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— PART 1 —

PROCLAMATIONS

AA101

Building and Construction Industry (Security of Payment) Act 2021

Building and Construction Industry (Security of Payment) Act 2021 Commencement Proclamation 2022

SL 2022/78

Made under the *Building and Construction Industry (Security of Payment) Act 2021* section 2(c) by the Governor in Executive Council.

1. Citation

This proclamation is the *Building and Construction Industry (Security of Payment) Act 2021 Commencement Proclamation 2022*.

2. Commencement

- (1) In this proclamation —
commenced provisions means the *Building and Construction Industry (Security of Payment) Act 2021* Part 1 (but only Division 1) and Part 5 (but only Division 1 and only section 98).
- (2) The *Building and Construction Industry (Security of Payment) Act 2021*, other than the commenced provisions, comes into operation as follows —
 - (a) the following provisions come into operation on 1 August 2022 —
 - (i) Part 1 Divisions 2 and 3;
 - (ii) Part 2;
 - (iii) Part 3 (other than sections 57, 59, 60, 61 and 65);
 - (iv) sections 88 to 97;
 - (v) Part 5 Division 2;
 - (vi) Part 6 (other than section 118);
 - (vii) Part 7 (other than sections 123 and 124 and Division 2);

- (b) the following provisions come into operation on 1 February 2023 —
- (i) sections 57 and 65;
 - (ii) Part 4 (other than section 87);
 - (iii) sections 118, 123 and 124;
 - (iv) Part 7 Division 2;
- (c) the rest of the Act comes into operation on 1 February 2024.

K. BEAZLEY, Governor.

L.S.

R. COOK, Minister for Commerce.

Note: This proclamation brings into operation the remainder of the *Building and Construction Industry (Security of Payment) Act 2021*.

AA102

Veterinary Practice Act 2021

Veterinary Practice Act 2021 Commencement Proclamation 2022

SL 2022/81

Made under the *Veterinary Practice Act 2021* section 2(b) by the Governor in Executive Council.

1. Citation

This proclamation is the *Veterinary Practice Act 2021 Commencement Proclamation 2022*.

2. Commencement

The *Veterinary Practice Act 2021*, other than Part 1, comes into operation on the day after the day on which this proclamation is published in the *Gazette*.

K. BEAZLEY, Governor.

L.S.

A. MacTIERNAN, Minister for Agriculture and Food.

Note: This proclamation brings into operation the remainder of the *Veterinary Practice Act 2021*.

AA103

Mutual Recognition (Western Australia) Amendment Act 2022

**Mutual Recognition (Western Australia)
Amendment Act 2022 Commencement
Proclamation 2022**

SL 2022/80

Made under the *Mutual Recognition (Western Australia) Amendment Act 2022* section 2(b) by the Governor in Executive Council.

1. Citation

This proclamation is the *Mutual Recognition (Western Australia) Amendment Act 2022 Commencement Proclamation 2022*.

2. Commencement

The *Mutual Recognition (Western Australia) Amendment Act 2022*, other than Part 1, comes into operation on 1 July 2022.

K. BEAZLEY, Governor.

L.S.

M McGOWAN, Premier.

Note: This proclamation brings into operation the remainder of the *Mutual Recognition (Western Australia) Amendment Act 2022*.

AA104

Industrial Relations Legislation Amendment Act 2021

Industrial Relations Legislation Amendment Act 2021 Commencement Proclamation (No. 2) 2022

SL 2022/79

Made under the *Industrial Relations Legislation Amendment Act 2021* section 2(1)(b) by the Governor in Executive Council.

1. Citation

This proclamation is the *Industrial Relations Legislation Amendment Act 2021 Commencement Proclamation (No. 2) 2022*.

2. Commencement

(1) In this proclamation —

commenced provisions means the *Industrial Relations Legislation Amendment Act 2021* Part 1, Part 5 (other than sections 100 to 119 and 121) and Part 6;

deleted provisions means the *Industrial Relations Legislation Amendment Act 2021* sections 7(4), 24(1) and 75(2) and Part 7 Division 1 Subdivision 2.

(2) The *Industrial Relations Legislation Amendment Act 2021*, other than the commenced provisions and the deleted provisions, comes into operation on 20 June 2022.

K. BEAZLEY, Governor.

L.S.

W. JOHNSTON, Minister for Industrial Relations.

Notes: This proclamation brings into operation the remainder of the *Industrial Relations Legislation Amendment Act 2021*.

The deleted provisions do not come into operation and are deleted when the *Industrial Relations Legislation Amendment Act 2021* section 5(2) comes into operation. See the *Industrial Relations Legislation Amendment Act 2021* sections 7(5), 24(2) and 75(3) and Part 7 Division 2.

AA105

Industrial Relations Act 1979

Industrial Magistrate's Courts Disestablishment Proclamation 2022

Made under the *Industrial Relations Act 1979* section 81(3) by the Governor in Executive Council.

1. Citation

This proclamation is the *Industrial Magistrate's Courts Disestablishment Proclamation 2022*.

2. Disestablishment of industrial magistrate's courts

The industrial magistrate's courts at Bunbury, Geraldton and Kalgoorlie are disestablished.

K. BEAZLEY, Governor.

L.S.

W. JOHNSTON, Minister for Industrial Relations.

AA106

Aboriginal Cultural Heritage Act 2021

Aboriginal Cultural Heritage Act 2021 Commencement Proclamation 2022

SL 2022/76

Made under the *Aboriginal Cultural Heritage Act 2021* section 2(e) by the Governor in Executive Council.

1. Citation

This proclamation is the *Aboriginal Cultural Heritage Act 2021 Commencement Proclamation 2022*.

2. Commencement

The following provisions of the *Aboriginal Cultural Heritage Act 2021* come into operation on 18 June 2022 —

- (a) Part 2 (but only Division 1);

- (b) Part 6 (but only Division 1 and only section 100);
- (c) Part 13, but only —
 - (i) Division 2 and only section 282; and
 - (ii) Division 3 and only Subdivision 1; and
 - (iii) Division 4 and only section 308;
- (d) Part 14 (but only Division 2 and only Subdivision 1).

K. BEAZLEY, Governor.

L.S.

A. BUTI, Minister for Aboriginal Affairs.

AA107

Arts and Culture Trust Act 2021

Arts and Culture Trust Act 2021 Commencement Proclamation 2022

SL 2022/77

Made under the *Arts and Culture Trust Act 2021* section 2(b) by the Governor in Executive Council.

1. Citation

This proclamation is the *Arts and Culture Trust Act 2021 Commencement Proclamation 2022*.

2. Commencement

The *Arts and Culture Trust Act 2021*, other than sections 1, 2, 3 and 6, comes into operation on 1 July 2022.

K. BEAZLEY, Governor.

L.S.

D. TEMPLEMAN, Minister for Culture and the Arts.

Note: This proclamation brings into operation the remainder of the *Arts and Culture Trust Act 2021*.

AGRICULTURE AND FOOD

AG301

Animal Welfare Act 2002
Biosecurity and Agriculture Management Act 2007
Veterinary Chemical Control and Animal Feeding Stuffs Act 1976

**Agriculture and Food Regulations Amendment
(Veterinary Practice) Regulations 2022**

SL 2022/98

Made by the Governor in Executive Council.

Part 1 — Preliminary**1. Citation**

These regulations are the *Agriculture and Food Regulations Amendment (Veterinary Practice) Regulations 2022*.

2. Commencement

These regulations come into operation as follows —

- (a) Part 1 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day on which the *Veterinary Practice Act 2021* section 197 comes into operation.

**Part 2 — *Animal Welfare (General) Regulations 2003*
amended****3. Regulations amended**

This Part amends the *Animal Welfare (General) Regulations 2003*.

4. Regulation 7 amended

In regulation 7(3)(e)(ii) delete “veterinary surgeon” and insert:

veterinarian

5. Regulation 14 amended

In regulation 14(2) and (3) delete “registered veterinary surgeon” and insert:

veterinarian

Part 3 — *Animal Welfare (Pig Industry) Regulations 2010* amended

6. Regulations amended

This Part amends the *Animal Welfare (Pig Industry) Regulations 2010*.

7. Regulation 4 amended

In regulation 4(1) in the definition of *suitably qualified person* paragraph (a) delete “veterinary surgeon; or” and insert:

veterinarian; or

8. Regulation 8 amended

- (1) In regulation 8(4)(b) delete “veterinary surgeon.” and insert:

veterinarian.

- (2) In regulation 8(5)(a) delete “veterinary surgeon; or” and insert:

veterinarian; or

- (3) Delete regulation 8(7)(a) and insert:

(a) the *Veterinary Practice Act 2021*;

Part 4 — *Animal Welfare (Transport, Saleyards and Depots) (Cattle and Sheep) Regulations 2020* amended

9. Regulations amended

This Part amends the *Animal Welfare (Transport, Saleyards and Depots) (Cattle and Sheep) Regulations 2020*.

10. Regulation 32 amended

In regulation 32(2) delete “veterinary surgeon” and insert:

veterinarian

11. Regulation 33 amended

In regulation 33(3):

- (a) in paragraph (a) delete “veterinary surgeon” and insert:

veterinarian

- (b) in paragraph (b) delete “veterinary surgeon’s” and insert:

veterinarian’s

12. Regulation 35 amended

In regulation 35(3):

- (a) in paragraph (a) delete “a veterinary surgeon, or an equivalent person under a law of another State or a Territory that corresponds with the *Veterinary Surgeons Act 1960*,” and insert:

a veterinarian, or an equivalent person under a corresponding law as defined in the *Veterinary Practice Act 2021* section 3,

- (b) in paragraph (b) delete “veterinary surgeon’s,” and insert:

veterinarian’s,

Part 5 — *Biosecurity and Agriculture Management (Agriculture Standards) Regulations 2013* amended**13. Regulations amended**

This Part amends the *Biosecurity and Agriculture Management (Agriculture Standards) Regulations 2013*.

14. Regulation 15 amended

In regulation 15(1) in the definition of *relevant person* paragraph (c) delete “veterinary surgeon,” and insert:

veterinarian,

Part 6 — *Biosecurity and Agriculture Management Regulations 2013* amended

15. Regulations amended

This Part amends the *Biosecurity and Agriculture Management Regulations 2013*.

16. Regulation 12 amended

In regulation 12(1) and (2) delete “veterinary surgeon in the course of practice as a veterinary surgeon)” and insert:

veterinarian in the course of practising veterinary medicine as defined in the *Veterinary Practice Act 2021* section 3)

Part 7 — *Veterinary Chemical Control Regulations 2006* amended

17. Regulations amended

This Part amends the *Veterinary Chemical Control Regulations 2006*.

18. Various references to “veterinary surgeon” replaced

In the provisions listed in the Table:

- (a) delete “veterinary surgeon” (each occurrence) and insert:

veterinarian

- (b) delete “**veterinary surgeons**” and insert:

veterinarians

Table

r. 2(4)(a)(ii)	Pt. 2 Div. 1 heading
r. 3	r. 4(1)
r. 5	r. 6(2)
r. 7	r. 8

r. 9(1) and (2)	r. 10(1), (2) and (3)
r. 11(1) and (2)	Pt. 2 Div. 2 heading
r. 12(1)	r. 13(1)
r. 14(2), (3), (4) and (6)	r. 17(1) and (2)

Note: The headings to the amended regulations listed in the Table are to read as set out in the Table.

Table

Amended regulation	Regulation heading
r. 4	Use by veterinarian of registered veterinary chemical product
r. 5	Use by veterinarian of unregistered veterinary chemical product
r. 6	Authorised use of low risk chemical by veterinarian
r. 7	Use by veterinarian with authority of CVO
r. 8	Supply of veterinary chemical product by veterinarian
r. 10	Statement to be given by veterinarian
r. 12	Use of registered veterinary chemical product by person who is not veterinarian
r. 13	Use of unregistered veterinary chemical product by person who is not veterinarian
r. 14	Use of registered veterinary chemical product in way stated in veterinarian's statement

V. MOLAN, Clerk of the Executive Council.

AG302

Misuse of Drugs Act 1981

Misuse of Drugs Amendment Regulations 2022

SL 2022/92

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Misuse of Drugs Amendment Regulations 2022*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day on which the *Veterinary Practice Act 2021* section 197 comes into operation.

3. Regulations amended

These regulations amend the *Misuse of Drugs Regulations 1982*.

4. Regulation 5B amended

- (1) In regulation 5B(1A) insert in alphabetical order:

veterinarian has the meaning given in the *Veterinary Practice Act 2021* section 3.

- (2) In regulation 5B(1A) in the definition of *optometrist* delete “profession.” and insert:

profession;

- (3) Delete regulation 5B(1)(f) and insert:

(e) veterinarian.

V. MOLAN, Clerk of the Executive Council.

AG303

Biodiversity Conservation Act 2016

Biodiversity Conservation Amendment Regulations (No. 2) 2022

SL 2022/95

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Biodiversity Conservation Amendment Regulations (No. 2) 2022*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day on which the *Veterinary Practice Act 2021* section 197 comes into operation.

3. Regulations amended

These regulations amend the *Biodiversity Conservation Regulations 2018*.

4. Regulation 3 amended

- (1) In regulation 3 delete the definition of *veterinary surgeon*.
- (2) In regulation 3 insert in alphabetical order:

veterinarian has the meaning given in the *Veterinary Practice Act 2021* section 3;

5. Regulation 36 amended

Delete regulation 36(4)(d) and insert:

- (d) a veterinarian.

6. Regulation 43 amended

Delete regulation 43(2)(d) and insert:

- (d) a veterinarian.

7. Regulation 126 amended

In regulation 126(3)(d) delete “veterinary surgeon; or” and insert:

veterinarian; or

V. MOLAN, Clerk of the Executive Council.

AG304

Associations Incorporation Act 2015
Co-operatives Act 2009

Commerce Regulations Amendment (Veterinary Practice) Regulations 2022

SL 2022/96

Made by the Governor in Executive Council.

Part 1 — Preliminary

1. Citation

These regulations are the *Commerce Regulations Amendment (Veterinary Practice) Regulations 2022*.

2. Commencement

These regulations come into operation as follows —

- (a) Part 1— on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day on which the *Veterinary Practice Act 2021* section 197 comes into operation.

Part 2 — Associations Incorporation Regulations 2016 amended

3. Regulations amended

This Part amends the *Associations Incorporation Regulations 2016*.

4. Schedule 1 amended

Delete Schedule 1 clause 9(g) and insert:

- (g) the *Veterinary Practice Act 2021*.

Part 3 — Co-operatives Regulations 2010 amended

5. Regulations amended

This Part amends the *Co-operatives Regulations 2010*.

6. Schedule 6 amended

Delete Schedule 6 clause 12(g) and insert:

- (g) *Veterinary Practice Act 2021.*

V. MOLAN, Clerk of the Executive Council.

AG305

Medicines and Poisons Act 2014
Radiation Safety Act 1975

Health Regulations Amendment (Veterinary Practice) Regulations 2022

SL 2022/93

Made by the Governor in Executive Council.

Part 1 — Preliminary

1. Citation

These regulations are the *Health Regulations Amendment (Veterinary Practice) Regulations 2022*.

2. Commencement

These regulations come into operation as follows —

- (a) Part 1 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day on which the *Veterinary Practice Act 2021* section 197 comes into operation.

Part 2 — Medicines and Poisons Regulations 2016 amended

3. Regulations amended

This Part amends the *Medicines and Poisons Regulations 2016*.

4. Regulation 37 amended

In regulation 37 in the definition of *veterinary nurse* delete “*Veterinary Surgeons Act 1960* section 2.” and insert:

Veterinary Practice Act 2021 section 3.

5. Various references to “veterinary surgeon” replaced

In the provisions listed in the Table delete “veterinary surgeon” and insert:

veterinarian

Table

r. 10(3)	r. 68(a)
r. 69(1) and (2)	r. 70(2)
r. 80(2)(a)	

Note: The heading to amended regulation 69 is to read:

Authorisation of veterinarians

**Part 3 — *Radiation Safety (General) Regulations 1983*
amended**

6. Regulations amended

This Part amends the *Radiation Safety (General) Regulations 1983*.

7. Regulation 3 amended

- (1) In regulation 3(1) delete the definition of *veterinary surgeon*.
- (2) In regulation 3(1) insert in alphabetical order:

veterinarian has the meaning given in the *Veterinary Practice Act 2021* section 3;

8. Various references to “veterinary surgeon” replaced

In the provisions listed in the Table delete “veterinary surgeon” (each occurrence) and insert:

veterinarian

Table

r. 27(3)	r. 38(8)
r. 38(9)	r. 38(10)
r. 38(12)	

V. MOLAN, Clerk of the Executive Council.

COMMERCE

CM301

Building Services (Registration) Act 2011

Building Services (Registration) Amendment Regulations 2022

SL 2022/101

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Building Services (Registration) Amendment Regulations 2022*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 1 February 2023.

3. Regulations amended

These regulations amend the *Building Services (Registration) Regulations 2011*.

4. Regulation 3 amended

In regulation 3 delete the definition of *insolvent*.

5. Regulation 10A inserted

After regulation 10 insert:

10A. Notification of new director of building service contractor: prescribed information

- (1) For the purposes of section 32A(3), the following information must be included in a notice of the appointment of any new director of a body that is a building service contractor —
- (a) a copy of an ASIC current and historical company extract for the body that was extracted within the previous 30 days;
 - (b) the new director's Director Identification Number (*DIN*) if the new director is required to have a *DIN* under the *Corporations Act 2001* (Commonwealth) Part 9.1A;
 - (c) whether the new director is (or has been) a bankrupt or a person whose affairs are under insolvency laws, according to the *Interpretation Act 1984* section 13D;
 - (d) whether the new director has not paid a building service debt of a kind referred to in section 53(4) that the new director has incurred;
 - (e) whether the new director is (or has been) an officer of a corporation or a non-corporate body that became an insolvent on at least 1 occasion, but only if the period of 3 years has not elapsed since the insolvency event that resulted in the last insolvency.
- (2) A term used in subregulation (1)(e) has the same meaning as it has in Part 5A of the Act.

6. Schedule 5 Division 2 amended

In Schedule 5 Division 2 after the row relating to s. 32(1) insert:

s. 32A(2)	Failure to notify the Board of new director	\$1 000
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V. MOLAN, Clerk of the Executive Council.

COMMUNITY AND CHILD SERVICES

CN301

Adoption Act 1994
Children and Community Services Act 2004

Child Protection Regulations Amendment (Fees and Payments) Regulations 2022

SL 2022/87

Made by the Governor in Executive Council.

Part 1 — Preliminary

1. Citation

These regulations are the *Child Protection Regulations Amendment (Fees and Payments) Regulations 2022*.

2. Commencement

These regulations come into operation as follows —

- (a) Part 1 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 1 July 2022.

Part 2 — *Adoption Regulations 1995* amended

3. Regulations amended

This Part amends the *Adoption Regulations 1995*.

4. Various fees amended

Amend the provisions listed in the Table as set out in the Table.

Table

Provision	Delete	Insert
r. 87(a)	\$1 039	\$1 057
r. 87(b)	\$1 368	\$1 392
r. 87(c)	\$901	\$917
r. 87A(1)	\$613	\$624

**Part 3 — *Children and Community Services
Regulations 2006* amended**

5. Regulations amended

This Part amends the *Children and Community Services Regulations 2006*.

6. Regulation 21 amended

In regulation 21(1) delete the Table and insert:

Table

Item	Class of children	Amount
1.	Children who are under 7 years of age	\$444
2.	Children who have reached 7 years of age but are under 13 years of age	\$525
3.	Children who have reached 13 years of age	\$636

V. MOLAN, Clerk of the Executive Council.

ENERGY

EN301

Electricity Industry Act 2004

**Electricity Industry (Customer Contracts)
Amendment Regulations 2022**

SL 2022/103

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Electricity Industry (Customer Contracts) Amendment Regulations 2022*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 1 January 2023.

3. Regulations amended

These regulations amend the *Electricity Industry (Customer Contracts) Regulations 2005*.

4. Regulation 3 amended

- (1) In regulation 3 delete the definition of *relevant corporation*.
- (2) In regulation 3 insert in alphabetical order:

business day means a day that is not a Saturday, Sunday or public holiday;

residential customer means a customer to whom electricity is supplied for residential purposes;

5. Regulation 12 replaced

Delete regulation 12 and insert:

12. Benefit changes

- (1) In this regulation —

benefit change means a change to, or the expiry of, a benefit (such as a price discount) provided under a customer contract to the customer during a period that ends earlier than the date on which the contract will end.

- (2) If a customer contract provides for a benefit change, the contract must —

- (a) state that the retailer is required to inform the customer, not more than 40 business days and not less than 20 business days before the date of the benefit change, of —

- (i) the benefit change; and
- (ii) the options for supply available to the customer after the date of the benefit change;

and

- (b) describe the way in which the retailer must give that information to the customer.

6. Regulation 13 amended

Delete regulation 13(2) and insert:

- (2) A customer contract must describe the way in which the retailer —
 - (a) publishes its prices; and
 - (b) gives notice of variations to its prices.

7. Regulation 15 amended

Delete regulation 15(5).

8. Regulation 16 amended

- (1) In regulation 16(1) delete “customer contract” and insert:

standard form contract

- (2) After regulation 16(1) insert:

- (1A) A non-standard contract must inform the customer that the provisions of the contract may be amended without the customer’s consent to the extent that the amendment is required for the contract to remain consistent with a written law.

9. Regulation 19 amended

- (1) In regulation 19 delete “A” and insert:

- (1) A

- (2) At the end of regulation 19 insert:

- (2) A customer contract complies with subregulation (1) if the contract specifies —
 - (a) that the retailer has a privacy policy that sets out the steps that are to be taken by the retailer to ensure that information held by the retailer about the customer is dealt with in a confidential manner; and
 - (b) the way in which the customer may obtain a copy of the retailer’s privacy policy without charge.

10. Part 3 Division 1 heading inserted

At the beginning of Part 3 insert:

Division 1 — Requirements for all standard form contracts**11. Regulation 22 replaced**

Delete regulation 22 and insert:

22. Acceptable identification

(1) In this regulation —

acceptable identification, in relation to —

(a) a customer who is an individual — means any of the following —

- (i) a driver's licence, a current passport or another form of photographic evidence;
- (ii) a pensioner concession card or other entitlement card issued by or on behalf of the Commonwealth or a State or Territory;
- (iii) a birth certificate;

or

(b) a customer that is a sole trader or a partnership comprising individuals — means any of the forms of identification in paragraph (a) for at least 1 of the individuals who conduct the business or enterprise concerned; or

(c) a customer that is a body corporate or a partnership comprising bodies corporate — means the Australian Company Number or Australian Business Number of each body corporate that conducts the business or enterprise concerned; or

(d) a customer that is a partnership comprising 1 or more individuals and 1 or more bodies corporate means —

- (i) any of the forms of identification in paragraph (a) for at least 1 of the individuals who conduct the business or enterprise concerned; and
- (ii) the Australian Company Number or Australian Business Number of each body corporate that conducts the business or enterprise concerned.

- (2) A retailer may require the customer to provide acceptable identification as a precondition to entering into a standard form contract with the customer.

12. Regulation 30 deleted

Delete regulation 30.

13. Part 3 Division 2 inserted

At the end of Part 3 insert:

Division 2 — Security deposit requirements for certain standard form contracts

31A. Term used: customer

In this Division —

customer does not include a residential customer.

31B. Security deposits not payable by residential customers

A standard form contract entered into by a residential customer must not state that the residential customer is required to pay a security deposit to the retailer.

31C. Security deposits may be required from certain customers

- (1) In this regulation —

electricity ombudsman has the meaning given in section 92(1);

electricity ombudsman scheme means the scheme approved by the Authority under section 92.

- (2) A standard form contract must state whether or not the customer is required to pay a security deposit to the retailer.
- (3) Subject to subregulations (4) and (6), a standard form contract may state that a customer is required to pay a security deposit to the retailer —
 - (a) at the time the customer asks the retailer to supply electricity to the customer under a standard form contract; and
 - (b) at any time during the term of the standard form contract.

- (4) A standard form contract that states that a customer is required to pay a security deposit must state that the customer is required to do so only if —
- (a) the customer owes an amount to the retailer in relation to supply at any premises, unless the customer has disputed the bill relating to that amount and the bill is subject to —
 - (i) a review by the retailer; or
 - (ii) a complaint to the electricity ombudsman;
 - or
 - (b) within 2 years before entering into the contract, the customer has —
 - (i) fraudulently obtained supply; or
 - (ii) consumed electricity intentionally and unlawfully;
 - or
 - (c) the retailer reasonably decides that the customer has an unsatisfactory credit history or an unsatisfactory history relating to paying for electricity supplied to the customer.
- (5) Subregulation (6) applies to a standard form contract that states that a customer is required to pay a security deposit because of the retailer's decision referred to in subregulation (4)(c).
- (6) The standard form contract must state that the retailer is required to inform the customer of —
- (a) the retailer's decision that the customer has an unsatisfactory credit history or an unsatisfactory history relating to paying for electricity supplied to the customer, and the reasons for that decision; and
 - (b) the retailer's complaints handling procedures and the electricity ombudsman scheme.

31D. Amount of security deposit

A standard form contract that states that a customer is required to pay a security deposit must state that the retailer is required to ensure that the amount of the security deposit is not greater than 37.5% of the customer's estimated bills over a 12 month period, based on —

- (a) billing data relating to the customer; or
- (b) the average consumption of electricity by a comparable customer over a comparable 12 month period.

31E. Treatment of security deposit

- (1) In this regulation —
bank bill swap rate means —
 - (a) the Australian Stock Exchange Bank Bill Swap Rate (BBSW) having a term equal to or nearest to 90 days, as published on the first day of the relevant 90 day period referred to in subregulation (3); or
 - (b) if the rate referred to in paragraph (a) is not published on that day — the rate published on the most recent day before that day.
- (2) A standard form contract that states that a customer is required to pay a security deposit must state that the retailer is required —
 - (a) to keep security deposits paid to the retailer in a separate trust account; and
 - (b) to identify those security deposits separately in the retailer's accounting records.
- (3) A standard form contract that states that a customer is required to pay a security deposit must state that the retailer is required to pay interest to the customer on the security deposit, at the bank bill swap rate, that accrues daily and is capitalised every 90 days unless paid.

31F. Use of security deposit

- (1) In this regulation —
security deposit includes any interest accrued on the security deposit, as described in regulation 31E(3).
- (2) A standard form contract that states that a customer is required to pay a security deposit must state that the retailer may apply the security deposit in full or partial satisfaction of amounts owed by the customer to the retailer only if —
 - (a) the retailer disconnects supply for non-payment of a bill and the customer no longer has any right to reconnection under the standard form contract; or
 - (b) any amount owed by the customer relates to a final bill issued to the customer.
- (3) A standard form contract that states that a customer is required to pay a security deposit must state that the retailer, within 10 business days after applying the security deposit as described in subregulation (2), is required —

- (a) to provide the customer with a written statement of how the security deposit was applied; and
- (b) to repay to the customer any amount of the security deposit that was not applied.

31G. Obligation to repay security deposit

- (1) A standard form contract that states that a customer is required to pay a security deposit must state that the retailer is required to repay to the customer, in accordance with the customer's reasonable instructions and subject to the contract's provisions described in regulation 31F, the amount of the security deposit, including any interest accrued as described in regulation 31E(3), within the period described in subregulation (2).
- (2) The standard form contract must state that the security deposit is required to be repaid within 10 business days after —
 - (a) the customer completes 2 years of payments for supply by the date specified in the relevant bills; or
 - (b) the customer leaves the supply premises; or
 - (c) the retailer disconnects supply at the supply premises at the request of the customer; or
 - (d) the customer transfers to another retailer.
- (3) The standard form contract must state that, if the customer does not give reasonable instructions for the repayment of the security deposit and any accrued interest, the retailer is required to credit the amount to be repaid —
 - (a) if subregulation (2)(a) applies to the repayment — to the customer's next bill; or
 - (b) if subregulation (2)(b), (c) or (d) applies to the repayment — to the customer's final bill.

31H. Failure to pay security deposit

A standard form contract that states that a customer is required to pay a security deposit must state that, if the customer fails to pay the security deposit, in whole or in part, the retailer may, subject to the conditions of its trading licence and the requirements of the contract referred to in regulation 11 —

- (a) disconnect supply or cause disconnection to occur; or
- (b) refuse to reconnect supply.

31I. Permission for retailer to carry out credit checks

- (1) This regulation applies if a standard form contract states that a customer is required to pay a security deposit during the term of the standard form contract.
- (2) The standard form contract must state that the customer is required to provide the retailer, if and when requested by the retailer to do so, with —
 - (a) permission to investigate the customer's credit history; and
 - (b) any information held by the customer about the customer's credit history.

14. Part 4 Division 1 heading inserted

At the beginning of Part 4 insert:

Division 1 — Requirements for all non-standard contracts

15. Regulation 32A inserted

In Part 4 before regulation 32 insert:

32A. Term used: fixed term contract

In this Division —

fixed term contract means a non-standard contract that is expressed to have effect for a definite period.

16. Regulation 32 amended

In regulation 32(2) delete “10 days” and insert:

10 business days

17. Regulation 33 amended

Delete regulation 33(1).

18. Regulation 34A inserted

In Part 4 after regulation 34 insert:

34A. Information relating to expiry of fixed term contract

- (1) A fixed term contract must state that the retailer is required to notify the customer —
 - (a) of the day on which the contract is due to expire; and
 - (b) of the options for supply available to the customer after expiry; and
 - (c) of the terms and conditions that will apply after expiry unless the customer exercises 1 of the options referred to in paragraph (b); and
 - (d) of the way in which the retailer must give the notification referred to in this subregulation to the customer.
- (2) Subject to subregulation (3), the fixed term contract must state that the notification referred to in subregulation (1) is required to be given not more than 40 business days and not less than 20 business days before the day on which the contract is due to expire.
- (3) If the term of the fixed term contract is less than 1 month, the contract must state that the notification referred to in subregulation (1) is required to be given at the commencement of the term.
- (4) The fixed term contract (the *current contract*) must state that the retailer is not required to give the notification referred to in subregulation (1) if the customer —
 - (a) has already entered into a new fixed term contract with the retailer for the supply premises to which the current contract applies; or
 - (b) has informed the retailer as to which of the options for supply referred to in subregulation (1)(b) the customer requires on the expiry of the current contract.

19. Part 4 Division 2 inserted

At the end of Part 4 insert:

Division 2 — Security deposit requirements for certain non-standard contracts**34B. Security deposits not payable by residential customers**

A non-standard contract entered into by a residential customer must not state that the residential customer is required to pay a security deposit to the retailer.

34C. Security deposits may be required from certain customers

- (1) In this regulation —
customer does not include a residential customer.
- (2) A non-standard contract must state whether or not the customer is required to pay a security deposit to the retailer.
- (3) A non-standard contract that states that a customer is required to pay a security deposit must state —
 - (a) the method used to calculate the amount of any security deposit; and
 - (b) the maximum amount that the retailer may require the customer to pay as a security deposit; and
 - (c) the circumstances in which the retailer may apply the security deposit in satisfaction of amounts owed by the customer to the retailer; and
 - (d) the circumstances in which the retailer must repay the security deposit to the customer.
- (4) For the purposes of this regulation, regulations 31C(1), (3), (4), (5) and (6), 31E, 31H and 31I apply as if any reference in those provisions to a standard form contract included a reference to a non-standard contract.

20. Regulation 40 amended

- (1) Delete regulation 40(1) and insert:

- (1) In this regulation —
default supplier has the meaning given in regulation 35;

relevant corporation means the Electricity Generation and Retail Corporation or the Regional Power Corporation.

- (1A) Subject to this regulation, a retailer is required to offer to supply electricity under a standard form contract to a customer who requests supply.
 - (1B) If the customer requests supply in relation to an existing electricity connection, the obligation in subregulation (1A) arises only in respect of the default supplier.
 - (1C) If the customer requests supply otherwise than in relation to an existing electricity connection, the obligation in subregulation (1A) arises only in respect of a relevant corporation.
- (2) In regulation 40(2) delete “subregulation (1)” and insert:
- subregulation (1A)
- (3) In regulation 40(3):
- (a) delete “subregulation (1)” and insert:

subregulation (1A)
 - (b) in paragraph (a) delete “relevant corporation; and” and insert:

retailer; and
 - (c) in paragraph (b)(i) delete “relevant corporation” and insert:

retailer
- (4) Delete regulation 40(4) and insert:
- (4) It is a condition of every retail licence and integrated regional licence held by a retailer that the retailer must comply with the obligation in subregulation (1A) if that obligation arises in respect of the retailer.

V. MOLAN, Clerk of the Executive Council.

EN302

Energy Coordination Act 1994

Energy Coordination (Customer Contracts) Amendment Regulations 2022

SL 2022/104

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Energy Coordination (Customer Contracts) Amendment Regulations 2022*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 1 January 2023.

3. Regulations amended

These regulations amend the *Energy Coordination (Customer Contracts) Regulations 2004*.

4. Regulation 3 amended

- (1) In regulation 3 delete the definitions of:

AGA Code

Code of Conduct

customer service charter

fixed term contract

refundable advance

retail supplier

- (2) In regulation 3 insert in alphabetical order:

Code of Conduct means the code of conduct approved under section 11ZPM of the Act;

customer has the meaning given in section 11WB of the Act;

residential customer means a customer who is required to pay a residential charge;

retailer means the holder of a trading licence;

security deposit means an amount of money provided as security against a customer defaulting on a payment due to a retailer under a customer contract;

5. Regulation 7 amended

- (1) In regulation 7 delete “retail supplier’s —” and insert:

retailer’s —

Note: The heading to amended regulation 7 is to read:

Details of retailer

- (2) In regulation 7 after each of paragraphs (a) to (e) insert:

and

6. Regulation 11 amended

In regulation 11(2):

- (a) delete “retail supplier’s” and insert:

retailer’s

- (b) delete “retail supplier” and insert

retailer

7. Regulation 12 amended

- (1) Delete regulation 12(5)(d) and insert:

(d) within 10 business days after disconnection for refusal to pay a security deposit, the customer pays the security deposit; or

- (2) In regulation 12(5) after each of paragraphs (a), (b) and (c) insert:

or

- (3) Delete regulation 12(6) and (7).

8. Regulation 13 replaced

Delete regulation 13 and insert:

13. Benefit changes

- (1) In this regulation —
benefit change means a change to, or the expiry of, a benefit (such as a price discount) provided under a customer contract to the customer during a period that ends earlier than the date on which the contract will end.
- (2) If a customer contract provides for a benefit change, the contract must —
 - (a) state that the retailer is required to inform the customer, not more than 40 business days and not less than 20 business days before the date of the benefit change, of —
 - (i) the benefit change; and
 - (ii) the options for supply available to the customer after the date of the benefit change;
 - and
 - (b) describe the way in which the retailer must give that information to the customer.

9. Regulation 14 amended

Delete regulation 14(3) and (4) and insert:

- (3) Subregulation (2)(c) does not apply to a customer contract if —
 - (a) the customer and the retailer agree that the supply charge is to be determined by a method that does not comply with that paragraph; and
 - (b) the method to be used for determining the supply charge is described in the customer contract.
- (4) A customer contract must describe the way in which the retailer —
 - (a) publishes its supply charges; and
 - (b) gives notice of variations to its supply charges.

10. Regulation 15 replaced

Delete regulation 15 and insert:

15. Billing

A customer contract must describe the procedures to be followed by the retailer in relation to the preparation, issue and review of the customer's bills.

11. Regulation 17 amended

- (1) In regulation 17(1) delete "A customer" and insert:

A standard form

- (2) After regulation 17(1) insert:

- (1A) A non-standard contract must inform the customer that the provisions of the contract may be amended without the customer's consent to the extent that the amendment is required for the contract to remain consistent with a written law or a relevant code.

12. Regulation 19 amended

Delete regulation 19(a).

Note:

The notes at the end of regulation 19 are to read:

Notes for this regulation:

1. Regulation 46 sets out standards of service to be met by a retailer in relation to providing copies of these regulations or a relevant code.
2. Regulation 47 sets out standards of service to be met by a retailer in relation to the provision of billing data.

13. Regulation 20 amended

Delete regulation 20(2).

Note:

Note 1 at the end of regulation 20 is to be deleted.

Note 2 at the end of regulation 20 is to read:

Note for this regulation:

Regulation 48 sets out standards of service to be met by a retailer in relation to debt collection.

14. Regulations 21 and 22 replaced

Delete regulations 21 and 22 and insert:

21. Complaints

A customer contract must describe the procedures to be followed by the retailer in responding to a complaint made by the customer.

22. Confidentiality

- (1) A customer contract must specify the steps that are to be taken by the retailer to ensure that information held by the retailer about the customer is dealt with in a confidential manner.
- (2) A customer contract complies with subregulation (1) if the contract specifies —
 - (a) that the retailer has a privacy policy that sets out the steps that are to be taken by the retailer to ensure that information held by the retailer about the customer is dealt with in a confidential manner; and
 - (b) the way in which the customer may obtain a copy of the retailer's privacy policy without charge.

Note for this regulation:

Regulation 49 sets out standards of service to be met by a retailer in relation to dealing with information about a customer's failure to pay a bill.

15. Part 3 Division 1 heading inserted

At the beginning of Part 3 insert:

Division 1 — Requirements for all standard form contracts**16. Regulations 27 and 28 replaced**

Delete regulations 27 and 28 and insert:

27. Acceptable identification

- (1) In this regulation —

acceptable identification, in relation to —

 - (a) a customer who is an individual — means any of the following —

- (i) a driver's licence, a current passport or another form of photographic evidence;
 - (ii) a pensioner concession card or other entitlement card issued by or on behalf of the Commonwealth or a State or Territory;
 - (iii) a birth certificate;
- or
- (b) a customer that is a sole trader or a partnership comprising individuals — means any of the forms of identification in paragraph (a) for at least 1 of the individuals who conduct the business or enterprise concerned; or
 - (c) a customer that is a body corporate or a partnership comprising bodies corporate — means the Australian Company Number or Australian Business Number of each body corporate that conducts the business or enterprise concerned; or
 - (d) a customer that is a partnership comprising 1 or more individuals and 1 or more bodies corporate means —
 - (i) any of the forms of identification in paragraph (a) for at least 1 of the individuals who conduct the business or enterprise concerned; and
 - (ii) the Australian Company Number or Australian Business Number of each body corporate that conducts the business or enterprise concerned.
- (2) A retailer may require the customer to provide acceptable identification as a precondition to entering into a standard form contract with the customer.

28. Retailer's obligations in relation to supply

A standard form contract must specify the obligations of the retailer with respect to the supply of gas.

17. Regulation 33 amended

Delete regulation 33(3).

Note:

The note at the end of regulation 33 is to be deleted.

18. Regulation 35 amended

Delete regulation 35(2).

19. Regulation 37 deleted

Delete regulation 37.

20. Part 3 Division 2 inserted

At the end of Part 3 insert:

Division 2 — Security deposit requirements for certain standard form contracts

38B. Term used: customer

In this Division —

customer does not include a residential customer.

38C. Security deposits not payable by residential customers

A standard form contract entered into by a residential customer must not state that the residential customer is required to pay a security deposit to the retailer.

38D. Security deposits may be required from certain customers

- (1) A standard form contract must state whether or not the customer is required to pay a security deposit to the retailer.
- (2) Subject to subregulations (3) and (5), a standard form contract may state that a customer is required to pay a security deposit to the retailer —
 - (a) at the time the customer asks the retailer to supply gas to the customer under a standard form contract; and
 - (b) at any time during the term of the standard form contract.
- (3) A standard form contract that states that a customer is required to pay a security deposit must state that the customer is required to do so only if —
 - (a) the customer owes an amount to the retailer in relation to supply at any premises, unless the customer has disputed the bill relating to that amount and the bill is subject to —
 - (i) a review by the retailer; or
 - (ii) a complaint to the gas industry ombudsman;

or

- (b) within 2 years before entering into the contract, the customer has —
 - (i) fraudulently obtained supply; or
 - (ii) consumed gas intentionally and unlawfully;or
 - (c) the retailer reasonably decides that the customer has an unsatisfactory credit history or an unsatisfactory history relating to paying for gas supplied to the customer.
- (4) Subregulation (5) applies to a standard form contract that states that a customer is required to pay a security deposit because of the retailer's decision referred to in subregulation (3)(c).
- (5) The standard form contract must state that the retailer is required to inform the customer of —
- (a) the retailer's decision that the customer has an unsatisfactory credit history or an unsatisfactory history relating to paying for gas supplied to the customer, and the reasons for that decision; and
 - (b) the retailer's complaints handling procedures and the gas industry ombudsman scheme referred to in regulation 50.

38E. Amount of security deposit

A standard form contract that states that a customer is required to pay a security deposit must state that the retailer is required to ensure that the amount of the security deposit is not greater than 37.5% of the customer's estimated bills over a 12 month period, based on —

- (a) billing data relating to the customer; or
- (b) the average consumption of gas by a comparable customer over a comparable 12 month period.

38F. Treatment of security deposit

- (1) In this regulation —
- bank bill swap rate*** means —
- (a) the Australian Stock Exchange Bank Bill Swap Rate (BBSW) having a term equal to or nearest to 90 days, as published on the first day of the relevant 90 day period referred to in subregulation (3); or

- (b) if the rate referred to in paragraph (a) is not published on that day, the rate published on the most recent day before that day.
- (2) A standard form contract that states that a customer is required to pay a security deposit must state that the retailer is required —
 - (a) to keep security deposits paid to the retailer in a separate trust account; and
 - (b) to identify those security deposits separately in the retailer's accounting records.
- (3) A standard form contract that states that a customer is required to pay a security deposit must state that the retailer is required to pay interest to the customer on the security deposit, at the bank bill swap rate, that accrues daily and is capitalised every 90 days unless paid.

38G. Use of security deposit

- (1) In this regulation —
security deposit includes any interest accrued on the security deposit, as described in regulation 38F(3).
- (2) A standard form contract that states that a customer is required to pay a security deposit must state that the retailer may apply the security deposit in full or partial satisfaction of amounts owed by the customer to the retailer only if —
 - (a) the retailer disconnects supply for non-payment of a bill and the customer no longer has any right to reconnection under the standard form contract; or
 - (b) any amount owed by the customer relates to a final bill issued to the customer.
- (3) A standard form contract that states that a customer is required to pay a security deposit must state that the retailer, within 10 business days after applying the security deposit as described in subregulation (2), is required —
 - (a) to provide the customer with a written statement of how the security deposit was applied; and
 - (b) to repay to the customer any amount of the security deposit that was not applied.

38H. Obligation to repay security deposit

- (1) A standard form contract that states that a customer is required to pay a security deposit must state that the retailer is required to repay to the customer, in accordance with the customer's reasonable instructions and subject to the contract's provisions described in regulation 38G, the amount of the security deposit, including any interest accrued as described in regulation 38F(3), within the period described in subregulation (2).
- (2) The standard form contract must state that the security deposit is required to be repaid within 10 business days after —
 - (a) the customer completes 2 years of payments for supply by the date specified in the relevant bills; or
 - (b) the customer leaves the supply address; or
 - (c) the retailer disconnects supply at the supply address at the request of the customer; or
 - (d) the customer transfers to another retailer.
- (3) The standard form contract must state that, if the customer does not give reasonable instructions for the repayment of the security deposit and any accrued interest, the retailer is required to credit the amount to be repaid —
 - (a) if subregulation (2)(a) applies to the repayment — to the customer's next bill; or
 - (b) if subregulation (2)(b), (c) or (d) applies to the repayment — to the customer's final bill.

38I. Failure to pay security deposit

A standard form contract that states that a customer is required to pay a security deposit must state that if the customer fails to pay the security deposit, in whole or in part, the retailer may, subject to the conditions of its trading licence and the requirements of the contract referred to in regulation 12 —

- (a) disconnect supply or cause disconnection to occur; or
- (b) refuse to reconnect supply.

38J. Permission for retailer to carry out credit checks

- (1) This regulation applies if a standard form contract states that a customer is required to pay a security deposit during the term of the standard form contract.

- (2) The standard form contract must state that the customer is required to provide the retailer, if and when requested by the retailer to do so, with —
 - (a) permission to investigate the customer’s credit history; and
 - (b) any information held by the customer about the customer’s credit history.

21. Part 4 Division 1 heading and regulation 38K inserted

At the beginning of Part 4 insert:

Division 1 — Requirements for all non-standard contracts

38K. Term used: fixed term contract

In this Division —

fixed term contract means a non-standard contract that is expressed to have effect for a definite period.

22. Regulation 40 amended

In regulation 40(2) delete “10 days” and insert:

10 business days

23. Regulation 43 amended

In regulation 43 delete “notice” and insert:

notification

24. Regulation 44 replaced

Delete regulation 44 and insert:

44. Information relating to expiry of fixed term contract

- (1) A fixed term contract must state that the retailer is required to notify the customer —
 - (a) of the day on which the contract is due to expire; and
 - (b) of the options for supply available to the customer after expiry; and

- (c) of the terms and conditions that will apply after expiry unless the customer exercises 1 of the options referred to in paragraph (b); and
 - (d) of the way in which the retailer must give the notification referred to in this subregulation to the customer.
- (2) Subject to subregulation (3), the fixed term contract must state that the notification referred to in subregulation (1) is required to be given not more than 40 business days and not less than 20 business days before the day on which the contract is due to expire.
- (3) If the term of the fixed term contract is less than 1 month, the contract must state that the notification referred to in subregulation (1) is required to be given at the commencement of the term.
- (4) The fixed term contract (the *current contract*) must state that the retailer is not required to give the notification referred to in subregulation (1) if the customer —
 - (a) has already entered into a new fixed term contract with the retailer for the supply address to which the current contract applies; or
 - (b) has informed the retailer as to which of the options for supply referred to in subregulation (1)(b) the customer requires on the expiry of the current contract.

25. Part 4 Division 2 inserted

At the end of Part 4 insert:

Division 2 — Security deposit requirements for certain non-standard contracts

44A. Security deposits not payable by residential customers

A non-standard contract entered into by a residential customer must not state that the residential customer is required to pay a security deposit to the retailer.

44B. Security deposits may be required from certain customers

- (1) In this regulation —
customer does not include a residential customer.

- (2) A non-standard contract must state whether or not the customer is required to pay a security deposit to the retailer.
- (3) A non-standard contract that states that a customer is required to pay a security deposit must state —
- (a) the method used to calculate the amount of any security deposit; and
 - (b) the maximum amount that the retailer may require the customer to pay as a security deposit; and
 - (c) the circumstances in which the retailer may apply the security deposit in satisfaction of amounts owed by the customer to the retailer; and
 - (d) the circumstances in which the retailer must repay the security deposit to the customer.
- (4) For the purposes of this regulation, regulations 38D(2), (3), (4) and (5), 38F, 38I and 38J apply as if any reference in those provisions to a standard form contract included a reference to a non-standard contract.

26. Regulation 45 deleted

Delete regulation 45.

27. Regulation 46 amended

In regulation 46(4) delete “retail supplier’s” and insert:

retailer’s

28. Various references to “retail supplier” amended

In the provisions listed in the Table delete “retail supplier” (each occurrence) and insert:

retailer

Table

r. 3 def. of <i>billing data</i>	r. 8
r. 9	r. 10(a)
r. 12(1)(a), (2), (4) and (5)	r. 14(2)(c)

r. 16(1)(a), (2), (3), (4) and (5)	r. 18(1)
r. 19	r. 20(1) and (3)
r. 23(d)	r. 24
r. 25A(3)(b)	r. 30
r. 32(a)	r. 35(1)(a) and (3)
r. 36	r. 38A(1) def. of <i>transferred customer</i>
r. 38A(2), (3), (4) and (5)	r. 40(3) and (4)
r. 41(1), (2) and (3)	r. 42
r. 46(1), (2) and (4)	r. 47(1) def. of <i>current supplier</i>
r. 47(1) def. of <i>former supplier</i>	r. 47(1) def. of <i>prescribed time</i>
r. 47(4)	r. 48
r. 49(2), (3), (4) and (5)	r. 50

Note: The heading to amended regulation 9 is to read:

Roles of retailer and gas distribution operator

Note: The heading to amended regulation 36 is to read:

Matters beyond control of customer or retailer

V. MOLAN, Clerk of the Executive Council.

ENVIRONMENT

EV301

Contaminated Sites Act 2003

**Contaminated Sites Amendment Regulations
(No. 2) 2022**

SL 2022/99

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Contaminated Sites Amendment Regulations (No. 2) 2022*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 1 July 2022.

3. Regulations amended

These regulations amend the *Contaminated Sites Regulations 2006*.

4. Regulation 3 amended

- (1) In regulation 3 insert in alphabetical order:

auditor insurance means insurance referred to in regulation 59A;

supporting expert means a person with theoretical and practical knowledge and skills that enable the person to assist an auditor to carry out the functions of an auditor;

supporting expert insurance means insurance referred to in regulation 59B.

- (2) In regulation 3 in the definition of *summary of records* delete “records.” and insert:

records;

Note: The heading to amended regulation 3 is to read:

Terms used

5. Regulation 32A inserted

At the end of Part 7 insert:

32A. Auditor must give supplementary information

- (1) If the CEO is given a mandatory auditor’s report under the Act in respect of a site, the CEO may, by written notice, require the auditor who prepared the report to give any other information to the CEO that, in the opinion of the CEO, is relevant to the audit of the site.
- (2) The written notice must state —
- (a) the required information; and
 - (b) that the required information must be given —
 - (i) by the day (the *due date*) specified in the notice, which must not be less than 14 days after the day on which the notice is given to the auditor; or
 - (ii) if a later day is set by the CEO on request under subregulation (3) — by the later day;
- and
- (c) that a failure to comply with the notice may constitute an offence.
- (3) The CEO may, on request, set by written notice a day after the due date as the day by which the required information must be given.
- (4) The auditor must give the required information to the CEO —
- (a) by the due date; or
 - (b) if a later day is set under subregulation (3) — by the later day.

Penalty for this subregulation: a fine of \$1 000.

6. Regulation 35 amended

- (1) Delete regulation 35(1) and insert:
 - (1) The CEO may call for applications from persons seeking accreditation as contaminated sites auditors.
- (2) In regulation 35(2) delete “is to” and insert:

must
- (3) After regulation 35(2) insert:
 - (3) The CEO must specify in the call for applications the period during which an application must be made.

Note: The heading to amended regulation 35 is to read:

Call for applications**7. Regulation 36 amended**

- (1) Before regulation 36(1) insert:
 - (1A) In this regulation —
former auditor —
 - (a) means a person whose accreditation under section 69 of the Act has ceased; but
 - (b) does not include a person —
 - (i) whose application for renewal of accreditation as an auditor is refused under regulation 45(2)(a), (b) or (c); or
 - (ii) whose accreditation as an auditor is cancelled.
- (2) In regulation 36(1):
 - (a) delete “is to —” and insert:

must —
 - (b) before paragraph (a) insert:
 - (aa) if the applicant is not a former auditor — be made during a period specified under regulation 35(3); and

- (c) in paragraph (c) delete “item 4, unless regulation 37 applies.” and insert:

item 4.

- (3) In regulation 36(2) delete “is to” and insert:

must

Note: The heading to amended regulation 36 is to read:

Application for accreditation as contaminated sites auditor

8. Regulation 37 deleted

Delete regulation 37.

9. Regulation 39 amended

- (1) In regulation 39:

- (a) delete “The CEO” and insert:

- (1) The CEO

- (b) delete paragraph (b) and insert:

- (b) has access to supporting experts whose assistance would be necessary for the person to competently carry out the functions of an auditor; and

- (c) delete paragraph (d) and insert:

- (d) is covered by auditor insurance; and

- (d) in paragraph (e) delete “auditor.” and insert:

auditor; and

- (e) after paragraph (e) insert:

- (f) has paid to the CEO the fee set out in Schedule 2 item 5 for the term of the accreditation.

- (2) At the end of regulation 39 insert:
- (2) If the CEO accredits a person as an auditor, the CEO must set the term of the accreditation, which must not be longer than 5 years.
 - (3) The CEO must give to the auditor written notice specifying the term set by the CEO.
- 10. Regulation 40 replaced**
- Delete regulation 40 and insert:
- 40. Accreditation fee for persons accredited under *Mutual Recognition Act 1992 (Commonwealth) Part 3***
- (1) A person accredited under the *Mutual Recognition Act 1992 (Commonwealth) Part 3* as an auditor must not carry out a function as an auditor unless the person has paid to the CEO the fee set out in Schedule 2 item 5 for the term of the accreditation.
 - (2) If the person withdraws the notice given under the *Mutual Recognition Act 1992 (Commonwealth)* section 19 or is refused accreditation under section 23(1) of that Act, the CEO may refund to the person all or part of a fee paid under subregulation (1).
- 11. Regulation 43 deleted**
- Delete regulation 43.
- 12. Regulation 44 amended**
- (1) Delete regulation 44(1) and insert:
 - (1) In this regulation —
expiry day, in relation to an auditor, means the day on which the auditor's term of accreditation expires;
renewal period, in relation to an auditor, means the period of 70 days ending on expiry day.
 - (1A) An auditor may apply to the CEO for renewal of accreditation during the renewal period.

- (2) In regulation 44(2):
- (a) delete “is to —” and insert:

must —
 - (b) delete paragraph (c) and insert:
 - (c) specify the term of renewal sought, which must not be longer than 5 years; and
 - (d) if the application for renewal is made less than 35 days before expiry day — be accompanied by the late renewal application fee set out in Schedule 2 item 5A.
- (3) After regulation 44(3) insert:
- (4) If an auditor applies under subregulation (1A) before expiry day but the CEO does not give the auditor notice of the CEO’s decision on the application on or before expiry day, the term of the auditor’s accreditation continues from expiry day until the day on which the application is resolved.
 - (5) A fee paid under subregulation (2)(d) is not refundable regardless of whether the application is successful or unsuccessful.

13. **Regulations 45 and 46 replaced**

Delete regulations 45 and 46 and insert:

45. **Renewal of accreditation**

- (1) In this regulation —
- corresponding person*** means a person under the law of another Australian jurisdiction with functions that correspond or substantially correspond to the CEO’s functions under the Act;
- corresponding report*** means a report prepared under the law of another Australian jurisdiction that corresponds or substantially corresponds to a mandatory auditor’s report.

- (2) If an auditor applies for renewal of accreditation under regulation 44, the CEO must renew the accreditation if —
- (a) the CEO is satisfied that the auditor complies with the requirements set out in regulation 39(1)(a) to (e); and
 - (b) the auditor has not been convicted of an offence under section 11(3), 70(3), 71 or 74(2) of the Act; and
 - (c) the CEO does not consider it appropriate to refuse to renew the accreditation because —
 - (i) a ground set out in regulation 48(2)(a) to (da) is made out in respect of the auditor; or
 - (ii) the auditor has not provided a mandatory auditor's report to the CEO, or a corresponding report to a corresponding person, during the auditor's most recent term of accreditation;
- and
- (d) the auditor has paid to the CEO the fee set out in Schedule 2 item 5 for the term of the accreditation.
- (3) If the CEO renews the accreditation of an auditor under subregulation (2), the CEO must set a new term of accreditation, which must not be longer than 5 years.
- (4) The term set by the CEO begins on the day after the day on which the auditor's most recent term of accreditation expires.
- (5) The CEO must give to the auditor written notice specifying the term set by the CEO.

46. Identity card must be returned if person ceases to be accredited

- (1) A person who ceases to be accredited as an auditor must return to the CEO the written authority given under section 70(1) of the Act.
- Penalty for this subregulation: a fine of \$1 000.
- (2) However, subregulation (1) does not apply to a person who is taken not to be accredited as an auditor under regulation 51(1).

14. Part 9 Division 1A heading inserted

Before regulation 47 insert:

Division 1A — Disciplinary matters**15. Regulation 47 amended**

- (1) In regulation 47(1) delete “70,” and insert:

70(3),

- (2) Delete regulation 47(2) to (4).

Note: The heading to amended regulation 47 is to read:

Cancellation of accreditation on conviction for offence**16. Regulation 48 amended**

- (1) Delete regulation 48(1) and insert:

- (1) The CEO may by written notice, on a ground set out in subregulation (2) —

- (a) suspend the accreditation of an auditor for a fixed period specified in the notice; or
- (b) cancel the accreditation of an auditor.

- (2) In regulation 48(2):

- (a) in paragraph (a) delete “regulations;” and insert:

regulations, including regulation 32A(4), 57, 59A or 59B;

- (b) after paragraph (d) insert:

- (da) the auditor has failed to competently carry out their functions as an auditor, including by failing to obtain assistance from a supporting expert in circumstances in which obtaining the assistance was necessary;

- (db) the auditor is not covered by auditor insurance;

- (c) in paragraph (e) delete “meets the requirements of regulation 39.” and insert:

complies with the requirements set out in regulation 39(1).

- (3) Delete regulation 48(3) and (4).

Note: The heading to amended regulation 48 is to read:

Accreditation may be cancelled or suspended in other circumstances

17. Regulation 49 amended

- (1) In regulation 49(1) delete “46,” and insert:

45(2)(a), (b) or (c),

- (2) In regulation 49(3):

- (a) delete “is not to” and insert:

must not

- (b) delete “46,” and insert:

45(2)(a), (b) or (c),

- (3) Delete regulation 49(5).

18. Regulation 50 amended

In regulation 50(2):

- (a) delete “where —” and insert:

if —

- (b) in paragraph (a) delete “70,” and insert:

70(3),

- (c) delete paragraphs (b) and (c).

19. Regulations 52 and 53 replaced

Delete regulations 52 and 53 and insert:

52. No application for re-accreditation for 3 years following refusal to renew or cancellation

A person who is refused renewal of accreditation as an auditor under regulation 45(2)(b) or whose accreditation is cancelled under regulation 47(1) cannot apply for accreditation for 3 years after the refusal or cancellation.

20. Part 9 Division 1B heading inserted

After regulation 54 insert:

Division 1B — Notification requirements**21. Regulation 55 amended**

- (1) In regulation 55(1):
 - (a) delete “is to notify the CEO in writing —” and insert:

must notify the CEO in writing within 7 days —
 - (b) in paragraph (a) delete “regulation 39; or” and insert:

regulation 39(1); or
 - (c) delete paragraph (d) and insert:
 - (d) in the case of an auditor who satisfies the CEO that the auditor has access to a supporting expert — if the auditor no longer has access to the expert.
 - (d) delete “within 7 days after the day on which the change occurs.”.
- (2) At the end of regulation 55(1) insert:

Penalty for this subregulation: a fine of \$1 000.
- (3) In regulation 55(2) delete “is to” and insert:

must
- (4) At the end of regulation 55(2) insert:

Penalty for this subregulation: a fine of \$1 000.

- (5) Delete regulation 55(3) and (4) and insert:
- (3) An auditor must, within 7 days after the day on which the auditor is engaged to provide a mandatory auditor's report, give to the CEO a written notice —
- (a) stating that the auditor has been engaged to provide a report; and
 - (b) containing a description of the location and extent of the site in respect of which the auditor has been engaged to provide the report, sufficient to identify it; and
 - (c) containing the name of the person who engaged the auditor to provide the report.

Penalty for this subregulation: a fine of \$1 000.

- (6) At the end of regulation 55 delete the Penalty.

Note: The heading to amended regulation 55 is to read:

Auditor must notify CEO in certain circumstances

22. **Regulation 56 replaced**

Delete regulation 56 and insert:

56. **Auditor must notify CEO if insurance not maintained**

- (1) If an auditor ceases to be covered by auditor insurance, the auditor must, as soon as possible after the auditor becomes aware that they have ceased to be covered by the insurance, give written notice to the CEO stating —
- (a) that the auditor is no longer covered by the insurance; and
 - (b) the day on which the auditor ceased to be covered by the insurance.

Penalty for this subregulation: a fine of \$1 000.

- (2) If an auditor carries out a function as an auditor in reliance on assistance provided by a supporting expert and the auditor becomes aware that the expert is not covered by supporting expert insurance, the auditor must give written notice to the CEO as soon as possible.

Penalty for this subregulation: a fine of \$1 000.

23. Regulation 59 amended

In regulation 59 delete “may” and insert:

must

Note: The heading to amended regulation 59 is to read:

Title of auditor must be used only when carrying out functions of auditor

24. Regulations 59A to 59C inserted

After regulation 59 insert:

59A. Auditor must have insurance

An auditor must not carry out a function as an auditor unless the auditor is covered by insurance —

- (a) for the auditor’s civil liability for anything done or omitted in relation to carrying out the function; and
 - (b) against which a claim is able to be made —
 - (i) while the person is an auditor; and
 - (ii) for at least 7 years after the person ceases to be an auditor;
- and
- (c) that provides cover of not less than \$5 000 000 for a claim.

Penalty: a fine of \$1 000.

59B. Supporting expert must have insurance

An auditor must not carry out a function as an auditor in reliance on assistance from a supporting expert unless the supporting expert is covered by insurance —

- (a) that is in effect in respect of the expert’s civil liability for anything done or omitted in relation to providing the assistance; and
- (b) that provides cover of not less than \$5 000 000 for a claim.

Penalty: a fine of \$1 000.

59C. Auditor must submit annual reports

- (1) Before the end of February each year, an auditor must submit a written report in a form approved by the CEO setting out the following information in relation to the previous calendar year —
 - (a) details of each audit carried out by the auditor, regardless of whether the audit was completed;

- (b) details of each supporting expert that provided assistance to the auditor and the assistance provided;
- (c) details of the auditor's auditor insurance;
- (d) any other information relevant to establishing the risk to public health and the environment from the functions carried out by the auditor.

Penalty for this subregulation: a fine of \$1 000.

- (2) The report must be accompanied by a certificate of currency for the auditor's auditor insurance.

Penalty for this subregulation: a fine of \$1 000.

25. Regulation 62A inserted

At the beginning of Part 10 insert:

62A. Approved forms must be published on website

The CEO must ensure that —

- (a) a form approved by the CEO under regulation 36(1)(a), 44(2)(a) or 59C(1) is published on a website maintained by or on behalf of the Department; and
- (b) a form approved by the committee under regulation 24(1) is published on a website maintained by or on behalf of the committee.

26. Schedule 2 amended

In Schedule 2:

- (a) in item 4 delete “(other than auditor accredited under r. 37)”;
- (b) in item 5 delete “r. 40 and r. 45” and insert:

r. 39(1)(f), 40(1) and 45(2)(d)
- (c) after item 5 insert:

5A. Late renewal application fee r. 44(2)(d) 10

V. MOLAN, Clerk of the Executive Council.

INDUSTRIAL RELATIONS

IR301

Industrial Relations Act 1979

**Industrial Relations Commission Amendment
Regulations (No. 3) 2022**

SL 2022/75

Made by the Chief Commissioner of The Western Australian Industrial Relations Commission.

1. Citation

These regulations are the *Industrial Relations Commission Amendment Regulations (No. 3) 2022*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 20 June 2022.

3. Regulations amended

These regulations amend the *Industrial Relations Commission Regulations 2005*.

4. Regulation 3 amended

In regulation 3 delete the definitions of:

approved form

Form

5. Regulation 5 amended

(1) In regulation 5(1):

- (a) delete “a Form” and insert:

an approved form

- (b) delete “Form” (2nd occurrence) and insert:

form

-
- (2) In regulation 5(2A) delete “a Form” and insert:
- an approved form
- (3) In regulation 5(6):
- (a) in paragraph (a) delete “to be”;
- (b) in paragraph (b) delete “is to” and insert:
- must
- (4) In regulation 5(8) delete “is to” and insert:
- must
- (5) In regulation 5(9) delete the passage that begins with “is to —” and ends with “party.” and insert:
- may return the document by sending it electronically to the email address of the lodging party.
- (6) Delete regulation 5(10) and (11).
- 6. Regulation 41 amended**
- In regulation 41(1) delete “form set out in Schedule 1 Division 1.” and insert:
- approved form.
- 7. Part 5 heading replaced**
- Delete the heading to Part 5 and insert:
- Part 5 — Various applications under Act**

8. Regulation 56 replaced

Delete regulation 56 and insert:

56. Retirement from industrial agreement

As soon as practicable after a notice under section 41(7) of the Act signifying a party's intention to retire from an industrial agreement is filed, the Registrar must serve a copy of the notice on each other party to the agreement.

9. Part 6 heading and Part 6 Division 1 heading deleted

Delete the heading to Part 6 and the heading to Part 6 Division 1.

10. Regulations 61 and 62 replaced

Delete regulations 61 and 62 and insert:

60A. Applications for equal remuneration orders

- (1) An application under section 29(1)(b) of the Act for an equal remuneration order must be in the approved form and have attached to it a statement that includes details of the following —
 - (a) the terms of the order sought;
 - (b) the employees to be covered by the order;
 - (c) any industrial instrument that applies to those employees;
 - (d) the nature of the work, skill and responsibility required of those employees;
 - (e) any applications for an alternative remedy that have been made in relation to those employees.
- (2) After an application is filed, the Registrar must seek directions from the Commission as to service of the application.
- (3) The Registrar must serve a copy of the application together with its attachments as directed by the Commission.
- (4) A respondent who is served with an application and who wants to respond to the application must file a response in the approved form within 14 days after being served with the application.

- (5) A response —
 - (a) must, in summary form, specify the facts on which the respondent relies and specifically admit or dispute, either with or without qualification, each part of the application; and
 - (b) may contain a counter-proposal in which case the response must clearly specify in detail what is proposed.
- (6) As soon as practicable after a respondent files a response, the Registrar must serve a copy of the response on each other party.
- (7) If the applicant is served with a response and wants to reply to the response, the applicant must file a reply in writing within 14 days of being served with the response.
- (8) Subregulation (9) applies to a party to an application for an equal remuneration order if the party —
 - (a) was served with a copy of the application or a copy of a response containing a counter-proposal; and
 - (b) did not file a response or a reply, as the case may be, within the times respectively allowed under these regulations.
- (9) At a hearing of the application, the party may be heard with respect to the application or the counter-proposal —
 - (a) only by leave of the Commission; and
 - (b) on the conditions, if any, imposed by the Commission.

61. Unfair dismissal and contractual benefit claims by employees

- (1) The following claims must be referred to the Commission by application in the approved form and have attached to the application the particulars approved by the Chief Commissioner from time to time —
 - (a) a claim by an employee, referred under section 29(1)(c) of the Act, that the employee has been harshly, oppressively or unfairly dismissed from employment;
 - (b) a claim by an employee, referred under section 29(1)(d) of the Act, that an employer has not allowed the employee a benefit, other than a benefit under an award or an order, to which the employee is entitled under the contract of employment.

- (2) If a claim is referred under section 29(1)(c) of the Act after the time prescribed in section 29(2) of the Act, the application must have attached to it a statement from the applicant setting out the facts on which the applicant relies to show why it would be unfair for the Commission not to accept the referral.
- (3) Unless the Commission otherwise directs, the Registrar must, as soon as practicable after an application is filed, serve a copy of the application on each respondent.
- (4) A respondent who is served with an application and who wants to respond to the application must file a response in the approved form within 21 days after being served with the application.
- (5) A response must, in summary form, specify the facts on which the respondent relies and specifically admit or dispute, either with or without qualification, each part of the claim made by the applicant.
- (6) Unless the Commission otherwise directs, the Registrar must, as soon as practicable after a response is filed, serve a copy of the response on the applicant.
- (7) At a hearing by the Commission of an application, a party who was served with a copy of the application and who did not file a response within the time allowed under these regulations may only be heard on the matters raised in the application and not on any other matter.

62. Stop bullying or sexual harassment applications by workers

- (1) A stop bullying or sexual harassment application referred to the Commission by a worker under section 29(1)(e) of the Act must —
 - (a) provide details of the following respondents to the application —
 - (i) the person conducting a business or undertaking for whom the worker carries out work;
 - (ii) each individual alleged to be bullying or sexually harassing the worker at work;
 - (iii) if the behaviour of an individual referred to in subparagraph (ii) occurs in relation to that individual's work — the person conducting a business or undertaking for whom the individual carries out work;

and

- (b) otherwise be in the approved form; and
 - (c) have attached to the application the particulars approved by the Chief Commissioner from time to time.
- (2) Unless the Commission otherwise directs, the Registrar must serve a copy of an application that is filed on —
 - (a) the respondent referred to in subregulation (1)(a)(i) as soon as practicable after the application is filed; and
 - (b) each respondent referred to in subregulation (1)(a)(ii) and (iii) within 1 day after the application is served under paragraph (a).
- (3) A respondent who is served with an application and who wants to respond to the application must file a response in the approved form within 7 days after being served with the application.
- (4) A response must, in summary form, specify the facts on which the respondent relies and specifically admit or dispute, either with or without qualification, each part of the application.
- (5) Unless the Commission otherwise directs, the Registrar must, within 7 days after a respondent files a response, serve a copy of the response on each other party.
- (6) At a hearing by the Commission of a stop bullying or sexual harassment application, a party who was served with a copy of the application and who did not file a response within the time allowed under these regulations may only be heard on the matters raised in the application and not on any other matter.

11. Part 6 Division 2 heading deleted

Delete the heading to Part 6 Division 2.

12. Part 6 heading inserted

Before regulation 63 insert:

Part 6 — Agents

13. Regulation 63 amended

Delete regulation 63(2) and insert:

- (2) An applicant who refers a matter to the Commission under section 29(1)(b), (c), (d) or (e) of the Act may appoint a person as agent by completing the relevant part of the approved form referring the matter to the Commission.

14. Part 6 Division 3 heading deleted

Delete the heading to Part 6 Division 3.

15. Part 6A heading inserted

Before regulation 64 insert:

Part 6A — Delegation to Registrars**16. Regulation 64 amended**

- (1) In regulation 64(1) delete “section 29(1)(b)” and insert:

section 29(1)(c) or (d)

- (2) In regulation 64(2):

- (a) in paragraph (a) delete “Registrar or a deputy registrar; and” and insert:

Registrar; and

- (b) in paragraph (b) delete “or a deputy registrar”.

17. Regulation 66 amended

- (1) Delete regulation 66(1).
(2) Delete regulation 66(2) and insert:

- (2) An application under section 55 of the Act to the Commission in Court Session for registration of an organisation must be lodged in the office of the Registrar with the following attachments —

- (a) a statement as to —
 - (i) the steps taken by the organisation to inform members of the matters set out in section 55(4)(b) of the Act, and a copy of any notice or other document given to members for the purposes of that section; and
 - (ii) the opportunity afforded to members to make an objection under section 55(4)(b) of the Act;
 - (b) a copy of the resolution of the organisation authorising the application.
- (3) In regulation 66(3):
- (a) delete “Any” and insert:

A
 - (b) delete “give notice of that” and insert:

lodge an

18. Regulation 67 amended

- (1) Delete regulation 67(1) and (2) and insert:
 - (1) An application to register a council or other body as an association under section 67 of the Act must be made to the Commission in Court Session in the approved form.
 - (2) The application must be lodged in the office of the Registrar with the following attachments —
 - (a) a list containing the full names of the organisations that are represented on the council or other body;
 - (b) a list containing the full name and address of each person representing those organisations on the council or other body;
 - (c) a list containing the full names and addresses of the officers of the council or other body;
 - (d) a copy of the rules of the council or other body, certified as being correct by the principal executive officer or secretary of the council or other body;

- (e) a statement as to —
 - (i) the steps taken by the council or other body to inform members of the matters set out in section 55(4)(b) of the Act, and a copy of any notice or other document given to members for the purposes of that section, as applied by section 67(3) of the Act; and
 - (ii) the opportunity afforded to members to make an objection under section 55(4)(b) of the Act as applied by section 67(3) of the Act;
 - (f) a copy of the resolution authorising the application.
- (2) In regulation 67(3):
- (a) delete “Any” and insert:

A
 - (b) delete “give notice of that” and insert:

lodge an

Note: The heading to amended regulation 67 is to read:

Registration of industrial association

19. Regulation 68 amended

- (1) Delete regulation 68(1) and (2) and insert:
 - (1) An application under section 72(1) of the Act to register a new organisation formed by amalgamating 2 or more organisations must be made to the Commission in Court Session in the approved form.
- (2) Delete regulation 68(3) and insert:
- (3) The application must be lodged in the office of the Registrar with the following attachments —
 - (a) a list containing the full names and addresses of the officers of the proposed new organisation;
 - (b) a copy of the rules of the proposed new organisation certified as being correct by the principal executive officer or secretary of the new organisation;

- (c) a statement as to —
 - (i) the steps taken by the amalgamating organisations to inform members of the matters set out in section 55(4)(b) of the Act, and a copy of any notice or other document given to members for the purposes of that section, as applied by section 72(3) of the Act; and
 - (ii) the opportunity afforded to members to make an objection under section 55(4)(b) of the Act as applied by section 72(3) of the Act;
- (d) a copy of the resolution of each amalgamating organisation authorising the application.

(3) In regulation 68(4):

- (a) delete “Any” and insert:

A

- (b) delete “give notice of that” and insert:

lodge an

20. Regulation 69 amended

(1) In regulation 69(1):

- (a) after “respect” insert:

to its name or

- (b) delete “in triplicate to the Full Bench” and insert:

to the Commission in Court Session

(2) In regulation 69(3):

- (a) delete “An application under subregulation (1)” and insert:

The application

- (b) in paragraphs (a) and (b) delete “3 printed or type-written copies” and insert:

a copy

(c) delete paragraph (c) and insert:

(c) a statement as to —

- (i) the steps taken by the organisation or association to inform members of the matters set out in section 62(3)(b) of the Act, and a copy of any notice or other document given to members for the purposes of that section; and
- (ii) the opportunity afforded to members to make an objection under section 62(3)(b) of the Act;

(d) in paragraph (d) delete “3 copies” and insert:

a copy

(3) Delete regulation 69(4).

(4) In regulation 69(5):

(a) delete “Any” and insert:

A

(b) delete “give notice of that” and insert:

lodge an

21. Regulation 70 amended

(1) In regulation 70(1):

(a) delete “Any” and insert:

An

(b) delete “in triplicate to the Full Bench” and insert:

to the Commission in Court Session

(2) In regulation 70(2):

(a) delete “Any” and insert:

An

(b) delete “to” (2nd occurrence).

- (3) In regulation 70(3):
- (a) delete the passage that begins with “if the” and ends with “type-written” (2nd occurrence) and insert:
- the application must have attached to it a
- (b) delete “president” and insert:
- principal executive officer

22. Regulation 71 amended

- (1) In regulation 71(1):
- (a) delete “Any” and insert:
- An
- (b) delete “in triplicate to the Full Bench” and insert:
- to the Commission in Court Session
- (2) In regulation 71(2):
- (a) delete paragraph (a) and insert:
- (a) a statement as to the steps taken by the organisation or association, and a copy of any notice or other document given to members, to inform them —
- (i) about the proposal for the change of name and the reasons for the change of name; and
- (ii) about the proposed new name; and
- (iii) that the members or any of them may object to the making of the application by forwarding a written objection to the Registrar;
- (aa) a statement as to the opportunity afforded to members to object to the making of the application;
- (b) in paragraphs (b) and (c) delete “3 copies” and insert:
- a copy

- (3) In regulation 71(3):
- (a) delete “Any” and insert:
- A
- (b) delete “must give notice of that” and insert:
- or association must lodge an

23. Regulations 72 and 73 replaced

Delete regulations 72 and 73 and insert:

72. Counterpart certificates

- (1) An application to the Commission in Court Session for a declaration under section 52A(7) of the Act must be made in the approved form.
- (2) If the application is for a declaration that, for the purposes of section 52A(2) of the Act, a Western Australian branch of a federal organisation is a counterpart federal body in relation to a State organisation, the application must be lodged in the office of the Registrar with the following attachments —
- (a) a copy of the rules of the State organisation and the rules of the branch;
- (b) a statement comparing the rules relating to the qualifications of persons for membership of the State organisation and for membership of the branch;
- (c) a statement comparing the offices that exist within the State organisation and the offices that exist within the branch;
- (d) a statement indicating the number of persons currently members of the State organisation and the number of persons currently members of the branch;
- (e) a statement indicating the number and classes of persons affected by section 71(3)(a) and (b) of the Act.
- (3) If the application is for a declaration that, for the purposes of section 52A(3) of the Act, a federal organisation is a counterpart federal body in relation to a State organisation, the application must be lodged in the office of the Registrar with the following attachments —

- (a) a copy of the rules of the State organisation and the rules of the federal organisation;
- (b) either —
 - (i) if there is an agreement referred to in section 52A(4)(b) of the Act between the State organisation and the federal organisation — a copy of the agreement; or
 - (ii) otherwise — a statement comparing the State organisation and the federal organisation by reference to a matter referred to in section 52A(4)(a)(i) to (iv) of the Act;
- (c) a statement indicating the number of persons currently members of the State organisation and the number of persons currently members of the federal organisation;
- (d) a statement indicating the number and classes of persons affected by section 52A(5) and (6) of the Act.

73. Order as to whom employee organisation represents

- (1) An application (a *section 72A application*) to the Commission in Court Session for an order under section 72A(2) of the Act must —
 - (a) be made in the approved form; and
 - (b) set out in detail the grounds of the application.
- (2) A person who wants to be heard in relation to a section 72A application must —
 - (a) lodge an application in the approved form at least 10 days before the hearing of the section 72A application; and
 - (b) set out in detail in the application the grounds on which the person claims sufficient interest to be heard in relation to the section 72A application.
- (3) After an application under subregulation (2) is lodged, the Registrar must, at least 7 days before the hearing of the section 72A application, serve a copy of the application on each party to the section 72A application.

24. Regulation 74 amended

- (1) In regulation 74(1) delete “Any request for a direction” and insert:

A request for the Commission to direct the Registrar to issue a summons

- (2) In regulation 74(4):

- (a) delete “is to” and insert:

must

- (b) after “organisation” insert:

or association

- (3) In regulation 74(5):

- (a) delete “Full Bench” (each occurrence) and insert:

Commission in Court Session

- (b) delete “is to” and insert:

must

- (4) Delete regulation 74(6).

Note: The heading to amended regulation 74 is to read:

Summons for cancellation or suspension of registration of organisation or association

25. Regulation 76 amended

- (1) Delete regulation 76(1) and (2) and insert:

- (1) An application by the Registrar under section 73(12) of the Act to the Commission in Court Session to cancel the registration of an organisation or association must be in the approved form.

- (2) The application must —

- (a) state clearly the grounds on which it is made;
and

- (b) have attached to it a statutory declaration setting out the facts on which the Registrar relies.

- (2) In regulation 76(3) delete “is to” and insert:
- must
- (3) In regulation 76(4):
- (a) delete “Where” and insert:
- If
- (b) delete “give notice of that objection in an” and insert:
- lodge an objection in the
- (4) In regulation 76(5) delete “Where” and insert:
- If
- (5) In regulation 76(6) delete “is to” (each occurrence) and insert:
- must

26. Regulation 77 amended

- (1) In regulation 77(1):
- (a) delete “Where” and insert:
- If
- (b) delete “Full Bench” and insert:
- Commission in Court Session
- (c) delete “is to” and insert:
- must
- (d) delete “form set out in Schedule 1 Division 4.” and insert:
- approved form.

- (2) In regulation 77(2):
- (a) delete “Where” and insert:

If
 - (b) delete “Full Bench” and insert:

Commission in Court Session
 - (c) delete “is to” and insert:

must
 - (d) delete “form set out in Schedule 1 Division 4.” and insert:

approved form.
- (3) In regulation 77(3):
- (a) delete “Where” and insert:

If
 - (b) delete “Full Bench” and insert:

Commission in Court Session
 - (c) delete “is to” and insert:

must
 - (d) delete “form set out in Schedule 1 Division 4.” and insert:

approved form.
- (4) In regulation 77(4):
- (a) delete “When” and insert:

If
 - (b) delete “is to” and insert:

must

- (c) after “organisation” (2nd occurrence) insert:

or association
- (d) delete “form set out in Schedule 1 Division 4.” and insert:

approved form.
- (5) In regulation 77(5):
- (a) delete “When” and insert:

If
- (b) delete “is to” and insert:

must
- (c) delete “form set out in Schedule 1 Division 4.” and insert:

approved form.
- 27. Regulation 94N deleted**
Delete regulation 94N.
- 28. Regulation 99 deleted**
Delete regulation 99.
- 29. Regulation 99E deleted**
Delete regulation 99E.
- 30. Schedule 1 deleted**
Delete Schedule 1.

S. KENNER, Chief Commissioner
The Western Australian Industrial Relations Commission

IR302

Industrial Relations Act 1979
Long Service Leave Act 1958

Industrial Relations Regulations (Consequential Amendments) Regulations 2022

SL 2022/100

Made by the Governor in Executive Council.

Part 1 — Preliminary

1. Citation

These regulations are the *Industrial Relations Regulations (Consequential Amendments) Regulations 2022*.

2. Commencement

These regulations come into operation as follows —

- (a) Part 1 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 20 June 2022.

Part 2 — *Industrial Magistrates Courts (General Jurisdiction) Regulations 2005* amended

3. Regulations amended

This Part amends the *Industrial Magistrates Courts (General Jurisdiction) Regulations 2005*.

4. Regulation 1 amended

In regulation 1 delete “*Magistrates Courts*” and insert:

Magistrate’s Court

5. Regulation 3 amended

- (1) In regulation 3(1)(a) delete “a Court” and insert:

the court

- (2) Delete regulation 3(2).

6. Regulation 4 amended

- (1) In regulation 4 delete the definitions of:

approved form

Board

Court

record

third party

third party claim

- (2) In regulation 4 insert in alphabetical order:

CILSLP Board means the Construction Industry Long Service Leave Payments Board established under the *Construction Industry Portable Paid Long Service Leave Act 1985* section 5(1);

court means the industrial magistrate's court;

court-approved form means a form approved by the Chief Magistrate for the purposes of the provision in which the term is used;

practice direction has the meaning given in regulation 72;

- (3) In regulation 4 in the definition of *case*:

- (a) delete "a Court" and insert:

the court

- (b) delete "Court's" and insert:

court's

- (c) delete "the Act section 81CA(1);" and insert:

section 81CA(1) of the Act;

- (4) In regulation 4 in the definition of *CIPPLSL case*:

- (a) delete "a Court" and insert:

the court

- (b) delete "Court's" and insert:

court's

(c) after “section 83E” insert:

of the Act

- (5) In regulation 4 in the definition of *claim* delete “a Court” and insert:

the court

- (6) In regulation 4 in the definition of *corporation* delete “by section 57A of the *Corporations Act 2001* of the Commonwealth;” and insert:

in the *Corporations Act 2001* (Commonwealth) section 57A;

- (7) In regulation 4 in the definition of *default judgment* delete “Court,” and insert:

court,

- (8) In regulation 4 in the definition of *judgment* delete “the Act section 83E” and insert:

section 83E of the Act

- (9) In regulation 4 in the definition of *lodge* delete “the” and insert:

a

- (10) In regulation 4 in the definition of *officer* delete “by section 9 of the *Corporations Act 2001* of the Commonwealth;” and insert:

in the *Corporations Act 2001* (Commonwealth) section 9;

7. Regulation 5 amended

- (1) In regulation 5(1) delete “A Court is to” and insert:

The court must

- (2) In regulation 5(2)(c) delete “a Court’s” and insert:

the court’s

8. Regulation 6 amended

- (1) In regulation 6(1) and (2) delete “A Court” and insert:

The court

- (2) In regulation 6(3):

- (a) delete “Court” and insert:

court

- (b) delete “are to” and insert:

must

- (3) In regulation 6(4) delete “Court” and insert:

court

9. Regulation 7 amended

In regulation 7(1):

- (a) delete “A Court” and insert:

The court

- (b) in paragraph (a) delete “Court” and insert:

court

- (c) in paragraph (n)(iii) delete “Court” and insert:

court

- (d) in paragraph (n)(iv) delete “Court’s” and insert:

court’s

- (e) in paragraph (q)(ii) delete “him or her;” and insert:

the expert witness;

- (f) in paragraph (q)(iii) delete “a Court;” and insert:

the court;

- (g) in paragraph (q)(iv) delete “a Court order;” and insert:
an order of the court;

10. Regulation 8 amended

- (1) In regulation 8(1) delete “a Court” and insert:
the court
- (2) In regulation 8(2) delete “a Court, a Court” and insert:
the court, the court
- (3) In regulation 8(3A) and (3) delete “Court” and insert:
court

11. Regulation 9 amended

- (1) In regulation 9(1):
- (a) delete “a Court” and insert:
the court
- (b) delete “is to” and insert:
will
- (c) delete “Court.” and insert:
court.
- (2) In regulation 9(2) delete “Court” and insert:
court

12. Regulation 10 amended

- (1) In regulation 10(1) delete “Court,” and insert:
court,

- (2) In regulation 10(2) and (3) delete “Court” and insert:

court

- (3) In regulation 10(4) delete “his or her” and insert:

the expert’s

13. Regulation 11 amended

In regulation 11:

- (a) delete “the Act section 77, 83, 83A, 83B or 83E, a Court” and insert:

section 77, 83, 83A, 83B or 83E of the Act, the court

- (b) delete “Court,” and insert:

court,

14. Regulation 12 amended

- (1) Delete regulation 12(1) and insert:

- (1) Except as provided in this regulation, if the court orders a party to pay a sum of money, the court may order the party to pay interest on the whole or any part of the sum —
- (a) for the whole or any part of the period from the date when the cause of case arose to the date when the order is made; and
- (b) at the rate prescribed under the *Civil Judgments Enforcement Act 2004* section 8(1)(a) for that period or part.

- (2) In regulation 12(2):

- (a) delete “a Court” and insert:

the court

- (b) delete “Court” (2nd and 3rd occurrence) and insert:

court

(c) delete “is to” and insert:

may

(3) In regulation 12(3) delete “the Act section 83A.” and insert:

section 83A of the Act.

(4) In regulation 12(4):

(a) delete “a Court” and insert:

the court

(b) delete “the Act section 83A, the Court” and insert:

section 83A of the Act, the court

(c) delete “judgment” and insert:

order

15. Regulation 13 amended

(1) In regulation 13(1) delete “approved form.” and insert:

court-approved form.

(2) In regulation 13(3) delete “an approved form that may be used” and insert:

the court-approved form

(3) In regulation 13(4) delete “or third party claim” (each occurrence).

(4) In regulation 13(5):

(a) delete “Court” and insert:

court

(b) delete “or third party claim” (each occurrence).

16. Regulation 14 amended

- (1) In regulation 14(1)(a) and (b) delete “Perth Court,” and insert:

court’s registry,

- (2) In regulation 14(4):

- (a) delete “a Court” and insert:

the court

- (b) delete “Court.” and insert:

court.

17. Regulation 18 amended

- (1) In regulation 18(1)(a):

- (a) delete “Court” and insert:

court

- (b) delete “Commission” and insert:

court

- (2) In regulation 18(1)(c) delete “or third party claim”.

- (3) In regulation 18(2)(a) delete “approved form” and insert:

court-approved form

18. Regulation 21 amended

- (1) In regulation 21(1) delete “Court.” and insert:

court.

- (2) In regulation 21(2) delete “Court” and insert:

court

- (3) In regulation 21(3):
- (a) delete “Court” and insert:

court
 - (b) delete “to be” (1st occurrence);
 - (c) delete “Court.” and insert:

court.

19. Regulation 23 amended

In regulation 23(2) delete “to be” (1st occurrence).

20. Regulation 34 deleted

Delete regulation 34.

21. Regulation 35A amended

- (1) In regulation 35A(1):
- (a) delete “Court” and insert:

court
 - (b) in paragraph (a) delete “is to” and insert:

must
- (2) In regulation 35A(2) delete “Court” and insert:

court

22. Regulation 35 amended

- (1) In regulation 35(1) delete “Court” and insert:

court
- (2) In regulation 35(2):
- (a) delete “A Court” and insert:

The court
 - (b) delete “Court” (2nd occurrence) and insert:

court

(3) Delete regulation 35(3) and insert:

(3) The court may adjourn a trial to a fixed date as the court thinks fit.

(4) In regulation 35(4) delete “a Court hearing a trial” and insert:

the court

23. Regulation 37 amended

(1) In regulation 37(1) delete “approved form” and insert:

court-approved form

(2) In regulation 37(4):

(a) delete “A party which issues” and insert:

The party that lodges

(b) delete “subsection (3)” and insert:

subregulation (3)

(3) In regulation 37(5) delete “subsection (3)” and insert:

subregulation (3)

(4) In regulation 37(6) delete “subsection (5) it is to be presumed that the information is true,” and insert:

subregulation (5), the information is presumed to be true

24. Regulation 40 amended

(1) In regulation 40(1) delete “approved form,” and insert:

court-approved form

(2) In regulation 40(2):

(a) delete “Court” and insert:

court

(b) delete “Court.” and insert:

court.

(3) In regulation 40(3) delete “approved form and” and insert:

court-approved form

25. Regulation 41 amended

(1) In regulation 41(1) delete “a Court” and insert:

the court

(2) In regulation 41(2) and (3):

(a) delete “a Court” and insert:

the court

(b) delete “order” and insert:

judgment

26. Regulation 42 deleted

Delete regulation 42.

27. Regulation 43 amended

In regulation 43 delete “in accordance with this Part at the Court registry referred to in regulation 44” and insert:

with the court in accordance with this Part

28. Regulation 44 deleted

Delete regulation 44.

29. Regulation 45 amended

In regulation 45(1) delete “relevant Court’s” and insert:

court’s

30. Regulation 46 amended

- (1) In regulation 46(2):
 - (a) delete “Registrar” and insert:

clerk
 - (b) delete “Court.” and insert:

court.
- (2) In regulation 46(3) delete “Court’s” (each occurrence) and insert:

court’s
- (3) In regulation 46(6)(b)(ii) delete “Court.” and insert:

court.
- (4) In regulation 46(7):
 - (a) delete “a Court is to be” and insert:

the court is
 - (b) in paragraphs (a) and (b) delete “Court’s” and insert:

court’s
- (5) In regulation 46(8):
 - (a) delete “a Court” and insert:

the court
 - (b) delete “Court’s” and insert:

court’s
 - (c) delete “to be”;
 - (d) delete “Court.” and insert:

court.

31. Regulation 47 amended

- (1) In regulation 47(2) delete “A Court” and insert:

The court

- (2) In regulation 47(3) delete “relevant Court’s” and insert:

court’s

- (3) In regulation 47(4) delete “a Court is to be” and insert:

the court is

- (4) In regulation 47(5):

- (a) delete “a Court” and insert:

the court

- (b) in paragraph (c) delete “Court” and insert:

court

- (5) In regulation 47(6)(c):

- (a) delete “Court,” and insert:

court,

- (b) delete “Court.” and insert:

court.

- (6) In regulation 47(7):

- (a) delete “Court is to be” and insert:

court is

- (b) in paragraphs (a) and (b) delete “Court’s” and insert:

court’s

- (7) In regulation 47(8):
- (a) delete “Court is to be” and insert:

court is
 - (b) delete “Court” (2nd occurrence) and insert:

court

32. Regulation 48 amended

In regulation 48:

- (a) delete “Court” and insert:

court
- (b) delete “facsimile” and insert:

digital version
- (c) delete “Court’s” (each occurrence) and insert:

court’s
- (d) delete “to be”;
- (e) delete “Court,” and insert:

court,
- (f) delete “Court.” and insert:

court.

33. Regulation 49 amended

- (1) In regulation 49(1):
 - (a) delete “Court” and insert:

court
 - (b) delete “to be”.
- (2) In regulation 49(2) delete “Court” (each occurrence) and insert:

court

- (3) In regulation 49(3) delete “to be” (1st occurrence).

34. Regulation 52 amended

- (1) In regulation 52(1) and (2) delete “is to” and insert:

must

- (2) In regulation 52(4) delete “approved form.” and insert:

court-approved form.

35. Regulation 53 amended

In regulation 53(3)(c) before “Board.” insert:

CILSLP

36. Regulation 54 amended

In regulation 54(2)(c) before “Board.” insert:

CILSLP

37. Regulation 57 amended

- (1) In regulation 57(4) delete “to be”.
- (2) In regulation 57(6) delete “approved form.” and insert:

court-approved form.

38. Regulation 60 amended

In regulation 60 delete “to be”.

39. Regulation 61 amended

- (1) In regulation 61(1):
- (a) delete “a Court order” and insert:

an order of the court

- (b) delete “approved form” and insert:

court-approved form

(c) delete “Court” (2nd occurrence) and insert:

court

(2) In regulation 61(3) delete “Court,” and insert:

court,

40. Regulation 64 amended

In regulation 64(2):

(a) delete “a Court” and insert:

the court

(b) delete “Court” (2nd and 3rd occurrences) and insert:

court

41. Regulation 65 amended

(1) In regulation 65(1):

(a) delete “a Court” and insert:

the court

(b) delete “Court” (2nd occurrence) and insert:

court

(2) In regulation 65(2):

(a) delete “Court” and insert:

court

(b) delete paragraph (a) and insert:

(a) has been informed of a litigation guardian’s liability under subregulation (3); and

(3) In regulation 65(3) delete “Court” and insert:

court

42. Regulation 66 amended

In regulation 66 delete “a Court” and insert:

the court

43. Regulation 67 amended

(1) In regulation 67(1) delete “a Court” and insert:

the court

(2) In regulation 67(2) delete “Court” and insert:

court

44. Regulation 69 amended

In regulation 69:

(a) delete “Court” and insert:

court

(b) delete “approved forms” and insert:

court-approved forms

(c) in paragraph (a) delete “each Court’s” and insert:

the court’s

45. Regulation 72 amended

In regulation 72:

(a) delete “(to be called practice directions)” and insert:

(a *practice direction*)

(b) delete “Court and its registries.” and insert:

court and its registry.

46. Regulation 73 amended

- (1) In regulation 73(2) delete “Court” and insert:

court

- (2) In regulation 73(3) delete “A Court hearing an application under subregulation (1) may affirm, vary or set aside the decision as the Court” and insert:

The court may affirm, vary or set aside the decision as the court

47. Various references to “approved form” amended

In the provisions listed in the Table delete “approved form” and insert:

court-approved form

Table

r. 15	r. 29(2)
r. 30(2)	r. 32(2)
r. 33(2)	r. 68

48. Various references to “Court” amended

In the provisions listed in the Table delete “Court” (each occurrence) and insert:

court

Table

r. 24(4)	r. 33(3)
r. 36	r. 38(2)
r. 39	r. 50(a)
r. 70	

Note: The headings to the amended regulations listed in the Table are to read as set out in the Table.

Table

Amended regulation	Regulation heading
r. 4	Terms used
r. 8	Court's powers to deal with default by party
r. 10	Use of experts
r. 11	Court's power to order costs
r. 12	Court's power to order payment of interest
r. 13	Making claim or counterclaim
r. 14	Response to claim
r. 18	General duties and powers of clerk at pre-trial conference
r. 21	Failure to comply with order
r. 23	Status of things said or done at pre-trial conference
r. 33	Response to invitation to admit
r. 37	Issuing witness summons
r. 43	Meaning of lodge
r. 48	Court's seal may be applied electronically
r. 50	Meaning of serve
r. 61	Making application
r. 67	Settlement of claims by or against person under legal disability
r. 68	Form of affidavit

Part 3 — *Industrial Relations (General)* *Regulations 1997* amended

49. Regulations amended

This Part amends the *Industrial Relations (General) Regulations 1997*.

50. Regulation 3 inserted

At the end of Part 1 insert:

3. Term used: Clerk

In these regulations —

Clerk means the clerk of the Court.

51. Part 2 heading replaced

Delete the heading to Part 2 and insert:

Part 2 — Employment records

52. Part 4 inserted

After regulation 6 insert:

Part 4 — Employers declared not to be national system employers

7. Employers declared not to be national system employers (Act s. 80A(2))

For the purposes of section 80A(2) of the Act, each employer specified in Schedule 4 is declared not to be a national system employer for the purposes of the FW Act.

53. Regulation 8 deleted

Delete regulation 8.

54. Schedule 1 amended

In Schedule 1 item 1 delete “filing a claim under section 29(1)(b)” and insert:

referring an industrial matter under section 29(1)(c), (d) or (e)

55. Schedule 4 inserted

After Schedule 3 insert:

Schedule 4 — Employers declared not to be national system employers

[r. 7]

Division 1 — Local government employers

Table

City of Albany	City of Armadale
Shire of Ashburton	Shire of Augusta Margaret River
Town of Bassendean	City of Bayswater

City of Belmont	Shire of Beverley
Shire of Boddington	Shire of Boyup Brook
Shire of Bridgetown-Greenbushes	Shire of Brookton
Shire of Broome	Shire of Broomehill-Tambellup
Shire of Bruce Rock	City of Bunbury
City of Busselton	Town of Cambridge
City of Canning	Shire of Capel
Shire of Carnamah	Shire of Carnarvon
Shire of Chapman Valley	Shire of Chittering
Town of Claremont	City of Cockburn
Shire of Collie	Shire of Coolgardie
Shire of Coorow	Shire of Corrigin
Town of Cottesloe	Shire of Cranbrook
Shire of Cuballing	Shire of Cue
Shire of Cunderdin	Shire of Dalwallinu
Shire of Dandaragan	Shire of Dardanup
Shire of Denmark	Shire of Derby-West Kimberley
Shire of Donnybrook-Balingup	Shire of Dowerin
Shire of Dumbleyung	Shire of Dundas
Town of East Fremantle	Shire of East Pilbara
Shire of Esperance	Shire of Exmouth
City of Fremantle	Shire of Gingin
Shire of Gnowangerup	Shire of Goomalling
City of Gosnells	City of Greater Geraldton
Shire of Halls Creek	Shire of Harvey
Shire of Irwin	Shire of Jerramungup
City of Joondalup	City of Kalamunda
City of Kalgoorlie-Boulder	City of Karratha
Shire of Katanning	Shire of Kellerberrin

Shire of Kent	Shire of Kojonup
Shire of Kondinin	Shire of Koorda
Shire of Kulin	City of Kwinana
Shire of Lake Grace	Shire of Laverton
Shire of Leonora	City of Mandurah
Shire of Manjimup	Shire of Meekatharra
City of Melville	Shire of Menzies
Shire of Merredin	Shire of Mingenew
Shire of Moora	Shire of Morawa
Town of Mosman Park	Shire of Mount Magnet
Shire of Mount Marshall	Shire of Mukinbudin
Shire of Mundaring	Shire of Murchison
Shire of Murray	Shire of Nannup
Shire of Narembeen	Shire of Narrogin
City of Nedlands	Shire of Ngaanyatjaraku
Shire of Northam	Shire of Northampton
Shire of Nungarin	Shire of Peppermint Grove
Shire of Perenjori	City of Perth
Shire of Pingelly	Shire of Plantagenet
Town of Port Hedland	Shire of Quairading
Shire of Ravensthorpe	City of Rockingham
Shire of Sandstone	Shire of Serpentine-Jarrahdale
Shire of Shark Bay	City of South Perth
City of Stirling	City of Subiaco
City of Swan	Shire of Tammin
Shire of Three Springs	Shire of Toodyay
Shire of Trayning	Shire of Upper Gascoyne
Town of Victoria Park	Shire of Victoria Plains
City of Vincent	Shire of Wagin

Shire of Wandering	City of Wanneroo
Shire of Waroona	Shire of West Arthur
Shire of Westonia	Shire of Wickepin
Shire of Williams	Shire of Wiluna
Shire of Wongan-Ballidu	Shire of Woodanilling
Shire of Wyalkatchem	Shire of Wyndham-East Kimberley
Shire of Yalgoo	Shire of Yilgarn
Shire of York	

Division 2 — Regional local government employers

Table

Bunbury Harvey Regional Council	Eastern Metropolitan Regional Council
Mindarie Regional Council	Murchison Regional Vermin Council
Resource Recovery Group	Rivers Regional Council
Tamala Park Regional Council	Western Metropolitan Regional Council

Note: The heading to regulation 4 is to read:

How employment records must be kept (Act s. 49D(3))

Part 4 — *Long Service Leave Regulations 1997* amended

56. Regulations amended

This Part amends the *Long Service Leave Regulations 1997*.

57. Regulation 3 amended

In regulation 3(1), (2) and (3) delete “purpose of section 4(2)(d)” and insert:

purposes of section 7C(2)(b)

Note: The heading to amended regulation 3 is to read:

**Prescribed rate for cash value of board and lodging
(Act s. 7C(2)(b))**

V. MOLAN, Clerk of the Executive Council.

IR303

Minimum Conditions of Employment Act 1993

Minimum Conditions of Employment Regulations 2022

SL 2022/86

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Minimum Conditions of Employment Regulations 2022*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 20 June 2022.

3. Reasonable deductions for benefit of employer or related party (Act s. 17E(2))

- (1) For the purposes of section 17E(2) of the Act, a circumstance in which a deduction is reasonable is that —
 - (a) the deduction is made in respect of the provision of goods or services to an employee by an employer or a party related to the employer; and
 - (b) the goods or services are provided in the ordinary course of the business of the employer or related party; and
 - (c) the goods or services are provided to the employee on terms and conditions that are not less favourable than those on which the goods or services are provided to members of the public.

Examples for this subregulation:

1. A deduction, made by an employer that is a health fund, for a health insurance premium.
2. A deduction, made by an employer that is a financial institution, for a loan repayment.

- (2) For the purposes of section 17E(2) of the Act, a circumstance in which a deduction is reasonable is that the deduction is for the purpose of recovering costs directly incurred by the employer as a result of the voluntary private use of particular property of the employer by an employee (whether authorised or not).

Examples for this subregulation:

1. The cost of items purchased on an employer's credit card for personal use by the employee.
2. The cost of personal calls on an employer's mobile phone.
3. The cost of petrol purchased for the private use of an employer's vehicle by the employee.

4. *Minimum Conditions of Employment Regulations 1993* repealed

The *Minimum Conditions of Employment Regulations 1993* are repealed.

V. MOLAN, Clerk of the Executive Council.

JUSTICE

JU301

Freedom of Information Act 1992
State Administrative Tribunal Act 2004

Attorney General Regulations Amendment (Veterinary Practice) Regulations 2022

SL 2022/97

Made by the Governor in Executive Council.

Part 1 — Preliminary

1. Citation

These regulations are the *Attorney General Regulations Amendment (Veterinary Practice) Regulations 2022*.

2. Commencement

These regulations come into operation as follows —

- (a) Part 1 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day on which the *Veterinary Practice Act 2021* section 197 comes into operation.

**Part 2 — *Freedom of Information Regulations 1993*
amended****3. Regulations amended**

This Part amends the *Freedom of Information Regulations 1993*.

4. Schedule 2 amended

- (1) In Schedule 2 column 2 delete the item relating to the Veterinary Surgeons Board.
- (2) In Schedule 2 opposite “Department of Agriculture and Food” insert in column 2 in alphabetical order:

Veterinary Practice Board of Western Australia
--

**Part 3 — *State Administrative Tribunal
Regulations 2004* amended****5. Regulations amended**

This Part amends the *State Administrative Tribunal Regulations 2004*.

6. Schedule 1 amended

In Schedule 1 delete “*Veterinary Surgeons Act 1960*” and insert:

Veterinary Practice Act 2021

V. MOLAN, Clerk of the Executive Council.

JU302

Guardianship and Administration Act 1990

Guardianship and Administration Amendment Regulations 2022

SL 2022/102

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Guardianship and Administration Amendment Regulations 2022*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 4 August 2022.

3. Regulations amended

These regulations amend the *Guardianship and Administration Regulations 2005*.

4. Part 4 inserted

After regulation 8 insert:

Part 4 — Transitional provisions for *Guardianship and Administration Amendment Regulations 2022*

9. Advance health directive form during transitional period

- (1) In this regulation —
commencement day means 4 August 2022;
former regulations means these regulations as in force immediately before commencement day;
transitional period means the period of 6 months beginning on commencement day.
- (2) During the transitional period, each of the following is the form prescribed for an advance health directive —
 - (a) the form in Schedule 2;

- (b) the form in Schedule 2 of the former regulations.

5. Schedule 2 replaced

Delete Schedule 2 and insert:

Schedule 2 — Advance health directive form

[r. 7]

ADVANCE HEALTH DIRECTIVE FORM

This form is for people who want to make an Advance Health Directive in Western Australia.

To make an Advance Health Directive, you must be 18 years or older and have full legal capacity. Your Advance Health Directive is about your future treatment. It will only come into effect if you are unable to make reasonable judgments or decisions at a time when you require treatment.

- ✦ Part 4, marked with this symbol, contains your treatment decisions. If you choose not to make any treatment decisions in Part 4, then the document is not considered a valid Advance Health Directive under the *Guardianship and Administration Act 1990*.

Please tick the box below to indicate that by making this Advance Health Directive you revoke all prior Advance Health Directives completed by you.

- In making this Advance Health Directive, I revoke all prior Advance Health Directives made by me.

This form includes instructions to help you complete your Advance Health Directive. For more information on how to complete the form and to see examples, please read *A Guide to Making an Advance Health Directive in Western Australia*.

Before you make your Advance Health Directive, you are encouraged to seek legal and/or medical advice, and to discuss your decisions with family and close friends. It is important that people close to you know that you have made an Advance Health Directive and where to find it. Once you complete your Advance Health Directive, it is recommended that you:

- store the original in a safe and accessible place and tell your close family and friends that you have made an Advance Health Directive and where to find it

- upload a copy of your Advance Health Directive to your My Health Record — this will ensure that your Advance Health Directive is available to your treating doctors if it is needed
- give a copy of your Advance Health Directive to health professionals regularly involved in your health care (for example, your General Practitioner (GP), a hospital you attend regularly, and/or other health professionals involved in your care).

This form must be completed in English. If English is not your first language, you may need help to understand and complete this form. Contact the National Accreditation Authority for Translators and Interpreters for help.

PART 1: MY PERSONAL DETAILS	
You must complete this part	
<p>You must complete Part 1.</p> <p>You must include the date, your full name, date of birth and address.</p>	<p>This Advance Health Directive is made under the <i>Guardianship and Administration Act 1990</i> Part 9B on the of,</p> <p style="text-align: center;">(day) (month) (year)</p> <p>by</p> <p style="text-align: center;">(name)</p>

Full name			
Date of birth			
Address			
	(suburb)	WA	(postcode)
Phone number			
Email			

PART 2: MY HEALTH

2.1 My major health conditions

Use Part 2.1 to list details about your major health conditions (physical and/or mental).

Cross out Part 2.1 if you do not want to complete it.

Please list any major health conditions below:

2.2 When talking with me about my health, these things are important to me

Use Part 2.2 to provide information about what is important to you when talking about your treatment.

This might include:

- How much you like to know about your health conditions
- What you need to help you make decisions about treatment
- Whether you like to have certain family members with you when receiving information from your health professionals

Cross out Part 2.2 if you do not want to complete it.

Please describe what is important to you when talking to health professionals about your treatment:

PART 3: MY VALUES AND PREFERENCES

This part encourages you to think about your values and preferences relating to your health and care now and into the future. This may help you to decide what treatment decisions you want to make in Part 4: My Advance Health Directive Treatment Decisions.

In this part, you are not making decisions about your future treatment. Use Part 4 to make decisions about your future treatment.

Cross out any parts that you do not want to complete.

3.1 These things are important to me

Use Part 3.1 to provide information about what “living well” means to you now and into the future.

This might include:

- What the most important things in your life are
- What “living well” means to you

Cross out Part 3.1 if you do not want to complete it.

Please describe what “living well” means to you now and into the future. Use the space below and/or tick which boxes are important for you.

Please describe:

- Spending time with family and friends
- Living independently
- Being able to visit my home town, country of origin, or spending time on country
- Being able to care for myself (e.g. showering, going to the toilet, feeding myself)
- Keeping active (e.g. playing sport, walking, swimming, gardening)
- Enjoying recreational activities, hobbies and interests (e.g. music, travel, volunteering)
- Practising religious, cultural, spiritual and/or community activities (e.g. prayer, attending religious services)
- Living according to my cultural and religious values (e.g. eating halal, kosher foods only)
- Working in a paid or unpaid job

3.2 These are things that worry me when I think about my future health

Use Part 3.2 to provide information about things that worry you about your future health.

This might include:

- Being in constant pain
- Not being able to make your own decisions
- Not being able to care for yourself

Cross out Part 3.2 if you do not want to complete it.

Please describe any worries you have about the outcomes of future illness or injury:

3.3 When I am nearing death, this is where I would like to be

Use Part 3.3 to indicate where you would like to be when you are nearing death.

When you are nearing death, do you have a preference of where you would like to spend your last days or weeks?

Cross out Part 3.3 if you do not want to complete it.

Please indicate where you would like to be when you are nearing death. Tick the option that applies to you. You can provide more detail about the option you choose in the space below.

- I want to be at home — where I am living at the time
- I do not want to be at home — provide more details below
- I do not have a preference — I would like to be wherever I can receive the best care for my needs at the time
- Other — please specify:

Please provide more detail about your choice:

3.4 When I am nearing death, these things are important to me

Use Part 3.4 to provide information about what is important to you when you are nearing death.

This might include:

- What would comfort you when you are dying
- Who you would like around you

Cross out Part 3.4 if you do not want to complete it.

Please describe what is important to you and what would comfort you when you are nearing death. Use the space below and/or tick which boxes are important for you.

Please describe:

- I do not want to be in pain, I want my symptoms managed, and I want to be as comfortable as possible
(Please provide details of what being comfortable means to you)
- I want to have my loved ones and/or pets around me
(Please provide details of who you would like with you)
- It is important to me that cultural or religious traditions are followed
(Please provide details of any specific traditions that are important for you)

	<input type="checkbox"/> I want to have access to pastoral/spiritual care (Please provide details of what is important for you) <input type="checkbox"/> My surroundings are important to me (e.g. quiet, music, photographs) (Please provide details of what is important for you)
--	--

PART 4: MY ADVANCE HEALTH DIRECTIVE



TREATMENT DECISIONS

This part of your Advance Health Directive contains treatment decisions in respect of your future treatment. A **treatment** is any medical or surgical treatment (including palliative care or life-sustaining measures such as assisted ventilation and cardiopulmonary resuscitation), dental treatment, or other health care.

A **treatment decision** in an Advance Health Directive is a decision to consent or refuse consent to the commencement or continuation of any treatment and includes a decision to consent or refuse consent to the commencement or continuation of the person's participation in medical research. This decision applies at any time you are unable to make reasonable judgments in respect of that treatment.

Treatment you consent to in this Advance Health Directive can be provided to you. Treatment you refuse consent to in this Advance Health Directive cannot be provided to you. Your enduring guardian or guardian or another person cannot consent or refuse consent on your behalf to any treatment to which this Advance Health Directive applies.

It is recommended that you discuss your treatment decisions with your doctor before completing this part.

Cross out any parts that you do not want to complete.

You MUST make at least one treatment decision in Part 4 to make a valid Advance Health Directive.

4.1 Life-sustaining treatment decisions	
<p>Use Part 4.1 to indicate your instructions for future life-sustaining treatments.</p> <p>You can give an overall instruction or list individual treatments that you consent or refuse consent to receiving in the future. You can also list circumstances in which you consent or refuse consent to a particular treatment.</p> <p>Life-sustaining treatments are treatments used to keep you alive or to delay your death.</p> <p>Read all options before making a decision. The options are over two pages.</p> <p>Cross out Part 4.1 if you do not want to complete it.</p> <p>You MUST make at least one treatment decision in Part 4 to make a valid Advance Health Directive.</p>	<p>If I do not have the capacity to make or communicate treatment decisions about my health care in the future, I make the following decisions about life-sustaining treatment:</p> <p>(Tick only one of the following options. If you choose Option 4, complete the table overleaf).</p> <p>Option 1 <input type="checkbox"/> I consent to all treatments aimed at sustaining or prolonging my life.</p> <p>OR</p> <p>Option 2 <input type="checkbox"/> I consent to all treatments aimed at sustaining or prolonging my life unless it is apparent that I am so unwell from injury or illness that there is no reasonable prospect that I will recover to the extent that I can survive without continuous life-sustaining treatments. In such a situation, I withdraw consent to life-sustaining treatments.</p> <p>OR</p> <p>Option 3 <input type="checkbox"/> I refuse consent to all treatments aimed at sustaining or prolonging my life.</p> <p>OR</p> <p>Option 4 <input type="checkbox"/> I make the following decisions about specific life-sustaining treatments as listed in the table below. (Tick a box in each row of the table)</p> <p>OR</p> <p>Option 5 <input type="checkbox"/> I cannot decide at this time</p>

Please complete this table if you have ticked Option 4 above.

If you have ticked Option 1, 2, 3 or 5, do not complete this table.

This table lists some common life-sustaining treatments. Use the boxes to indicate which treatments you consent or refuse consent to receiving. You can also list circumstances in which you consent to treatment. There is also space for you to add any life-sustaining treatments not listed here.

Tick one box per row in the table below.

If you choose Option B for any treatments, please specify the circumstances in which you consent to the treatment.


Life-sustaining treatment	A. I consent to this treatment in all circumstances	B. I consent to this treatment in the following circumstances	C. I refuse consent to this treatment in all circumstances	D. I cannot decide at this time
CPR Cardiopulmonary resuscitation	<input type="checkbox"/>	<input type="checkbox"/> In which circumstances do you consent to this treatment?	<input type="checkbox"/>	<input type="checkbox"/>
Assisted ventilation A machine that helps you breathe using a face mask or tube	<input type="checkbox"/>	<input type="checkbox"/> In which circumstances do you consent to this treatment?	<input type="checkbox"/>	<input type="checkbox"/>
Artificial hydration Fluids given via a tube into a vein, tissues or the stomach	<input type="checkbox"/>	<input type="checkbox"/> In which circumstances do you consent to this treatment?	<input type="checkbox"/>	<input type="checkbox"/>
Artificial nutrition A feeding tube through the nose or stomach	<input type="checkbox"/>	<input type="checkbox"/> In which circumstances do you consent to this treatment?	<input type="checkbox"/>	<input type="checkbox"/>
Receiving blood products such as a blood transfusion	<input type="checkbox"/>	<input type="checkbox"/> In which circumstances do you consent to this treatment?	<input type="checkbox"/>	<input type="checkbox"/>
Antibiotics Drugs that are used to treat infection	<input type="checkbox"/>	<input type="checkbox"/> In which circumstances do you consent to this treatment?	<input type="checkbox"/>	<input type="checkbox"/>
Use the boxes below to list any other life-sustaining treatments you do/do not consent to receive:				
Other life-sustaining treatment (1) State the treatment:	<input type="checkbox"/>	<input type="checkbox"/> In which circumstances do you consent to this treatment?	<input type="checkbox"/>	<input type="checkbox"/>

Other life-sustaining treatment (2)

In which circumstances do you consent to this treatment?

State the treatment:

.....

4.2 Other treatment decisions		
	Health circumstances	My treatment decisions
<p>Use Part 4.2 to indicate your decisions for other (non-life-sustaining) treatments.</p> <p>There are a range of other treatments that may be options for you in the future.</p> <p>Examples include treatments for mental health (e.g. electroconvulsive therapy) and drugs used to prevent certain health conditions (e.g. aspirin, cholesterol treatments).</p> <p>When making a treatment decision, list the circumstances in which you want your decision to apply (e.g. in all circumstances, or specify particular circumstances).</p> <p>A treatment decision only applies in the circumstances you specify.</p> <p>Please ensure that you indicate in the “My treatment decisions” column whether you consent or refuse consent to any treatment you refer to.</p> <p>If you need more space, use the template in the <i>Guide to Making an Advance Health Directive in Western Australia</i> and attach it to your Advance Health Directive form.</p>		
	<p><input type="checkbox"/> I have made more treatment decisions using the template and attached (specify number of pages) additional pages.</p>	

Cross out Part 4.2 if you do not want to complete it.

You MUST make at least one treatment decision in Part 4 to make a valid Advance Health Directive.

4.3 Medical research

Use Part 4.3 to provide treatment decisions about the medical research activities you consent or refuse consent to take part in, and any circumstances in which these decisions apply.

Taking part in medical research may be an option for you even if you are unable to make or communicate decisions.

A treatment decision may include deciding whether to start or continue to take part in medical research. Your involvement in medical research, and any treatments you receive as part of the medical research, must be consistent with what you have agreed in your Advance Health Directive. The decisions you make in your Advance Health Directive about participating in medical research only operate while you are alive.

If you do not make a decision about participation in medical research, Part 9E of the *Guardianship and Administration Act 1990* will operate as to how decisions will be made about participation in medical research.

Cross out Part 4.3 if you do not want to complete it.

You MUST make at least one treatment decision in Part 4 to make a valid Advance Health Directive.

Please tick a box showing whether you consent to taking part in the listed medical research activities and the circumstances in which you consent. You may tick more than one circumstance for each research activity.

	I consent to taking part in the following circumstances:				I do not consent
	Where I require urgent treatment to save my life, or to prevent serious damage to my health, or to prevent me suffering or continuing to suffer significant pain and distress	Where the medical research may improve my condition or illness	Where the medical research may not improve my condition or illness but may lead to a better understanding of my condition or illness in the future	Where there are no other treatment options	
RESEARCH ACTIVITIES					

The administration of pharmaceuticals or placebos (inactive drug)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The use of equipment or a device	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Providing health care that has not yet gained the support of a substantial number of practitioners in that field of health care	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Providing health care to carry out a comparative assessment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Taking blood samples	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Taking samples of tissue or fluid from the body, including the mouth, throat, nasal cavity, eyes or ears	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any non-intrusive examination of the mouth, throat, nasal cavity, eyes or ears	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A non-intrusive examination of height, weight or vision	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Observing an individual	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Undertaking a survey, interview or focus group	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Collecting, using or disclosing information, including personal information	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Considering or evaluating samples or information taken under an activity listed above	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any other medical research not listed above	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

PART 5: PEOPLE WHO HELPED ME COMPLETE THIS FORM	
5.1 Did an interpreter help you to complete this form?	
<p>Use Part 5.1 to show whether an interpreter helped you to complete this form.</p> <p>If English is not your first language, you can use an interpreter to help you complete this form.</p> <p>If you use an interpreter to help you to complete this Advance Health Directive, you and your interpreter should complete the interpreter statement provided in <i>A Guide to Making an Advance Health Directive in Western Australia</i> and attach it to your Advance Health Directive.</p> <p>Cross out Part 5.1 if you do not want to complete it.</p>	<p>Tick the option that applies to you:</p> <p>Option 1 <input type="checkbox"/> English is my first language — I did not need to use an interpreter</p> <p>Option 2 <input type="checkbox"/> English is NOT my first language — an interpreter helped me make this Advance Health Directive and I have attached an interpreter statement</p> <p>Option 3 <input type="checkbox"/> English is NOT my first language — I did NOT receive help from an interpreter to make this Advance Health Directive</p>

5.2 Have you made an Enduring Power of Guardianship (EPG)?	
<p>Use Part 5.2 to indicate whether you have made an Enduring Power of Guardianship (EPG) and provide details if relevant.</p> <p>An Enduring Power of Guardianship allows you to name and legally appoint one or more people to make decisions about your lifestyle and health care if you lose capacity.</p> <p>A person you appoint to make decisions on your behalf is called an enduring guardian.</p> <p>An enduring guardian cannot override decisions made in your Advance Health Directive.</p> <p>Cross out Part 5.2 if you do not want to complete it.</p>	<p>Tick the option that applies to you:</p> <p>Option 1 <input type="checkbox"/> I have NOT made an Enduring Power of Guardianship</p> <p>Option 2 <input type="checkbox"/> I have made an Enduring Power of Guardianship</p> <hr/> <p>My EPG was made on: / / (day) (month) (year)</p> <p>My EPG is kept in the following place (be as specific as possible):</p> <p>.....</p> <p>I appointed the following person/s as my enduring guardian.</p> <p>Name Phone</p> <p>Joint enduring guardian (if appointed):</p> <p>Name Phone</p> <p>Substitute enduring guardian (if any):</p> <p>Name Phone</p> <p>Other substitute enduring guardian (if more than one):</p> <p>Name Phone</p>

5.3 Did you seek medical and/or legal advice about making this Advance Health Directive?							
<p>Use Part 5.3 to indicate whether you obtained medical and/or legal advice before making this Advance Health Directive and provide details if relevant.</p> <p>You are encouraged (but not required) to seek medical or legal advice to make an Advance Health Directive.</p> <p>Cross out Part 5.3 if you do not want to complete it.</p>	<p>Medical Advice — tick the option that applies to you</p> <p>Option 1 <input type="checkbox"/> I did NOT obtain medical advice about the making of this Advance Health Directive.</p> <p>Option 2 <input type="checkbox"/> I DID obtain medical advice about the making of this Advance Health Directive.</p> <p>I obtained medical advice from:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%;">Name</td> <td></td> </tr> <tr> <td>Phone</td> <td></td> </tr> <tr> <td>Practice</td> <td></td> </tr> </table> <p>Legal Advice — tick the option that applies to you</p>	Name		Phone		Practice	
Name							
Phone							
Practice							

	<p>Option 1 <input type="checkbox"/> I did NOT obtain legal advice about the making of this Advance Health Directive.</p> <p>Option 2 <input type="checkbox"/> I DID obtain legal advice about the making of this Advance Health Directive.</p> <p>I obtained legal advice from:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%;">Name</td> <td></td> </tr> <tr> <td>Phone</td> <td></td> </tr> <tr> <td>Practice</td> <td></td> </tr> </table>	Name		Phone		Practice	
Name							
Phone							
Practice							

<p>PART 6: SIGNATURE AND WITNESSING</p> <p>You must complete this Part</p>
<ul style="list-style-type: none"> You must sign this Advance Health Directive in the presence of two (2) witnesses. If you are physically incapable of signing this Advance Health Directive, you can ask another person to sign for you. You must be present when the person signs for you. Two (2) witnesses must be present when you sign this Advance Health Directive or when another person signs for you. Each of the witnesses must be 18 years of age or older and cannot be you or the person signing for you (if applicable). At least one of the witnesses must be authorised by law to take statutory declarations. The witnesses must also sign this Advance Health Directive. Both witnesses must be present when each of them signs. You and the person signing for you (if applicable) must also be present when the witnesses sign. If you need to use a marksman clause to sign this Advance Health Directive, you should complete the marksman clause template provided in <i>A Guide to Making an Advance Health Directive in Western Australia</i> and attach it to your Advance Health Directive.
<p>YOU MUST SIGN THIS FORM IN THE PRESENCE OF TWO (2) WITNESSES. BOTH WITNESSES MUST BE PRESENT WHEN YOU SIGN THIS FORM. THE WITNESSES MUST SIGN IN EACH OTHER’S PRESENCE.</p>
<p>Signed by:</p> <p style="text-align: center;"><i>(signature of person making this Advance Health Directive)</i></p> <p>Date: / /</p> <p style="text-align: center;"><i>(day) (month) (year)</i></p> <p>OR</p>

<p>Signed by:</p> <p><i>(insert name of person who the maker of Advance Health Directive has directed to sign)</i></p> <p style="text-align: center;">in the presence of, and at the direction of</p> <p>.....</p> <p><i>(insert name of maker of Advance Health Directive)</i></p> <p>Date: / /</p> <p><i>(day) (month) (year)</i></p> <p>Witnessed by a person authorised by law to take statutory declarations:</p>	
Authorised witness's signature	
Authorised witness's full name	
Address	
Occupation of authorised witness	
Date / /
	(day) (month) (year)
And witnessed by another person:	
Witness's signature	
Witness's full name	
Address	
Date / /
	(day) (month) (year)

V. MOLAN, Clerk of the Executive Council.

LANDS

LA301

Land Administration Act 1997

**Land Administration Amendment
Regulations 2022****SL 2022/90**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Land Administration Amendment Regulations 2022*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 1 July 2022.

3. Regulations amended

These regulations amend the *Land Administration Regulations 1998*.

4. Schedule 1 amended**(1) In Schedule 1 item 1:**

- (a) in paragraph (a) delete “194.00” and insert:

197.00

- (b) in paragraph (b) delete “743.00” and insert:

757.00

- (c) in paragraph (c) delete “1 356.00” and insert:

1 383.00

(2) In Schedule 1 item 1A delete “153.00” and insert:

156.00

V. MOLAN, Clerk of the Executive Council.

LOCAL GOVERNMENT

LG301

Cat Act 2011
Dog Act 1976

Local Government Regulations Amendment (Veterinary Practice) Regulations 2022

SL 2022/94

Made by the Governor in Executive Council.

Part 1 — Preliminary

1. Citation

These regulations are the *Local Government Regulations Amendment (Veterinary Practice) Regulations 2022*.

2. Commencement

These regulations come into operation as follows —

- (a) Part 1— on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day on which the *Veterinary Practice Act 2021* section 197 comes into operation.

Part 2 — *Cat Regulations 2012* amended**3. Regulations amended**

This Part amends the *Cat Regulations 2012*.

4. Regulation 7 amended

In regulation 7(1)(b) delete “*Veterinary Surgeons Act 1960* section 2.” and insert:

Veterinary Practice Act 2021 section 3.

5. Regulation 9 amended

Delete regulation 9(2)(e) and insert:

- (e) veterinary premises as defined in the *Veterinary Practice Act 2021* section 3.

Part 3 — *Dog Regulations 2013* amended**6. Regulations amended**

This Part amends the *Dog Regulations 2013*.

7. Regulation 8 amended

In regulation 8(b) delete “*Veterinary Surgeons Act 1960* section 2.” and insert:

Veterinary Practice Act 2021 section 3.

V. MOLAN, Clerk of the Executive Council.

LG302

Local Government Act 1995

**Local Government Regulations Amendment
(Financial Management and Audit)
Regulations 2022**

SL 2022/88

Made by the Governor in Executive Council.

Part 1 — Preliminary

1. Citation

These regulations are the *Local Government Regulations Amendment (Financial Management and Audit) Regulations 2022*.

2. Commencement

These regulations come into operation as follows —

- (a) Part 1 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 1 July 2022.

**Part 2 — *Local Government (Audit) Regulations 1996*
amended**

3. Regulations amended

This Part amends the *Local Government (Audit) Regulations 1996*.

4. Regulation 10 amended

Delete regulation 10(3) and (4A) and insert:

- (3) The report must include a report on the conduct of the audit.

5. Regulation 18 inserted

After regulation 17 insert:

18. Transitional provision for *Local Government Regulations Amendment (Financial Management and Audit) Regulations 2022*

- (1) In this regulation —
former provisions means regulation 10(3) and (4A) as in force immediately before the commencement of the *Local Government Regulations Amendment (Financial Management and Audit) Regulations 2022* regulation 4.
- (2) The former provisions continue to apply in relation to an auditor's report relating to the accounts and annual financial report of a local government for the financial year ending on 30 June 2021.

Part 3 — *Local Government (Financial Management) Regulations 1996* amended

6. Regulations amended

This Part amends the *Local Government (Financial Management) Regulations 1996*.

7. Regulation 14 replaced

Delete regulation 14 and insert:

14. Information about operating revenue and expenses in annual budget and annual financial report

The information in a local government's annual budget and annual financial report about operating revenue and expenses must be shown according to nature or type classification.

8. Regulation 34 amended

Delete regulation 34(3) and insert:

- (3) The information in a statement of financial activity must be shown according to nature or type classification.

9. Regulation 36 amended

In regulation 36(1)(f) delete “50.” and insert:

49.

10. Regulation 50 deleted

Delete regulation 50.

11. Regulation 80 inserted

After regulation 79 insert:

80. Transitional provisions for *Local Government Regulations Amendment (Financial Management and Audit) Regulations 2022*

- (1) In this regulation —
commencement day means the day on which the *Local Government Regulations Amendment (Financial Management and Audit) Regulations 2022* regulations 7, 9 and 10 come into operation.
- (2) Regulations 14, 36(1)(f) and 50 as in force immediately before commencement day continue to apply in relation to the annual financial report of a local government for the financial year ending on 30 June 2021.
- (3) Regulation 14 as in force immediately before commencement day continues to apply in relation to the annual budget of a local government for the financial year ending on 30 June 2022.

V. MOLAN, Clerk of the Executive Council.

PLANNING

PL301

Planning and Development Act 2005

**Planning and Development (Development
Assessment Panels) Amendment Regulations
(No. 2) 2022**

SL 2022/89

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Planning and Development (Development Assessment Panels) Amendment Regulations (No. 2) 2022*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 1 July 2022.

3. Regulations amended

These regulations amend the *Planning and Development (Development Assessment Panels) Regulations 2011*.

4. Schedule 1 replaced

Delete Schedule 1 and insert:

Schedule 1 — Fees for applications

[r. 10 and 17]

Item	Application	Fee
1.	A DAP application if the estimated cost of the development is —	
	(a) not less than \$2 million and less than \$7 million	\$5 815
	(b) not less than \$7 million and less than \$10 million	\$8 977

Item	Application	Fee
(c)	not less than \$10 million and less than \$12.5 million	\$9 767
(d)	not less than \$12.5 million and less than \$15 million	\$10 045
(e)	not less than \$15 million and less than \$17.5 million	\$10 324
(f)	not less than \$17.5 million and less than \$20 million	\$10 604
(g)	\$20 million or more	\$10 883
2.	An application under r. 17	\$249

5. Schedule 3 amended

Delete Schedule 3 Form 2 and insert:

2. Application for amendment or cancellation of development approval (r. 17 and 21)

Planning and Development Act 2005

Planning and Development (Development Assessment Panels) Regulations 2011

Application for amendment or cancellation of a DAP determination (r. 17 and 21)

Part A: Development application previously determined

DAP File No. (DPLH reference):	DAP/	
Planning scheme(s):	[Name of planning scheme(s) that applies to the land described below]	
Land:	[Lot number, street name, town/suburb]	
Certificate of Title: (provide copy)	Volume Number:	Folio:
	Location Number:	Plan/Diagram Number:
Description of development:		
Existing use:	[Residential/Commercial/Industrial/Rural/Mixed Use/Other]	

Proposed amendments:	
Original DAP determination date:	

Part B: Applicant details (to be completed and signed by the applicant)

By completing this notice, I declare that all the information provided in this application is true and correct. I understand that the information provided in this notice, and attached forming part of the application, will be made available to the public on the Development Assessment Panel and local government websites.		
Name:		
Company:		
Address:		
Contact details:	Email:	Telephone:
Signature:		Date:
Please note: unless otherwise requested, DAP secretariat will contact you via your nominated email address.		

Part C: Landowner details (to be completed and signed if landowner is different from applicant)

<ul style="list-style-type: none"> • By completing this notice, I consent to the applicant making this application on my behalf. • If there are more than two landowners, please provide all relevant information on a separate page. • Signatures must be provided by all registered proprietors or by an authorised agent as shown on the Certificate of Title. • Alternatively, a letter of consent, which is signed by all registered proprietors or by the authorised agent, can be provided. • Companies are required to provide signatures from two directors or a director and a company secretary unless the company has a sole director and either that director is also the sole company secretary or the company does not have a company secretary. 		
Company (if applicable):		
Contact details:	Email:	Telephone:
Address:		
Name/s:		
Title/s:	<i>Landowner/Sole Director/Director (2 signatures required)</i>	<i>Additional Landowner/Director/Secretary (if applicable)</i>

Signature/s:		
Date:		

Part D: Amendment requested

Please specify the amendments/modifications required to the original determination (please tick one or more of the following):
<input type="checkbox"/> to amend the approval so as to extend the period within which any development approved must be substantially commenced; <input type="checkbox"/> to amend or delete any condition to which the approval is subject; <input type="checkbox"/> to amend an aspect of the development approved which, if amended, would not substantially change the development approved; <input type="checkbox"/> to cancel the approval.

**Part E: Local government acceptance for assessment
(to be completed and signed by a local government planning officer)**

Responsible authority:	<input type="checkbox"/> Local government <input type="checkbox"/> Western Australian Planning Commission <input type="checkbox"/> Dual — Local government and Western Australian Planning Commission <input type="checkbox"/> Building Management and Works (Department of Finance) — Public Primary School Applications
Fees for application: (Schedule 1)	<input type="checkbox"/> [\$] has been paid by the applicant
Statutory timeframe: (regulation 12)	<input type="checkbox"/> 60 days (advertising not required) <input type="checkbox"/> 90 days* (advertising required or other scheme provision) <i>* If 90 days is selected, please provide details of advertising requirement or other scheme provision</i>
LG Reference number:	
Name of planning officer (report writer):	
Position and title:	

Contact details:	Email:	Telephone:
Planning officer's signature:		<i>Date accepted for assessment</i>

Please refer to the Development Assessment Panel's "Guidance Note: Lodging a DAP Application" for further information.

V. MOLAN, Clerk of the Executive Council.

TREASURY AND FINANCE

TR301

Land Tax Assessment Act 2002
 Pay-roll Tax Assessment Act 2002
 Taxation Administration Act 2003

Finance Regulations Amendment Regulations 2022

SL 2022/91

Made by the Governor in Executive Council.

Part 1 — Preliminary

1. Citation

These regulations are the *Finance Regulations Amendment Regulations 2022*.

2. Commencement

These regulations come into operation as follows —

- (a) Part 1 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 1 July 2022.

Part 2 — *Land Tax Assessment Regulations 2003* amended

3. Regulations amended

This Part amends the *Land Tax Assessment Regulations 2003*.

4. Regulation 3 amended

In regulation 3(1) in the definition of *arrears*:

- (a) in paragraph (d) delete “tax; and” and insert:

tax;

- (b) delete paragraph (e).

5. Regulation 8 amended

- (1) In regulation 8(1) delete “instalments that, in accordance with the formulas set out in subregulations (2), (3) and (4), include a charge of 2% of (RA + DA).” and insert:

instalments.

- (2) In regulation 8(2) delete:

$$\text{first instalment} = A + \frac{1.02 (RA + DA)}{3}.$$

and insert:

$$\text{first instalment} = A + \frac{(RA + DA)}{3}$$

- (3) In regulation 8(3) delete:

$$\text{second instalment} = \frac{1.02 (RA + DA)}{3}.$$

and insert:

$$\text{second instalment} = \frac{(RA + DA)}{3}$$

(4) In regulation 8(4) delete:

$$\text{third instalment} = \frac{1.02 (RA + DA)}{3}.$$

and insert:

$$\text{third instalment} = \frac{(RA + DA)}{3}$$

6. Regulation 9 amended

In regulation 9(2) delete “amount, plus a charge of 2% of (RA + DA),” and insert:

amount

**Part 3 — *Pay-roll Tax Assessment Regulations 2003*
amended**

7. Regulations amended

This Part amends the *Pay-roll Tax Assessment Regulations 2003*.

8. Regulation 48 inserted

At the end of Part 6 insert:

48. Amount prescribed for exemption from lodging monthly returns (Act s. 29(1aa)(b))

For the purposes of section 29(1aa)(b) of the Act, \$150 000 is prescribed.

V. MOLAN, Clerk of the Executive Council.

— PART 2 —

CEMETERIES

CE401

CEMETERIES ACT 1986
GERALDTON CEMETERY BOARD
Schedule of Fees

In pursuance of the powers conferred by Section 53 of the *Cemeteries Act 1986*, the Geraldton Cemetery Board hereby records having resolved on the 8th of June 2022 that the following fees and charges shall apply from 1 July 2022. Schedule includes 10% GST unless otherwise shown.

BURIALS		
	General	Lawn
A: BURIAL FEES—including registration and tablet fee		
Adult Interment, 13 years and over	\$1340	\$1425
Child interment, under 13 years of age—including stillborn in ground not set aside for such purpose—Single Interment	\$1027	\$1059
Interment of any stillborn or child up to 6 months in Infant Burial Area	\$402	N/A
Vaulted burial—Re-open only (includes identification marker and registration)	\$263	\$263
B: Grant or Right of Burial Fee		
A 'Grant or Right of Burial' (25-year tenure) being issued for each Lot and shall be <i>additional to those fees prescribed in paragraph (A) above</i>		
Ordinary Land for grave 2.1m long x 1.5m wide x 1.8m deep were directed by cemetery	\$1277 GST Ex	\$1771 GST Ex
Ordinary Land for grave 1.5m long x 0.6m wide x 1.8m deep in Infant Burial Area	\$506 GST Ex	N/A
Pre-need purchase—land selected by applicant or land reserved in advance	\$1440 GST Ex	\$1967 GST Ex
C: OTHER		
For exhumation	\$1574	\$2118
For reburial after exhumation	\$1300	\$1425
MISCELLANEOUS CHARGES		
PERMITS—		
For permit to erect a headstone, monument, or rail in General cemetery	\$418	GST ex
For permit to place a plaque in Lawn Cemetery One & Three	\$257	GST ex
For permit to place a monument in Lawn Cemetery Two	\$380	GST ex
For permit to place monument in Infants & Dream Gardens & Memorial Gardens	\$257	GST ex
For permit to renovate or add to a monument all areas	\$138	GST ex
For permit to add inscription to a monument all areas	\$125	GST ex
For permit to have 150x150mm (maximum) Identification Marker	\$125	GST ex
Monuments commissioned by Office of Australian War Graves—permit fee waived		
Single Funeral Permit (Funeral Directors' only)	\$391	GST ex
Single Funeral Permit (Other than Funeral Directors)	\$769	GST Ex
LICENCES—		
Funeral Director's Annual Licence Fee	\$776	
Monumental Mason's Annual Licence Fee	\$567	
Single Monumental Mason's Work Licence (permit fee also payable)	\$244	
OTHER—		
Hire of crematorium facility for one (1) hour being extra or Burial	\$257	
Purchase of small, raised headstone	\$252	

OTHER—		
Purchase of large, raised headstone	\$400	
Copy of Grant or Right of Burial	\$194	
Transfer of Grant or Right of Burial	\$194	
Copy of By-laws and regulations	\$88	
Refund of an unexpired Grant of Right of Burial or Prepaid Cremation not to exceed the amount originally paid less an administration fee of	\$215	
EXTRA CHARGES		
Interment or cremation without due notice	\$714	
Booking Cancellation without 2 full clear working days' notice	\$260	
For each interment or cremation on a Saturday	\$782	
Removal of Sand from Burial Site	\$449	
Plot Selection—with appointment	\$269	
Plot Selection—without appointment	\$337	
For each interment or cremation not in usual hours	\$714	
For late departure from Cemetery Grounds per 15 min over allocated times	\$268	
For early arrival of more than 15 mins prior to booked time	\$268	
CREMATORIUM		
	Attend	Non-Attend
Adult cremation, 13 years and over with service	\$1663	\$1405
Child cremation, under 13 years of age with service	\$958	\$701
Cremation of stillborn (up to 4 weeks) with service	\$756	\$499
Pre-need cremation	\$2043	
B:MEMORIAL PACKAGES (includes Tenure, Plaque, and Interment of Ashes)		
<i>Tenure on all cremation memorials shall be 25 years from date of receipt of scheduled fee</i>		
Kerbing placement including 152 x 152mm bronze plaque	\$845	
Garden placement including 152 x 152 mm bronze plaque	\$1027	
Marble Garden placement including 400x300mm Plus Lettering	\$1480	
Garden placement including 381 x 279mm double bronze plaque with one plate	\$1902	
- second interment including second plate	\$330	
<u>Rose Garden AA,AC,AE,AH,AI,AJ,AO</u>		
Garden placement including 185 x 150mm sculptured rose border plaque	\$1233	
<u>Interment in Single Niche</u>		
Brick including 150 x 140mm bronze plaque	\$714	
Tile including 150 x 140mm bronze plaque	\$741	
Marble including 150 x 140mm bronze plaque	\$790	
<u>Interment in Double Niche</u>		
Brick including 320 x 130mm bronze plaque and first plate	\$1455	
Tile including 320 x 130mm bronze plaque and first plate	\$1568	
Marble including 320 x 130mm bronze plaque and first plate	\$1756	
Second interment and second plate	\$330	
<u>Garden of Dreams</u>		
Butterfly 180 x 150mm bronze plaque	\$940	
Oval 190 x 120mm bronze plaque	\$990	
Square 152 x 152 bronze plaque	\$768	
<u>Double Granite Garden Placement</u>		
Garden placement including 130 x 240 mm double bronze plaque with one plate	\$2184	
second interment including second plate	\$330	
<u>Succulent Gardens</u>		
Garden placement including 152 x 152 mm bronze plaque	\$915	
<u>Natural Memorial Garden</u>		
Garden placement including 350 x 156 mm bronze plaque	\$2191	
<u>Other memorials</u>	poa	

C: MISCELLANEOUS		
Reserve pre-need memorial position or niche	\$330	
Scatter ashes to winds, with issue of certificate	\$194	
Scatter ashes in memorial gardens, with issue of certificate	\$194	
Interment of ashes in a family grave/plot	\$243	
Post ashes overseas	\$192	
Post ashes within Australia	\$134	
Hold ashes in safe custody after six months (per month)	\$15	
Extra ashes Urns	Lge 44	Sm 35
Placement of ashes fee for memorial garden, each placement	\$125	
Registration of ashes from other crematoria	\$138	
D: MEMORIAL ONLY POSITION (plaque not included)		
Tenure on all memorial positions shall be 25 years from date of receipt of scheduled fee		
Kerbing position Memorial Garden No 1—2—3—4	\$498	
Rose gardens position Memorial & AH to AO Garden No 2	\$714	
Other Garden positions in Memorial Gardens 1 to 4	\$925	
Single brick niche position	\$415	
Double brick niche position	\$783	
Single tile niche position	\$427	
Double tile niche position	\$812	
Single marble niche position	\$458	
Double marble niche position	\$899	
Succulent Gardens	\$520	
Natural Memorial Garden	\$760	
Garden of Dreams		
Rose garden position	\$590	
Inner kerb position	\$451	
Garden bank	\$493	

MAXWELL ALLAN CORREY, Chairman.
NICOLE BENHAM, Administrator.

LOCAL GOVERNMENT

LG401

LOCAL GOVERNMENT ACT 1995

City of Wanneroo

BASIS OF RATES

I, Tim Fraser, being delegated by the Minister of the Crown to whom the administration of the *Local Government Act 1995* is committed by the Governor, and acting pursuant to section 6.28 (1) of that Act, hereby, and with effect from 29 April 2022, determined that the method of valuation to be used by the City of Wanneroo as the basis for a rate in respect of the land referred to in the Schedule is to be the gross rental value of the land;

Schedule A

	Designated Land
UV to GRV	All those portions of land being Lot 2 as shown on Deposited Plan 406241; Lot 903 and Lot 904 as shown on Deposited Plan 407289; Lot 900 and Lot 901 as shown on Deposited Plan 417210; Lot 101, Lot 141 and Lot 146 as shown on Deposited Plan 419805; Lots 1250 to 1257 inclusive, Lots 1273 to 1289 inclusive, Lot 1327, Lot 1328, Lot 1355 and Lot 1356 as shown on Deposited Plan 420922; Lots 118 to 128 inclusive and Lots 149 to 158 inclusive as shown on Deposited Plan 421388; Lots 184 to 193 inclusive as shown on Deposited Plan 421389; Lots 418 to 426 inclusive, Lots 431 to 439 inclusive, Lot 445, Lots 452 to 461 inclusive and Lots 479 to 485 inclusive as shown on Deposited Plan 421398; Lots 6 to 10 inclusive and Lot 31 as shown on Deposited Plan 421597 and Lots 2317 to 2329 inclusive, Lots 2346 to 2357 inclusive and Lots 2362 to 2366 inclusive as shown on Deposited Plan 422518.

TIM FRASER, Executive Director Local Government,
Department of Local Government, Sport and Cultural Industries.

MINERALS AND PETROLEUM

MP401**MINING ACT 1978**

APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines, Industry Regulation and Safety
Mt. Magnet WA 6638

In accordance with Regulation 49(2)(c) of the *Mining Regulations 1981*, notice is hereby given that the following licences are liable for forfeiture under the provision of Section 96(1)(a) of the *Mining Act 1978* for non payment of rent.

WARDEN WHITE.

To be heard by the Warden at Mt. Magnet on 21 July 2022.

MURCHISON MINERAL FIELD*Prospecting Licences*

P 58/1868	Centauri Consolidated Investments Pty Ltd
P 58/1869	Centauri Consolidated Investments Pty Ltd

MP402**MINING ACT 1978**

APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines, Industry Regulation and Safety
Mt. Magnet WA 6638

In accordance with Regulation 49(2)(c) of the *Mining Regulations 1981*, notice is hereby given that the following licences are liable to forfeiture under the provision of Section 96(1)(a) of the *Mining Act 1978* for breach of covenant, being failure to comply with the prescribed expenditure conditions and/or non-compliance with the reporting provisions.

WARDEN WHITE.

To be heard by the Warden at Mt. Magnet on 21 July 2022.

MURCHISON MINERAL FIELD*Prospecting Licences*

P 20/2391	Noye, Jeffrey Howard
P 20/2423	D'Agostino, Carmello Tony
P 20/2430	Perrella, Anthony Peter
	Perrella, Antonio
P 20/2431	Perrella, Anthony Peter
	Perrella, Antonio
P 20/2432	Perrella, Anthony Peter
	Perrella, Antonio
P 21/761	Noye, Jeffrey Howard
P 58/1732	Meyerhoff, Matthew James
	Thomas, Floyd Louis

YALGOO MINERAL FIELD*Prospecting Licences*

P 59/2192	Shire of Yalgoo
P 59/2193	Shire of Yalgoo
P 59/2194	Shire of Yalgoo

MP403

MINING ACT 1978
APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines, Industry Regulation and Safety
 Kalgoorlie WA 6430

In accordance with Regulation 49(2)(c) of the *Mining Regulations 1981*, notice is hereby given that the following licences are liable to forfeiture under the provision of Section 96(1)(a) of the *Mining Act 1978* for breach of covenant, being failure to comply with the prescribed expenditure conditions and/or non-compliance with the reporting provisions.

WARDEN MATTHEWS.

To be heard by the Warden at Kalgoorlie on 3 August 2022.

BROAD ARROW MINERAL FIELD

Prospecting Licences

P 24/4851	Edwards, John Henry Henderson, Neville Walter
P 24/5113	Ricciardello, Kenneth
P 24/5446	Zocaro, Tonino Pasquale Joseph

EAST COOLGARDIE MINERAL FIELD

Prospecting Licences

P 25/2411	French, Stephen John
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N. E. COOLGARDIE MINERAL FIELD

Prospecting Licences

P 27/2454-S	Hicks, Adam John
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MP404

MINING ACT 1978
APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines, Industry Regulation and Safety
 Coolgardie WA 6429

In accordance with Regulation 49(2)(c) of the *Mining Regulations 1981*, notice is hereby given that the following licences are liable to forfeiture under the provision of Section 96(1)(a) of the *Mining Act 1978* for breach of covenant, being failure to comply with the prescribed expenditure conditions and/or non-compliance with the reporting provisions.

WARDEN MATTHEWS.

To be heard by the Warden at Kalgoorlie on 3 August 2022.

COOLGARDIE MINERAL FIELD

Prospecting Licences

P 15/6556	Randall, Jeffrey Stewart
P 16/2984	Kolatowicz, Nathan James
P 16/3167	Higgins, Ryan

MP405**MINING ACT 1978**
APPLICATION FOR AN ORDER FOR FORFEITUREDepartment of Mines, Industry Regulation and Safety
Kalgoorlie WA 6430

In accordance with Regulation 49(2)(c) of the *Mining Regulations 1981*, notice is hereby given that the following licences are liable for forfeiture under the provision of Section 96(1)(a) of the *Mining Act 1978* for non payment of rent.

WARDEN MATTHEWS.

To be heard by the Warden at Kalgoorlie on 3 August 2022.

BROAD ARROW MINERAL FIELD*Prospecting Licences*

P 24/5143	Black Mountain Gold Limited
P 24/5144	Black Mountain Gold Limited
P 24/5147	Black Mountain Gold Limited
P 24/5148	Black Mountain Gold Limited
P 24/5153	Black Mountain Gold Limited
P 24/5461	Cooney, Sean Thomas

MP406**MINING ACT 1978**
APPLICATION FOR AN ORDER FOR FORFEITUREDepartment of Mines, Industry Regulation and Safety
Coolgardie WA 6429

In accordance with Regulation 49(2)(c) of the *Mining Regulations 1981*, notice is hereby given that the following licences are liable for forfeiture under the provision of Section 96(1)(a) of the *Mining Act 1978* for non payment of rent.

WARDEN MATTHEWS.

To be heard by the Warden at Kalgoorlie on 3 August 2022.

COOLGARDIE MINERAL FIELD*Prospecting Licences*

P 16/3009	Glass, Mark William
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MP407**MINING ACT 1978**
APPLICATION FOR AN ORDER FOR FORFEITUREDepartment of Mines, Industry Regulation and Safety
Karratha WA 6741

In accordance with Regulation 49(2)(c) of the *Mining Regulations 1981*, notice is hereby given that the following licences are liable to forfeiture under the provision of Section 96(1)(a) of the *Mining Act 1978* for breach of covenant, being failure to comply with the prescribed expenditure conditions and/or non-compliance with the reporting provisions.

WARDEN C STOCKDALE.

To be heard by the Warden at Karratha on 21 July 2022.

ASHBURTON MINERAL FIELD

Prospecting Licences

P 08/727-S	Cottrell, Mark Sheehan, Kieran James Pocock, Mark Anthony Pool, Dion Michael
P 08/728-S	Cottrell, Mark Sheehan, Kieran James Pocock, Mark Anthony Pool, Dion Michael
P 08/729-S	Cottrell, Mark Sheehan, Kieran James Pocock, Mark Anthony Pool, Dion Michael
P 08/730-S	Cottrell, Mark Sheehan, Kieran James Pocock, Mark Anthony Pool, Dion Michael
P 08/731-S	Cottrell, Mark Sheehan, Kieran James Pocock, Mark Anthony Pool, Dion Michael

GASCOYNE MINERAL FIELD

Prospecting Licences

P 09/497	Janna Corporation Pty Ltd
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WEST PILBARA MINERAL FIELD

Prospecting Licences

P 47/1678	Whiteford-Hey, Pamela May
P 47/1679	Whiteford-Hey, Pamela May
P 47/1680	Whiteford-Hey, Pamela May
P 47/1687	Ling, Monte Justin Issler, Natacha Andrea Spencer, Paul Geoffrey Foers, Steven David

PLANNING

PL401

PLANNING AND DEVELOPMENT ACT 2005
METROPOLITAN REGION SCHEME MINOR AMENDMENT 1396/57

Rationalisation of Rosehill Estate
Call for Public Submissions

The Western Australian Planning Commission (WAPC) is seeking public comment on a proposal to amend the Metropolitan Region Scheme (MRS) for land in the local government of Swan.

The amendment proposes to rezone approximately 6.02 ha in South Guildford from the Rural zone and Parks and Recreation reserve to the Urban zone in the MRS and 1.3 ha from the Rural zone to the Parks and Recreation reserve.

The amendment forms part of a land exchange which will facilitate public open space/drainage, conservation and residential development following a local scheme amendment, detailed local structure planning and subdivision approval.

The WAPC certifies that, in its opinion, the proposed amendment does not constitute a substantial alteration to the MRS.

Display locations

The plans showing the proposed change and the WAPC amendment report which explains the proposal, will be available for public inspection from Friday 17 June 2022 to Friday 19 August 2022 at—

- Western Australian Planning Commission, 140 William Street, Perth
- J S Battye Library, Level 3 Alexander Library Building, Perth Cultural Centre
- City of Swan

Documents can also be viewed online at the Department of Planning, Lands and Heritage website www.dplh.wa.gov.au/mrs-amendments.

Submissions

Any person who desires to make a submission to support, object or provide comment on any part of the proposed amendment should do so on a Form 57, which is available from the display locations, the amendment report and online.

Submissions can be lodged online via <https://consultation.dplh.wa.gov.au>, emailed to RegionPlanningSchemes@dplh.wa.gov.au or by post to: Secretary, Western Australian Planning Commission, Locked Bag 2506, Perth WA 6001.

Submissions close **5pm, Friday 19 August 2022**. Late submissions will not be considered.

Ms SAM FAGAN, Secretary, Western Australian Planning Commission.

PL402

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of Joondalup
Local Planning Scheme No. 3—Amendment No. 9

Ref: TPS/2852

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the City of Joondalup Local Planning Scheme amendment on 8 June 2022 for the purpose of—

1. Rezoning the land within the Camberwarra Local Structure Plan from ‘Urban Development’ to the ‘Residential’ zone and the ‘Public Open Space’ and ‘Local Road’ reserves as shown on the Scheme maps.
2. Apply the ‘R30’, ‘R40’, ‘R50’ and ‘R60’ residential density codes as shown on the Scheme maps.

A. JACOB, Mayor.
J. PEARSON, Chief Executive Officer.

REGIONAL DEVELOPMENT

RG401

REGIONAL DEVELOPMENT COMMISSIONS ACT 1993
APPOINTMENTS

It is hereby notified for general information that the Minister for Regional Development has approved the following appointments in accordance with Part 3 of the *Regional Development Commissions Act 1993*—

WHEATBELT DEVELOPMENT COMMISSION

Board of Management

Mr Oral McGuire as Deputy Chair for a term expiring 31 December 2024.

Mr Shane Kay as a community representative for a term expiring 30 June 2025.

Re-appointment of Ms Julie Flockart as local government representative for a term expiring 31 December 2023.

Re-appointment of Ms Leslee Holmes as local government representative for a term expiring 31 December 2023.

Hon. ALANNAH MacTIERNAN, MLC, Minister for Regional Development.

TREASURY AND FINANCE

TR401

TAXATION ADMINISTRATION ACT 2003**TAXATION ADMINISTRATION (PAY-ROLL TAX RELIEF—COVID-19 PANDEMIC)
DECLARATION 2022**

Made by the Treasurer under the *Taxation Administration Act 2003* section 135A.

1. Citation

This declaration is the *Taxation Administration (Pay-roll Tax Relief—COVID-19 Pandemic) Declaration 2022*.

2. Commencement

This declaration comes into operation as follows—

- (a) clauses 1 and 2—on the day on which this declaration is published in the *Gazette*;
- (b) the rest of the declaration—on the day after that day.

3. Terms used

In this declaration—

assessment period means the period commencing on 1 January 2022 and ending on 30 April 2022;

Australian taxable wages has the meaning given in the *Pay-roll Tax Assessment Act 2002* Glossary clause 1;

eligible hospitality industry employer has the meaning given in clause 6;

group has the meaning given in the *Pay-roll Tax Assessment Act 2002* Glossary clause 1;

non-group employer has the meaning given in the *Pay-roll Tax Assessment Act 2002* Glossary clause 1;

wages has the meaning given in the *Pay-roll Tax Assessment Act 2002* section 9AA.

4. Relevant emergency declaration

This declaration is made in relation to the state of emergency declaration made under the *Emergency Management Act 2005* section 56 on 16 March 2020 in relation to the COVID-19 pandemic.

5. Exemption of wages from pay-roll tax: eligible hospitality industry employers

- (1) The tax relief measure set out in this clause is declared.
- (2) The tax relief measure is an exemption from pay-roll tax for wages paid or payable by eligible hospitality industry employers.
- (3) The tax relief measure applies to pay-roll tax payable on wages paid or payable during the period commencing on 1 April 2022 and ending on 30 June 2022.
- (4) The tax relief measure applies to all taxpayers.

6. Hospitality industry employers

(1) An employer is an **eligible hospitality industry employer** if—

- (a) on 21 July 2022, the employer—
 - (i) is registered for pay-roll tax; or
 - (ii) has made an application for registration under the *Pay-roll Tax Assessment Act 2002* section 24;

and

(b) at least 50% of the Australian taxable wages paid or payable by the employer during the financial year commencing on 1 July 2021 are paid to employees whose work consists solely or predominantly of the preparation or service of meals, cooked food or beverages to members of the public; and

- (c) the employer meets—
 - (i) the wages threshold requirement in subclause (2); and
 - (ii) the turnover reduction requirement in subclause (3).

(2) For the purposes of subclause (1)(c)(i), an employer meets the wages threshold requirement if—

- (a) for a non-group employer—
 - (i) the total amount of Australian taxable wages paid or payable by the employer for the period commencing on 1 July 2021 and ending on 31 March 2022 is greater than \$3 000 000 but not greater than \$15 000 000; or
 - (ii) the total amount of Australian taxable wages paid or payable by the employer for the financial year commencing on 1 July 2021 is greater than \$4 000 000 but not greater than \$20 000 000;

or

- (b) for a member of a group—
- (i) the total amount of Australian taxable wages paid or payable by all of the members of the group for the period commencing on 1 July 2021 and ending on 31 March 2022 is greater than \$3 000 000 but not greater than \$15 000 000; or
 - (ii) the total amount of Australian taxable wages paid or payable by all of the members of the group for the financial year commencing on 1 July 2021 is greater than \$4 000 000 but not greater than \$20 000 000.
- (3) For the purposes of subclause (1)(c)(ii), an employer (whether a non-group employer or a member of a group) meets the turnover reduction requirement if—
- (a) the employer's turnover for any consecutive 28-day period (the **reduced trading period**) occurring during the assessment period is reduced from the employer's turnover for the relevant comparison period; and
 - (b) the amount of the reduction, expressed as a percentage of the employer's turnover for the relevant comparison period, is equal to or greater than 40%.
- (4) For the purposes of subclause (3), the **relevant comparison period** in relation to the reduced trading period is—
- (a) if paragraph (b) does not apply—the equivalent 28-day period in 2021 (the **equivalent 2021 period**); or
 - (b) if the Commissioner has approved another 28-day period under subclause (5)—that period.
- (5) The Commissioner may approve another 28-day period for the purposes of subclause (4)(b) if—
- (a) the employer did not commence trading before the first day of the equivalent 2021 period; or
 - (b) the Commissioner is otherwise satisfied that the turnover for the equivalent 2021 period does not accurately represent the trading activities of the employer during that period.
- (6) A period approved under subclause (5) must be a period nominated by the employer that commences no earlier than 12 months before the commencement of the reduced trading period.
- (7) Despite subclause (1), an employer (whether a non-group employer or a member of a group) is not an **eligible hospitality industry employer** if the employer is eligible for a grant under guidelines published under the *Small Business Development Corporation Act 1983* section 11AA in relation to the Level 2 COVID-19 Business Assistance Package—Small Business Hardship Grants Program 2022.

Hon. MARK McGOWAN, MLA, Treasurer.

TR402

TAXATION ADMINISTRATION ACT 2003

TAXATION ADMINISTRATION (LAND TAX RELIEF—WOOROLOO BUSHFIRE) DECLARATION 2022
Made by the Treasurer under the *Taxation Administration Act 2003* section 135A.

1. Citation

This declaration is the *Taxation Administration (Land Tax Relief—Wooroloo Bushfire) Declaration 2022*.

2. Commencement

This declaration comes into operation as follows—

- (a) clauses 1 and 2—on the day on which this declaration is published in the *Gazette*;
- (b) the rest of the declaration—on the day after that day.

3. Terms used

In this declaration—

- exempt purpose** has same meaning as in the *Land Tax Assessment Act 2002* Glossary clause 1;
Wooroloo bushfire has the meaning given in clause 4.

4. Relevant emergency declaration

This declaration is made in relation to the emergency situation declaration made under the *Emergency Management Act 2005* section 50 on 2 February 2021 in relation to the bushfire in the districts of Mundaring and Swan (the **Wooroloo bushfire**).

5. Exemption from land tax

(1) The tax relief measure set out in this clause is declared.

(2) The tax relief measure is an exemption from land tax for each of the financial years commencing on 1 July 2021 and 1 July 2022 for land that is relevant bushfire-affected land in relation to that year.

(3) For the purposes of subclause (2), land is **relevant bushfire-affected land** in relation to a financial year if the Commissioner is satisfied that the land would have been exempt for that year under a provision of the *Land Tax Assessment Act 2002* Part 3 except that, because of damage caused by the Wooroloo bushfire—

- (a) the land could not be used for an exempt purpose referred to in the exemption provision; or

- (b) another requirement of the exemption provision is not satisfied.
- (4) The tax relief measure applies to land tax payable for—
 - (a) the financial year commencing on 1 July 2021; and
 - (b) the financial year commencing on 1 July 2022.
- (5) Subject to subclause (6), the tax relief measure applies to all taxpayers.
- (6) The tax relief measure does not apply to a taxpayer in relation to a financial year if—
 - (a) the provision under which the relevant bushfire-affected land would have been exempt for that year as referred to in subclause (3) is the *Land Tax Assessment Act 2002* section 21, 24, 24A, 25 or 25A (a **private residential property exemption**); and
 - (b) another property owned by the taxpayer is exempt from land tax for that year under a private residential property exemption.

Hon. MARK MCGOWAN, MLA, Treasurer.

TR403

TAXATION ADMINISTRATION ACT 2003

TAXATION ADMINISTRATION (LAND TAX RELIEF—CYCLONE SEROJA) DECLARATION 2022

Made by the Treasurer under the *Taxation Administration Act 2003* section 135A.

1. Citation

This declaration is the *Taxation Administration (Land Tax Relief—Cyclone Seroja) Declaration 2022*.

2. Commencement

This declaration comes into operation as follows—

- (a) clauses 1 and 2—on the day on which this declaration is published in the *Gazette*;
- (b) the rest of the declaration—on the day after that day.

3. Term used: exempt purpose

In this declaration—

exempt purpose has the meaning given in the *Land Tax Assessment Act 2002* Glossary clause 1.

4. Relevant emergency declaration

This declaration is made in relation to the emergency situation declaration made under the *Emergency Management Act 2005* section 50 on 14 April 2021 in relation to Tropical Cyclone Seroja.

5. Exemption from land tax

- (1) The tax relief measure set out in this clause is declared.
- (2) The tax relief measure is an exemption from land tax for each of the financial years commencing on 1 July 2021 and 1 July 2022 for land that is relevant cyclone-affected land in relation to that year.
- (3) For the purposes of subclause (2), land is **relevant cyclone-affected land** in relation to a financial year if the Commissioner is satisfied that the land would have been exempt for that year under a provision of the *Land Tax Assessment Act 2002* Part 3 except that, because of damage caused by Tropical Cyclone Seroja—
 - (a) the land could not be used for an exempt purpose referred to in the exemption provision; or
 - (b) another requirement of the exemption provision is not satisfied.
- (4) The tax relief measure applies to land tax payable for—
 - (a) the financial year commencing on 1 July 2021; and
 - (b) the financial year commencing on 1 July 2022.
- (5) Subject to subclause (6), the tax relief measure applies to all taxpayers.
- (6) The tax relief measure does not apply to a taxpayer in relation to a financial year if—
 - (a) the provision under which the relevant cyclone-affected land would have been exempt for that year as referred to in subclause (3) is the *Land Tax Assessment Act 2002* section 21, 24, 24A, 25 or 25A (a **private residential property exemption**); and
 - (b) another property owned by the taxpayer is exempt from land tax for that year under a private residential property exemption.

Hon. MARK MCGOWAN, MLA, Treasurer.

WATER

WA401**WATER SERVICES ACT 2012**

Notice is given that the following water services licence has been amended—

Licensee:	South West Irrigation Management Co-operative Limited (trading as Harvey Water) ABN 54 498 176 490
Expiry Date:	26 August 2045
Class(es) of Water Service:	Non-potable water supply, potable water supply and irrigation services (WL31, Version 12)
Operating Area:	The operating area is the area set out in plans OWR-OA-178/3(I), OWR-OA-300(A) and OWR-OA-315(A) in the State of Western Australia
Amendment:	Extension to operating area in plan OWR-OA-178/3(I)
Inspection of Licence:	Economic Regulation Authority 4th Floor, Albert Facey House 469 Wellington Street Perth WA 6000 www.erawa.com.au

Mr STEVE EDWELL, Chair, Economic Regulation Authority.

PUBLIC NOTICES

ZZ401**TRUSTEES ACT 1962****DECEASED ESTATES**

Notice to Creditors and Claimants

In the Matter of the Estate of Lucy Torre, late of 8 Oakdale Street, Floreat, in the State of 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 21st day of January 2022, are required by the Executor, Agostino Torre, to send the particulars of their claim to Messrs Taylor Smart of Level 2, 100 Railway Road, Subiaco, in the State of Western Australia, by the 22nd day of July 2022, after which date the said Executor may convey or distribute the assets, having regard only to the claims of which he then has had notice.

Dated the 13th day of June 2022.

PETER A. NEVIN, Taylor Smart.

ZZ402**TRUSTEES ACT 1962****DECEASED ESTATES**

Notice to Creditors and Claimants

In the Matter of the Estate of Edna May Trezise, late of Aegis Sandstrom, 44 Whatley Crescent, Mount Lawley, in the State of 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 15th day of January 2021, are required by the Executors, Lorraine Wilson and David William Hawkins, to send the particulars of their claim to Messrs Taylor Smart of Level 2, 100 Railway Road, Subiaco, in the State of Western Australia, by the 22nd day of July 2022, after which date the said Executors may convey or distribute the assets, having regard only to the claims of which they then have had notice.

Dated the 13th day of June 2022.

PETER A. NEVIN, Taylor Smart.

ZZ403**TRUSTEES ACT 1962**
DECEASED ESTATES

Notice to Creditors and Claimants

Any person with claims outstanding on the Estate of the late Elizabeth Mary Dixon of Unit 1, 14 Davilak Avenue, Hamilton Hill WA, 6163, formerly of 36 Aldersyde Road Piesse Brook WA, 6076, who died on 21 March 2021, must provide particulars of their claims to the Executor c/- FourLion Legal, Ground Floor, 12 St Georges Terrace, Perth WA 6000, quoting ref: 221904, one (1) month of the date of publication of this advertisement, after which date the Executor may convey or distribute the assets, having regard only to the claims of which they then have notice.

ZZ404**TRUSTEES ACT 1962**
DECEASED ESTATES

Notice to Creditors and Claimants

Estate of Margaret Elizabeth Weaver late of 47 Streatham Street, Beckenham, 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 30/06/2021, are required by the administrator of the deceased's estate, being Thomas James Weaver, care of Summers Legal, 104 Colin Street, West Perth WA 6005, to send particulars of their claims to him within one month from the date of publication of this notice, after which date the administrator may convey or distribute the assets, having regard only to the claims of which he has notice.

SUMMERS LEGAL.

ZZ405**TRUSTEES ACT 1962**
DECEASED ESTATES

Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the estates of the undermentioned deceased persons, are required to send particulars of their claim to Australian Executor Trustees Limited of Level 28, 152-158 St Georges Terrace, Perth on or before the expiration of one month from the date of publication of this notice after which date the Company may convey or distribute the assets, having regard only to the claims of which it then has notice:-

Langford Dora Muriel of Stirling Aged Care, 32 Spencer Avenue Yokine, Retired Public Servant, died on 27 February 2022.

Sullivan Margaret Joan of Aegis Bassendean, 27 Hamilton Street Bassendean, Retired Dressmaker Finisher, died on 2 April 2022.

Eddie George Wilson of 15 Halfmoon Place Waikiki, Retired Maintenance Engineer died, on 23 March 2022.

Kurniawan Henry of Mangga Dua Ruko Textile Blok C3/35, Neighbourhood Unit 012, Community Unit 005, Ancol Ward, Pademangan Sub-District, Republic of Indonesia, Private Sector Employee, died on 3 March 2020.

Dated 14 June 2022.

STEVEN PASS, Estates and Trusts Manager.

ZZ406**TRUSTEES ACT 1962**
DECEASED ESTATES

Notice to Creditors and Claimants

Luisa Menendez late of 29 Grey Street, Bayswater, 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 24/08/2021 are required by Executor, Perpetual Trustee Company Limited ACN 000 001 007 of Level 18, 123 Pitt Street, Sydney, New South Wales to send particulars of their claims to them within one (1) month from the date of publication of this Notice, after which date it may convey or distribute the assets, having regard only to the claims of which it then has notice.

PERPETUAL TRUSTEE COMPANY LIMITED,
Level 18, 123 Pitt Street, Sydney, New South Wales.

ZZ407

TRUSTEES ACT 1962**DECEASED ESTATES**

Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the estates of the undermentioned deceased persons are required by the respective personal representatives care of Culshaw Miller Lawyers, Level 8, 233 Adelaide Terrace, Perth, Western Australia to send particulars of their claims to them within one calendar month of the date of publication of this notice, after which date the personal representatives may convey or distribute the assets having regard only to the claims of which they then have notice.

Khoo, David Eng Phoe late of 6 Glenrowan Place, Willetton, Western Australia. Died 12 August 2020.

Langridge, Helen Lisa late of 45B Alness Street, Applecross, Western Australia. Died 16 March 2022.

Ritchie, Ivan Henry late of RAAFA Estate, Alice Ross King Centre, 2 Bull Creek Drive, Bull Creek, Western Australia. Died 19 April 2021.

Sinnott, Stephen Gary late of 32A West Coast Drive, Marmion, Western Australia. Died 27 March 2022.

Kitson, Shirley Cecilia late of Unit 3, 64 Matheson Road, Applecross, Western Australia. Died 18 March 2022.

ZZ408

TRUSTEES ACT 1962**DECEASED ESTATES**

Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me on or before 17 July 2022 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Agnew, Allen (also known as Alan Agnew), late of Hermitage Aegis, 5 Cottage Close, Ellenbrook, who died on 2 May 2022 (DE33052438 EM17).

Ay, Ibrahim, late of Unit 2, 12 Maude Street, East Victoria Park, who died on 13 February 2022 (PM33171298 EM27).

Bain, Reginald Leonard, late of 29 The Rope Walk, Mosman Park, who died on 7 January 2022 (DE33042767 EM18).

Bannear, Graeme John, late of Unit 11, 7 Climping Street, Balga, who died on 14 September 2021 (PM33144425 EM27).

Bloomfield, Margaret Grace, late of 2 Chauncey Court, Kingsley, who died on 13 April 2022 (DE19850276 EM37).

Creek, Elsie Virginia June, late of Aegis Stirling Aged Care, 32 Spencer Avenue, Yokine, who died on 20 March 2022 (DE19651720 EM36).

Ferguson, David Stanley, late of 30 Fantail Way, Huntingdale, who died on 12 November 2021 (DE19763402 EM16).

Hay, Mark Fraser, late of 18 Poole Road, Dalyellup, who died on 20 March 2022 (DE19841969 EM23).

Peak, Henry Comyn, late of Juniper Hayloft Nursing Home, 1 Lewis Road, Martin, who died on 5 May 2022 (DE19992047 EM17).

Robinson, Robert Dennis (also known as Dennis Robinson), late of Aegis Banksia Park, 20 Bright Road, Calista, who died on 5 April 2022 (PM33130616 EM27).

Rominger, Ferdinand, late of Brightwater Birralee Nursing Home, 155 Odin Road, Innaloo, who died on 31 May 2022 (DE33082678 EM35).

Smith, George Bernard, late of Balmoral Retirement Village, Unit 10, 31 Gardner Street, Como, who died on 26 April 2022 (DE33125727 EM13).

Tucker, Elizabeth Lily, formerly of 6A Berkeley Avenue, Nollamara, late of Madeley Care Centre, 95 Imperial Circuit, Madeley, who died on 3 May 2022 (DE33132792 EM110).

Williams, Samuel Robert, late of 4 Banksia Dale, Marmion, who died on 4 April 2022 (DE19940500 EM26).

BRIAN ROCHE, Public Trustee,
553 Hay Street, Perth WA 6000.
Telephone: 1300 746 212.

ZZ409**PUBLIC TRUSTEE ACT 1941**

Notice is hereby given that pursuant to Section 14 of the *Public Trustee Act 1941* and amendments the Public Trustee has elected to administer the estates of the undermentioned deceased persons.

Dated at Perth on this 17th day of June 2022.

BRIAN ROCHE, Public Trustee,
553 Hay Street, Perth WA 6000.
Telephone: 1300 746 212.

Name of Deceased	Address	Date of Death	Date Election Filed
Moore, Robert Alfred (DE19780542 EM37)	Formerly of 6 Romeo Road Coolbellup Late of 6 Romeo Road Coolbellup	22 March 2022	8 June 2022
Kennedy, John Thomas (DE33159893 EM24)	Late of 15/155 Epsom Avenue Redcliffe	7 January 2019	24 May 2022
