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GOVERNMENT GAZETTE

PUBLISHING DETAILS FOR EASTER 2007

**Gazettes will not be published on Friday, 6 April or
Tuesday, 10 April 2007.**

—
A Gazette will be published on Thursday, 5 April at 3.30 pm.
Copy closes at noon on Tuesday, 3 April.

—
The next Gazette published will be on Friday, 13 April at 3.30 pm.
Copy closes at noon on Wednesday, 11 April.

— PART 1 —

PROCLAMATIONS

AA101*

PRISONS AMENDMENT ACT 2003

No. 24 of 2003

PROCLAMATION

Western Australia

*By His Excellency**Doctor Kenneth Comminos Michael,
Companion of the Order of Australia,
Governor of the State of Western Australia*

[L.S.]

KENNETH COMMINOS MICHAEL
Governor

I, the Governor, acting under the *Prisons Amendment Act 2003* section 2 and with the advice and consent of the Executive Council, fix 4 April 2007 as the day on which sections 5, 6 and 8 of that Act come into operation.

Given under my hand and the Public Seal of the State on 27 March 2007.

By Command of the Governor,

M. M. QUIRK, Minister for Corrective Services.

AA102*

**PRISONS AND SENTENCING LEGISLATION
AMENDMENT ACT 2006**

No. 65 of 2006

PROCLAMATION

Western Australia

*By His Excellency**Doctor Kenneth Comminos Michael,
Companion of the Order of Australia,
Governor of the State of Western Australia*

[L.S.]

KENNETH COMMINOS MICHAEL
Governor

I, the Governor, acting under the *Prisons and Sentencing Legislation Amendment Act 2006* section 2 and with the advice and consent of the Executive Council, fix the day after the day on which this proclamation is published in the *Government Gazette* as the day on which the provisions of that Act, other than sections 1 and 2, come into operation.

Given under my hand and the Public Seal of the State on 27 March 2007.

By Command of the Governor,

M. M. QUIRK, Minister for Corrective Services.

Note: Under section 22 of the *Interpretation Act 1984*, sections 1 and 2 came into operation on 8 December 2006.

JUSTICE

JU301*

Juries Act 1957

Jury Pools Amendment Regulations 2007

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Jury Pools Amendment Regulations 2007*.

2. Commencement

These regulations come into operation —

- (a) on the day on which the *Prisons and Sentencing Legislation Amendment Act 2006* Part 9 comes into operation; or
- (b) if these regulations are published in the *Gazette* on a later day, on that day.

3. The regulations amended

The amendment in these regulations is to the *Jury Pools Regulations 1982**.

[* *Reprint 1 as at 19 December 2003.*

For amendments to 12 March 2007 see Western Australian Legislation Information Tables for 2005, Table 4.]

4. Regulation 10 inserted

After regulation 9 the following regulation is inserted —

“

10. Prescribed persons not eligible to serve as jurors

A person is prescribed for the purposes of the Second Schedule Part I clause 2(o) of the Act if the person —

- (a) is employed in a department of the Public Service that principally assists the Attorney General to administer Acts administered by the Attorney General, other than a person employed for the purposes of —
 - (i) the *Births, Deaths and Marriages Registration Act 1998* section 7; or

- (ii) the *Public Trustee Act 1941* section 6, or provides services to such a department under a contract for services; or
- (b) is employed in a department of the Public Service that principally assists the Minister for Corrective Services to administer Acts administered by the Minister, or provides services to such a department under a contract for services; or
- (c) is a person referred to in the Second Schedule Part I clause 2(o)(iii) of the Act.

”

By Command of the Governor,

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

JU302*

Prisons Act 1981

Prisons Amendment Regulations 2007

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Prisons Amendment Regulations 2007*.

2. Commencement

These regulations come into operation on the day on which the *Prisons and Sentencing Legislation Amendment Act 2006* comes into operation.

3. The regulations amended

The amendments in these regulations are to the *Prisons Regulations 1982**.

[* Reprinted as at 19 November 2004.]

4. Regulation 2 amended

(1) Regulation 2 is amended as follows:

- (a) before “In” by inserting the subregulation designation “(1)”;

- (b) by inserting after “In these regulations” —
“ unless the contrary intention appears ”;
- (c) by deleting the full stop after the definition of
“organization” and inserting instead a semicolon;
- (d) by inserting in the appropriate alphabetical positions —

“

“**approved**” means approved in writing by the chief executive officer;

“**supervision**” by a person of a prisoner does not require the person to be in the physical presence of the prisoner.

”

- (2) At the end of regulation 2 the following subregulation is inserted —

“

- (2) In these regulations a reference to —
 - (a) a person being “in charge” of a prisoner; or
 - (b) a prisoner being “in the charge” of a person,
 is a reference to the person being in the physical presence of the prisoner and having reasonable control over him or her.

”

5. **Regulation 14 replaced**

Regulation 14 is repealed and the following regulation is inserted instead —

“

14. **Duty regarding prisoner absent from prison**

A prison officer in charge or having the supervision of any prisoner absent from a prison shall ensure that the prisoner complies with the provisions, conditions and stipulations of the relevant permit for absence, or order under section 85 of the Act, relating to the prisoner, and shall at all times keep the prisoner under the prison officer’s charge or supervision.

”

6. **Regulation 18 amended**

Regulation 18(1)(b) is amended by inserting after “his charge” —

“ or under his supervision ”.

7. **Regulation 26 amended**

Regulation 26 is amended by deleting the definition of “approved”.

8. Regulation 26C amended

Regulation 26C(3)(b) is amended by deleting “person approved by the chief executive officer” and inserting instead —

“ approved person ”.

9. Part V Division 1 heading inserted

Before regulation 32 the following heading is inserted in Part V —

“

Division 1 — Prisoner property

”.

10. Regulation 33 amended

Regulation 33(2) is amended by deleting “section 22” and inserting instead —

“ section 85 ”.

11. Part V Division 2 heading inserted

After regulation 37 the following heading is inserted —

“

Division 2 — Prisoner records

”.

12. Regulation 39 amended

Regulation 39(3) is repealed.

13. Part V Division 3 heading inserted

After regulation 39 the following heading is inserted —

“

Division 3 — Prisoner conduct

”.

14. Part V Division 4 heading inserted

After regulation 42 the following heading is inserted —

“

Division 4 — Prisoner work

”.

15. Part V Division 5 heading inserted

After regulation 44 the following heading is inserted —

“

Division 5 — Prisoner gratuities and other moneys

”.

16. Regulation 45B amended

- (1) Regulation 45B is amended by inserting before “Where” the subregulation designation “(1)”.
- (2) At the end of regulation 45B the following subregulation is inserted —
“
 - (2) Where a prisoner’s gratuities are cancelled for a period not exceeding 14 days under a determination under Part VII of the Act, that prisoner shall for that period continue to perform work.”

17. Part V Division 6 heading inserted

After regulation 50 the following heading is inserted —

“

Division 6 — Information provided to prisoners

”

18. Part V Division 7 heading inserted

After regulation 51 the following heading is inserted —

“

Division 7 — Visitors

”

19. Regulation 54A repealed

Regulation 54A is repealed.

20. Part V Division 8 heading inserted

After regulation 54BA the following heading is inserted —

“

Division 8 — Separation of prisoners

”

21. Part V Divisions 9, 10 and 11 inserted

After regulation 54C the following Divisions are inserted into Part V —

“

Division 9 — Absence permits**54D. Prescribed purposes or circumstances for absence permits**

For the purposes of section 83(3)(a) of the Act, a prescribed purpose is, or prescribed circumstances are —

- (a) facilitating the rehabilitation of a prisoner and the successful reintegration of the prisoner into the community;

- (b) facilitating the education and training of a prisoner;
- (c) facilitating the employment, or the preparation for employment, of a prisoner;
- (d) facilitating participation by a prisoner in community work or work associated with the operation of the prison;
- (e) facilitating the maintenance by a prisoner of cultural ties and enabling the prisoner to meet cultural obligations;
- (f) facilitating the observance by a prisoner of religious or spiritual beliefs or practices;
- (g) facilitating a prisoner's participation in recreational activities or other activities that will promote the wellbeing of the prisoner;
- (h) preparing a prisoner for release;
- (i) facilitating the maintenance of contact between a prisoner and his or her family, or any other approved person, and enabling the prisoner to meet responsibilities to that family or person, including parental or guardianship responsibilities;
- (j) enabling the prisoner to be absent from prison on compassionate grounds;
- (k) facilitating the provision of medical, dental or other approved ancillary health services to a prisoner;
- (l) facilitating the investigation of an offence or the administration of justice.

54E. Duration of absence permit

- (1) In the case of an absence permit for a purpose or in circumstances mentioned in regulation 54D(a), (b), (c), (d), (e), (f), (g) or (h), the period specified in the absence permit under section 83(2)(a) of the Act shall be not longer than —
 - (a) the shortest period reasonably required for that purpose or in those circumstances, including travel time; or
 - (b) 12 hours, plus travelling time to and from the prison,

whichever is shorter.

- (2) In the case of an absence permit for a purpose or in circumstances mentioned in regulation 54D(i), the period specified in the absence permit under section 83(2)(a) of the Act shall be not longer than —
- (a) the shortest period reasonably required for that purpose or in those circumstances, including travel time; or
 - (b) 36 hours, plus travelling time to and from the prison,

whichever is shorter.

- (3) In the case of an absence permit for a purpose or in circumstances mentioned in regulation 54D(j), (k) or (l), the period specified in the absence permit under section 83(2)(a) of the Act shall be the shortest period reasonably required for that purpose or in those circumstances, including travel time.

54F. Eligibility for absence permit

- (1) A prisoner is not eligible to receive an absence permit except in accordance with this regulation.
- (2) Every prisoner is eligible to receive an absence permit for a purpose or in circumstances mentioned in regulation 54D(j), (k) or (l).
- (3) A prisoner who has been given a minimum security rating by the chief executive officer is eligible to receive an absence permit for a purpose or in circumstances mentioned in regulation 54D(a), (b), (c), (d), (e), (f), (g), (h) or (i).
- (4) A prisoner sentenced to a life term or indefinite imprisonment is eligible to receive an absence permit for a purpose or in circumstances mentioned in regulation 54D(a), (b), (c), (d), (e), (f), (g), (h) or (i) if that purpose is, or those circumstances are, part of a re-socialisation programme approved under the *Sentence Administration Act 2003* section 13.

54G. Arrangements relating to accommodation and community work

The chief executive officer may —

- (a) enter into an arrangement with a person for —
 - (i) a prisoner to stay in accommodation provided or arranged by the person; or
 - (ii) a prisoner to perform community work for, or arranged by, the person; or
 - (iii) the person to accompany the prisoner,

while the prisoner is absent from prison on an absence permit; and

- (b) as part of an arrangement under paragraph (a)(ii), require a financial contribution, payment or commitment from the person to cover expenses incurred by the Department in relation to the absence permit.

54H. Terms of paid employment of prisoner on an absence permit

Where a prisoner is in paid employment while absent from prison on an absence permit, the terms and conditions, including the amount payable, in respect of the employment shall be —

- (a) the terms and conditions including the amount payable under any award or agreement in force under —
 - (i) the *Industrial Relations Act 1979*; or
 - (ii) the *Industrial Relations Act 1988* of the Commonwealth,that applies to the employment; or
- (b) if there is no such award or agreement — such terms and conditions, including the amount payable, as are agreed upon by the employer and the chief executive officer.

54I. Appointment of escorts and supervisors

The chief executive officer may appoint as an escort or supervisor of a prisoner who is absent from prison on an absence permit —

- (a) a prison officer; or
- (b) a contract worker as defined in the *Court Security and Custodial Services Act 1999* section 3; or
- (c) any other person who the chief executive officer thinks is fit to be appointed as an escort or supervisor.

54J. Restrictions of giving absence permits

The chief executive officer shall not give an absence permit to a prisoner unless he or she is satisfied that the prisoner will, at all times that the prisoner is absent from prison under the permit, comply with every condition of the permit.

54K. Standard conditions of absence permits

- (1) An absence permit is subject to the condition that the prisoner shall —
 - (a) at all times that the prisoner is absent from prison under the permit, remain in the charge of an escort, or under the supervision of a supervisor, as specified in the permit; and
 - (b) comply with every order or direction of that escort or supervisor.
- (2) An absence permit for a period requiring overnight accommodation is subject to the condition that the prisoner shall stay in approved accommodation and no other accommodation.

54L. Amounts deducted from moneys paid to a prisoner on an absence permit

- (1) The chief executive officer may order a deduction from moneys paid to a prisoner employed while the prisoner is absent from prison on an absence permit —
 - (a) to pay any outstanding fines, restitution or compensation payable by the prisoner under a conviction by a court or a determination under Part VII of the Act; or
 - (b) for the prisoner's savings or purchases; or
 - (c) for the prisoner's contributions to the upkeep of his or her family, or any other approved person; or
 - (d) to defray any expenses relating to board or employment incurred while the prisoner was absent on the permit.
- (2) When money is deducted under subregulation (1), the balance remaining shall not be less than one week's gratuities payable for work classified under regulation 44(1) as Level 1.

Division 10 — Interstate absence permits**54M. Interpretation**

In this Division, unless the contrary intention appears —

“corresponding law” means a law that is declared to be a corresponding law in regulation 54N;

“external facility” has the meaning given to that term in section 23(1) of the Act;

“interstate escort” means a person who is authorised under an interstate absence permit to escort an interstate prisoner to or through this State;

“interstate absence permit” —

- (a) in relation to a prisoner in this State, means an absence permit authorising the person to travel to or through a participating State or Territory; and
- (b) in relation to an interstate prisoner, means a permit given under a corresponding law authorising the prisoner to travel to or through this State;

“interstate prisoner” means a person imprisoned in a participating State or Territory;

“participating State or Territory” means any other State or a Territory in which a corresponding law is in force.

54N. Corresponding laws

A law of another State or a Territory specified in the Table to this regulation is declared to be a corresponding law for the purposes of this Division.

Table

Law	State/Territory
<i>Prisoners' Interstate Leave Act 1997</i>	Australian Capital Territory
<i>Crimes (Administration of Sentences) Act 1999</i> Part 2 Division 3 Subdivision 2	New South Wales
<i>Prisons (Correctional Services) Act</i> Part XVII Division 2	Northern Territory
<i>Corrective Services Act 2006</i> Chapter 2 Part 2 Division 9	Queensland
<i>Correctional Services Act 1982</i> Part 4 Division 5	South Australia
<i>Corrections Act 1997</i> Part 6	Tasmania
<i>Corrections Act 1986</i> Part 8A	Victoria

54O. Interstate absence permit

The chief executive officer may, if he or she thinks it is appropriate, give to a prisoner in this State an interstate absence permit for any purpose that, or in any circumstances where, an absence permit may be given.

54P. Notice to participating State or Territory

On giving an interstate absence permit to a prisoner in this State, the chief executive officer shall give written notice of the fact that the permit has been given, and of the period of the permit —

- (a) in relation to the participating State or Territory to which the prisoner is travelling —
 - (i) to the officer responsible for the administration of prisons (however described) in that State or Territory; and
 - (ii) to the chief officer of police of that State or Territory;

and

- (b) in relation to any other participating State or Territory through which the prisoner is travelling — to the chief officer of police of that State or Territory.

54Q. WA escorts

If it is a condition of an interstate absence permit given to a prisoner in this State that the prisoner shall be escorted to or through a participating State or Territory, the permit —

- (a) authorises the escort to be in charge of the prisoner for the purpose of escorting the prisoner to or through the participating State or Territory in accordance with the permit; and
- (b) authorises the escort to be in charge of the prisoner for the purpose of returning the prisoner to the prison or any external facility from which the prisoner is absent,

except for any period during which the prisoner is in custody in a prison in a participating State or Territory under a provision of a corresponding law corresponding with regulation 54R(2) or 54T.

54R. Interstate escorts

- (1) An interstate escort is authorised, while in this State —
 - (a) to be in charge of an interstate prisoner for the purposes and period set out in the relevant interstate absence permit; and
 - (b) to be in charge of the interstate prisoner for the purpose of returning the prisoner to the participating State or Territory,

except for any period during which the prisoner is in custody in a prison, external facility or police lock-up under subregulation (2) and regulation 54T.

- (2) If the interstate prisoner is in the charge of an interstate escort and requires overnight accommodation while in this State, the prisoner may, at the request of the escort, be detained in a prison, external facility or police lock-up for that period, and the relevant interstate absence permit is sufficient authority for that detention.

54S. Arrest of interstate prisoners

If, while an interstate prisoner is in this State, the prisoner —

- (a) escapes or attempts to escape from the charge of an interstate escort or from the custody of a prison, external facility or police lock-up under regulation 54R(2); or
- (b) otherwise breaches a condition of the relevant interstate absence permit,

the prisoner may be arrested, without warrant, by a prison officer, a police officer, the prisoner's escort, if any, or a contract worker as defined in the *Court Security and Custodial Services Act 1999* section 3, and taken to the nearest police station.

54T. Return of arrested interstate prisoners to State or Territory of origin

- (1) An interstate prisoner who is arrested under regulation 54S shall be brought before a court of summary jurisdiction within 2 working days of the day of arrest and may be detained in a prison, external facility or police lock-up until that occurs.
- (2) The court of summary jurisdiction may, if the court thinks appropriate, order that the prisoner —
 - (a) be returned by the prisoner's interstate escort to the State or Territory in which the relevant interstate absence permit was given; or
 - (b) be delivered into the custody of another escort for the purposes of being returned to that State or Territory,

as the case requires.

- (3) If an order is made under subregulation (2)(b) —
 - (a) the prisoner may be detained in a prison, external facility or police lock-up until —
 - (i) the order is executed; or
 - (ii) the expiration of 7 days from the making of the order,whichever occurs first; and

- (b) the order, if not executed, expires at the end of that 7 day period.

54U. Status of detained interstate prisoners

An interstate prisoner shall, while detained in a prison, external facility or police lock-up under regulation 54R(2) or 54T, be taken to be a prisoner for the purposes of —

- (a) the Act; and
- (b) these regulations except paragraph (a) of the definition of “interstate absence permit” in regulation 54M.

Division 11 — Bring up orders

54V. Superintendent authorised to issue bring up order

A superintendent of a prison is authorised for the purposes of section 85(1)(c) of the Act.

54W. Custody of prisoners on bring up orders

Where an order under section 85 of the Act is made —

- (a) the superintendent of the prison in which the prisoner is confined may charge a prison officer or officer with the execution of the order; and
- (b) a prisoner who is brought up under the order shall —
 - (i) while absent from a prison or other facility for the purpose specified in the order, be kept in the charge of a prison officer, officer or police officer; and
 - (ii) in due course and subject to any lawful order to the contrary, be returned to the custody from which the prisoner was brought up without prejudice to any cause or matter for which he or she was in that custody;

and

- (c) if the proceeding that the prisoner is required to attend is adjourned, the prisoner may during the adjournment —
 - (i) be taken to and confined in any prison or be kept at any place in the charge of the prison officer or officer charged with the execution of the order, a police officer or a contract worker as defined in the *Court Security and Custodial Services Act 1999* section 3; and

- (ii) be brought up from time to time and day-to-day to the court or place where his or her attendance is required.

”.

22. Regulation 73 amended

Regulation 73(2) is repealed.

23. Regulation 80 amended

Regulation 80(6) is amended by deleting “apparatus approved by the chief executive officer.” and inserting instead —

“ approved apparatus. ”.

24. Regulation 81A amended

Regulation 81A is amended by deleting the definition of “approved”.

25. Regulation 81B amended

Regulation 81B(1)(a) is amended by deleting “a training programme approved by the chief executive officer;” and inserting instead —

“ an approved training programme; ”.

26. Regulations 87 and 88 inserted

After regulation 86 the following regulations are inserted —

“

**87. Restriction of access to exchange information:
s. 113(9)(b)**

- (1) A person shall not publish information disclosed under section 113(6) of the Act without the written approval of the chief executive officer.

Penalty: a fine of \$1 000.

- (2) The chief executive officer shall not give approval under subregulation (1) unless the chief executive officer is satisfied that —

- (a) the research for which the information was disclosed was conducted in a methodologically sound manner; and
- (b) the report based on that research is factually correct; and
- (c) the publication does not identify individuals, reveal confidential Departmental information or otherwise pose a security risk to the operations of the Department.

88. Prescribed kinds of information disclosed to victims

For the purposes of section 113B(2) of the Act, prescribed kinds of information are —

- (a) details of where the prisoner is being detained or is otherwise located while serving a sentence and notification and details of any proposed transfer;
- (b) any security rating assigned to the prisoner by the chief executive officer and notification and details of any proposed change in that security rating;
- (c) details of each sentence the prisoner is serving and notification and details of any changes resulting from any appeal;
- (d) the date, time and circumstances of any escape from custody by the prisoner and notification of the subsequent recapture of the prisoner;
- (e) notification of the death, or entry into hospice care, of the prisoner;
- (f) a description of any programme in which the prisoner has participated or is participating while in prison;
- (g) notification and details of any release or absence from custody of the prisoner;
- (h) details of any conditions attached to the release or absence from custody of the prisoner impacting on the victim and notification when any of those conditions cease to have effect;
- (i) the region, city, town or suburb in which the prisoner will reside upon release;
- (j) a photograph of the prisoner.

”.

By Command of the Governor,

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

JU303*

Sentence Administration Act 2003

Sentence Administration Amendment Regulations 2007

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Sentence Administration Amendment Regulations 2007*.

2. Commencement

These regulations come into operation on the day on which the *Prisons and Sentencing Legislation Amendment Act 2006* comes into operation.

3. The regulations amended

The amendment in these regulations is to the *Sentence Administration Regulations 2003**.

[* *Published in Gazette 29 August 2003, p. 3842-50.*
For amendments to 2 March 2007 see Western Australian Legislation Information Tables for 2005, Table 4, and Gazette 25 February 2005 and 29 December 2006.]

4. Regulations 23A and 23B inserted

After regulation 23 the following regulations are inserted in Part 7 —

“

23A. Restriction of access to exchange information: s. 97B(9)(b)

- (1) A person must not publish information disclosed under section 97B(6) of the Act without the written approval of the CEO.

Penalty: a fine of \$1 000.

- (2) The CEO must not give approval under subregulation (1) unless the CEO is satisfied that —
- (a) the research for which the information was disclosed was conducted in a methodologically sound manner; and

- (b) the report based on that research is factually correct; and
- (c) the publication does not identify individuals, reveal confidential departmental information or otherwise pose a security risk to the operations of the department.

23B. Prescribed kinds of information disclosed to victims

- (1) In this regulation —
“**community corrections order**” has the meaning given to that term in section 83 of the Act.
- (2) For the purposes of section 97D(2) of the Act, prescribed kinds of information are —
 - (a) details of the location of the community corrections centre the offender is attending, and notification and details of any move by the offender to another centre;
 - (b) details of each community corrections order to which the offender is subject and notification and details of any changes to the order resulting from a review or appeal;
 - (c) the date of, and circumstances giving rise to —
 - (i) the suspension or cancellation of any early release order applying to the offender; or
 - (ii) the lodgment of a notice in relation to the offender under the *Sentencing Act 1995* section 84E or 129; or
 - (iii) the commencement of a prosecution against the offender under the *Sentencing Act 1995* section 84J or 131;
 - (d) notification of the death, or entry into hospice care, of the offender;
 - (e) a description of any programme in which the offender has participated or is participating while subject to a community corrections order;
 - (f) the region, city, town or suburb in which the offender is or was residing —
 - (i) while subject to a community corrections order; and
 - (ii) at the completion of the community corrections order;
 - (g) a photograph of the offender.

”.

By Command of the Governor,

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

JU304*

Young Offenders Act 1994

Young Offenders Amendment Regulations 2007

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Young Offenders Amendment Regulations 2007*.

2. Commencement

These regulations come into operation on the day on which the *Prisons and Sentencing Legislation Amendment Act 2006* comes into operation.

3. The regulations amended

The amendment in these regulations is to the *Young Offenders Regulations 1995**.

[* Reprinted as at 21 November 2003.

For amendments to 1 March 2007 see *Western Australian Legislation Information Tables for 2005, Table 4*.]

4. Regulation 40B inserted

After regulation 40A the following regulation is inserted in Part 6A —

“

40B. Restriction of access to exchange information (s. 16(8)(b))

(1) A person must not publish information disclosed under section 16(5) of the Act without the written approval of the chief executive officer.

Penalty: a fine of \$1 000.

(2) The chief executive officer must not give approval under subregulation (1) unless the chief executive officer is satisfied that —

- (a) the research for which the information was disclosed was conducted in a methodologically sound manner; and
- (b) the report based on that research is factually correct; and

- (c) the publication does not identify individuals, reveal confidential departmental information or otherwise pose a security risk to the operations of the Department.

”.

By Command of the Governor,

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

— PART 2 —

AGRICULTURE

AG401*

AGRICULTURAL PRODUCE COMMISSION ACT 1988

APC POME, CITRUS AND STONE FRUIT PRODUCERS' COMMITTEE DIRECTIONS 1991

(Gazetted 25 May 2001)

In accordance with Section 11(3) of the Act the *APC Pome, Citrus and Stone Fruit Producers' Committee Directions 2001* are amended. The number of Committee members is decreased from 12 members to 9 members, therefore Direction 4.1 and 10.4 are amended as follows—

Constitution of the Committee

4.1 Subject to the Act, there is to be a Committee consisting of 9 members appointed by the Commission.

Meetings

10.4 At a meeting of the Committee, 5 members constitute a quorum.

Given by the Agricultural Produce Commission.

Dated: 20 March 2007.

P. WELLS, Chairman.

AG402*

CHICKEN MEAT INDUSTRY ACT 1977

SPECIFIED AMOUNT

It is hereby notified as required by section 16(6)(b) of the *Chicken Meat Industry Act 1977* that on the 26 March 2007, the Chicken Meat Industry Committee determined, pursuant to section 16(1) of the Act, that the average price that is to be paid by processors to growers for broiler chickens is—

- 63.76 cents per bird for all birds placed after 31 December 2006.

B. ANNEN, Secretary,
Chicken Meat Industry Committee.

CONSUMER AND EMPLOYMENT PROTECTION

CE401*

CHARITABLE COLLECTIONS ACT 1946

REVOCATION OF LICENCES

I, Patrick Walker, being the officer delegated by the Minister administering the *Charitable Collections Act 1946*, and acting in the exercise of the powers conferred by subsection (3) of section 12 of that Act, hereby give notice that I have revoked the licence of the organisations listed below—

- BLUE LIGHT ASSOCIATION OF WESTERN AUSTRALIA INC

Dated this 27th day of March 2007.

PATRICK WALKER, Commissioner for Consumer Protection.

ENERGY

EN401*

ELECTRICITY INDUSTRY ACT 2004

section 23 (1)

NOTICE OF DECISIONS

Notice is given that the following Generation Licence has been amended—

Licensee: Walkaway Wind Power Pty Ltd
 Issue Date: 4 September 2006
 Address of Licensee: Level 23, The Chifley Tower
 2 Chifley Square
 Sydney NSW 2000
 Classification: Generation (EGL2)
 Term of Licence: Up to and including 23 March 2036
 Amendment: Licensee address detail amendment.
 Area Covered: 30 km south east of Geraldton in the Shire of Greenough on Victoria
 Locations 1853, 1854, 2026, 2416, 3503, 7115, 7902, 8193, 9738, 9818, Lot 1
 Diagram 78794, Lot 1 Plan 9024, Lot 2 on Diagram 78794 and Lot 123
 Diagram 3416. (Plan No. ERA-EL-066)
 Inspection of Licence: Economic Regulation Authority
 6th Floor
 197 St Georges Terrace
 Perth WA 6000
<http://www.era.wa.gov.au>

LYNDON G. ROWE, Chairman,
 Economic Regulation Authority.

INSURANCE

IZ401*

MOTOR VEHICLE (THIRD PARTY INSURANCE) ACT 1943

RATES

In accordance with the requirements of Section 3C and 3D of the *Motor Vehicle (Third Party Insurance) Act 1943*, I give notice that the following amounts will apply for the purposes of those sections with effect from 1 July 2007.

Amount A	\$292,000
Amount B	\$14,500
Amount C	\$44,500
Amount D	\$5,000

Hon LJILJANNA RAVLICH MLC,
 Minister for Local Government; Racing and Gaming;
 Multicultural Interests and Citizenship; Government Enterprises;
 Minister Assisting the Minister for Planning and Infrastructure;
 Goldfields-Esperance; Youth.

LOCAL GOVERNMENT

LG401*

SHIRE OF CAPEL

AUTHORISED PERSON

It is hereby notified for public information that Mr Robert Anthony Anstee has been appointed as an authorised person of the Shire of Capel pursuant to the following from 6 August 2007.

1. An Authorised Officer to administer the following legislation—

Bush Fires Act 1954
 Caravan Parks and Camping Grounds Act 1995

Control of Vehicles (Off-road areas) Act 1978
Dog Act 1976
Local Government Act 1995—Section 3.39 and Part 9 Division 2
Local Government (Miscellaneous Provisions) Act 1960
Litter Act 1979

2. A Pound Keeper and Ranger to exercise powers under Part XX of Local Government (Miscellaneous Provisions) Act 1960.

3. A 'Prosecutor' (to instigate and carry on proceed against persons committing offences) under section 59(3) of Bush Fires Act 1954 and section 44(2)(b) of Dog Act 1976.

29 March 2007.

P. F. SHEEDY, Chief Executive Officer.

MINERALS AND PETROLEUM

MP101

PRINTERS CORRECTION

PETROLEUM (SUBMERGED LANDS) ACT 1982

PETROLEUM (SUBMERGED LANDS) (PIPELINES) REGULATIONS 2007

DETERMINATION UNDER REGULATION 53(1)(C)

An error occurred in the notice published under the above heading on page 1410 of *Government Gazette* No. 61 dated 27 March 2007 and is corrected as follows.

In the heading delete the words—

“ Regulation 53(1)(c) ”

and insert—

“ Regulation 56(1)(c) ”

MP401*

Commonwealth of Australia

PETROLEUM (SUBMERGED LANDS) ACT 1967

GRANT OF EXPLORATION PERMIT

Exploration Permit No. WA-397-P has been granted to Woodside Energy Ltd to have effect for a period of six (6) years from 27 March 2007.

W. L. TINAPPLE, Director Petroleum
and Royalties Division.

MP402*

Commonwealth of Australia

PETROLEUM (SUBMERGED LANDS) ACT 1967

GRANT OF EXPLORATION PERMIT

Exploration Permit No. WA-396-P has been granted to Woodside Energy Ltd to have effect for a period of six (6) years from 27 March 2007.

W. L. TINAPPLE, Director Petroleum
and Royalties Division.

PARLIAMENT

PA401*

POSEIDON NICKEL AGREEMENT ACT 1971 DISALLOWANCE OF VARIATION AGREEMENT

It is hereby notified for public information that the Legislative Assembly has disallowed the following Variation Agreement made under the *Poseidon Nickel Agreement Act 1971*—

Poseidon Nickel Agreement Act 1971 Variation Agreement dated 3 October 2006, between the Hon. Alan John Carpenter MLA, Premier of the State of Western Australia and Niagara Mining Limited (Niagara) and laid on the Table of the Legislative Assembly on 21 November 2006.

Disallowance is effective on and from Wednesday, 21 March 2007.

Dated 29 March 2007.

PETER J. McHUGH, Clerk of the Legislative Assembly.

PLANNING AND INFRASTRUCTURE

PI701*

PLANNING AND DEVELOPMENT ACT 2005 CALL FOR PUBLIC SUBMISSIONS

Metropolitan Region Scheme amendments

1127/41—Lots 3 and 4 Zig Zag Road; 459-463, 510-513, 520, 521 and 709 Baldivis Road; 515-518 Sabrina Road; and 447 Telephone Lane, Baldivis

1128/41—Lots 104 and 105, 532-538, 540 & 541, 543-545, 746-750, 921 and 922 Baldivis Road, Baldivis

1129/41—Lot 3 Folly Road and Lot 10 Baldivis Road, Baldivis

1130/41—Lot 3 Pike Road; Lots 1, 2 and Part Lot 335 Eighty Road; and Lots 1, 2 and Part Lot 334 Mandurah Road, Baldivis

The Western Australian Planning Commission (WAPC) intends to amend the Metropolitan Region Scheme (MRS) for land in the City of Rockingham and is seeking public comment.

The purpose of these amendments is to rezone land adjoining the existing Baldivis urban area from the rural zone to the urban zone in the MRS. The sites to be rezoned are outlined as follows—

Amendment 1127/41—the area bounded by Zig Zag Road, Baldivis Road and the Kwinana Freeway.

Amendment 1128/41—the area bounded by Zig Zag Road, Baldivis Road, Folly Road and the Kwinana Freeway.

Amendment 1129/41—the area bounded by Folly Road, Baldivis Road and the Kwinana Freeway.

Amendment 1130/41—the eastern portion of the area bounded by Pike Road, Eighty Road, Mandurah Road and the southern boundary of the lots on Chandler Ramble.

The planning objective of these amendments is to provide urban land for future communities, designed around networks and centres through detailed structure planning which will be undertaken under the local planning scheme.

Local planning scheme amendment

Section 126(3) of the *Planning and Development Act 2005* allows for the ‘parallel’ amendment of a local planning scheme when land is transferred to the urban zone in the region scheme. The City of Rockingham has requested approval to include the land affected by the region scheme amendments in the development zone of the local planning scheme.

If the region scheme amendment is approved, the WAPC may also transfer the land to the development zone in the local planning scheme. This will enable detailed structure planning to commence under the local planning scheme process, which includes the opportunity for further public consultation.

The plans showing the proposed change and the Commission’s *Amendment Report* which explains the proposal, will be available for public inspection from 30 January 2007 to 4 May 2007 at each of the following places—

- Western Australian Planning Commission
Wellington Street, Perth
- J S Battye Library
Level 3, Alexander Library Building
Perth Cultural Centre
- City of Perth
- City of Rockingham
- City of Fremantle
- Town of East Fremantle
- City of Cockburn
- Town of Kwinana
- City of Melville

Documents are also available from the Commission’s internet site www.wapc.wa.gov.au.

Submissions

Any person who desires to make a submission to support, object or provide comment on any of the proposed amendments should do so on a form 41. This submission form is available from the display locations and the website, and is included in the amendment report.

Submissions must be lodged with the: Secretary, Western Australian Planning Commission, 469 Wellington Street, Perth WA 6000; on or before 5 pm Friday 4 May 2007.

Late submissions will not be considered.

MOSHE GILOVITZ, Secretary,
Western Australian Planning Commission.

PREMIER AND CABINET

PC401***INTERPRETATION ACT 1984**
MINISTERIAL ACTING ARRANGEMENTS

It is hereby notified for public information that the Governor in accordance with Section 52(1)(b) of the *Interpretation Act 1984* has approved the following temporary appointment—

Hon J C Kobelke MLA to act temporarily in the office of Minister for Corrective Services; Small Business; Minister Assisting the Minister for Federal-State Relations in the absence of the Hon M M Quirk MLA for the periods 15 to 22 April 2007 and 26 April to 6 May 2007 (all dates inclusive).

M. C. WAUCHOPE, Director General,
Department of the Premier and Cabinet.

PC402***INTERPRETATION ACT 1984**
MINISTERIAL ACTING ARRANGEMENTS

It is hereby notified for public information that the Governor in accordance with Section 52(1)(b) of the *Interpretation Act 1984* has approved the following temporary appointment—

Hon L Ravlich MLC to act temporarily in the office of Minister for Planning and Infrastructure in the absence of the Hon A MacTiernan MLA for the period 24 to 27 March 2007 (both dates inclusive).

M. C. WAUCHOPE, Director General,
Department of the Premier and Cabinet.

DECEASED ESTATES

ZX401**TRUSTEES ACT 1962**
DECEASED ESTATES**Notice to Creditors and Claimants**

Any creditors having claims on the estate of the late Terence Malcolm Buckroyd of 1/7 Troy Street, Bassendean, WA, deceased 10 November 2006, are required to send particulars of their claims to Ms Swan and Ms Henderson, Administrators, c/- Lynn & Brown Lawyers, PO Box 1114, Morley WA 6943 by 30th April 2007, after which date the administrators may distribute the assets having regard only to the claims of which they then have notice.

ZX402

TRUSTEES ACT 1962**DECEASED ESTATES**

Notice to Creditors and Claimants

In the matter of the Estate of Beryl Christina Godfrey, late of McNamara Lodge, 41 Portrush Parade, Meadow Springs, 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 abovenamed deceased who died on the 13th day of July 2005 are required by the Executor Patricia Shipperd to send particulars of their claims by the 4th day of May 2007 to her care of Hammond King Touyz, Barrister and Solicitors, 3rd Floor, 8 St Georges Terrace, Perth WA 6000 after which date the Executor may convey or distribute the assets, having regard only to the claims of which the Executor then has notice.

HAMMOND KING TOUYZ, Solicitors for the Executor.

WESTERN AUSTRALIA

LOCAL GOVERNMENT ACT 1995**Consolidated Loose Leaf Version
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