded by Brookman, Moran, Hamilton and Piesse Streets, Boulder is exempted from section 12(1) and (2) of the Act.

JOHN KOBELKE, Minister for Consumer and
Employment Protection.

LOCAL GOVERNMENT

LG301*

LOCAL GOVERNMENT ACT 1995

Town of Victoria Park

LOCAL LAWS RELATING TO STANDING ORDERS AMENDMENTS 2001

In pursuance of the powers conferred by the Local Government Act 1995 and all other powers enabling it the Council of the Town of Victoria Park hereby records having resolved on 26 June 2001, to amend its Standing Orders Local Law published in the *Government Gazette* on 23 July 1998.

1. By deleting clauses 3.2(1) and 3.2(2) and substituting clauses 3.2(1), 3.2(2) and 3.2(3) as follows—

- “(1) Unless otherwise decided by the Council, the order of business at any ordinary meeting of the Council is to be as follows—
- (a) Opening and Prayer
 - (b) Attendance and Apologies
 - (c) Disclosure of Members' Interests
 - (d) Public Question and Public Statement Time
 - (e) Confirmation of Minutes
 - (f) Applications for Leave of Absence
 - (g) Announcements by the Mayor without discussion
 - (h) Urgent Business not Listed on the Agenda
 - (i) Matters for which the Meeting may be Closed
 - (j) Petitions
 - (k) Reports
 - (l) Motions of which Previous Notice has been given
 - (m) Questions by Members of which due notice has been given
 - (n) Public Question and Public Statement Time
 - (o) Matters Behind Closed Doors
 - (p) Close
- (2) The ordinary business of the Elected Members Briefing Session is to be conducted in the following order—
- (a) Opening
 - (b) Attendance and Apologies
 - (c) Disclosure of Members' Interests
 - (d) Public Question and Public Statement Time
 - (e) Confirmation of Minutes
 - (f) Presentations
 - (g) Reports
 - (h) General Business
 - (i) Questions by Members of which due notice has been given
 - (j) Public Question and Public Statement Time
 - (k) Matters Behind Closed Doors
 - (l) Close

The order of business may be added to by the Chief Executive Officer.

- (3) Unless otherwise decided by the members present, the order of business at any special meeting of the Council or at a committee meeting is to be the order in which the business stands in the agenda of the meeting, or as determined by the person presiding.”
2. By deleting clause 3.4 and substituting a new clause 3.4 as follows—
- “3.4 Public Question and Public Statement Time**
- (1) A member of the public who addresses the council or a committee during the public question and public statement time is to state his or her name and address.
- (2) A question may be taken on notice by the council or committee for later response.
- (3) A public statement will be limited to 2 minutes; and no reply, discussion or question relating to the Public Statement is to occur, unless otherwise determined by the Presiding Person at the meeting.”
3. By deleting clause 3.5.
4. By deleting subclause 3.6(2) and renumbering subclauses (3) and (4) to (2) and (3) respectively.
5. By renumbering clause 3.6 to clause 3.5.
6. By deleting subclause 3.7(g) and renumbering clause 3.7 to clause 3.6.
7. By deleting clause 3.8 and substituting clause 3.7 as follows—
- “3.7 Announcement by the Mayor or the Person Presiding Without Discussion**
- At any meeting of the council or a committee the Mayor or the person presiding may announce or direct attention to any matter of interest or relevance to the business of the council or committee.”
8. By deleting clause 3.9 and substituting clause 3.8 as follows—
- “3.8 Matters for which Meeting may be closed**
- For the convenience of members of the public, the person presiding or the Chief Executive Officer may identify early in the meeting any matter on the agenda of the meeting that may be discussed behind closed doors, and a decision shall be made whether or not the matter shall be discussed behind closed doors. Where it is decided that a matter shall be discussed behind closed doors, that matter shall be dealt with as the last item of the meeting.”
9. By deleting subclause 3.10(2) and substituting a new subclause 3.10(2) as follows—
- “(2) A notice of motion is to be given at least two and a half (2½) clear working days before the meeting in which it is made or no later than noon of the day the agenda for that meeting is distributed.”
10. By renumbering clause 3.10 to clause 3.9.
11. By renumbering clause 3.11 to clause 3.10.
12. By inserting new clause 3.11 as follows—
- “3.11 Urgent Business not Listed on the Agenda**
- Any member of council can raise an item of urgent business not listed on the agenda. The member must seek a resolution by a “simple majority” of council for the matter to be accepted as urgent.”
13. By deleting the word “A” in subclause 3.13(1) and inserting “At any committee meeting a” before the word “member”.
14. By deleting subclause 4.1(1) and substituting a new subclause 4.1(1) as follows—
- “(1) Notice papers and agenda relating to any council or committee meeting, reports and other documents except documents exempt from release to the public under the Freedom of Information Act 1992 which—
- (a) are tabled at the meeting; or
- (b) have been produced for presentation at the meeting, are available for inspection by members of the public from the time the notice papers, agenda or documents were available to the members of the Council or committee.”
15. By deleting the term “Penalty \$5,000” from subclause 4.3(1).
16. By adding to clause 4.3 new subclause (4) as follows—
- “(4) A person who discloses confidential information to another person otherwise than in accordance with sub-clause (1), commits an offence and is liable to a penalty of \$5,000.”
17. By adding the words “AND OTHER” after the word “FINANCIAL” in the heading of Part 5.
18. By deleting clauses 5.2 and 5.3.
19. By renumbering clauses 5.4, 5.5 and 5.6 to clauses 5.2, 5.3 and 5.4 respectively.

20. By deleting clause 5.7.
21. By renumbering clause 5.8 to clause 5.5.
22. By deleting subclauses 6.3(2) and (3) and substituting new subclauses 6.3(2) and 6.3(3) as follows—
- “(2) If at any time during a meeting of the council or committee, a quorum is not present in relation to a particular matter because of a member or members leaving the meeting after disclosing a financial interest, the matter is adjourned until—
 - (a) a quorum is present to decide the matter; or
 - (b) the Minister allows a disclosing member or members to preside at the meeting or to participate in discussions or the decision making procedures relating to the matter under Section 5.69 and 5.69A of the Act.
 - (3) If at any time during the course of a meeting of a committee a quorum is not present in relation to a particular matter because of a member or members leaving the meeting after disclosing a financial interest the procedural motion “that the committee proceed to the next business” shall be deemed to have effect and the CEO is to submit the matter to the next following council meeting for determination.”
23. By adding subclauses 6.3(4) and (5) as follows—
- “(4) If at any time during the course of a meeting of the council or committee a quorum is not present because of a member or members leaving the meeting for reasons other than disclosure of a financial interest, the person presiding is to suspend the proceedings of the meeting for a period not exceeding fifteen (15) minutes, and if a quorum is not present at the end of that time, the meeting is deemed to have been adjourned and the person presiding is to reschedule it to some future time or date having regard to the period of notice which needs to be given under the Act, Regulations, or the Standing Orders when calling a meeting of that type.
 - (5) Where debate on a motion is interrupted by an adjournment under subclause (3) or (4)—
 - (a) the debate is to be resumed at the next meeting at the point where it was so interrupted; and
 - (b) in the case of a council meeting the name of the members who have spoken on the matter prior to the adjournment are to be recorded in the minutes; and
 - (c) the provision of clause 9.5 of these Standing Orders will apply when the debate is resumed.”
24. By deleting the words “Battye Library” in clause 7.2 and substituting it with the words “appropriate body in accordance with the relevant legislation”.
25. By deleting clause 8.5 and substituting a new clause 8.5 as follows—
- “8.5 Recording of Proceedings Allowable in Certain Circumstances**
- (1) The minute clerk may record the Question Time and General Business part of the meeting—any recordings are to be erased immediately after the minutes have been adopted.
 - (2) No person other than the minute clerk is to use any electronic, visual or vocal recording device or instrument, to record verbatim the proceedings of the council or a committee unless the person has been given permission by the Presiding Member to do so and complies with any conditions associated with such permission.”
26. By inserting the subclause number “(1)” before the word “Every” in clause 9.1 thereby making it subclause 9.1(1) and adding new subclause (2) as follows—
- “(2) Members shall rise when speaking at an Elected Members Briefing Session Committee.”
27. By deleting clause 14.1 and substituting a new clause 14.1 as follows—
- “14.1 Limitations on power to revoke or change decisions**
- (1) Subject to subclause (2), the council or committee is not to consider a motion to revoke or change a decision—
 - (a) where, at the time the motion is moved or notice is given, any action has been taken to implement the decision; or
 - (b) where the decision is procedural in its form or effect.
 - (c) where the decision is to revoke another decision.”
28. By adding subclauses 14.1(2) and (3) as follows—
- “(2) The council or a committee may consider a motion to revoke or change a decision of the kind described in paragraph (1)(a) if the motion is accompanied by a written statement prepared by or at the direction of the CEO of the legal and financial consequences of carrying the motion.

- (3) Part 14 does not apply to the change of a decision unless the effect of the change would be that the decision would be revoked or would become substantially different.”

29. By deleting clause 14.2 and substituting a new clause 14.2 as follows—

“14.2 Revocation Motion at the Same Meeting—Power & Procedure

(1) Power

- (a) A decision made at a meeting may be revoked or changed at the same meeting at which it was made if—
- (i) at least 1/3 of the number of offices (whether vacant or not) of members of the council or committee, inclusive of the mover, support the motion; and
 - (ii) all members who were present in the Council Chamber at the time the decision was passed are also present in the Council Chamber at the time the revoking or changing is proposed.
- (b) A decision made at a meeting may be revoked or changed at the same meeting at which it was made if the motion to revoke or change is carried—
- (i) in the case where the decision to be revoked or changed was required to be made by an absolute majority or by a special majority, by that kind of majority; or
 - (ii) in any other case, by an absolute majority.

(2) Procedure

- (a) The member who moves the motion to revoke or change the decision is to—
- (i) clearly identify the decision to be revoked or changed; and
 - (ii) clearly state the reason for seeking the revocation of change.
- (b) If the CEO receives a notice of motion to rescind a decision made at a meeting before the close of that meeting, the CEO is immediately to advise the presiding member of the notice of motion.
- (c) Where the presiding member is advised of a notice of motion under subclause (2)(b), he or she at the first available opportunity and before the end of the meeting is to—
- (i) advise the meeting of the notice;
 - (ii) bring on the rescission motion;
 - (iii) determine whether there is sufficient support (under Clause 14.2 (1)(a)) for the motion; and
 - (iv) if there is sufficient support, deal with the motion.”

30. By deleting clause 14.3 and substituting a new clause 14.3 as follows—

“14.3 Revocation motion after meeting—Power & Procedure

(1) Power

- (a) A decision made at a meeting may be revoked or changed at a meeting other than the one at which it was made if the motion to revoke or change the decision is supported—
- (i) in the case where an attempt to revoke or change the decision has been made within the previous 3 months but had failed, by an absolute majority inclusive of the mover; or
 - (ii) in any other case, by at least 1/3 of the number of offices (whether vacant or not) of members of council or committee, inclusive of the mover.
- (b) A decision made at a meeting may be revoked or changed at a meeting other than the one at which it was made if the motion to revoke or change the decision is carried—
- (i) in the case where the decision to be revoked or changed was required to be carried by an absolute majority or by a special majority, by that kind of majority; or
 - (ii) in any case, by an absolute majority.

(2) Procedure

- (a) The proposed revocation or change is to be set out in a notice of motion which—
- (i) clearly identifies the decision to be revoked or changed; and
 - (ii) clearly states the reason for seeking the revocation or change.
- (b) If the CEO receives a notice of motion to revoke or change a decision after the closure of the meeting at which the decision was passed, then provided the notice complies with clauses 14.1 and 14.3(1) the CEO shall do all things necessary to ensure that the motion is

considered at a Special or Ordinary Meeting of the Council held at the earliest opportunity after the meeting at which the decision was passed.”

31. By adding new clause 14.4 as follows—

“14.4 Implementation of a Decision

- (1) If a notice of motion to revoke or change a decision of the council or a committee is received before any action has been taken to implement that decision, then no steps are to be taken to implement or give effect to that decision until such time as the motion of revocation or change has been dealt with, except that—
 - (a) if a notice of motion to revoke or change a decision of the council or a committee is given during the same meeting at which the decision was made, the notice of motion is of no effect unless the number of members required to support the motion under Regulation 10 of the Regulations indicate their support for the notice of motion at that meeting.
 - (b) if a notice of motion to revoke or change a decision of the council or a committee is received after the closure of the meeting at which the decision was made, implementation of the decision is not to be withheld unless the notice of motion has the support in writing, of the number of members required to support the motion under Regulation 10 of the Regulations.
- (2) Implementation of a decision is only to be withheld under subclause (1) if the effect of the change proposed in a notice of motion would be that the decision would be revoked or would become substantially different.
- (3) The council or a committee shall not vote on a motion to revoke or change a decision of the council or committee whether the motion of revocation or change is moved with or without notice, if at the time the motion is moved or notice is given action has been taken to implement the decision or whether the decision concerns the issue of an approval or the authorisation of a licence, permit or certificate, without having considered a statement of impact prepared by or at the direction of the CEO of the legal and financial consequences of the proposed revocation or change.”

32. By adding new clause 17.7 as follows—

“17.7 Voting Rights of Committees

Each Member including each appointed Council member who is present at the committee meeting is entitled to one vote”.

33. By deleting subclause 18.3(3) and substituting a new subclause 18.3(3) as follows—

- “(3) It is not a function of the Committee to recommend the adoption of reports of employees or others included in the agenda of a forthcoming council meeting.”

34. By deleting clause 18.6.

35. By deleting subclause 18.7(2).

36. By renumbering subclause 18.7(3) to subclause 18.7(2).

37. By renumbering clause 18.7 to 18.6.

38. By deleting subclause 18.8(2) and substituting a new subclause 18.8(2) as follows—

- “(2) The Agenda that is made available to council members for consideration at an EMBS is to be made available for inspection by members of the public as soon as practicable after the time the agenda is made available to members.”

39. By deleting subclause 18.8(3).

40. By deleting the word “question” in subclause 18.8(4) and substituting it with “public question and public statement”.

41. By renumbering subclause 18.8(4) to subclause 18.8(3).

42. By renumbering clause 18.8 to clause 18.7.

43. By deleting subclause 18.9(3) and substituting a new subclause 18.9(3) as follows—

- “(3) The Agenda will include details of any invitations issued under subclause (1).”

44. By adding subclause 18.9(4) as follows—

- “(4) An Agenda item that is dealt with in accordance with subclause (1) shall be brought forward to enable the item to be fully debated as close as possible to the time of the presentation.”

45. By renumbering clause 18.9 to clause 18.8.

46. By deleting clause 18.10 and substituting a new clause 18.9 as follows—

“18.9 General Business for EMBS.

“General Business” is available only to elected members and executive staff.”

47. By deleting the amount “\$1,000” in subclause 19.1(5) and substituting it with “\$5,000”.

Dated 24th day of July 2001.

The Common Seal of the Town of Victoria Park was affixed by authority of a resolution of the Council in the presence of—

J. A. MICK LEE, Mayor.
JOHN BONKER, Chief Executive Officer.

POLICE

PE301*

Firearms Act 1973

Firearms Amendment Regulations (No. 2) 2001

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Firearms Amendment Regulations (No. 2) 2001*.

2. The regulations amended

The amendments in these regulations are to the *Firearms Regulations 1974**.

[* Reprinted 8 June 2001.]

3. Regulation 8 amended

Regulation 8(1) and (2) are repealed and the following subregulations are inserted instead —

“

- (1) The Commissioner may, on payment by the applicant of the prescribed fee, issue a duplicate licence or permit to replace a licence or permit lost, stolen or destroyed or issue a replacement Extract of Licence Card to replace an Extract of Licence Card lost, stolen or destroyed.
- (2) No particular form is required for applying for the issue of a duplicate licence, and the fee to be paid is \$19.
- (2a) For the purpose of making an application for the issue of a replacement for an Extract of Licence Card, Form 5 is to be used and a fee of \$19 paid.

”

4. Regulation 27 amended

Regulation 27(1)(b) is amended by inserting after “Form 9A” —

“ 9AA, or 9AAA, as the case requires, ”.

5. Schedule 1 Form 5 replaced

Schedule 1 Form 5 is deleted and the following form is inserted instead —

“

Form 5

[r. 8(2a)]

WESTERN AUSTRALIA

Firearms Act 1973

APPLICATION FOR REPLACEMENT OF EXTRACT OF LICENCE CARD

A penalty is provided under regulation 23 of the *Firearms Regulations 1974* for false or misleading information.

I
of
date of birth .../.../.... apply for a replacement of my Extract of Licence Card which has been *lost/stolen/destroyed.

* *Strike out whichever is not applicable*

I understand that a fee must be paid to replace the Card.

Signature: Witnessed by:

Date: Police Station:

Firearm Licence No.:

”

6. Schedule 1 Form 9A replaced by Form 9A, 9AA, and 9AAA

Schedule 1 Form 9A is deleted and the following forms are inserted instead —

“

Form 9A

[s. 19A; r. 27(1)(b)]

WESTERN AUSTRALIA

Firearms Act 1973

INFRINGEMENT NUMBER

Commissioner of Police

Penalty \$

LICENCE EXPIRED

LICENCE NUMBER

FIREARM LICENCE

TAKE NOTICE — The licence held by you has expired and has not been renewed within THREE MONTHS of the expiry date. An offence against section 19(1) of the *Firearms Act 1973* may be alleged against you.

You may dispose of the matter by —

- (a) giving an explanation for your failure to renew your licence to the police officer serving this notice and if the Commissioner of Police is satisfied with your explanation the infringement notice will be withdrawn;
- (b) paying the infringement penalty of \$ and the firearms licence renewal fee to the Commissioner of Police within 28 days of the service of this notice — see over for payment details; or
- (c) you may have the matter dealt with by a Court (do not pay this infringement).

IMPORTANT: The payment of your firearms licence renewal fee should be made forthwith at the participating payment centre nearest to you — see the reverse of this form for payment details.

INSTRUCTIONS FOR SERVING OFFICER

THIS INFRINGEMENT FORM ALONG WITH THE LICENCE RENEWAL IS TO BE SERVED ON AND GIVEN TO THE LICENCE HOLDER AND SERVICE DETAILS COMPLETED IN ACCORDANCE WITH THE INQUIRY FORM AND INSTRUCTION SHEET.

Form 9AA

[s. 19A; r. 27(1)(b)]

WESTERN AUSTRALIA

*Firearms Act 1973***INFRINGEMENT NUMBER****Commissioner of Police****Penalty** \$

LICENCE EXPIRED

LICENCE NUMBER

FIREARM COLLECTOR'S LICENCE

TAKE NOTICE — The licence held by you has expired and has not been renewed within THREE MONTHS of the expiry date. An offence against section 19(1) of the *Firearms Act 1973* may be alleged against you.

You may dispose of the matter by —

- (a) giving an explanation for your failure to renew your licence to the police officer serving this notice and if the Commissioner of Police is satisfied with your explanation the infringement notice will be withdrawn;

- (b) paying the infringement penalty of \$ and the firearm collector's licence renewal fee to the Commissioner of Police within 28 days of the service of this notice — see over for payment details; or
- (c) you may have the matter dealt with by a Court (do not pay this infringement).

IMPORTANT: The payment of your firearm collector's licence renewal fee should be made forthwith at the participating payment centre nearest to you — see the reverse of this form for payment details.

INSTRUCTIONS FOR SERVING OFFICER

THIS INFRINGEMENT FORM ALONG WITH THE LICENCE RENEWAL IS TO BE SERVED ON AND GIVEN TO THE LICENCE HOLDER AND SERVICE DETAILS COMPLETED IN ACCORDANCE WITH THE INQUIRY FORM AND INSTRUCTION SHEET.

Form 9AAA

[s. 19A; r. 27(1)(b)]

WESTERN AUSTRALIA

Firearms Act 1973

INFRINGEMENT NUMBER

Commissioner of Police

Penalty \$

LICENCE EXPIRED

LICENCE NUMBER

AMMUNITION COLLECTOR'S LICENCE

TAKE NOTICE — The licence held by you has expired and has not been renewed within THREE MONTHS of the expiry date. An offence against section 19(1) of the *Firearms Act 1973* may be alleged against you.

You may dispose of the matter by —

- (a) giving an explanation for your failure to renew your licence to the police officer serving this notice and if the Commissioner of Police is satisfied with your explanation the infringement notice will be withdrawn;
- (b) paying the infringement penalty of \$ and the ammunition collector's licence renewal fee to the Commissioner of Police within 28 days of the service of this notice — see over for payment details; or
- (c) you may have the matter dealt with by a Court (do not pay this infringement).

IMPORTANT: The payment of your ammunition collector's licence renewal fee should be made forthwith at the participating payment centre nearest to you — see the reverse of this form for payment details.

INSTRUCTIONS FOR SERVING OFFICER

THIS INFRINGEMENT FORM ALONG WITH THE LICENCE RENEWAL IS TO BE SERVED ON AND GIVEN TO THE LICENCE HOLDER AND SERVICE DETAILS COMPLETED IN ACCORDANCE WITH THE INQUIRY FORM AND INSTRUCTION SHEET.

7. Schedule 1 Form 9D replaced

Schedule 1 Form 9D is deleted and the following form is inserted instead —

“

Form 9D

[r. 4(3)]

WESTERN AUSTRALIA

Firearms Act 1973

FIREARM LICENCE

LICENCE EXPIRES/EXPIRED

[appropriate entry and date to be inserted here]

LICENCE NUMBER

Is licensed in accordance with section 16(1)(a) of the *Firearms Act 1973* to possess, carry, and lawfully use, the firearms described below, and ammunition for them, subject to the restrictions, limitations or conditions applicable.

Cat.	Description	Make & Notation	Serial No.	Calibre	Date of Disposal or Addition

Any alterations to above, or entries below this line must be noted by a Police Officer.

IMPORTANT

This licence includes payment for your Extract of Licence Card. The Extract of Licence Card will carry your photograph image and is compulsory for all Firearm Licence holders. **YOU MUST ATTEND IN PERSON.**

WARNING

THIS IS NOT A VALID LICENCE UNLESS THE IMPRINT OF THE CASH REGISTER IS ON IT OR A RECEIPT IS ATTACHED.

”

By Command of the Governor,

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

PE302*

Firearms Act 1973

Firearms Amendment Regulations (No. 4) 2001

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Firearms Amendment Regulations (No. 4) 2001*.

2. Commencement

These regulations come into operation on 1 August 2001.

3. Regulation 7 amended

Regulation 7(5a) of the *Firearms Regulations 1974** is amended by deleting “\$10” and inserting instead —

“ \$12 ”.

[* Reprinted as at 8 June 2001.]

By Command of the Governor,

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

STATE REVENUE

SX301*

Land Tax Assessment Act 1976

Land Tax Assessment Amendment Regulations 2001

Made by the Lieutenant-Governor and deputy of the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Land Tax Assessment Amendment Regulations 2001*.

2. Regulation 4 amended

Regulation 4 of the *Land Tax Assessment Regulations 1976** is amended as follows:

- (a) in paragraph (a), by deleting “\$20” and inserting instead —
“ \$30 ”;
- (b) in paragraph (b), by deleting “\$30” and inserting instead —
“ \$50 ”.

[* Reprinted as at 26 November 1999.

For amendments to 2 July 2001 see 2000 Index to Legislation of Western Australia, Table 4, p. 190.]

By Command of the Lieutenant-Governor and
deputy of the Governor,

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

WATER

WA301*

Water Services Coordination Act 1995

**Water Services Coordination (Plumbers
Licensing) Amendment Regulations (No. 2) 2001**

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Water Services Coordination (Plumbers Licensing) Amendment Regulations (No. 2) 2001*.

2. Commencement

These regulations come into operation on 1 August 2001.

3. The regulations amended

The amendments in these regulations are to the *Water Services Coordination (Plumbers Licensing) Regulations 2000**.

[* *Published in Gazette 16 June 2000, p. 2897-936.*
For amendments to 27 June 2001 see Gazette 20 April 2001.]

4. Regulation 47A inserted

After regulation 47 the following regulation is inserted in Part 5 —

“

47A. Plumbing work — temporary permits

- (1) In this regulation —
- “**finally determined**”, in relation to an application for a temporary permit or a tradesperson’s licence, means that —
- (a) the Board issues the permit or licence; or
 - (b) the Board refuses to issue the permit or licence and either —
 - (i) the time for appeal against the refusal has expired without an appeal being brought; or
 - (ii) an appeal has been brought but has been withdrawn, discontinued or dismissed.
- (2) This regulation applies to a person who —
- (a) was engaged in carrying out plumbing work for part or all of the period of 6 years immediately before the commencement of the *Water Services Coordination (Plumbers Licensing) Amendment Regulations (No. 2) 2001*;
 - (b) does not hold a plumber’s licence, a tradesperson’s licence or a tradesperson’s licence (drainage plumbing); and
 - (c) is unable to comply with the requirements set out in Schedule 3 in respect of a tradesperson’s licence without undertaking training.
- (3) A person to whom this regulation applies may apply to the Board for the issue of a temporary permit within the period of 3 months after the commencement of the *Water Services Coordination (Plumbers Licensing) Amendment Regulations (No. 2) 2001* or within such further period as the Board, in special circumstances, allows.
- (4) If an application is made under subregulation (3), then, until the application is finally determined, regulations 9(1) and 10 do not apply in relation to the carrying out of plumbing work by the applicant under the general direction and control of the holder of a plumber’s licence.

- (5) The Board may, on application made under subregulation (3) and on payment by the applicant of a fee of \$75, issue a temporary permit if the applicant —
 - (a) has passed a practical skills test in plumbing work conducted by an approved person or body; and
 - (b) provides evidence to the satisfaction of the Board of at least 4 years' practical experience in plumbing work.
- (6) A temporary permit may be issued subject to such conditions as the Board thinks fit.
- (7) A temporary permit authorises its holder to carry out plumbing work under the general direction and control of the holder of a plumber's licence.
- (8) Subject to subregulation (9), a temporary permit remains in force —
 - (a) if an application for the issue of a tradesperson's licence is made by the holder of the permit on or before 31 December 2002, until the application is finally determined; or
 - (b) if no such application is made, until 31 December 2002.
- (9) The Board may cancel a temporary permit if —
 - (a) the holder of the permit fails to comply with a condition of the permit; or
 - (b) the Board is satisfied that the holder is not competent to carry out plumbing work.
- (10) The Board is not to cancel a temporary permit unless the Board has given the holder of the permit written notice of the proposed cancellation and a reasonable opportunity to make written submissions on the matter.
- (11) If the Board refuses to issue, or cancels, a temporary permit, the Board is to give written notice of its decision to the applicant or holder of the permit, as the case requires, not later than 14 days after the decision is made.
- (12) A decision of the Board to refuse to issue, or to cancel, a temporary permit is to be taken to be a decision to which regulation 41 applies.
- (13) A reference in regulation 9(1) or 47(2) to a licence is to be read as if it included a reference to a temporary permit.

5. Schedule 3 amended

Schedule 3 item 3(c)(i) is amended as follows:

- (a) by deleting “practical”;
- (b) by inserting after “plumbing work” —

“

, involving both theoretical and practical components,

”.

By Command of the Governor,

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

WA302*

Water Services Coordination Act 1995

Water Services Coordination (Extension of Enactments) Amendment Regulations 2001

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Water Services Coordination (Extension of Enactments) Amendment Regulations 2001*.

Note: The commencement of these regulations is governed by section 46 of the *Water Services Coordination Act 1995*.

2. The regulations amended

The amendments in these regulations are to the *Water Services Coordination (Extension of Enactments) Regulations 1997**.

[* *Published in Gazette 9 May 1997, p. 2314-19.*
For amendments to 28 June 2001 see 2000 Index to Legislation of Western Australia, Table 4, p. 387.]

3. Regulation 3 amended

Regulation 3(1) is amended as follows:

- (a) in the definition of “operating area” by deleting “SWIMCO” and inserting instead —
 “ a prescribed licensee ”;

- (b) in the definition of “prescribed licensee” by deleting “4.” and inserting instead —
“ 4(1) or (2), as the case requires; ”;
- (c) after the definition of “prescribed licensee” by inserting the following definition —

“
“prescribed licensee (irrigation services)” means a licensee prescribed under regulation 4(1).
 ”.

4. **Regulation 4 amended**

Regulation 4 is amended as follows:

- (a) before “The licensees” by inserting the subregulation designation “(1)”;
- (b) by deleting “regulation” and inserting instead —
“ subregulation ”;
- (c) at the end of the regulation by inserting the following subregulation —

“
 (2) The licensee specified in the Table to this subregulation is prescribed for the purposes of Parts 1, 2 and 3 of Schedule 2 to the Act.
 ”.

Table

Hamersley Iron Pty Ltd

5. **Regulation 5 replaced**

Regulation 5 is repealed and the following regulation is inserted instead —

“
5. Modification of certain enactments
 (1) In relation to a prescribed licensee (irrigation services) the enactments specified in the first column of Schedule 1 are to be read as if they had been modified in the manner described in the second column of that Schedule.
 (2) In relation to Hamersley Iron Pty Ltd, the enactments specified in the first column of Schedule 1A are to be read as if they had been modified in the manner described in the second column of that Schedule.
 ”.

6. **Regulation 6 amended**

- (1) Regulation 6(1) is amended as follows:
 - (a) by deleting “Part” and inserting instead —
“ Division ”;

- (b) by inserting after “prescribed licensee” —
“ (irrigation services) ”.
- (2) Regulation 6(2) is amended by deleting “Part” and inserting instead —
“ Division ”.
- (3) After regulation 6(2) the following subregulation is inserted —
“
- (3) In relation to Hamersley Iron Pty Ltd the following enactments do not apply —
- (a) the provisions of the *Metropolitan Water Authority Act 1982* referred to in Parts 2 and 3 of Schedule 2 to the Act;
 - (b) the provisions of the *Metropolitan Water Supply, Sewerage, and Drainage Act 1909* referred to in Parts 2 and 3 of Schedule 2 to the Act;
 - (c) the enactments specified in Division 3 of Schedule 2.

”.

7. Regulation 8 amended

- (1) Regulation 8(1) is amended as follows:
- (a) by inserting after “prescribed licensee” —
“ (irrigation services) ”;
 - (b) by deleting “5” and inserting instead —
“ 5(1) ”.
- (2) After regulation 8(1) the following subregulation is inserted —
“
- (1a) In an enactment which applies in relation to Hamersley Iron Pty Ltd, a reference to a Schedule 1A enactment is to be read as a reference to the Schedule 1A enactment as modified by operation of regulation 5(2).

”.

- (3) Regulation 8(3) is amended by inserting after the definition of “Schedule 1 enactment” the following definition —

“

“Schedule 1A enactment” means an enactment specified in the first column of Schedule 1A;

”.

8. Schedule 1 amended

Schedule 1 is amended as follows:

- (a) by deleting the Schedule heading and “[Regulation 5]” and inserting instead —

“

**Schedule 1 — Modification of enactments
(prescribed licensees (irrigation services))**

[r. 5(1)]

- (b) by deleting the headings “Enactment” and “Modification” wherever they occur;
- (c) by deleting the heading “*Water Agencies (Powers) Act 1984*” and inserting the following heading —

“

Division 1 — *Water Agencies (Powers) Act 1984*

- (d) before the item relating to section 34(3) of the *Water Agencies (Powers) Act 1984* by inserting the following item —

“

- s. 34(1) Delete “the Commission, the Corporation or the Coordinator of their respective functions under this Act or any relevant Act.”, insert instead —

“

the prescribed licensee of its
functions under its operating
licence.

”

- (e) by deleting the heading “*Rights in Water and Irrigation Act 1914*” and inserting the following heading —

“

Division 2 — *Rights in Water and Irrigation Act 1914*

9. Schedule 1A inserted

After Schedule 1 the following Schedule is inserted —

“

**Schedule 1A — Modification of enactments
(Hamersley Iron Pty Ltd)**

[r. 5(2)]

Division 1 — *Water Agencies (Powers) Act 1984*

- s. 3(1) In paragraph (b), delete “engaged under
(definition of section 15 of the *Water Corporation*
“officer”) *Act 1995*”.

- s. 3(1)
(definition of
“works”)
- Delete “water services or by the Commission for the assessment, control or management of water resources”, insert instead —
- “
- providing the water services specified in its operating licence
- ”.
- s. 34(1)
- Delete “the Commission, the Corporation or the Coordinator of their respective functions under this Act or any relevant Act.”, insert instead —
- “
- the prescribed licensee of its functions under its operating licence.
- ”.
- s. 41(1)
- Delete “this Act and any relevant Act”, insert instead —
- “ its operating licence ”.
- s. 70
- Insert after subsection (4), the following subsections —
- “
- (5) Where an owner or occupier of land wishes to make a claim for trespass against a prescribed licensee in respect of the exercise of a power of entry conferred by this Part, the owner or occupier may refer the claim for arbitration in accordance with the operating licence.
- (6) On a referral under subsection (5), the arbitrator is to determine whether the exercise of the power of entry was unlawful and the compensation (if any) payable to the owner or occupier.
- ”.
- s. 71(1)
- Delete “this Act and any relevant Act”, insert instead —
- “
- its functions under its operating licence
- ”.
- s. 83(1)
- Delete “this Act or a relevant Act”, insert instead —
- “ its operating licence ”.

- s. 83(2) Delete “this Act or a relevant Act”, insert instead —
 “
 its functions under its operating licence
 ”.

Division 2 — *Country Areas Water Supply Act 1947*

- s. 11(1) Insert after “water reserve” in the first place where it occurs —
 “ in its operating area ”.
- s. 28(2) Delete “a country water area”, insert instead —
 “ its operating area ”.
- s. 30(1) Delete “a country water area”, insert instead —
 “
 the prescribed licensee’s operating area
 ”.
- s. 31(1) Delete “this Act”, insert instead —
 “ its operating licence ”.
- s. 40 Delete “this Act”, insert instead —
 “
 the prescribed licensee’s operating licence
 ”.
- s. 42(1) Delete “this Act”, insert instead —
 “ its operating licence ”.
- s. 43A(1) Delete “a country water area”, insert instead —
 “
 the prescribed licensee’s operating area
 ”.
- s. 44(1) Delete “this Act”, insert instead —
 “ its operating licence ”.
- s. 45(4) Delete “this Act”, insert instead —
 “ its operating licence ”.

Division 3 — *Country Towns Sewerage Act 1948*

- s. 23 Delete “a sewerage area”, insert instead —
 “ its operating area ”.
- s. 23A(1) Delete “a sewerage area”, insert instead —
 “
 the prescribed licensee’s operating area
 ”.

- s. 25 Delete “any sewerage”, insert instead —
“ its operating ”.
- s. 29(1) Insert after “any land” —
“ in its operating area ”.
- s. 31(1) Insert after “any land” —
“ in its operating area ”.
- s. 35(1) Delete “the area”, insert instead —
“ its operating area ”.
- s. 36(1) Insert after “any land” —
“ in its operating area ”.
- s. 41A(1) Delete “a sewerage area”, insert instead —
“
the prescribed licensee’s
operating area
”.
- s. 46 Delete “any sewerage”, insert instead —
“ its operating ”.

10. Schedule 2 amended

Schedule 2 is amended as follows:

- (a) by deleting the heading “Part 1” and inserting the following heading instead —
“ **Division 1** ”;
- (b) by deleting the heading “Part 2” and inserting the following heading instead —
“ **Division 2** ”;
- (c) after Division 2 by inserting the following Division —
“

Division 3

Country Areas Water Supply Act 1947

s. 35 s. 71(2)

Water Agencies (Powers) Act 1984

s. 62(2) s. 84(2)

By Command of the Governor,

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

— PART 2 —

JUSTICE

JM401**JUSTICES ACT 1902**

It is hereby notified for public information that His Excellency the Governor in Executive Council has approved of the appointment of—

Mr Craig Jefferson Underwood of 11 Passmore Close Jurien Bay
to the office of Justice of the Peace for Jurien Bay in the State of Western Australia.

GARY THOMPSON, Executive Director,
Court Services.

JM402**JUSTICES ACT 1902**

It is hereby notified for public information that His Excellency the Governor in Executive Council has approved of the appointment of—

Mr Harley Klane Hayward of 16 Highclere Boulevard Marangaroo
Mrs Marie Joan Rayner of Lot 927 McClearly Street Meekatharra
to the office of Justice of the Peace for the State of Western Australia.

GARY THOMPSON, Executive Director,
Court Services.

JM403**JUSTICES ACT 1902**

It is hereby notified for public information that His Excellency the Governor in Executive Council has accepted the resignation of—

Mr Neil Culver of 20a Pulo Road Brentwood
Mr Kenneth Leach of 6 Koolinda Court Stratton
Mr Robert Leslie Phillips of PO Box 321 Bayswater
Mr Richard Schonell of PO Box 4003 Wembley
Mr Charles White of 184 Walkerville Terrace Walkerville South Australia
Mrs Kathleen Vera York of PO Box 591 Fremantle
from the Office of Justice of the Peace for the State of Western Australia.

GARY THOMPSON, Executive Director,
Court Services.

JM404**CHILDREN'S COURT OF WESTERN AUSTRALIA ACT 1988**

It is hereby notified for public information that His Excellency the Governor in Executive Council has approved of the appointment of the following persons as Members of the Children's Court of Western Australia—

Mrs Marie Joan Rayner of Lot 927 McClearly Street Meekatharra
Mr John Barry Giles of 243 Austin Street Cue
Mrs Jane Maree Oliver of 29 Peedamulla Way Pannawonica

GARY THOMPSON, Executive Director,
Court Services.

JM405**DECLARATIONS AND ATTESTATIONS ACT 1913**

It is hereby notified for public information that the Attorney General has approved of the appointment of the following person as Commissioner for Declarations under the *Declarations and Attestations Act 1913*—

Mr Ronald John Greenwood of 6 Walba Place Coogee

GARY THOMPSON, Executive Director,
Court Services.

JM406**EX OFFICIO JUSTICE OF THE PEACE**

It is hereby notified for public information that Cr Gregory Keith Peterson has been appointed under Section 9 of the *Justices Act 1902* to be a Justice of the Peace for the Magisterial District of Midland during his term of office as the Mayor of the Town of Bassendean.

GARY THOMPSON, Executive Director,
Court Services.

LOCAL GOVERNMENT

LG401**DOG ACT 1976**

Shire of Busselton

DOG REGISTRATION OFFICER

It is hereby notified for public information that the following Officers have been appointed by Council as authorised Dog Registration Officers under the Dog Act 1976, effective immediately, until further notice—

Appointments—

Susan Robertson
Kaye Halden
Michelle Millar
Gail Muir
Sharon Hinds
Tanya Smith
Dena MacDonald

Cancellations—

All previous appointments not listed above.

MICHAEL SWIFT, Chief Executive Officer.

LG402***CEMETERIES ACT 1986**

Shire of Manjimup

In pursuance of the powers conferred by Section 53 of the Cemeteries Act 1986, the Council of the Shire of Manjimup hereby records having resolved on 26 July 2001 to set the following fees and charges. All fees detailed hereunder are inclusive of the Goods & Services tax where applicable.

<u>Manjimup Memorial Gardens Cemetery</u>	2001/2002
On application for an Order of Burial and Grant of Right of Burial	
Grave 2.4m x 1.2m (Traditional Section)	\$620.00
Grave 2.4m x 1.2m (Headstone Lawn Section)	\$440.00

2001/2002

Balbarrup (old), Balbarrup, Manjimup, Northcliffe, Pemberton and Walpole Cemeteries.

On application for an Order for Burial and Grant of Right of Burial

Grave 2.4m x 1.2m \$440.00

Grave 2.4m x 2.4m \$880.00

Pre-purchase of Grant of Right of Burial for all cemeteries \$90.00

(This fee is part of the Grant of Right of Burial Fee)

A credit will be given against the cost of Grant of Right of Burial upon production of receipt for pre-purchase

Interment Fees (All Cemeteries)

For interment of an adult \$410.00

For interment of a child under the age of 7 years \$245.00

For interment of stillborn child, or a child who has not lived longer than 48 hours \$140.00

For each interment of cremated ashes \$70.00

Niche Wall

Single Niche; including plaque, standard inscription and installation \$220.00

For installation of a Single Niche only \$110.00

For purchase of a Single Niche only \$110.00

Double Niche; including plaque first inscription and installation \$330.00

Second Inscription; includes installation \$220.00

Niche Wall Reservation (credit against initial costs) \$55.00

Northcliffe Memorial Wall

Purchase of a Single Niche & Installation \$140.00

Purchase of a Single Niche Only \$99.00

Additional Charges

Re-opening an ordinary grave—by others \$75.00

Garden of Remembrance \$290.00

(Inc. plaque, stone & standard inscription; single interment only)

Each interment not in usual hours as prescribed by Bylaw 8

Monday to Friday \$105.00

Saturday, Sunday & Public Holidays \$160.00

For each interment without due notice under Bylaw 10(c) \$170.00

Fee for exhumation \$410.00

Undertaker's Annual Licence Fee \$82.00

Undertakers Fee—Single Interment \$40.00

For permission to erect a monument \$70.00

For a copy of the Bylaws and Regulations \$16.00

For a copy of the Grant of Right of Burial \$16.00

For making a search in the Register (Up to 2 location enquiries free) \$7.75

Each additional location enquiry (minimum \$5) \$2.60

Photocopy of records; per copy (minimum \$2) \$1.40

K. D. LIDDELOW, Shire President.

V. L. McKAY, Chief Executive Officer.

POLICE

PE501**POLICE ACT 1892****POLICE AUCTION**

Under the provisions of the Police Act 1892, unclaimed and stolen property will be sold by Public Auction at South West Auctioneering Company, lot 51 Strelley Street, Busselton on 4/8/2001.

B. MATTHEWS, Commissioner of Police.

PREMIER AND CABINET

PR401**DEPARTMENT OF THE PREMIER AND CABINET**

It is hereby notified for public information that the Governor, on behalf of Her Majesty the Queen, has approved of the retention of the title "Honourable" by the following persons who served continuously as Members of the Legislative Council for a period in excess of ten years—

Cheryl May Davenport
George Maxwell Evans
Thomas Richard Helm
Murray Scott Montgomery
Mark Warriedar Nevill
Muriel Grace Patterson
Robert John Thomas

M. C. WAUCHOPE, Director General.

TRANSPORT

TR401***WESTERN AUSTRALIAN MARINE ACT 1982****RESTRICTED SPEED AREAS—ALL VESSELS****2001 AVON DESCENT**

Department of Transport
Fremantle WA, 31 July 2001

ACTING pursuant to the powers conferred by Section 67 of the Western Australian Marine Act 1982 the Department of Transport by this notice revokes sub-paragraphs a(1), b(1)(i), d(1)(iii) and d(1)(iv) of the notice published in the Government Gazette on 25 October 1991 relating to restricted speed areas for all vessels on the Swan River.

Provided that this revocation will apply only to official bona fide competitors, competing in the 2001 Coates Hire Avon Descent and other bona fide vessels associated with the event, between the hours of 0730 and 1730 on both Saturday 4 August and Sunday 5 August 2001 and will not apply to normal traffic.

After 1730 hours on Sunday 5 August 2001 the speed limits will be re-established in accordance with the terms of the Gazettal notice issued on 25 October 1991.

GARY HODGE, Acting, Director General of Transport.

PUBLIC NOTICES

ZZ201**TRUSTEES ACT 1962**

In the matter of the estate of Grace Margaret Gilmore, late of Alfred Carson Nursing Home, Bay Road, Claremont, Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the Trustees Act 1962 relates) in respect of the estate of the deceased, who died on the 7th day of May, 2001 are required by the applicant for a grant of representation, Barbara Helen McKenna, to send particulars of their claims to here solicitors McKie & Associates, of PO Box 8114, Perth Business Centre, Western Australia, 6849, by the 27th day of August 2001, after which date the applicant for a grant of representation may convey or distribute the assets, having regard only to the claims of which she then has notice.

McKIE, & ASSOCIATES.



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