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

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

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

JOHN A. STRIJK, Government Printer.

— PART 1 —

CONSUMER AND EMPLOYMENT

CE301*

Motor Vehicle Dealers Act 1973

Motor Vehicle Dealers (Infringements) Amendment Regulations 2002

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Motor Vehicle Dealers (Infringements) Amendment Regulations 2002*.

2. The regulations amended

The amendments in these regulations are to the *Motor Vehicle Dealers (Infringements) Regulations 2002**.

[* *Published in Gazette 13 August 2002, p. 4152-5.*]

3. Schedule 1 amended

Schedule 1 is amended by deleting

“ s. 25(3), relating to s. 25(1), (1a) and (2a) \$500 ”

and inserting instead —

“

s. 25(1)	\$500
s. 25(1a)	\$500
s. 25(2a)	\$500

”

ROD SPENCER, Clerk of the Executive Council.

— PART 2 —

CONSUMER AND EMPLOYMENT

CE401

INDUSTRIAL RELATIONS ACT 1979

APPOINTMENT OF INDUSTRIAL MAGISTRATE

His Excellency the Governor has been pleased to appoint—

Susan Peta Richardson

as an industrial magistrate under s.81B(2) of the Industrial Relations Act 1979 as from and including 21 January 2003.

Minister for Consumer and Employment Protection.

FISHERIES

FI401*

FISH RESOURCES MANAGEMENT ACT 1994

WEST COAST DEEP SEA CRAB FISHERY (INTERIM) MANAGEMENT PLAN 2003

FD 948/02 [403]

Made by the Minister under section 54.

Part 1—Preliminary

Citation

1. This instrument may be cited as the *West Coast Deep Sea Crab Fishery (Interim) Management Plan 2003*.

Commencement

2. This instrument will commence operation on 31 January 2003.

Cessation

3. This instrument will cease to have effect on 31 December 2004.

Interpretation

4. (1) In this plan, unless the contrary intention appears—

“authorised boat” means—

- (a) that licensed fishing boat of which the name, licensed fishing boat number and length are specified in a permit; or
- (b) a boat specified in a written authority under regulation 132 where that boat is to be used in place of a boat described in (a);

“deep sea crab” means Giant (King), Spiny and Snow crabs;

“Fishery” means the West Coast Deep Sea Crab (Interim) Managed Fishery identified in clause 6;

“permit” means an interim managed fishery permit that authorises a person to fish in the Fishery;

“regulations” means the Fish Resources Management Regulations 1995;

“statutory fishing returns” means a return made under and in accordance with regulation 64 of the regulations;

“this plan” means the management plan determined by this instrument.

(2) In this plan, unless the contrary intention appears, the following expressions have the same meanings as provided for in—

(a) regulation 3 of the regulations—

“fishing boat licence”;

“licensed fishing boat number”;

(b) Schedule 7 to the regulations—

“Giant (King) crab”;

“Snow crab”;

“Spiny crab”;

“rock lobster”.

Procedure before this plan may be amended or revoked

5. For the purposes of section 65 of the Act, all the permit holders of the Fishery are the persons to be consulted before this plan is amended or revoked.

Part 2—The Fishery

Identification and declaration

6. (1) The Fishery to which this plan relates is fishing for deep sea crab by any means in the waters described in Schedule 1 and may be referred to as the West Coast Deep Sea Crab (Interim) Managed Fishery.

(2) The Fishery is—

(a) interim managed; and

(b) developmental.

Areas

7. The Fishery is divided into the five Areas described in Schedule 2.

Part 3—Permits

Classes and maximum number of permits that may be granted

8. (1) For the purposes of this plan a permit shall be granted as a Class F or Class P permit.

(2) Not more than five Class F permits are to be granted.

(3) Not more than seven Class P permits are to be granted.

Permit to authorise fishing in a specified area of the Fishery

9. (1) A permit may only authorise fishing in one Area of the Fishery.

(2) Not more than—

(a) one Class F permit and one Class P permit; or

(b) two Class P permits,

may authorise fishing in the same Area of the Fishery.

Criteria for the grant of a permit

10. The criteria to be satisfied before the Executive Director may grant a person a permit are that—

(a) on 30 January 2003 the person was the holder of a fishing boat licence that was endorsed with a condition designated as No. 106 or No. 260 that specified that the boat named on the licence was authorised to take deep sea crabs in waters on the west coast of the State; and

(b) the person applies for a permit before 31 March 2003.

Procedure for determining who is to be granted a Class F or Class P permit

11. Where the number of persons eligible for the grant of—

(a) a class F permit; or

(b) a permit in respect of an Area of the Fishery,

exceeds the number of permits that may be granted in accordance with clauses 8 and 9, the applicants are to be ranked in order of the total amount of effort applied to fishing for deep sea crab from the fishing boat specified in the relevant fishing boat licence during the three years ending 31 August 2001 (by reference to the number of days during which deep sea crab were fished for, as recorded on statutory fishing returns received prior to 16 September 2002 by the Department in respect of the relevant fishing boat), and permits are to be granted to the highest ranking applicants.

Duration of a permit

12. A permit expires at the end of the calendar year in which it is granted or renewed.

Fees

13. (1) The fee set out in Schedule 3 is the fee to be paid in respect of the grant or renewal of a permit.

(2) Where a licence is renewed as provided under section 139(1) of the Act an additional fee of 20% of the fee payable on the issue of the licence is payable by way of penalty.

Items that must be specified on a permit

14. A permit must specify—

(a) the name and business address of the holder of the permit;

(b) the name, licensed fishing boat number and the measured length of any licensed fishing boat which may be used for or in connection with fishing in the Fishery under the authority of that permit;

(c) the class of permit and a distinguishing permit number;

(d) the period for which the permit is in force;

- (e) the name of the fishery to which the permit refers;
- (f) the Area in which fishing may be undertaken under the authority of the permit;
- (g) any conditions imposed on the permit by the Executive Director.

Variation of a permit

15. Where the holder of a class F permit applies to vary the permit to a class P permit, the Executive Director is to so vary the permit.

Ground to suspend a permit

16. The receipt by the Executive Director of a notice in writing from the holder of a permit, being a notice stating that the holder does not intend to carry out fishing under the authority of the permit for the remainder of the calendar year, shall be a ground for the Executive Director to suspend the permit.

Part 4—General regulation of fishing

Persons prohibited from fishing in the Fishery

17. (1) Subject to subclause (2), a person must not fish in the Fishery other than in accordance with this plan and under the authority of a permit.

(2) A person fishing in accordance with the Act for—

- (a) a recreational purpose; or
- (b) rock lobster for a commercial purpose,

may fish in the waters described in Schedule 1.

Prohibition on fishing—Class P permits

18. A person must not fish under the authority of a Class P permit during more than three calendar months in any calendar year.

Notice to be given of intention to commence fishing

19. (1) A person must not fish under the authority of a Class P permit unless they have—

- (a) given, by delivery of a written notice to an office of the Department, two or more days notice of their intention to commence fishing; and
- (b) received written confirmation from the Department that the notice in paragraph (a) has been received.

(2) A notice under subclause (1)(a) must specify—

- (a) the relevant permit number, name and licensed fishing boat number of the authorised boat, and full name of the master;
- (b) the intended date of commencement, and period of, fishing; and
- (c) details of where the fishing is to be carried out.

Fishing by means of fish traps—general restrictions

20. (1) A person must not fish in the Fishery under the authority of a permit by any means other than a fish trap that—

- (a) is made of plastic;
- (b) conforms with the specifications set out in Item 5(6) of Part 2 of Schedule 13 to the regulations; and
- (c) has an escape gap that conforms to the specifications set out in Item 5 of Part 2 of Schedule 13 to the regulations.

(2) A person must not—

- (a) fish in the Fishery under the authority of a permit by means of more than 700 fish traps;
- (b) carry a fish trap on an authorised boat unless the total number of fish traps being used to fish in the Fishery and being carried on board the boat is not more than 700 or, where a notice made under clause 22 applies to the person, the number specified in the relevant notice.

(3) A person must not fish in the Fishery under the authority of a permit in an Area of the Fishery that is not specified on the permit.

(4) A person must not fish in the Fishery under the authority of a permit in any waters of the Fishery that are on the landward side of the 150 metre isobath.

(5) A person must not fish in the Fishery under the authority of a permit by means of a fish trap, or series of fish traps joined together by line underwater, unless that fish trap or series of fish traps is attached by a line to a surface float that—

- (a) has a diameter of not less than 150 millimetres; and
- (b) is branded or stamped with the initial letter and the licensed fishing boat number of the boat that is being used to fish in the Fishery and each character of the brand or stamp is legible and measures not less than 60 millimetres in height and 10 millimetres in width.

Part 5—Use of gear and boats

Use of a boat in the Fishery

21. A person must not use a boat in the Fishery unless the boat is an authorised boat.

Executive Director may permit fishing that is otherwise prohibited

22. (1) Notwithstanding subclause 20(2), in the circumstances specified in subclause (2) the Executive Director may by notice published in the Gazette authorise fishing of the class specified in subclause (3).

(2) For the purposes of subclause (1) the Executive Director must be satisfied that—

- (a) a permit has been suspended (“the suspended permit”) as provided for in clause 16; and
- (b) the suspended permit is—
 - (i) a class F permit; or
 - (ii) a class P permit and at the time the permit was suspended the number of calendar months during which a person had fished under the authority of the permit was not more than 2.

(3) The class of fishing that may be permitted by a notice made under subclause (1) is fishing in the Area of the Fishery to which the suspended permit relates—

- (a) by a person authorised by another permit to fish in that Area;
- (b) by means of a total number of fish traps that is—
 - (i) more than 700;
 - (ii) not more than 1,400; and
 - (iii) specified in the notice; and
- (c) during a period that is specified in the notice.

(4) A person who is authorised to fish by a notice made under subclause (1) must not—

- (a) use a total number of fish traps that is more than the number of fish traps specified in the notice;
- (b) fish by means of more than 700 fish traps at any time other than during the period specified in the notice.

(5) A notice made under subclause (1) may be amended or revoked by a further notice in writing published in the Gazette.

Closure of part of the Fishery

23. (1) The Executive Director may, by notice published in the Gazette, prohibit fishing in any part of the Fishery for the period specified in the notice, if in the opinion of the Executive Director the prohibition is required in the better interests of the Fishery.

(2) A notice made under subclause (1)—

- (a) may be made to apply at all times or at any specified time; and
- (b) revokes any previous notice made under that subclause.

(3) A person must not fish in a part of the Fishery at a time when fishing in that part of the Fishery has been prohibited by a notice made under subclause (1).

Part 6—Records and returns**Records and returns—master of authorised boat**

24. (1) The master of an authorised boat must ensure that, in respect of each fish trap or series of fish traps to which clause 20(5) applies, within 24 hours of fishing during any day a written record is made of the—

- (a) number of fish traps used;
- (b) location of fishing;
- (c) total catch, by number or weight;
- (d) bait used;
- (e) number of spawning female deep sea crabs;
- (f) number of undersize deep sea crabs;
- (g) species of deep sea crabs; and
- (h) details of bycatch.

(2) The master of an authorised boat must ensure that each record made for the purposes of subclause (1) is maintained in a safe place.

(3) A person to whom subclause (1) applies must, during the calendar month following that month in which the fishing was undertaken, provide to the Department a written return in a form approved by the Executive Director of the information to which subclause (1) applies.

Records and returns—fish processors

25. (1) The holder of a fish processor’s licence must ensure that immediately upon receiving any deep sea crab, a written record is made of the following—

- (a) total number and weight of deep sea crab received;
- (b) date and time of receipt;
- (c) from whom the deep sea crab were received, and if from an agent for another person then the identity of that other person;
- (d) the permit under the authority of which the deep sea crab were taken.

(2) The holder of a fish processor's licence must ensure that each record made for the purposes of subclause (1) is maintained in a safe place.

(3) A person to whom subclause (1) applies must, during the calendar month following that month in which the deep sea crab were received, provide to the Department a written return in a form approved by the Executive Director of the information to which subclause (1) applies.

Part 7—Miscellaneous

Bycatch

26. The master of an authorised boat must ensure that any rock lobster brought aboard the authorised boat is immediately returned to the water with the least possible injury.

Offences and major provisions

27. A person who contravenes a provision of—

- (a) clause 17, 18, 20, 21, 22(4), 23(3), 24(1), 25(1) or 26; or
- (b) clause 19, 24(2), 24(3), 25(2) or 25(3),

commits an offence and for the purposes of section 75 of the Act the offences specified in paragraph (a) are major provisions.

Schedule 1

Description of the Fishery

The waters bounded by a line commencing at the intersection of the high water mark and the border between the Northern Territory and Western Australia and drawn due north to the intersection with the outer limit of the Australian Fishing Zone, then westerly and southerly along that outer limit to the intersection with 34 degrees 24 minutes south latitude, then due east to the intersection with 115 degrees 8 minutes east longitude, then north along 115 degrees 8 minutes east longitude to the high water mark and then along the high water mark to the commencement point.

Schedule 2

Areas of the Fishery

The Areas of the Fishery are—

- (a) Area 1—The waters of the Fishery that are between 129° east longitude (Western Australian/Northern Territory border) and 21° 47.1' south latitude (North West Cape);
- (b) Area 2—The waters of the Fishery that are between 21° 47.1' south latitude (North West Cape) and 24° 52.5' south latitude (Carnarvon);
- (c) Area 3—The waters of the Fishery that are between 24° 52.5' south latitude (Carnarvon) and 28° 47.0' south latitude (Geraldton);
- (d) Area 4—The waters of the Fishery that are between 28° 47.0' south latitude (Geraldton) and 32° 03.2' south latitude (Fremantle);
- (e) Area 5—The waters of the Fishery that are between 32° 03.2' south latitude (Fremantle) and 115° 08.0' east longitude (Cape Leeuwin).

Schedule 3

Fees

Fee payable for the grant or renewal of a Class F permit—\$8,000.00

Fee payable for the grant or renewal of a Class P permit—\$3,000.00

Dated this 21st day of January 2003.

TOM STEPHENS, Acting Minister for Agriculture, Forestry and Fisheries.

JUSTICE

JU401*

COURT SECURITY AND CUSTODIAL SERVICES ACT 1999

REVOCATIONS

Pursuant to the provisions of section 56 of the Court Security and Custodial Services Act 1999, the Director General of the Department of Justice has revoked the following Permit to do High-Level Security Work—

Surname	First Name(s)	Permit Number	Date Permit Revoked
TODD	Joanne Elizabeth	CS2-143	22/01/2003

This notice is published under section 57(1) of the Court Security and Custodial Services Act 1999.

BRIAN YEARWOOD, A/Director, Custodial Contracts.

PUBLIC SECTOR MANAGEMENT

PS401

PUBLIC SECTOR MANAGEMENT ACT 1994**EXEMPTION IN ACCORDANCE WITH SECTION 25**

In accordance with s.25(1)(a) of the Public Sector Management Act 1994, I exempt the Department of Health of Western Australia from the Recruitment, Selection and Appointment Standard, for the filling of specified positions in specified Multi-Purpose Services (MPS) sites to enable the absorption of employment of current employees at these locations into the public sector.

The Multi-Purpose Services sites to which this exemption applies are—

Morawa/Perenjori

Plantagenet

The exemption applies for the period 1 February 2003 to 1 September 2003 and does not apply to any other positions within the Department of Health of Western Australia or any other Multi-Purpose Services sites not specified in this schedule.

MAXINE MURRAY, Commissioner for Public Sector Standards.

20 January 2003.

TRANSPORT

TR401

ROAD TRAFFIC ACT 1974**ROAD TRAFFIC (VEHICLE STANDARDS) REGULATIONS 2002****EXEMPTION NOTICE**

Persons authorised to modify vehicles
pursuant to an Approved Vehicle Modification Scheme

Pursuant to Regulation 41 of the *Road Traffic (Vehicle Standards) Regulations 2002* ("the Regulations") I, Greg Martin, Chief Executive Officer of the Department for Planning and Infrastructure and the Director General for the purposes of the Regulations hereby exempt persons approved by the Director General to modify vehicles (pursuant to regulation 69 of the Regulations) as part of a Vehicle Modification Scheme approved by the Director General, from regulation 69(3) of the Regulations, subject to the following conditions—

- (a) the modifications have been performed in accordance with the procedures and specifications of the approved Vehicle Modification Scheme; and
- (b) a plate authorised by the Director General for use under that scheme is affixed to the vehicle.

GREG MARTIN, Chief Executive Officer.

21st January 2003.

WATER

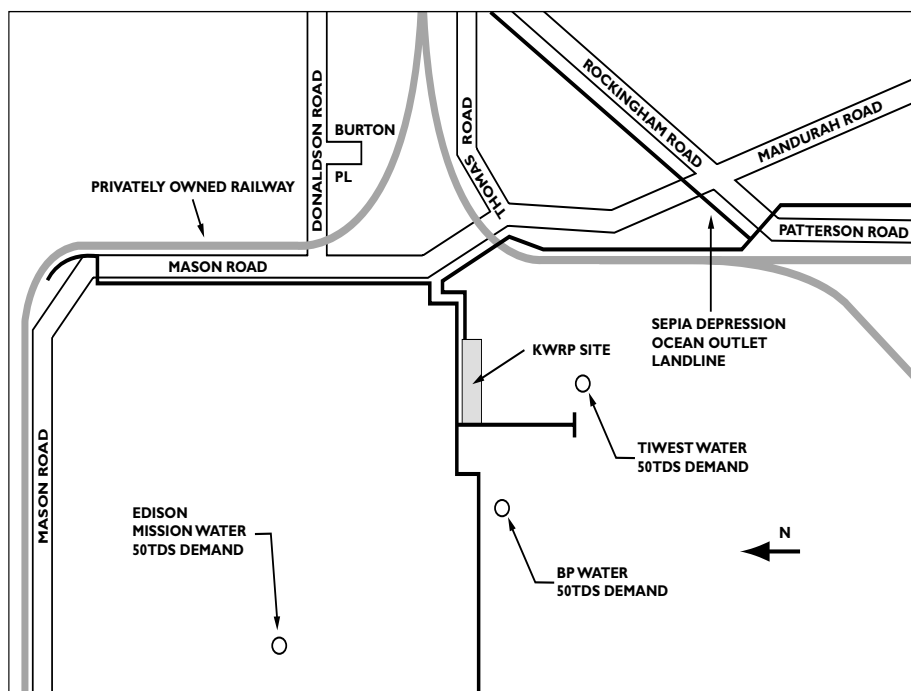
WA401*

WATER AGENCIES (POWERS) ACT 1984**WATER RECYCLING, WATER SUPPLY AND EFFLUENT DISPOSAL IMPROVEMENTS: KWINANA BEACH, TOWN OF KWINANA**

Notice of Authorisation to Construct Water Recycling Treatment Plant and Pipelines

In accordance with the provisions of the Water Agencies (Powers) Act 1984, the Minister for the Environment and Heritage has authorised the Water Corporation to construct the following works: a tie in (for KWRP feed water) to the existing Cape Peron Outfall (CPO) pipeline near the corner of Patterson Road and Mason road; and a tie in (for KWRP and industry wastewater) to the existing CPO pipeline approximately 120m downstream of the feed water tie in. The CPO pipeline discharges to the Cape Peron Ocean Outlet. Additionally, a water recycling treatment plant located within the BP Kwinana Refinery; approximately 7km of pipework within the BP Kwinana Refinery; approximately 3.5km of pipework from the CPO to the entry of the HIs melt site on the Mason Road and power supply to the Water Recycling treatment plant.

These works are to provide water recycling, water supply and effluent disposal improvements for industry in the Kwinana industrial area.



PUBLIC NOTICES

ZZ101*

THE ANGLICAN CHURCH OF AUSTRALIA

Constitutional Amendment

Notice is hereby given that the Most Reverend Dr Peter Carnley, Archbishop of Perth, President of the General Synod and Primate of The Anglican Church of Australia has declared, pursuant to section 67(2) of the Constitution and the Rules of the General Synod, that on 14 April 2003 the following Constitutional amendment shall come into effect and the Constitution on and from that day will be altered accordingly.

Constitution Alteration (Discipline Clarification) Canon 1998

ZZ201

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Estate of the late William Victor Hayes late of Unit 12, 8 Rupert Street, Maylands, Western Australia, deceased.

Creditors and other persons having claims in respect of the estate mentioned below to which Section 63 of the Trustees Act 1962 as amended relates in respect of the estate of the deceased, who died on the 17th day of November 2000 are required by the personal representative Annette Brown to send particulars of claims to the personal representative c/- McCallum Donovan Sweeney, Solicitors of 2nd Floor, 16 Irwin Street, Perth one (1) month after the date of this advertisement after which date the personal representatives may convey or distribute the assets having regard only to the claims of which they have notice and the personal representative shall not be liable to any person of whose claim they have had no notice at the time of distribution.

Dated this 23rd day of January 2003.

Signed

McCALLUM DONOVAN SWEENEY for the Personal Representative.

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