

WESTERN  
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# Gazette

6399



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***Government Gazettes* will not be published on Tuesday 28 December 1993  
or Tuesday 4 January 1994.**

## PROCLAMATION

AA101

## RURAL ADJUSTMENT AND FINANCE CORPORATION ACT 1993

(No. 10 of 1993)

## PROCLAMATION

WESTERN AUSTRALIA	}	By His Excellency Major General Philip Michael Jeffery, Officer of the Order of Australia, Military Cross, Governor of the State of Western Australia.
P. M. Jeffery,		
Governor.		
[L.S.]		

I, the Governor, acting under section 2 of the Rural Adjustment and Finance Corporation Act 1993, and with the advice and consent of the Executive Council, fix the day on which that Act is published in the *Government Gazette* as the day on which that Act comes into operation.

Given under my hand and the Public Seal of the State on 23 November 1993.

By His Excellency's Command,

MONTY HOUSE, Minister for Primary Industry.

GOD SAVE THE QUEEN !

## AGRICULTURE

AG401

## SOIL AND LAND CONSERVATION ACT 1945

## NOTICE OF APPOINTMENT

Pursuant to section 23 (2b)(d) of the Soil and Land Conservation Act 1945, being persons actively engaged in, or affected by, or associated with land use in the District, Andrew Fraser Goode of Newdegate is appointed a member of the District Committee for the Newdegate Land Conservation District, which Committee was established by an Order in Council, published in the *Government Gazette* of 23 April 1993, the appointment being for a term ceasing on 4 June 1993.

MONTY HOUSE, Minister for Primary Industry.

AG402

## SOIL AND LAND CONSERVATION ACT 1945

## NOTICE OF APPOINTMENT

Pursuant to section 23 (2b)(d) of the Soil and Land Conservation Act 1945, being persons actively engaged in, or affected by, or associated with land use in the District, Brenda Bartholomew of Burekup is appointed a member of the District Committee for the Dardanup Land Conservation District, which Committee was established by an Order in Council, published in the *Government Gazette* of 11 September 1992 and amended in *Gazette* of 23 April 1993 and 30 July 1993, the appointment being for a term ceasing on 9 October 1995.

MONTY HOUSE, Minister for Primary Industry.

AG403

## SOIL AND LAND CONSERVATION ACT 1945

## NOTICE OF APPOINTMENT

Pursuant to section 23 (2b)(b) of the Soil and Land Conservation Act 1945, on the nomination of the Shire of Victoria Plains, Neil John Smith of Piawaning is appointed a member of the District Committee for the Ninan Land Conservation District, which Committee was established by an Order in Council, published in the *Gazette* of 26 July 1991, the appointment being for a term ceasing on 5 September 1994.

MONTY HOUSE, Minister for Primary Industry.

## AG404

**SOIL AND LAND CONSERVATION ACT 1945****IRWIN LAND CONSERVATION DISTRICT (APPOINTMENT OF MEMBERS OF DISTRICT COMMITTEE) INSTRUMENT 1993**

Made by the Minister for Primary Industry.

**Citation**

1. This Instrument may be cited as the *Irwin Land Conservation District (Appointment of Members District Committee) Instrument 1993*.

**Interpretation**

2. In this Instrument—

“Constitution order” means the *Soil and Land Conservation (Irwin Land Conservation District) Order 1990\**.

“Committee” means the District Committee established by Clause 4 of the Constitution Order.

[\*Published in the Gazette of 19 October 1990 at pp. 5270-71.]

**Appointment of Members**

3. (1) Under Clause 5(1)(b) of the constitution order—

- (a) Edward Henry Rustat Dempster of Dongara
- (b) Edward Johnathon Edwards of Bookara

are appointed members of the Committee on the nomination of the Shire of Irwin.

(2) Under Clause 5(1)(c) of the constitution order—

- (a) Craig Russell Forsyth of Irwin
- (b) Anthony Geoffrey Blake of Strawberry
- (c) Shirley Anne Blake of Irwin

are appointed members of the Committee to represent the Western Australian Farmers Federation.

(3) Under Clause 5(1)(d) of the constitution order—

- (a) Peter John Summer of Dongara South
- (b) Arthur Christopher Gillam of Dongara
- (c) Paul Francis Kelly of Strawberry Siding
- (d) Ian John McRae of Irwin
- (e) Rex William Bowron of Irwin
- (f) Simon Henry Dempster of Irwin
- (g) Peter James Foster of Irwin
- (h) Peter John Stickney of Irwin

are appointed members of the Committee being persons actively engaged in or affected by, or associated with land use in the Irwin Land Conservation District.

**Terms of Office**

4. The appointment is made under Clause 5(3) shall be for a term of three years commencing on the day that this instrument is published in the *Gazette*.

MONTY HOUSE, Minister for Primary Industry.

## AG405

**SOIL AND LAND CONSERVATION ACT 1945****NOTICE OF APPOINTMENT**

Pursuant to section 23 (2b)(d) of the Soil and Land Conservation Act 1945, being persons actively engaged in, or affected by, or associated with land use in the District, Susan Jane Henderson of Perillup is appointed a member of the District Committee for the Kent River Land Conservation District, which Committee was established by an Order in Council, published in the *Government Gazette* of 2 November 1984 and amended in the *Gazettes* of 3 October 1986 and 1 November 1991, the appointment being for a term ceasing on 22 November 1994.

MONTY HOUSE, Minister for Primary Industry.

AG406

**SOIL AND LAND CONSERVATION ACT 1945****NOTICE OF APPOINTMENT**

Pursuant to section 23 (2b)(d) of the Soil and Land Conservation Act 1945, being persons actively engaged in, or affected by, or associated with land use in the District, Sheila Curnow of Darkan is appointed a member of the District Committee for the West Arthur Land Conservation District, which Committee was established by an Order in Council, published in the *Government Gazette* of 21 December 1990, the appointment being for a term ceasing on 25 January 1994.

MONTY HOUSE, Minister for Primary Industry.

AG407

**SOIL AND LAND CONSERVATION ACT 1945****KATANNING LAND CONSERVATION DISTRICT (APPOINTMENT OF MEMBERS OF DISTRICT COMMITTEE) INSTRUMENT 1993**

Made by the Minister for Primary Industry.

**Citation**

1. This Instrument may be cited as the *Katanning Land Conservation District (Appointment of Members District Committee) Instrument 1993*.

**Interpretation**

2. In this Instrument—

“Constitution order” means the *Soil and Land Conservation (Katanning Land Conservation District) Order 1990\**.

“Committee” means the District Committee established by Clause 5 (3) of the Constitution Order.

[\*Published in the *Gazette* of 6 July 1990 at pp. 3269-70.]

**Appointment of Members**

3. (1) Under Clause 5(1)(b) of the constitution order—

(a) Robert White of Katanning

(b) Brent Ladyman of Katanning

are appointed members of the Committee on the nomination of the Shire of Katanning.

(2) Under Clause 5(1)(c) of the constitution order—

(a) Lynette Marie Coleman of Katanning

(b) Norman Flugge of Katanning

(c) Mervyn Clifford Kowald of Katanning

are appointed members of the Committee to represent the Western Australian Farmers Federation.

(3) Under Clause 5(1)(d) of the constitution order—

(a) Bronte Frederick Rundle of West Katanning

(b) Martin O'Donnell of Katanning

(c) Jeffrey Walter Wallis of Kojonup

(d) Adrian Haywood Richardson of Katanning

(e) Brien Elliot Taylor of Katanning

(f) John Trevor Blyth of Katanning

(g) Alan Thomas Atkinson of Katanning

(h) Richard George Robertson Marshall of Katanning

(i) David Wylie Thompson of Katanning

(j) District Manager, Department of Conservation and Land Management, Katanning

are appointed members of the Committee being persons actively engaged in or affected by, or associated with land use in the Katanning Land Conservation District.

**Terms of Office**

4. The appointment is made under Clause 5(3) shall be for a term of three years commencing on the day that this instrument is published in the *Gazette*.

MONTY HOUSE, Minister for Primary Industry.

## AG408

**SOIL AND LAND CONSERVATION ACT 1945****MOUNT MAGNET LAND CONSERVATION DISTRICT (APPOINTMENT OF MEMBERS OF DISTRICT COMMITTEE) INSTRUMENT 1993**

Made by the Minister for Primary Industry.

**Citation**

1. This Instrument may be cited as the *Mount Magnet Land Conservation District (Appointment of Members District Committee) Instrument 1993*.

**Interpretation**

2. In this Instrument—

“Constitution order” means the *Soil and Land Conservation (Mount Magnet Land Conservation District) Order 1990\**.

“Committee” means the District Committee established by Clause 4 of the Constitution Order.

[\*Published in the *Gazette* of 6 July 1990 at pp. 3265-66.]

**Appointment of Members**

3. (1) Under Clause 5(1)(b) of the constitution order Kevin Maurice Brand of Mount Magnet is appointed a member of the Committee on the nomination of the Shire of Mount Magnet.

- (2) Under Clause 5(1)(c) of the constitution order—

(a) John Charles Dowden of Mount Magnet

(b) Adrien Morrissey of Mount Magnet

are appointed members of the Committee to represent the Pastoralists and Graziers Association.

- (3) Under Clause 5(1)(d) of the constitution order—

(a) Patricia Rae Fitzgerald of Mount Magnet

(b) Lyle Hopkinson of Mount Magnet

(c) William Fitzgerald of Mount Magnet

(d) Gregory Robert Scott of Mount Magnet

(e) Ashley William Dowden of Mount Magnet

(f) Laurence Frederick Jensen of Mount Magnet

(g) David Ian Campbell of Mount Magnet

(h) Paul Henry Jones of Mount Magnet

(i) Gregory David Smith of Mount Magnet

are appointed members of the Committee being persons actively engaged in or affected by, or associated with land use in the Mount Magnet Land Conservation District.

**Terms of Office**

4. The appointment is made under Clause 5(3) shall be for a term of three years commencing on the day that this instrument is published in the *Gazette*.

MONTY HOUSE, Minister for Primary Industry.

## AG409

**SOIL AND LAND CONSERVATION ACT 1945****NOTICE OF APPOINTMENT**

Pursuant to section 23 (2b)(d) of the Soil and Land Conservation Act 1945, being persons actively engaged in, or affected by, or associated with land use in the District, Stewart Renkin Brown of Leonora is appointed a member of the District Committee for the North Eastern Goldfields Land Conservation District, which Committee was established by an Order in Council, published in the *Government Gazette* of 20 September 1985, and amended in the *Gazette* of 28 June 1991, the appointment being for a term ceasing on 6 September 1994.

MONTY HOUSE, Minister for Primary Industry.

AG410

**SOIL AND LAND CONSERVATION ACT 1945****SOIL AND LAND CONSERVATION (CUE LAND CONSERVATION DISTRICT) AMENDMENT ORDER 1993**

Made by His Excellency the Governor in Executive Council under section 23 (2d) of the *Soil and Land Conservation Act 1945* and on the recommendation of the Minister for Primary Industry.

**Citation**

1. This order may be cited as the *Soil and Land Conservation (Cue Land Conservation District) Amendment Order 1993*.

**Principal Order**

2. In this order the *Soil and Land Conservation (Cue Land Conservation District) Order 1989\** is referred to as the principal order.

[\*Published in the Gazette on 26 May 1989 at pp. 1582-83.]

**Clause 5 amended**

3. Clause 5 of the principal order is amended in subclause (1)—

(a) by deleting "10" and substituting the following—

" 12 "; and

(b) in paragraph (a) by inserting after "Commissioner for Soil" the following—

" and Land "; and

(c) in paragraph (e) by deleting "5" and substituting the following—

" 7 ".

By His Excellency's Command,

D. G. BLIGHT, Clerk of the Council.

**CONSUMER AFFAIRS**

CN301

**LAND VALUERS LICENSING ACT 1978****LAND VALUERS LICENSING AMENDMENT REGULATIONS 1993**

Made by the Deputy of the Governor in Executive Council.

**Citation**

1. These regulations may be cited as the *Land Valuers Licensing Amendment Regulations 1993*.

**Schedule repealed and a schedule substituted**

2. The Schedule to the *Land Valuers Licensing Regulations 1979\** is repealed and the following schedule is substituted —

"

**SCHEDULE**

[Reg. 4]

\$

1.	Fee for a licence . . . . .	166
2.	Fee for renewal of licence . . . . .	166
3.	Examination fee . . . . .	38
4.	Fee to inspect register . . . . .	10

5. Fee for certificate as to an individual registration in the register — \$
- first page ..... 10
- each subsequent page ..... 2
6. Fee for certificate as to all registrations in the register ..... 121

”.

[\* *Published in the Gazette of 22 June 1979 at pp.1698-99.*  
*For amendments to 8 September 1993 see 1992 Index to*  
*Legislation of Western Australia, Table 4, pp.151-2.*]

By the Deputy of the Governor's Command,

D. G. BLIGHT, Clerk of the Council.

CN302

# MOTOR VEHICLE DEALERS ACT 1973

## MOTOR VEHICLE DEALERS (LICENSING) AMENDMENT REGULATIONS 1993

Made by the Deputy of the Governor in Executive Council.

### Citation

1. These regulations may be cited as the *Motor Vehicle Dealers (Licensing) Amendment Regulations 1993*.

### Third Schedule repealed and a Schedule substituted

2. The Third Schedule to the *Motor Vehicle Dealers (Licensing) Regulations 1974\** is repealed and the following Schedule is substituted —

“

### THIRD SCHEDULE

[Reg. 7]

- \$
- (1) Application for dealer's licence or renewal  
of dealer's licence ..... 197
- (2) For each certificate of registered premises ..... 197
- (3) For each special certificate issued under  
section 21 (4) ..... 26
- (4) Application for yard manager's licence or  
renewal of yard manager's licence ..... 99
- (5) Application for salesman's licence or  
renewal of salesman's licence ..... 66
- (6) Application for car market operator's licence  
or renewal of car market operator's licence ..... 197
- (7) Application for certificate of exemption  
from the Act under section 30 (2) ..... 66



(8)	Application for temporary permit under section 30 (7) .....	\$ 26
(9)	Individual dealer — change to firm .....	66
(10)	Individual dealer — change to body corporate ....	66
(11)	Firm — change to sole proprietor .....	66
(12)	Firm — change to body corporate .....	66
(13)	Body corporate — change to individual or firm ...	66
(14)	Premises upgrade — wrecking to sales .....	33
(15)	Duplicate licence .....	21
(16)	Copy (certified or uncertified) or an extract of an individual registration in the register kept under section 24 of the Act —	
	first page .....	10
	each subsequent page .....	2
(17)	Copy (certified or uncertified) or an extract of all registrations in the register kept under section 24 of the Act .....	122
(18)	Inspection of register kept under section 24 of the Act .....	10

[\* Reprinted in the Gazette on 8 December 1986 at pp. 4523-56  
For amendments to 8 September 1993 see 1992 Index to  
Legislation of Western Australia, Table 4, pp. 184-5.]

By the Deputy of the Governor's Command,

D. G. BLIGHT, Clerk of the Council.

CN303

# SETTLEMENT AGENTS ACT 1981

## SETTLEMENT AGENTS AMENDMENT REGULATIONS 1993

Made by the Deputy of the Governor in Executive Council.

### Citation

1. These regulations may be cited as the *Settlement Agents Amendment Regulations 1993*.

### First Schedule repealed and a schedule substituted

2. The First Schedule to the *Settlement Agents Regulations 1982*\* is repealed and the following schedule is substituted —

“

### FIRST SCHEDULE

[Reg. 4]

- |    |   |        |
|----|---|--------|
| 1. | Grant of licence to a natural person<br>(including triennial certificate) ..... | \$ 333 |
|----|---|--------|

2.	Grant of licence to a firm (including triennial certificate) .....	\$ 333
3.	Grant of licence to a body corporate (including triennial certificate) .....	333
4.	Renewal of triennial certificate .....	297
5.	Inspection of register .....	10
6.	Certificate as to an individual registration — first page .....	10
	each subsequent page .....	2
7.	Certificate as to all registrations in register ..	122

[\* *Published in Gazette on 19 March 1982 at pp. 886-7.*  
*For amendments to 8 September 1993 see 1992 Index to*  
*Legislation of Western Australia, Table 4, pp. 238-9.*]

By the Deputy of the Governor's Command,

D. G. BLIGHT, Clerk of the Council.

#### CN304

#### CREDIT (ADMINISTRATION) ACT 1984

#### CREDIT (ADMINISTRATION) AMENDMENT REGULATIONS 1993

Made by the Deputy of the Governor in Executive Council.

#### Citation

1. These regulations may be cited as the *Credit (Administration) Amendment Regulations 1993*.

#### Principal regulations

2. In these regulations the *Credit (Administration) Regulations 1985\** are referred to as the principal regulations.

[\* *Published in Gazette on 22 February 1985 at pp. 699-700.*  
*For amendments to 8 September 1993 see 1992 Index to*  
*Legislation of Western Australia, Table 4, pp. 50-1.*]

#### Regulation 4 amended

3. Regulation 4 (1) of the principal regulations is amended —

- (a) in paragraph (b) by deleting —

“A means the average amount of credit as determined by the Commissioner that the applicant will provide under transactions to which the Credit Act applies in each month of the period of 12 months following the issue of a licence,”

and substituting the following —

“

A means the actual amount of relevant credit provided in Western Australia by the licensee in the previous 12 months,

”;

- (b) by deleting "\$233" and substituting the following —  
" \$239 "; and
- (c) by deleting "\$15 895" and substituting the following —  
" \$16 292 ".

**Regulation 5 amended**

4. Regulation 5 of the principal regulations is amended by deleting "\$20" and substituting the following —

" \$21 ".

**Regulation 6 amended**

5. Regulation 6 (3) of the principal regulations is amended by deleting "\$119" and substituting the following —

" \$122 ".

By the Deputy of the Governor's Command,

D. G. BLIGHT, Clerk of the Council.

CN305

**FINANCE BROKERS CONTROL ACT 1975****FINANCE BROKERS CONTROL (GENERAL) AMENDMENT  
REGULATIONS 1993**

Made by the Deputy of the Governor in Executive Council.

**Citation**

1. These regulations may be cited as the *Finance Brokers Control (General) Amendment Regulations 1993*.

**Schedule amended**

2. The Schedule to the *Finance Brokers Control (General) Regulations 1977\** is amended in item 7 by deleting "119" and substituting the following —

" 122 ".

[\* Published in Gazette of 17 June 1977 at pp. 1834-5.  
For amendments to 8 September 1993 see 1992 Index to  
Legislation of Western Australia, Table 4, p. 73.]

By the Deputy of the Governor's Command,

D. G. BLIGHT, Clerk of the Council.

CN307

## TRAVEL AGENTS ACT 1985

## TRAVEL AGENTS AMENDMENT REGULATIONS (No. 2) 1993

Made by the Deputy of the Governor in Executive Council.

## Citation

1. These regulations may be cited as the *Travel Agents Amendment Regulations (No. 2) 1993*.

## Principal regulations

2. In these regulations the *Travel Agents Regulations 1986\** are referred to as the principal regulations.

[\* Published in Gazette of 19 December 1986 at pp. 4926-38.  
For amendments to 8 September 1993 see 1992 Index to  
Legislation of Western Australia, Table 4, pp. 276-7.]

## Regulation 6 amended

3. Regulation 6 of the principal regulations is amended —

(a) in subregulation (1) —

(i) by deleting “\$325” in the 2 places it occurs and substituting in each place the following —

“ \$333 ”;

(ii) by deleting “\$70” in the 3 places it occurs and substituting in each place the following —

“ \$72 ”; and

(iii) by deleting “\$488” and substituting the following —

“ \$500 ”;

and

(b) in subregulation (2) by deleting “\$690” and substituting the following —

“ \$707 ”.

## Regulation 9 amended

4. Regulation 9 of the principal regulations is amended by deleting “\$20” and substituting the following —

“ \$21 ”.

## Regulation 10 amended

5. Regulation 10 of the principal regulations is amended in subregulation (3) (c) by deleting “\$119” and substituting the following —

“ \$122 ”.

**Regulation 11 amended****6. Regulation 11 of the principal regulations is amended —****(a) in subregulation (1) —**

- (i) by deleting “\$325” in the 2 places it occurs and substituting in each place the following —

“ \$333 ”;

- (ii) by deleting “\$70” in the 3 places it occurs and substituting in each place the following —

“ \$72 ”; and

- (iii) by deleting “\$488” and substituting the following —

“ \$500 ”;

and

- (b) in subregulation (2) by deleting “\$690” and substituting the following —

“ \$707 ”.

By the Deputy of the Governor's Command,

D. G. BLIGHT, Clerk of the Council.

**CN306****REAL ESTATE AND BUSINESS AGENTS ACT 1978****REAL ESTATE AND BUSINESS AGENTS (GENERAL) AMENDMENT  
REGULATIONS 1993**

Made by the Deputy of the Governor in Executive Council.

**Citation**

1. These regulations may be cited as the *Real Estate and Business Agents (General) Amendment Regulations 1993*.

**Schedule 1 repealed and a schedule substituted**

2. Schedule 1 to the *Real Estate and Business Agents (General) Regulations 1979\** is repealed and the following schedule is substituted —

“

**SCHEDULE 1**

[Reg 4.]

**FEES**

\$

- |    |  |     |
|----|--|-----|
| 1. | Application for licence . . . . .              | 55  |
| 2. | Grant of licence to natural person . . . . .   | 333 |
| 3. | Grant of licence to firm . . . . .             | 500 |
| 4. | Grant of licence to body corporate . . . . .   | 500 |
| 5. | Renewal of triennial certificate . . . . .     | 333 |
| 6. | Grant of certificate of registration . . . . . | 66  |

	\$
7. Renewal of certificate of registration . . . . .	66
8. Grant of Business Agent's Permit . . . . .	156
9. Renewal of Business Agent's Permit . . . . .	124
10. Inspection of a register . . . . .	10
11. Copy (certified or uncertified) or an extract of an individual registration —	
first page . . . . .	10
each subsequent page . . . . .	2
12. Copy (certified or uncertified) or an extract of all registrations in a register . . . . .	278

”

[\* Reprinted as at 1 October 1992.]

By the Deputy of the Governor's Command,

D. G. BLIGHT, Clerk of the Council.

CN308

#### EMPLOYMENT AGENTS ACT 1976

#### EMPLOYMENT AGENTS AMENDMENT REGULATIONS 1993

Made by the Deputy of the Governor in Executive Council.

#### Citation

1. These regulations may be cited as the *Employment Agents Amendment Regulations 1993*.

#### Regulation 10 amended

2. Regulation 10 of the *Employment Agents Regulations 1976*\* is amended by repealing subregulation (1) and substituting the following subregulation —

“

(1) The following fees shall be paid with respect to the several matters set out hereunder —

	\$
Application for grant of general licence . . . . .	22.00
Grant of general licence . . . . .	495.00
Application for renewal of general licence . . . . .	13.00
Renewal of general licence . . . . .	49.00
Application for grant of restricted licence . . . . .	22.00
Grant of restricted licence . . . . .	495.00
Application for renewal of restricted licence . . . . .	13.00
Renewal of restricted licence . . . . .	49.00
Application for an interim licence . . . . .	13.00
Duplicate licence . . . . .	21.00

Application for transfer of licence under section 19 (6) .....	\$ 23.00	
Inspection of record under section 51 of the Act .....	5.00	
Inspection of the Register .....	10.00	
Copy (certified or uncertified) of an individual registration in the Register —		
first page .....	10	
each subsequent page .....	2	
Copy (certified or uncertified) of all registrations in the Register .....	122.00	"

[\* *Published in Gazette of 10 September 1976 at pp. 3386-93.*  
*For amendments to 8 September 1993 see 1992 Index to*  
*Legislation of Western Australia, Table 4, pp. 64-5.]*

By the Deputy of the Governor's Command,

D. G. BLIGHT, Clerk of the Council.

## CROWN LAW

CW301

### CRIMINAL CODE ACT 1913

### CRIMINAL PRACTICE AMENDMENT RULES 1993

Made by the Judges of the Supreme Court.

#### Citation

1. These rules may be cited as the *Criminal Practice Amendment Rules 1993*.

#### Principal rules

2. In these rules *The Criminal Practice Rules\** are referred to as the principal rules.

[\* *Reprinted as authorized on 14 August 1969.*  
*For amendments to 1 November 1993 see 1992 Index to*  
*Legislation of Western Australia, Table 4, pp. 51-2.]*

#### Order IIA inserted

3. After Order II of the principal rules the following Order is inserted -

"

#### ORDER IIA

#### PRACTITIONERS ACTING TO NOTIFY COURT

#### Interpretation

1. In this Order -

"Accused Person" means a person charged with an indictable offence who has been committed to the Court for trial or sentence;

"Practitioner" means a certificated practitioner as defined in the Legal Practitioners Act 1893 and includes a firm of practitioners.

**Duty to notify Court when acting for an accused person**

2. (1) A practitioner instructed to act, whether as solicitor or counsel or both, for an accused person must comply with subrule (3) -
- (a) at least 28 days before the accused person's first appearance after the practitioner's appointment; or
  - (b) if that appearance is less than 28 days after the practitioner's appointment, as soon as practicable after the appointment.
- (2) Subrule (1) applies -
- (a) to a practitioner even if another practitioner acts for an accused person in another capacity; and
  - (b) to a practitioner when instructed to act for an accused person in a different capacity.
- (3) To comply with this subrule, a practitioner must -
- (a) file in the Court a notice in the form of Form 1 of Part IA of the Schedule; and
  - (b) serve the notice on the Director of Public Prosecutions for the State or for the Commonwealth, as the case requires.

**Duty to notify Court when ceasing to act for an accused person**

3. (1) A practitioner who has complied with rule 2 and who ceases to be instructed to act for an accused person, whether as solicitor or counsel or both, must comply with rule 2 (3) at least 14 days before the accused person's first appearance after the cessation.
- (2) Where it is not possible to comply with subrule (1) the practitioner must apply to the Court for leave to cease to act.
- (3) With the leave of the Court, an application under subrule (2) may be made orally.
- (4) Unless the Court orders otherwise, any notice of motion for leave under subrule (2) must be served on -
- (a) the accused person; and
  - (b) the Director of Public Prosecutions for the State or for the Commonwealth, as the case requires.

**Practitioner on the record presumed to be acting**

4. The practitioner named in a notice filed under rule 2 shall be taken to be acting for the accused person in the capacity shown by the notice until -
- (a) the practitioner files another notice under rule 2 or a notice under rule 3;
  - (b) a notice is filed under rule 2 by another practitioner acting in the same capacity; or
  - (c) the Court gives leave under rule 3.



## Schedule, Part IA inserted

4. After Part I of the Schedule to the principal rules the following Part is inserted -  
"

**PART IA. - FORMS TO BE FILED BY PRACTITIONERS ACTING FOR  
ACCUSED PERSONS**

No. 1. - Notice to Court when acting or not acting

[Ord. IIA]

[Heading as per Part I, Section I, Division A, Form No. 1.]

TO: The Registrar  
AND TO: Director of Public Prosecutions (WA)/(Cwlth)\*  
AND TO:

Name of accused person: .....  
Charge/Indictment No(s): .....  
Take notice that [name of practitioner]/the firm of\* .....  
Address .....  
Telephone ..... Facsimile .....

(a)\* has been instructed to act for the accused person as  
solicitor/counsel/both solicitor and counsel\*.

(b)\* has ceased to be instructed to act for the accused person as  
solicitor/counsel/both solicitor and counsel\*.

Dated

Signed

[\*Delete that which is inapplicable.]

"

Dated 22 November 1993.

G. A. KENNEDY.  
W. P. PIDGEON.  
E. M. FRANKLYN.  
R. D. NICHOLSON.  
TERENCE A. WALSH.  
D. A. IPP.  
HENRY WALLWORK.  
M. J. MURRAY.  
R. ANDERSON.  
N. J. OWEN.  
K. WHITE.  
GRAEME SCOTT.

**FISHERIES**

**FI401**

**PEARLING ACT 1990**

**Section 23 (8)**

The Public is hereby notified that pursuant to section 23 of the Pearling Act 1990, I have approved the following application for relocation of a pearl farm lease.

**Applicant**

Pearls Pty. Ltd. for an area in Port George IV.

Details of the application can be obtained from the Fisheries Department, 108 Adelaide Terrace, East Perth 6004.

In accordance with section 33 of the Pearling Act 1990 any person aggrieved by this decision may within 14 days after publication of this notice appeal against the decision by serving on the Minister for Fisheries a statement in writing of the grounds of that appeal.

P. P. ROGERS, Executive Director of Fisheries.

## FI402

## FISHERIES ACT 1905

## PILBARA FISH TRAWL FISHERY AMENDMENT NOTICE (No. 2) 1993

Notice No. 627

FD 134/75.

Made by the Minister under sections 10 and 11.

## Citation

1. This notice may be cited as the *Pilbara Fish Trawl Fishery Amendment Notice (No. 2) 1993*.

## Principal Notice

2. In this notice the *Pilbara Fish Trawl Fishery Notice 1992 Notice No. 545\** is referred to as the principal notice.

## Schedule 2 amended

3. (1) Zone 1 of Schedule 2 of the principal notice is amended by inserting after "longitude", where it appears in the last line, the following—

" but excluding the waters within 5 nautical miles radius of the intersection of—

(a) 21° 15' 54" south latitude and 115° 01' 12" east longitude (Rosily Island); and

(b) 21° 12' 24" south latitude and 115° 03' 48" east longitude (Penguin Bank). "

(2) Zone 2 of Schedule 2 of the principal notice is repealed and the following substituted—

" Zone 2. All waters of the Indian Ocean on the landward side of the 200 metre isobath between 116° 10' east longitude and 117° 30' east longitude and north of a line commencing at the intersection of 19° 41' south latitude and 116° 10' east longitude drawn in a straight line southeasterly to the intersection of 20° 09' south latitude and 116° 30' east longitude (approximately parallel to the Rankin gas pipeline), thence in a straight line northeasterly to the intersection of 19° 55' south latitude and 117° 30' east longitude. "

[\*Published in the Gazette of 22 December 1992. For amendments to 8 November 1993 see Notice No. 589 published in the Gazette of 23 April 1993.]

Dated this 24th day of November 1993.

MONTY HOUSE, Minister for Fisheries.

## FI403

## FISHERIES ACT 1905

## PILBARA FISH TRAWL FISHERY—DIRECTIONS TO LICENSING OFFICERS AMENDMENT NOTICE (No. 2) 1993

Notice No. 628

FD 134/75.

Pursuant to section 17 I hereby amend the *Pilbara Fish Trawl Fishery—Directions to Licensing Officers Notice No. 546\**.

## Citation

1. This notice may be cited as the *Pilbara Fish Trawl Fishery—Directions to Licensing Officers Amendment Notice (No. 2) 1993*.

## Principal Notice

2. In this notice the *Pilbara Fish Trawl Fishery—Directions to Licensing Officers Notice No. 546\** is referred to as the principal notice.

## Schedule 3 amended

3. (1) Zone 1 of Schedule 3 of the principal notice is amended by inserting after "longitude", where it appears in the last line, the following—

" but excluding the waters within 5 nautical miles radius of the intersection of—

(a) 21° 15' 54" south latitude and 115° 01' 12" east longitude (Rosily Island); and

(b) 21° 12' 24" south latitude and 115° 03' 48" east longitude (Penguin Bank). "

(2) Zone 2 of Schedule 3 of the principal notice is repealed and the following substituted—

" Zone 2. All waters of the Indian Ocean on the landward side of the 200 metre isobath between 116° 10' east longitude and 117° 30' east longitude and north of a line commencing at the intersection of 19° 41' south latitude and 116° 10' east longitude drawn in a straight line southeasterly to the intersection of 20° 09' south latitude and 116° 30' east longitude (approximately parallel to the Rankin gas pipeline), thence in a straight line northeasterly to the intersection of 19° 55' south latitude and 117° 30' east longitude. "

[\*Published in the Gazette of 22 December 1992. For amendments to 8 November 1993 see Notice No. 588 published in the Gazette of 23 April 1993.]

Dated this 24th day of November 1993.

MONTY HOUSE, Minister for Fisheries.

## LAND ADMINISTRATION

LB301

## PUBLIC WORKS ACT 1902

## SALE OF LAND

Notice is hereby given that His Excellency the Governor has authorised under Section 29(5) of the Public Works Act, 1902 (as amended) the sale by public auction or private contract of the land hereunder described, such land being no longer required for the work for which it was taken.

## Land

File No. 3011/982.

Portion of Canning Location 16 and being Lot 1771 on Plan 3315 (Sheet 1) and being the whole of the land contained in Certificate of Title Volume 1953 Folio 961.

File No. 1447/993

Portion of Canning Location 7 and being part of drain reserve coloured blue on Plan 3229 and being part of the land contained in Certificate of Title Volume 516 Folio 141 as is shown more particularly delineated and coloured green on Plan LAWA 1013.

Notice is hereby given that His Excellency the Governor has authorised under Section 29(7)(a)(ii) of the Public Works Act, 1902 (as amended) the sale by public auction or private contract of the land hereunder described, such land being no longer required for the work for which it was acquired.

## Land

File No. 1736/992

Portion of Melbourne Location 908 and being Lot 20 on Plan 2838 contained in Certificate of Title Volume 1171 Folio 915.

Dated this 23rd day of November, 1993.

A. A. SKINNER, Chief Executive.

LB701

File No. 1430/1989.  
Ex. Co. No. 1940.

## LOCAL GOVERNMENT ACT 1960

## PUBLIC WORKS ACT 1902

## LAND RESUMPTION

## Road Truncation—Arizona Street—Shire of Coolgardie

Notice is hereby given, and it is hereby declared, that pursuant to a resolution of the Shire of Coolgardie passed at a meeting of the Council held on or about June 24, 1993 the several pieces or parcels of land described in the Schedule hereto, being all in the Ngalbain District have, in pursuance of the written approval and consent of His Excellency the Governor, acting by and with the advice of the Executive Council, dated the 23rd day of November 1993, been set apart, taken or resumed for the purpose of the following public work, namely—Road Truncation—Arizona Street—Shire of Coolgardie.

And further notice is hereby given that the said pieces or parcels of land so set apart, taken, or resumed are marked off and more particularly described on Department of Land Administration Plan 17630 which may be inspected at the Department of Land Administration, Midland. The additional information contained in the Schedule after the land descriptions is to define locality only and in no way derogates from the Transfer of Land Act description. And it is hereby directed that the said lands shall vest in Her Majesty for the public work herein expressed, freed and discharged from all trusts, mortgages, charges, obligations, estates, interests, rights-of-way or other easements whatsoever.

## Schedule

Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
Crown	Robert James Kippin and Gillian Frances Kippin	Portion of Coolgardie Lot 1986 being part of the Land contained in special lease 3116/10473 (Crown Lease 668/1990).	50 m <sup>2</sup>

Certified correct this 16th day of November 1993.

GEORGE CASH, Minister for Lands.

Dated this 23rd day of November 1993.

P. M. JEFFERY, Governor in Executive Council.

File No. 2256/1987.

Ex. Co. No. 1942.

**LOCAL GOVERNMENT ACT 1960****PUBLIC WORKS ACT 1902****LAND RESUMPTION****Road Extension—Wyton Place—Road No. 17747—City of Gosnells**

Notice is hereby given, and it is hereby declared, that pursuant to a resolution of the City of Gosnells passed at a meeting of the Council held on or about August 24, 1993 the several pieces or parcels of land described in the Schedule hereto, being all in the Canning District have, in pursuance of the written approval and consent of His Excellency the Governor, acting by and with the advice of the Executive Council, dated the 23rd day of November 1993, been set apart, taken or resumed for the purpose of the following public work, namely—Road Extension—Wyton Place—Road No. 17747—City of Gosnells.

And further notice is hereby given that the said pieces or parcels of land so set apart, taken, or resumed are marked off and more particularly described on Department of Land Administration Diagram 91304 which may be inspected at the Department of Land Administration, Midland. The additional information contained in the Schedule after the land descriptions is to define locality only and in no way derogates from the Transfer of Land Act description. And it is hereby directed that the said lands shall vest in Her Majesty for an estate in fee simple in possession for the public work herein expressed, freed and discharged from all trusts, mortgages, charges, obligations, estates, interests, rights-of-way or other easements whatsoever.

**Schedule**

Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
The Estate of William Alan Buckley	Vacant	Portion of the land shown as "Drain Reserve" on Diagram 18237 remaining in Certificate of Title Volume 693 Folio 188.	151 m <sup>2</sup>

Certified correct this 15th day of November 1993.

GEORGE CASH, Minister for Lands.

Dated this 23rd day of November 1993.

P. M. JEFFERY, Governor in Executive Council.

File No. 1183/1993.

Ex. Co. No. 1938.

**LOCAL GOVERNMENT ACT 1960****PUBLIC WORKS ACT 1902****LAND RESUMPTION****Road Widening—Canning Road—Road No. 1837—Shire of Kalamunda**

Notice is hereby given, and it is hereby declared, that pursuant to a resolution of the Shire of Kalamunda passed at a meeting of the Council held on or about April 19, 1993 the several pieces or parcels of land described in the Schedule hereto, being all in the Canning District have, in pursuance of the written approval and consent of His Excellency the Governor, acting by and with the advice of the Executive Council, dated the 23rd day of November 1993, been set apart, taken or resumed for the purpose of the following public work, namely—Road Widening—Canning Road—Road No. 1837—Shire of Kalamunda.

And further notice is hereby given that the said pieces or parcels of land so set apart, taken, or resumed are marked off and more particularly described on Department of Land Administration Diagram 91290 which may be inspected at the Department of Land Administration, Midland. The additional information contained in the Schedule after the land descriptions is to define locality only and in no way derogates from the Transfer of Land Act description. And it is hereby directed that the said lands shall vest in Her Majesty for an estate in fee simple in possession for the public work herein expressed, freed and discharged from all trusts, mortgages, charges, obligations, estates, interests, rights-of-way or other easements whatsoever.

## Schedule

Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
Geoffrey Keith Wallis and Lesley Florence Wallis	G. K. & L. F. Wallis	Portion of Lot 3 on Diagram 31752 being part of the land contained in Certificate of Title Volume 29 Folio 325 'A'.	18 m <sup>2</sup>

Certified correct this 5th day of November 1993.

GEORGE CASH, Minister for Lands.

Dated this 23rd day of November 1993.

P. M. JEFFERY, Governor in Executive Council.

File No. 768/1991.  
Ex. Co. No. 1939.

## LOCAL GOVERNMENT ACT 1960

## PUBLIC WORKS ACT 1902

## LAND RESUMPTION

## Road Extension—Town of Port Hedland

Notice is hereby given, and it is hereby declared, that pursuant to a resolution of the Town of Port Hedland passed at a meeting of the Council held on or about June 1993 the several pieces or parcels of land described in the Schedule hereto, being all in the Forrest District have, in pursuance of the written approval and consent of His Excellency the Governor, acting by and with the advice of the Executive Council, dated the 23rd day of November 1993, been set apart, taken or resumed for the purpose of the following public work, namely—Road Extension—Town of Port Hedland.

And further notice is hereby given that the said pieces or parcels of land so set apart, taken, or resumed are marked off and more particularly described on Department of Land Administration Diagram 91252 which may be inspected at the Department of Land Administration, Midland. The additional information contained in the Schedule after the land descriptions is to define locality only and in no way derogates from the Transfer of Land Act description. And it is hereby directed that the said lands shall vest in Her Majesty for an estate in fee simple in possession for the public work herein expressed, freed and discharged from all trusts, mortgages, charges, obligations, estates, interests, rights-of-way or other easements whatsoever.

## Schedule

Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
Homeswest	Homeswest	Portion of Port Hedland Lot 2926 being part of the land contained in Certificate of Title Volume 1475 Folio 886.	1170 m <sup>2</sup>

Certified correct this 2nd day of November 1993.

GEORGE CASH, Minister for Lands.

Dated this 23rd day of November 1993.

P. M. JEFFERY, Governor in Executive Council.

File No. 1722/1991.  
Ex. Co. No. 1937.

## LOCAL GOVERNMENT ACT 1960

## PUBLIC WORKS ACT 1902

## LAND RESUMPTION

## Road Widening—Morrison Road—Town Planning Scheme No. 9—Shire of Swan

Notice is hereby given, and it is hereby declared, that pursuant to a resolution of the Shire of Swan passed at a meeting of the Council held on or about February 23, 1993 the several pieces or parcels of land described in the Schedule hereto, being all in the Swan District have, in pursuance of the written approval and consent of His Excellency the Governor, acting by and with the advice of the Executive Council, dated the 23rd day of November 1993, been set apart, taken or resumed for the purpose of the following public work, namely—Road Widening—Morrison Road—Town Planning Scheme No. 9—Shire of Swan.

And further notice is hereby given that the said pieces or parcels of land so set apart, taken, or resumed are marked off and more particularly described on Department of Land Administration Diagram 91319 which may be inspected at the Department of Land Administration, Midland. The additional information contained in the Schedule after the land descriptions is to define locality only and in no way derogates from the Transfer of Land Act description. And it is hereby directed that the said lands shall vest in Her Majesty for an estate in fee simple in possession for the public work herein expressed, freed and discharged from all trusts, mortgages, charges, obligations, estates, interests, rights-of-way or other easements whatsoever.

## Schedule

Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
Shire of Swan	Shire of Swan	Portion of Lot 3 on Diagram 5046 being part of the land contained in Certificate of Title Volume 1260 Folio 263	97 m <sup>2</sup>
Francesco Coniglio	F. Coniglio	Part of Lot 2 on Diagram 5046 being part of the land contained in Certificate of Title Volume 730 Folio 110.	88 m <sup>2</sup>
Francesco Coniglio and Anna Coniglio	F. & A. Coniglio	Part of Lot 1 on Diagram 5046 being part of the land contained in Certificate of Title Volume 730 Folio 109.	90 m <sup>2</sup>
Shire of Swan	Shire of Swan	Part of Lots 53 and 52 on Plan 3298 being part of the land contained in Certificate of Title Volume 1937 Folio 627.	7 m <sup>2</sup> from Lot 53 and 141 m <sup>2</sup> from Lot 52

Certified correct this 5th day of November 1993.

GEORGE CASH, Minister for Lands.

Dated this 23rd day of November 1993.

P. M. JEFFERY, Governor in Executive Council.

## ROAD DEDICATION

It is hereby notified that the Minister for Lands has approved, pursuant to section 288 of the Local Government Act, the dedication as public street the roads in the various Municipalities as described in the abovementioned resumption notices.

By Order of the Minister for Lands.

Dated this 30th day of November 1993.

R. K. MORLAND, Chief Executive.

## LOCAL GOVERNMENT

## LG401

## BUSH FIRES ACT 1954

*Shire of Quairading*

## Appointment of Bush Fire Control Officers

It is hereby notified for public information that the following persons have been appointed as Bush Fire Control Officers for the Shire of Quairading for the 1993/94 Fire Season.

Chief Fire Control Officer—T. E. Richards.

Deputy Chief Fire Control Officer—R. C. Hawksley.

Bush Fire Control Officers—

G. A. Fardon	A. J. Simpson
D. J. Brown	G. J. Dall
N. N. Fraser	K. F. Simpson
G. E. Anderson	D. T. Stone
W. M. Davies	J. M. Dall
G. D. Veitch	G. D. McRae
G. W. Anderson	S. J. Edwards.
A. D. Gelmi	

G. A. FARDON, Shire Clerk.

**OCCUPATIONAL HEALTH, SAFETY AND WELFARE****OA401**

**OCCUPATIONAL HEALTH, SAFETY AND WELFARE ACT 1984**  
**OCCUPATIONAL HEALTH, SAFETY AND WELFARE REGULATIONS 1988**  
**Exemption Revocation Pursuant to Regulation 213**  
**(No. 29 of 1993)**

I, Neil Bartholomaeus, Commissioner of Occupational Health, Safety and Welfare, hereby revoke exemption Number 4 of 1989.

Dated this nineteenth day of November 1993.

NEIL BARTHOLOMAEUS, Commissioner for  
Occupational Health, Safety and Welfare.

**OA402**

**OCCUPATIONAL HEALTH, SAFETY AND WELFARE ACT 1984**  
**OCCUPATIONAL HEALTH, SAFETY AND WELFARE REGULATIONS 1988**  
**Exemption Certificate Pursuant to Regulation 213**  
**(No. 30 of 1993)**

I, Neil Bartholomaeus, Commissioner for Occupational Health, Safety and Welfare, hereby grant an exemption to the Ministry of Justice from the requirements of Regulation 341 (2) (b) of the Occupational Health, Safety and Welfare Regulations 1988 in relation to each of the following institutions—

Albany Regional Prison  
Bandyup Women's Prison  
Bartons Mill  
Broome Regional Prison  
Bunbury Regional Prison  
Canning Vale Prison  
CW Campbell Remand Centre  
Casuarina Prison  
Eastern Goldfields Prison  
Greenough Regional Prison  
Karnet Prison Farm  
Pardelup Prison Farm  
Roebourne Regional Prison  
Wooroloo Prison Farm  
Warramia Farm—Juvenile Justice Centre  
Riverbank—Juvenile Justice Centre  
Longmore Training—Juvenile Justice Centre  
Longmore Remand—Juvenile Justice Centre  
Rangeview Remand Centre.

Dated this nineteenth day of November 1993.

NEIL BARTHOLOMAEUS, Commissioner for  
Occupational Health, Safety and Welfare.

**OA403**

**OCCUPATIONAL HEALTH, SAFETY AND WELFARE ACT 1984**  
**OCCUPATIONAL HEALTH, SAFETY AND WELFARE REGULATIONS 1988**  
**Exemption Certificate Pursuant to Regulation 213**  
**(No. 31 of 1993)**

I, Neil Bartholomaeus, Commissioner for Occupational Health, Safety and Welfare, hereby grant an exemption to BP Refinery (Kwinana) Pty Ltd from the requirements of Regulation 607 (1) (b) of the Occupational Health, Safety and Welfare Regulations 1988 in relation to inspection annually of 2 sulphur recovery unit waste heat boilers, registration numbers 36381 and 39128, and require the boilers to be inspected at least once every 4½ years.

Dated this nineteenth day of November 1993.

NEIL BARTHOLOMAEUS, Commissioner for  
Occupational Health, Safety and Welfare.

**PLANNING AND URBAN DEVELOPMENT****PD401****CORRECTION****TOWN PLANNING AND DEVELOPMENT ACT 1928****ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT***Shire of Harvey*

Town Planning Scheme No. 10—Amendment No. 39

Ref: 853/6/12/14, Pt. 39.

It is hereby notified for public information that the notice under the above Amendment No. 39 published at page 6103 of the *Government Gazette* No. 153 dated November 9, 1993, contained an error which is now corrected as follows:

For the words: Ashmere Heights Estate/Ashmere Glades.

Read: Ashmere Heights Estate/Australind Waters.

K. J. LEECE, Shire Clerk.

**PD402****TOWN PLANNING AND DEVELOPMENT ACT 1928  
SCHEME AMENDMENT AVAILABLE FOR INSPECTION***Shire of Murray*

Town Planning Scheme No. 4—Amendment No. 35

Ref: 853/6/16/7, Pt. 35.

Notice is hereby given that the Shire of Murray has prepared the abovementioned scheme amendment for the purpose of rezoning part of Lots 16, 150 and 151 Adelaide Road from "Rural" to "Industry" and Lot 19 Adelaide Road from "Rural" to "Public Purposes" (WAWA).

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Pinjarra Road, Pinjarra, and at the Department of Planning and Urban Development, Albert Facey House, 469-489 Wellington Street, Perth, and will be available for inspection during office hours up to and including January 11, 1994.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before January 11, 1994.

This Amendment is available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

D. A. McCLEMENTS, Shire Clerk.

**PD403****TOWN PLANNING AND DEVELOPMENT ACT 1928  
SCHEME AMENDMENT AVAILABLE FOR INSPECTION***City of Wanneroo*

Town Planning Scheme No. 1—Amendment No. 672

Ref: 853/2/30/1, Pt. 672.

Notice is hereby given that the City of Wanneroo has prepared the abovementioned scheme amendment for the purpose of rezoning Part Lots 2 and 3 Wanneroo Road, Landsdale from "Commercial, Service Industrial, Hotel and Service Station" to "Commercial, Mixed Business, Civic and Cultural Reserve and Service Station" as shown on amendment maps.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Boas Avenue, Joondalup and at the Department of Planning and Urban Development, Albert Facey House, 469-489 Wellington Street, Perth, and will be available for inspection during office hours up to and including 29 December 1993.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 29 December 1993.

This amendment is available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

R. F. COFFEY, Town Clerk.



PD404

**CORRECTION****TOWN PLANNING AND DEVELOPMENT ACT 1928****ADVERTISEMENT OF SCHEME AMENDMENTS AVAILABLE FOR INSPECTION***Town of Bassendean*

Town Planning Scheme No. 3—Amendment No. 45

Town Planning Scheme No. 4A—Amendment No. 14

Ref: 853/2/13/3, Pt. 45.

853/2/13/4, Pt. 14.

It is hereby notified for public information that the Corrigendum notice under the above Amendment Nos. 45 and 14 published at page 6310 of the *Government Gazette* No. 157 dated November 23, 1993, contained an error which is now corrected as follows:

For the words:

“ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT”

Read:

“ADVERTISEMENT OF SCHEME AMENDMENTS AVAILABLE FOR INSPECTION”.

S. SMITH, Town Clerk.

**POLICE**

PE401

**ROAD TRAFFIC ACT 1974**

I, Anthony Royston Pilkington, Commander (Metropolitan Traffic) being the delegated officer of the Minister for Police under section 83 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of that Act and the consent of the local authorities having been obtained and nominated for the purpose of a Christmas Pageant by members/entrants of TVW Enterprises on 4 December 1993 between the hours of 0700 and 2200 do hereby approve the temporary suspension of regulations made under such Act on the carriageway/s mentioned hereunder.

Terrace Road between Governors Avenue and Victoria Avenue. Governors Avenue between Riverside Drive and Terrace Road from 0700. Western side of Victoria Avenue between Riverside Drive and St. George's Terrace from 1600. St. George's Terrace between Victoria Avenue and Mill Street. Barrack Street between Riverside Drive and Roe Street, Murray Street between King Street and Pier Street, Pier Street between Murray and Wellington Streets, Wellington Street between Milligan and Lord Streets, William Street between Roe Street and The Esplanade, The Esplanade, Hay Street between Victoria Avenue and William Street from 1800 hours.

Dated at Perth this 12th day of November 1993.

A. R. PILKINGTON, Commander (Metropolitan Traffic).

PE402

**ROAD TRAFFIC ACT 1974**

I, Anthony Royston Pilkington, Commander (Metropolitan Traffic) being the delegated officer of the Minister for Police under section 83 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of that Act and the consent of the local authorities having been obtained and nominated for the purpose of Cycle Races by members/entrants of the West Coast Veterans Bicycle Club on 2 and 9 January 1994 between the hours of 0800 and 1300 do hereby approve the temporary suspension of regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Bradford Street, Chilver Street, Valentine Road, Hazelhurst Road, Bradford Street, Kewdale.

All participants to wear approved head protection at all times.

Dated at Perth this 24th day of November 1993.

A. R. PILKINGTON, Commander (Metropolitan Traffic).

**ROAD TRAFFIC ACT 1974**

I, Anthony Royston Pilkington, Commander (Metropolitan Traffic) being the delegated officer of the Minister for Police under section 83 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of that Act and the consent of the local authorities having been obtained and nominated for the purpose of a Bicycle Race by members/entrants of the University of W.A. on 19 December 1993 between the hours of 0800 and 1100 do hereby approve the temporary suspension of regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Perry Lakes Drive, Oceanic Drive, Reabold Scenic Route, West Coast Highway, Rochdale Road, Stephenson Avenue, City Beach.

All participants to wear approved head protection at all times.

Dated at Perth this 12th day of October 1993.

A. R. PILKINGTON, Commander (Metropolitan Traffic).

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PE403

**ROAD TRAFFIC ACT 1974**

I, Anthony Royston Pilkington, Commander (Metropolitan Traffic) being the delegated officer of the Minister for Police under section 83 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of that Act and the consent of the local authorities having been obtained and nominated for the purpose of a Quadrathlon by members/entrants of the Governor Stirling Senior High School on 3 December 1993 between the hours of 1615 and 1650 do hereby approve the temporary suspension of regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on First Avenue, Ford Street, Harper Street, Poynton Street, Morrison Street, Elvire Street, Charles Street, Frederick Street, Muriel Street, Ashby Terrace, Bernley Parade.

All participants to wear approved head protection at all times during cycle leg.

Dated at Perth this 12th day of November 1993.

A. R. PILKINGTON, Commander (Metropolitan Traffic).

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PE404

**ROAD TRAFFIC ACT 1974**

I, Anthony Royston Pilkington, Commander (Metropolitan Traffic) being the delegated officer of the Minister for Police under section 83 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of that Act and the consent of the local authorities having been obtained and nominated for the purpose of a Rallysprint by members/entrants of the Nissan Car Club on 28 November 1993 between the hours of 0900 and 1700 do hereby approve the temporary suspension of regulations made under such Act on the carriageway/s mentioned hereunder.

Rockingham Road, Harbour Road, Wells Road, Bay Road, 1st, 2nd and 3rd Avenues.

All participants to wear approved head protection at all times.

Dated at Perth this 15th day of November 1993.

A. R. PILKINGTON, Commander (Metropolitan Traffic).

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PE405

**ROAD TRAFFIC ACT 1974**

I, Anthony Royston Pilkington, Commander (Metropolitan Traffic) being the delegated officer of the Minister for Police under section 83 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of that Act and the consent of the local authorities having been obtained and nominated for the purpose of a Soap Box Race by members/entrants of the Esperance Soap Box Club on 28 November 1993 between the hours of 1300 and 1700 do hereby approve the temporary suspension of regulations made under such Act on the carriageway/s mentioned hereunder.

Davis Road, Kimbara Close.

All participants to wear approved head protection at all times.

Dated at Perth this 12th day of November 1993.

A. R. PILKINGTON, Commander (Metropolitan Traffic).

PE406

**ROAD TRAFFIC ACT 1974**

I, Anthony Royston Pilkington, Commander (Metropolitan Traffic) being the delegated officer of the Minister for Police under section 83 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of that Act and the consent of the local authorities having been obtained and nominated for the purpose of a Triathlon by members/entrants of the Albany Triathlon Club on 12 December 1993 between the hours of 0900 and 1100 do hereby approve the temporary suspension of regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Frenchmans Bay Road, Whaling Station Road.

All participants to wear approved head protection at all times during cycle leg.

Dated at Perth this 12th day of November 1993.

A. R. PILKINGTON, Commander (Metropolitan Traffic).

---

**ROAD TRAFFIC ACT 1974**

I, Anthony Royston Pilkington, Commander (Metropolitan Traffic) being the delegated officer of the Minister for Police under section 83 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of that Act and the consent of the local authorities having been obtained and nominated for the purpose of a Triathlon by members/entrants of the Hedland Tri-Sports Association on 5 December 1993 between the hours of 0930 and 1030 do hereby approve the temporary suspension of regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Leake Street, Forrest Circle, Collier Drive, and return.

All participants to wear approved head protection at all times during cycle leg.

Dated at Perth this 12th day of November 1993.

A. R. PILKINGTON, Commander (Metropolitan Traffic).

---

**ROAD TRAFFIC ACT 1974**

I, Anthony Royston Pilkington, Commander (Metropolitan Traffic) being the delegated officer of the Minister for Police under section 83 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of that Act and the consent of the local authorities having been obtained and nominated for the purpose of Triathalons by members/entrants of the Goldfields Harriers Club on 8, 15, 22 and 29 January 1994 between the hours of 1600 and 1800 do hereby approve the temporary suspension of regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on McDonald Street, Wilson Street, Lionel Street, Frank Street, Federal Road, Boulder Road, Cheetham Street, Cassidy Street, Kalgoorlie.

All participants to wear approved head protection at all times during cycle legs.

Dated at Perth this 24th day of November 1993.

A. R. PILKINGTON, Commander (Metropolitan Traffic).

---

**ROAD TRAFFIC ACT 1974**

I, Anthony Royston Pilkington, Commander (Metropolitan Traffic) being the delegated officer of the Minister for Police under section 83 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of that Act and the consent of the local authorities having been obtained and nominated for the purpose of a Triathlon by members/entrants of the Avon Valley Cycling Club on 19 December 1993 between the hours of 0700 and 0930 do hereby approve the temporary suspension of regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Mitchell Avenue, Trimble Road, Spencer Brook Road, Burlong Road, Fitzgerald Street, Newcastle Road, Northam.

All participants to wear approved head protection at all times during cycle leg.

Dated at Perth this 24th day of November 1993.

A. R. PILKINGTON, Commander (Metropolitan Traffic).

**PE407****POLICE AUCTION**

Under the provisions of the Police Act, Unclaimed and Stolen Property will be sold by Public Auction at the premises of Ronald Scott, trading as Snowball Auctions, Auctioneer, of 89 Frederick Street, Albany, at approximately 9.00 am on Thursday 30th December, 1993.

Auction will be conducted by Ronald Scott, Auctioneer.

B. BULL, Commissioner of Police.

**PE409****POLICE AUCTION**

The belowmentioned property will be sold at public auction on behalf of the Commissioner of Police on Saturday the 11th of December, 1993, at the Broome Auction Centre, Clementson Street, Broome at 9.00 am.

- 21 x Gents bicycles, assorted makes.
- 6 x ladies bicycles, assorted makes.
- 5 x BMX bicycles, assorted makes.
- 5 x boys bicycles, assorted makes.
- 1 x girls bicycle.
- 1 x ladies watch.
- 1 gents watch.
- 1 dress ring.
- 1 pocket knife.
- 1 bicycle helmet.

Inspection of the above property can be made by arrangement with the Broome Auction Centre lot 2096 Clementson Street, Broome after Monday the 6th of December, 1993.

**PORT AUTHORITIES****PH301****FREMANTLE PORT AUTHORITY ACT 1902****FREMANTLE PORT AUTHORITY AMENDMENT REGULATIONS 1993**

Made by the Fremantle Port Authority and approved by His Excellency the Governor in Executive Council.

**Citation**

1. These regulations may be cited as the *Fremantle Port Authority Amendment Regulations 1993*.

**Principal regulations**

2. In these regulations the *Fremantle Port Authority Regulations 1971\** are referred to as the principal regulations.

[\* Reprinted in the Gazette of 9 August 1979 at pp. 2295-418.  
For amendments to 17 September 1993 see 1992 Index to Legislation of Western Australia, Table 4, pp. 91-6, and Gazettes of 26 January and 23 July 1993.]

**Regulation 3 amended**

3. Regulation 3 of the principal regulations is amended by deleting the definitions of "coasting vessel", "interstate vessel", "Pilot" and "vessel" and inserting, in the appropriate alphabetical positions, the following definitions —

"

**"Exemption Certificate"** means a Pilotage Exemption Certificate issued under regulation 116.

”;

“

“**pilot**” means a person approved in writing by the Port Authority as a pilot for the Port.

”.

“

“**State marine department**” means the Department of Marine and Harbours.

”.

#### **Regulation 34 amended**

4. Regulation 34 (1) of the principal regulations is amended by deleting “An” and substituting the following —

“ Except with the approval of the Port Authority, an ”.

#### **Regulation 68 repealed and a regulation substituted**

5. Regulation 68 of the principal regulations is repealed and the following regulation is substituted —

“

##### **Notice of arrival at Port**

68. (1) Subject to subregulation (3), the master of a vessel other than a vessel —

- (a) that is not to be berthed within the Port; and
- (b) that is not to be provided with any services by the Port Authority,

shall —

- (aa) notify the Harbour Master 48, 24 and 2 hours before the estimated time of the vessel's arrival at its appropriate Pilot Boarding Ground; and
- (bb) if the vessel is carrying explosives, or an inflammable or otherwise dangerous cargo, notify the Harbour Master accordingly, by means of the approved form, 48 hours before the estimated time of the vessel's arrival at its appropriate Pilot Boarding Ground.

(2) The appropriate Pilot Boarding Ground for a vessel —

- (a) having a draught of 11 metres or more, is 3 nautical miles north west of the Fairway Buoy (the “**Outer Pilot Boarding Ground**”); or
- (b) having a draught of less than 11 metres, is one nautical mile west of the Hall Bank Beacon in Gage Roads, unless the Harbour Master directs otherwise.

(3) The master of a vessel that is subject to the tonnage rates prescribed by regulation 130 shall inform the Port Authority of the vessel's movements within the Port by maintaining radio contact with, and in the manner required by, the Port Authority.

”.

#### **Regulation 69 amended**

6. Regulation 69 of the principal regulations is amended —

- (a) in subregulation (1) by deleting “1.05 miles”, “0.6 mile”, “83°” and “1.45 miles” and substituting, respectively, the following —

“ 2.3 nautical miles ”;

“ 1.2 nautical miles ”;

“ 80½° ”; and

“ 2.65 nautical miles ”;

and

- (b) by repealing subregulation (2) and substituting the following subregulations —

“

(2) The Port Authority may authorize a vessel to proceed directly to its berthing place instead of anchoring in Gage Roads as required under subregulation (1).

(3) A vessel authorized under subregulation (2) is not, by virtue of that authorization, exempt from pilotage.

(4) A vessel that arrives at the Port —

(a) with explosives on board; or

(b) to load explosives while in the Port, that is unable to be berthed at a dedicated explosives berth, specified as such by the Harbour Master, shall be berthed as directed by the Harbour Master.

”.

#### **Regulation 70 amended**

7. Regulation 70 of the principal regulations is amended in paragraphs (a) and (f) by deleting “Berthing Master” and substituting, in each paragraph, the following —

“ Harbour Master ”.

#### **Regulation 99 repealed and a regulation substituted**

8. Regulation 99 of the principal regulations is repealed and the following regulation is substituted —

“

##### **Mandatory pilotage**

99. Unless it is exempted by regulation 101 or 121B, a vessel shall use the services of a pilot through all waters between the vessel's appropriate Pilot Boarding Ground and its berthing place in the Port.

”.

#### **Regulation 101 repealed and a regulation substituted**

9. Regulation 101 of the principal regulations is repealed and the following regulation is substituted —

“

##### **Vessels exempt from pilotage**

101. (1) Subject to subregulation (2) and regulation 121, a vessel is exempt from pilotage if it has a draught of less than 11 metres and —

(a) the vessel is less than 150 gross registered tons; or

(b) the vessel —

(i) is registered, or is required to be registered, under the *Shipping Registration Act 1981* of the Commonwealth; or

- (ii) is wholly-owned, or solely operated, by persons who are entitled to reside permanently in Australia under an Act of the Commonwealth,

and the master of the vessel holds —

- (iii) a current Exemption Certificate issued under regulation 116; or
- (iv) a current Certificate of Local Knowledge issued under regulation 122.

(2) For the purposes of subregulation (1) (b), a person is deemed not to be the master —

- (a) of an inward bound vessel unless the person has been in charge of the vessel, and the person's name entered as master on the vessel's register, from prior to its departure from the last port of call until after its arrival at its berthing place in the Port; or
- (b) of an outward bound vessel unless the person has been in charge of the vessel, and the person's name entered as master on the vessel's register, from prior to its departure from its berthing place until its arrival at its next port of call.

(3) If the services of a pilot are used by a vessel that would otherwise be exempt from pilotage under subregulation (1) (b), the pilotage charges prescribed by regulation 102 apply.

(4) A vessel exempt from pilotage under subregulation (1) (b) is subject to the charge prescribed by regulation 102 (f) or (g), as the case requires.

(5) Regardless of any other provision of these regulations, the Harbour Master may exempt any vessel from pilotage in any waters of the Port if the Harbour Master considers that to do so is justified for the convenience of shipping.

#### **Regulation 102 amended**

10. Regulation 102 (f) of the principal regulations is amended by deleting "coastal or interstate".

#### **Regulations 115 to 121 repealed and regulations 115 to 121B substituted**

11. Regulations 115, 116, 117, 118, 119, 120 and 121 of the principal regulations are repealed and the following regulations are substituted —

“

##### **Eligibility for Exemption Certificate**

115. (1) A person is not eligible to apply for an Exemption Certificate unless the person is entitled to reside permanently in Australia under an Act of the Commonwealth and the person —

- (a) holds —
  - (i) a Master Class 1 Certificate of Competency issued under the Navigation Act;
  - (ii) a Foreign Going Masters Certificate of Competency issued under the Navigation Act;
  - (iii) a Certificate of Service as Master issued under the Navigation Act; or
  - (iv) a certificate issued outside Australia that is recognized by the Department of Transport and Communications of the Commonwealth or by the State marine department as equivalent to one of those certificates,

and the person —

- (v) subject to regulation 116 (2), within the 2 years preceding the date of the application, has been the master of a vessel, with a pilot on board, on at least 4 occasions when the vessel was navigated into, and on at least 4 occasions when the vessel was navigated out of, the Port;

or

(b) holds —

- (i) a certificate as first mate issued under the Navigation Act; or
- (ii) a certificate issued outside Australia that is recognised by the Department of Transport and Communications of the Commonwealth or by the State marine department as equivalent to that certificate,

and the person has —

- (iii) subject to regulation 116 (2), within the 2 years preceding the date of the application, been the first mate of a vessel, with a pilot on board, on at least 4 occasions when the vessel was navigated into, and on at least 4 occasions when the vessel was navigated out of, the Port, on each occasion remaining on duty on the bridge of the vessel while it was being navigated within the Port; and
- (iv) a written statement, signed by the pilot or master of the vessel on each occasion referred to in subparagraph (iii), verifying that the person complied with the requirements of that subparagraph on that occasion.

(2) In this regulation “**Navigation Act**” means the *Navigation Act 1912* of the Commonwealth.

#### **Application and examination for Exemption Certificate**

**116.** (1) An application for an Exemption Certificate shall be on the form approved by the Port Authority and shall be accompanied by —

- (a) a fee of \$595, that is not refundable whether the applicant passes or fails the examination referred to in subregulation (3);
- (b) evidence, satisfactory to the Port Authority, that the applicant has satisfied the qualification and navigation requirements of regulation 115 (1) (a) or (b), as the case requires;
- (c) a current medical certificate providing evidence of the applicant's health;
- (d) a current certificate of visual acuity as required for seagoing masters by the Department of Transport and Communications of the Commonwealth or the State marine department; and
- (e) if the case requires, the written statement referred to in regulation 115 (1) (b) (iv).



(2) An application under this regulation is not valid unless at least one of the occasions referred to in regulation 115 (1) (a) (v) or (b) (iii), as the case requires, was within —

- (a) the 12 months preceding the date of the application, if the application is for a Certificate valid for vessels of a category to which regulation 117 (3) (a) or (b) applies; or
- (b) the 6 months preceding the date of the application, if the application is for a Certificate valid for vessels of a category to which regulation 117 (3) (c) or (d) applies.

(3) If an applicant satisfies the Harbour Master, in an examination, that the applicant has an adequate knowledge of those matters considered by the Port Authority to be necessary for the safe navigation of vessels within the Port, including the ability to speak English, the Port Authority shall issue an Exemption Certificate to the applicant.

(4) A person who fails the examination is not eligible to be examined again until, after the examination, the person has been the master or first mate of a vessel, as the case requires, with a pilot on board, on at least one occasion when the vessel was navigated into or out of the Port, or into or out of a particular area of the Port with respect to which the person's knowledge was found to be deficient in the examination.

#### **Vessels for which Exemption Certificates are valid**

**117.** (1) The Port Authority shall endorse an Exemption Certificate with the category of vessels for which it is valid, being one of the categories specified in subregulation (3), and the Certificate is valid for —

- (a) vessels having a length overall appropriate to that category; and
- (b) vessels having a length overall less than is appropriate to that category.

(2) The category of vessels that is to be endorsed on an Exemption Certificate under subregulation (1) is the category that is appropriate to the vessel having the shortest length overall of the vessels of which the applicant for the Certificate was master or first mate, as the case requires, when complying with regulation 115 (1) (a) (v) or (b) (iii).

(3) The categories of vessels for which an Exemption Certificate may be valid are vessels having a length overall of —

- (a) less than 50 metres;
- (b) 50 metres or more but less than 155 metres;
- (c) 155 metres or more but less than 215 metres; or
- (d) 215 metres or more.

#### **Exemption Certificates valid only during daylight hours unless otherwise endorsed**

**118.** (1) Subject to subregulation (2), the Port Authority shall endorse an Exemption Certificate as valid only during the hours of daylight.

(2) If a person who holds an Exemption Certificate applies to the Port Authority to have the Certificate endorsed to be valid during the hours of darkness, the Port Authority, subject to subregulation (3), shall endorse the Certificate accordingly if it is satisfied that the applicant, within the 12 months preceding the date of the application, has been in charge of a vessel with a pilot on board —

- (a) on at least 1 occasion when the vessel was navigated into the Port; and
- (b) on at least 1 occasion when the vessel was navigated out of the Port,

the vessel on each occasion being navigated during the hours of darkness.

(3) If an Exemption Certificate is valid for vessels of a category to which regulation 117 (3) (c) or (d) applies, the Port Authority shall not endorse the Certificate under subregulation (2) unless at least one of the occasions referred to in paragraphs (a) and (b) of that subregulation was within the 6 months preceding the date of the application.

#### **Endorsement of Exemption Certificates for vessels of greater length**

119. (1) If a person who holds an Exemption Certificate applies to the Port Authority to have the Certificate endorsed to be valid for vessels having a length overall greater than is appropriate to the category to which the Certificate applies, the Port Authority, subject to subregulation (2), shall endorse the Certificate accordingly if it is satisfied that the applicant, within the 12 months preceding the date of the application, has been in charge of a vessel with a pilot on board —

- (a) on at least 2 occasions when the vessel was navigated into the Port; and
- (b) on at least 2 occasions when the vessel was navigated out of the Port,

the vessel on each occasion having a length overall not less than is appropriate to the category for which the applicant is applying to have the Certificate endorsed.

(2) If an application is made under subregulation (1) to have an Exemption Certificate endorsed to be valid for a category of vessels to which regulation 117 (3) (c) or (d) applies, the Port Authority shall not endorse the Certificate unless at least one of the occasions referred to in subregulation (1) (a) and (b) was within the 6 months preceding the date of the application.

#### **Validity, lapse and renewal of Exemption Certificates**

120. (1) Unless it lapses or is revoked under this regulation, an Exemption Certificate is valid for 2 years but may be renewed under subregulation (2).

(2) If a person who holds an Exemption Certificate, including an Exemption Certificate that has been previously renewed under this subregulation or revalidated under subregulation (5), makes an application —

- (a) before the Certificate lapses; and
- (b) accompanied with evidence, satisfactory to the Port Authority, of the applicant's health and visual acuity,

the Certificate may be renewed for a period, in the discretion of the Port Authority, not exceeding 2 years.

(3) If, in the case of a Certificate that is endorsed to be valid —

- (a) for a category of vessels referred to in regulation 117 (3) (a) or (b), the holder of the Certificate does not navigate a vessel, under the authority of the Certificate, anywhere in the Port for a period of 12 months; or
- (b) for a category of vessels referred to in regulation 117 (3) (c) or (d), the holder of the Certificate does not navigate a vessel, under the authority of the Certificate, anywhere in the Port for a period of 6 months,

the Certificate lapses on the expiry of that 12 months or 6 months period, as the case requires.

(4) If an Exemption Certificate lapses —

- (a) not having been renewed under subregulation (2); or
- (b) under subregulation (3),

the holder of the Certificate may apply to the Port Authority to have the Certificate revalidated if the application is made within 2 years after the date the applicant last navigated a vessel under the authority of the Certificate.

(5) If an application is made under subregulation (4), the Port Authority shall revalidate the Certificate for a period, in the discretion of the Port Authority, not exceeding 2 years if the applicant satisfies the Port Authority that —

- (a) the applicant has been in charge of a vessel having a length overall not less than is appropriate to the category to which the lapsed Certificate applied, with a pilot on board, on at least one occasion when the vessel was navigated into or out of the Port —
  - (i) within the 12 months preceding the date of the application, if the lapsed Certificate was valid for vessels of a category to which regulation 117 (3) (a) or (b) applies; or
  - (ii) within the 6 months preceding the date of the application, if the lapsed Certificate was valid for vessels of a category to which regulation 117 (3) (c) or (d) applies;

and

- (b) the applicant has an adequate knowledge of those matters considered by the Port Authority to be necessary for the safe navigation of vessels within the Port.

(6) If a lapsed Exemption Certificate is not revalidated within the 2 year period referred to in subregulation (4), the person who holds the lapsed Certificate may be issued with a new Certificate if —

- (a) the person satisfies the eligibility requirements of regulation 115; and
- (b) makes an application under regulation 116.

(7) The Port Authority may —

- (a) issue an Exemption Certificate that applies to all the waters of the Port or to the specific areas of the Port that are endorsed on the Certificate; or
- (b) revoke an Exemption Certificate in its absolute discretion.

**Exemption Certificates may be declared not to apply to certain areas**

**121.** The Port Authority may at any time declare an area of the Port to be an area to which Exemption Certificates do not apply.

**Use of Exemption Certificates to be recorded**

**121A.** On each occasion when a person navigates a vessel under the authority of an Exemption Certificate, the person shall make a written record of —

- (a) the name and length overall of the vessel; and
- (b) the date on which, and the areas of the Port in which, the person navigates the vessel.

**Port Authority may exempt dredges from pilotage**

**121B.** The Port Authority may —

- (a) exempt a vessel engaged in dredging operations within the Port from pilotage; and
- (b) in respect of a vessel exempt from pilotage under paragraph (a), waive payment of the charge prescribed by regulation 102 (g).

The Common Seal of the Fremantle Port Authority was affixed on the 23rd day of September 1993 by order and in the presence of—

W. I. McCULLOUGH, Commissioner.  
KERRY G. SANDERSON, Commissioner.  
ALEC MEYER, Secretary.

By His Excellency's Command,

D. G. BLIGHT, Clerk of the Council.

**TENDERS**

**ZT301**

**STATE SUPPLY COMMISSION**

*Tenders Invited*

Tender forms and full particulars of the Schedule hereunder may be obtained on application at the State Supply Commission, 815 Hay Street, Perth, 6000.

TELEPHONE No. 222 8491 or 222 8241

FACSIMILE No. 321 7918

Date of Advertising	Schedule No.	Description	Date of Closing
1993 30 Nov.	479A1993	Supply and delivery of One (1) only Six Cylinder Diesel Tractor for Department of Agriculture .....	1993 Dec. 9

Tenders addressed to the Chairman, State Supply Commission, 815 Hay Street, Perth 6000 will be received for the abovementioned tenders until 10.00 am on the date of closing.

Tenders must be properly endorsed on envelopes otherwise they are liable to rejection. No tender necessarily accepted.

L. W. GRAHAM, Chairman, State Supply Commission.

## PUBLIC NOTICES

ZZ201

## TRUSTEES ACT 1962

In the matter of the Estate of Mary Fyfe Taylor late of 255 Roberts Road, Subiaco, in the State of Western Australia, Spinster, Deceased.

Creditors and other persons who have claims (to which section 63 of the Trustees Act 1962 relates) in respect of the estate of the abovenamed deceased who died on the 29th September, 1993 at Bentley in the State of Western Australia are required by the Executrix of her estate, Patricia Fyfe Maughan of 15 Ferguson Road, Darlington to send particulars of their claims to her at the address hereunder by the 30th day of December, 1993 after which date the Executrix may convey or distribute the assets, having regard only to the claims of which she has notice.

Dated the 26th day of November, 1993.

BOSTOCK & RYAN, Solicitors for the Executrix,  
4th Floor, 172 St George's Terrace,  
Perth W.A. 6000.

ZZ401

## DISSOLUTION OF PARTNERSHIP

Notice is given that the partnership between Jan Jacobus Spaanderman and Nelletje Spaanderman on the one part and John Houweling and Catherina Houweling on the other part under the partnership name of "ACME ALBANY DRYCLEANERS" has been dissolved as at 12 November 1993.

Dated the 15th day of November 1993.

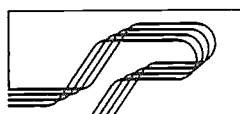
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Solicitors and agents for J. J. & N. Spaanderman,  
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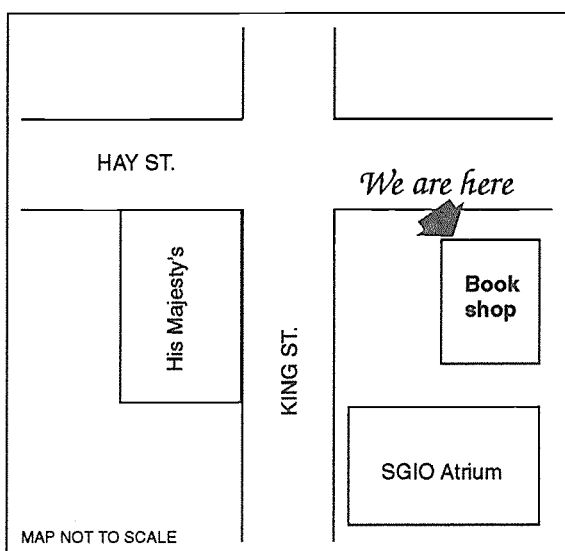
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