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### **CONTENTS**

### PART 1

	Page
Adoption Act 1994—Adoption Amendment Rules (No. 2) 2002	5465
Construction Industry Portable Paid Long Service Leave Act 1985—Construction	
Industry Portable Paid Long Service Leave Amendment Regulations (No. 2) 2002	5466
State Trading Concerns Act 1916—State Trading Concerns (Authorisation)	
Amendment Regulations (No. 3) 2002	5467 - 8
Western Australian Trotting Association—By-laws of the Western Australian	
Trotting Association—Notice of Amendment	5467

### PART 2

Health	5469
Land Administration	5470
Local Government	5470
Medical Board of WA	5471-3

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

JOHN A. STRIJK, Government Printer.

# — PART 1 —

# **JUSTICE**

JU301\*

Adoption Act 1994

# Adoption Amendment Rules (No.2) 2002

Made by the Judges of the Family Court of Western Australia under section 142 of the Act.

### 1. Citation

These rules may be cited as the *Adoption Amendment Rules* (No.2) 2002.

### 2. The rules amended

The amendments in these rules are to the Adoption Rules 1995\*.

[\* Published in Gazette 19 January 1995, p. 179-99. For amendments to 29 October 2002 see 2001 Index to Legislation of Western Australia, Table 4, p. 8, and Gazette 17 September 2002.]

### 3. Rule 9 amended

Rule 9 is amended in the Table in the item commencing "section 25(1)" by deleting "section (1)" and inserting

instead —

" section 21 ".

Dated: 6 November 2002.

Signed:

MICHAEL H. HOLDEN

N. TOLCON

C. E. MARTIN

J. G. BARLOW

# PRODUCTIVITY AND LABOUR RELATIONS

PL301\*

Construction Industry Portable Paid Long Service Leave Act 1985

# Construction Industry Portable Paid Long Service Leave Amendment Regulations (No. 2) 2002

Made by the Governor in Executive Council.

# 1. Citation

These regulations may be cited as the *Construction Industry Portable Paid Long Service Leave Amendment Regulations (No. 2) 2002.* 

# 2. The regulations amended

The amendments in these regulations are to the *Construction Industry Portable Paid Long Service Leave Regulations 1986\**.

[\* Reprinted as at 1 July 1997. For amendments to 3 October 2002 see 2001 Index to Legislation of Western Australia, Table 4, p. 53-4.]

# 3. Schedule 1 amended

Schedule 1 item 1 is amended as follows:

- (a) by deleting "Industrial Relations Act 1988" and inserting instead
  - " Workplace Relations Act 1996;
- (b) after subitem (1a) by inserting the following subitem
  - (1b) Australian Workers' Union Construction and Maintenance Award 1989.
- (c) after subitem (9) by inserting the following subitem
  - (10) Western Australian Civil Contracting Award 1998.

By Command of the Governor,

# RACING, GAMING AND LIQUOR

RG301\*

WESTERN AUSTRALIAN TROTTING ASSOCIATION
By-laws of the Western Australian Trotting Association
NOTICE OF AMENDMENT

Notice is hereby given that at a meeting of the Committee of the Western Australian Trotting Association held at Gloucester Park, East Perth, on the 29th day of October 2002, it was resolved by an absolute majority of the Committee of the Association that the By-laws of the Western Australian Trotting Association made under the Western Australian Trotting Association Act 1946 ("the Act") be amended as follows: Amend Bylaw 13.5 (3) (a) (v)

13.5 Only participating members may apply and nominate under the Rules

- (3) No person may:
  - (a) make application for:
    - (i) registration as a driver, trainer, owner, stable hand, bookmaker or bookmaker's clerk;
    - (ii) registration of a horse or foal (or for a certificate of service) or of any transfer, lease or cancellation of lease of a horse;
    - (iii) registration of a syndicate;
    - (iv) registration of a harness racing stud; or
    - (v) registration of colours,

or any other licence or registration under the Rules;

- (b) lodge a nomination of a horse for any race or trial; or
- (c) lodge a stable return,

and, subject to subclause (6), the Controlling Body may not accept or deal with such an application, nomination or return, unless

- (d) the person is a participating member; and
- (e) all persons referred to in the application, nomination or, return are participating members.

**Delete** in section 13.5 (3) (a) subsection (v) "registration of colours"

And substitute in section 13.5 (3) (a) following subsection (iv) the words—

"or any other licence or registration under the Rules"

to read

"or any other licence or registration under the Rules excepting the registration of colours;"

Date 29th October 2002.

GARRY SCOTT, President.

# TREASURY AND FINANCE

TF301\*

State Trading Concerns Act 1916

# **State Trading Concerns (Authorisation) Amendment Regulations (No. 3) 2002**

Made by the Governor in Executive Council.

### 1. Citation

These regulations may be cited as the *State Trading Concerns* (Authorisation) Amendment Regulations (No. 3) 2002.

# 2. The regulations amended

The amendments in these regulations are to the *State Trading Concerns (Authorization) Regulations 1998\**.

[\* Reprinted as at 15 September 2000. For amendments to 4 September 2002 see 2001 Index to Legislation of Western Australia, Table 4, p. 322, and Gazette 26 February, 7 June and 9 August 2002.]

# 3. Schedule 1 amended

- (1) Schedule 1 Part 1 is amended by deleting the entry "Department of Transport" and inserting in the appropriate alphabetical position the following entry
  - " Department for Planning and Infrastructure ".
- (2) Schedule 1 Part 2 is amended by deleting the entry commencing "Department of Transport" and inserting in the appropriate alphabetical position the following entry —

Department for Planning and Infrastructure

The provision by the Department for Planning and Infrastructure (in the State or elsewhere) of goods, information, or intellectual property relating to transport matters.

By Command of the Governor,

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

,

# — PART 2 —

# **HEALTH**

**HE401** 

# HEALTH ACT 1911 APPOINTMENTS

Health Department of WA, Perth, 31 October 2002.

In accordance with the provisions of section 28 of the *Health Act 1911*, the appointment of the following persons as Environmental Health Officers is approved.

Environmental Health Officer	Date Effective	Local Government
Donna Branson	19 September 2002	Shire of Mundaring
Nigel Asplin	11 September 2002	Shire of Broome
Gary George	7 October 2002 - 29 November 2002	Shire of Lake Grace
Dean Guja	1 October 2002 - 25 October 2002	City of Stirling
Naomi Milner	30 September $2002$ - $31$ December $2003$	City of Melville
Fiona Cooper	30 September $2002$ - $31$ December $2003$	City of Melville
Emma Lambert	3 October 2002 - 18 March 2003	City of Rockingham
Geoffrey Benson	10 October 2002	Three Springs Shire Council
Melissa Louise Wilson	8 October 2002 - 22 November 2002	Town of Cambridge
Ben Milne	8 October 2002	City of Gosnells
Allan Francis Osborne	18 September $2002$ - $7$ November $2002$	Town of Victoria Park
Geoffrey Stuart Benson	9 October 2002	Perenjori Shire Council
Terry Meek	14 October $2002$ - $30$ November $2002$	Shire of Broome
Robert A Latham	15 October2002	Town of Port Hedland
Jim Newham	20 November 2002 - 5 February 2003	Town of Vincent
Scott Teymant	1 January 2003 - 30 June 2003	Town of Vincent
Trevor John Walker	21 October 2002	Shire of Victoria Plains
Merdith Chidlow	24 October 2002	Shire of Menzies
Christine Devereux	29 October 2002 - 30 June 2003	City of South Perth
Kelsie Lewis	28 October 2002	Shire of Katanning
Leonard Welch	22 October 2002 - 6 January 2003	City of Perth

Dr MARGARET STEVENS, Acting Executive Director, Public Health.

**HE402** 

# HEALTH LEGISLATION ADMINISTRATION ACT 1984 HEALTH ACT 1911

APPOINTMENT

Department of Health WA, Perth, 20 October 2002.

90-07089

It is hereby notified for public information that the Hon Minister for Health has designated, under section 7 of the Health Legislation Administration Act 1984, Mrs Jillian Whitfield of the Pilbara Population Health Unit as an Environmental Health Officer for the purpose of the Health Act 1911.

Dr MARGARET STEVENS, Acting Executive Director, Public Health.

# LAND ADMINISTRATION

LA401

#### TRANSFER OF LAND ACT 1893

APPLICATION H142153

Take notice that The State Housing Commission of 99 Plain Street, East Perth has made application to be registered under the Act as proprietor of an estate in fee simple in possession in the land situated at the corner of New Street and Panmure Road, York being portion of York Suburban Lot P6 and being the balance of Lot 6 depicted in Memorial XV—559 now being Lot 500 on Diagram 49796. All persons other than the applicant claiming any estate right title or interest in the above land and desiring to object to the application are required to lodge in this office on or before 3 December 2002 a caveat forbidding the land being brought under the operation of the Act.

IAN HYDE, Registrar of Titles.

# LOCAL GOVERNMENT

LG401

#### **DOG ACT 1976**

Shire of Mount Magnet APPOINTMENTS

It is hereby notified for public information that the following persons have been appointed under the provisions of the Dog Act 1976—

Registration Officers Rosemary Balchin

Bobbie O'Brien Narelle Cecchi

Authorised Persons Peter Webster

Bob Ford Steve Anaru Paull Murphy

All previous appointments are hereby revoked, effective from 9 November 2002.

PETER WEBSTER, Chief Executive Officer.

LG402

### **DOG ACT 1976**

Shire of Wandering APPOINTMENTS

It is hereby notified for public information Stacey Patricia Densham has been appointed as Authorised Officer under the provisions of the Dog Act 1976.

The appointment of Amy Jane Fisher is hereby cancelled.

M. G. OLIVER, Chief Executive Officer.

LG403

### **BUSH FIRES ACT 1954**

Shire of Wyalkatchem

BUSH FIRE CONTROL OFFICERS

The following people have been appointed Bush Fire Control Officers—

Chief Fire Control Officer Max Ward
Deputy Chief Fire Control Officer Ian Jones
Fire Control Officers Lyle Metcalf

Ray Reid David Gamble

Bin Officers Shire Staff
Fire Weather Officers Max Ward
Ian Jones
Shire Staff

MICHAEL KEEBLE, Chief Executive Officer.

# MEDICAL BOARD WA

**MX401** 

#### **MEDICAL ACT 1894**

ORDERS OF THE BOARD

Dated Heard: 18 February 2002.

In the Medical Board of Western Australia and in the matter of Dr Denys Butcher and in the matter of an inquiry conducted by the Medical Board of Western Australia pursuant to section 13 of the Medical Act 1894.

Before: Professor B. A. R. Stokes OM, MBBS, FRAC; Mr E. Hennan Q.C.; Dr T. Lord MBBS, FRACGP; Dr J. Lubich MBBS; Mr P. Walker FIMM FAIM.

Upon hearing Mr Paul Tottle, Council Assisting the Medical Board and Mr David Wallace Counsel for Dr Denys Butcher, on the allegations contained in the Notice of Inquiry issued 18 September 2001 the Board finds Dr Butcher guilty of improper conduct in a professional respect and orders that Dr Butcher—

- 1. be reprimanded;
- 2. pay a fine of \$1000;
- 3. pay the Board's costs of the inquiry.

Dated the 29th day of October 2002.

(Signed) Registrar.

**MX402** 

# MEDICAL ACT 1894

ORDERS OF THE BOARD

Dated Heard: 23 May 2002.

In the Medical Board of Western Australia and in the matter of Dr Rajamany Sinnappu and in the matter of an inquiry conducted by the Medical Board of Western Australia pursuant to section 13 of the Medical Act 1894.

Before: Professor C. A. Michael AO, MD, FRCOG, FRACOG, DDU; Mr M. Barker QC; Associate Professor G. Riley MRC Psych., FRACGP, FRANZCP; Professor B. A. R. Stokes OM, MBBS, FRAC; Ms A. White.

Upon hearing Ms Emma Montgomery, Counsel Assisting the Medical Board, and Ms Morag Smith Council for Dr Rajamany Sinnappu, on the allegations contained in the Notice of Inquiry issued 21 March 2002 the Board finds Dr Rajamany Sinnappu guilty of gross carelessness or alternatively incompetency in a professional respect and orders that—

- 1. Dr Sinnappu is hereby reprimanded by the Medical Board of Western Australia for her conduct;
- 2. Dr Sinnappu pays the reasonable costs of the Inquiry;
- 3. The Inquiry be otherwise adjourned.

Dated the 31st day of October 2002.

(Signed) Registrar.

**MX403** 

### MEDICAL ACT 1894

ORDERS OF THE BOARD

Dated Heard: 23 July 2002.

In the Medical Board of Western Australia and in the matter of Dr Lucien Edouard Lagrange and in the matter of an inquiry conducted by the Medical Board of Western Australia pursuant to section 13 of the Medical Act 1894.

Before: Professor B. A. R. Stokes, AM, FRACS; Dr J. Lubich, MBBS; Dr F. Jefferies, MBBS; Dr T. Lord, MBBS, FRACGP; Ms P. Giles, BA (LLBHons).

Having conducted an inquiry the Board declares that it is satisfied that Dr Lucien Edouard Lagrange is guilty of misconduct in a professional respect.

1. The Board dismissed the complaint contained in paragraph 2 of the Notice of Inquiry on the ground that the allegation was not substantiated and dismissed the complaint in paragraph

- 3(a) of the Notice of Inquiry, on the ground that that aspect of the examination could be justified clinically.
- 2. In relation to complaints set out in paragraphs l(a)(i), (ii) and (iii) and 1(b)(i), (ii) and (iii) and paragraphs 3(b) of the Notice of Inquiry the Board Orders that Dr Lagrange be suspended from practice as a medical practitioner for a period of 12 months from 7 May 2002 and that upon restoration of his name to the Register following the period of suspension the following conditions be imposed upon Dr Lagrange's right to practise—
  - (a) for a period of 5 years from the restoration of his name to the Register Dr Lagrange be of good behaviour and practice to an acceptable level of professional conduct;
  - (b) for a period of 5 years from the restoration of his name to the Register Dr Lagrange is not to treat or consult female patients over the age of 12, except in the cases of emergency;
  - (c) for a period of 5 years from the date of his name being restored to the Register Dr Lagrange is not to practice on his own account as a principal;
  - (d) Dr Lagrange is to consult a psychologist/psychiatrist for treatment, the regularity and duration of which is to be determined by his clinicians;
  - (e) Dr Lagrange is to provide the Board with progress reports from his treating clinicians during the course of his treatment every 6 months at his own cost and he is to undertake responsibility for ensuring that the progress reports from his clinicians are to be provided to the Board, the first such report is to be provided on the commencement of practice by Dr Lagrange with reports being provided every 6 months thereafter;
  - (f) he is to make himself available for examination by a psychiatrist appointed by the Board every 6 months or such other period as the Board's appointed psychiatrist may decide.
- 3. The Board orders that Dr Lagrange pay two thirds of the reasonable costs of the Inquiry to be paid by Dr Lagrange within 30 days of his receipt of an account for those costs.
- 4. The Inquiry be otherwise adjourned.

The Board will publish as soon as possible the reasons for these decisions on penalty.

(Signed) Registrar.

MX404

# MEDICAL ACT 1894 ORDERS OF THE BOARD

Dated Heard: 5 August 2002.

In the Medical Board of Western Australia and in the matter of Dr Lucien Edouard Lagrange and in the matter of an inquiry conducted by the Medical Board of Western Australia pursuant to section 13 of the Medical Act 1804

Before: Professor C. A. Michael AO, MD, FRCOG, FRANZCOG, DDU; Associate Professor G. J. Riley MRC Psych, FRACGP, FRANZCP; Mrs A. White; Professor L. Landau AO, MD, FRACP; Mr M. L. Barker QC.

- 1. Having conducted an Inquiry the Board has declared that it is satisfied that Dr Lucien Eduoard Lagrange is guilty of misconduct in a professional respect.
- 2. The Board orders that Dr Lagrange be suspended from practice as a medical practitioner until May 2003 and that upon restoration of his name to the Register following the period of suspension the following conditions be imposed upon Dr Lagrange's right to practise—
  - (a) for a period of 5 years from the restoration of his name to the Register Dr Lagrange to be of good behaviour and practice to an acceptable level of professional conduct;
  - (b) for a period of 5 years from the restoration of his name to the Register Dr Lagrange is not to treat or consult any female patients over the age of 12, except in the cases of emergency;
  - (c) for a period of 5 years from the restoration of his name to the Register Dr Lagrange is not to practice on his own account as a principal;
  - (d) Dr Lagrange is to consult a psychologist for treatment, the regularity and duration of which is to be determined by his clinicians;
  - (e) Dr Lagrange is to provide the Board with progress reports from his treatments clinicians during the course of his treatment every 6 months at his own cost and he is to undertake responsibility for ensuring that the progress reports from his clinicians are to be provided to the Board, the first such report is to be provided on the commencement of practice by Dr Lagrange with reports being provided every 6 months thereafter;
  - (f) He is to make himself available for examination by a psychiatrist appointed by the Board every 6 months or such other period as the Board's appointed psychiatrist may decide.
- 3. The Board order that Dr Lagrange pay the reasonable costs of the Inquiry.
- 4. The Inquiry be otherwise adjourned.

**MX405** 

### **MEDICAL ACT 1894**

ORDERS OF THE BOARD

Dated Heard: 8 August 2002.

In the Medical Board of Western Australia and in the matter of Dr Mahomed Essa Rasool and in the matter of an inquiry conducted by the Medical Board of Western Australia pursuant to section 13 of the Medical Act 1894.

Before: Professor C. A. Michael AO, MD, FRCOG, FRANZCOG, DDU; Dr F. Jefferies MBBS; Dr T. Lord MBBS, FRACGP; Associate Professor G. Riley MRC Psych, FRACGP, FRANZCP; Ms A. White.

Upon hearing Mr Paul Tottle, Counsel Assisting the Medical Board, and Mr Enore Panetta counsel for Dr Mahomed Essa Rasool, on the allegations contained in the Notice of Inquiry issued 10 August 2001 the Board finds Dr Rasool guilty of gross carelessness in a professional respect and orders that Dr Rasool—

- 1. be reprimanded;
- 2. pay 60% of the Costs of Inquiry.

Dated the 29th day of October 2002.

(Signed) Registrar.

**MX406** 

#### MEDICAL ACT 1894

ORDERS OF THE BOARD

Dated Heard: 9 September 2002.

In the Medical Board of Western Australia and in the matter of Dr Joseph Scopa and in the matter of an inquiry conducted by the Medical Board of Western Australia pursuant to section 13 of the Medical Act 1894.

Before: Professor C. A. Michael AO, MD, FRCOG, FRANZCOG, DDU; Ms P. Giles BA. LLBHons; Dr F. Jefferies MBBS; Dr T. Lord MBBS, FRACGP; Mr P. Walker FIMM, FAIM.

Upon hearing Mr Paul Tottle, Counsel Assisting the Medical Board, and Mr Dominic Bourke Counsel for Dr Joseph Scopa, on the allegations contained in the Notice of Inquiry issued 30 August 2002 the Board finds Dr Scopa guilty of misconduct in a professional respect by reason of improper conduct and orders that—

- 1. The name of the complainant in these proceedings is hereby suppressed;
- 2. Dr Scopa is hereby officially reprimanded by the Medical Board of Western Australia for his conduct:
- 3. Dr Scopa pay the reasonable costs of the Inquiry.

Dated the 29th day of October 2002.

(Signed) Registrar.

**MX407** 

### **MEDICAL ACT 1894**

ORDERS OF THE BOARD

In the Medical Board of Western Australia and in the matter of Dr Gregory James Duck and in the matter of an inquiry conducted by the Medical Board of Western Australia pursuant to section 13 of the Medical Act 1894.

Before: Professor C. A. Michael AO, MD, FRCOG, FRANZCOG, DDU; Mr P. Walker FIMM, FAIM; Dr J. Lubich MBBS; Dr T. Lord MBBS, FRACGP; Ms P. Giles BA (LLBHons).

- 1. Due to the failure of Dr Gregory James Duck to provide the Board with an acceptable proposal in compliance with the Board's orders made on 19 September 2002; the Board orders that the suspension of Dr Gregory James Duck be extended from 1 November 2002 for a period of 2 months.
- 2. This inquiry be adjourned to a date to be fixed and in any event to a date before the expiration of the 2 month period of suspension.

(Signed) Registrar.

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