



PERTH, TUESDAY, 29 NOVEMBER 2005 No. 219

PUBLISHED BY AUTHORITY JOHN A. STRIJK, GOVERNMENT PRINTER AT 3.30 PM

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PUBLISHING DETAILS

The Western Australian *Government Gazette* is published by State Law Publisher for the State of Western Australia on Tuesday and Friday of each week unless disrupted by Public Holidays or unforeseen circumstances.

Special *Government Gazettes* containing notices of an urgent or particular nature are published periodically.

The following guidelines should be followed to ensure publication in the *Government Gazette*.

- Material submitted to the Executive Council prior to gazettal will require a copy of the signed Executive Council Minute Paper and in some cases the Parliamentary Counsel's Certificate.
- Copy must be lodged with the Sales and Editorial Section, State Law Publisher no later than 12 noon on Wednesday (Friday edition) or 12 noon on Friday (Tuesday edition).

Delivery address:

State Law Publisher

Ground Floor,

10 William St. Perth, 6000

Telephone: 9321 7688 Fax: 9321 7536

- Inquiries regarding publication of notices can be directed to the Editor on (08) 9426 0010.
- Lengthy or complicated notices should be forwarded early to allow for preparation. Failure to observe this request could result in the notice being held over.

If it is necessary through isolation or urgency to fax copy, confirmation is not required by post. *If original copy is forwarded later and published, the cost will be borne by the advertiser.*



GOVERNMENT GAZETTE

PUBLISHING DETAILS FOR CHRISTMAS 2005 AND NEW YEAR HOLIDAY PERIOD 2006

NOTE: *Due to Tuesday 27th December being a public holiday there will not be a gazette published on that day*

Publishing Dates and times

Friday 30 December 2005 at 3.30 pm

Tuesday 3 January 2006 at 3.30 pm

Closing Dates and Times for copy

Wednesday 28 December 2005 at 12 noon

Friday 30 December 2005 at 12 noon



— PART 1 —

FIRE AND EMERGENCY SERVICES

FE301*

Fire and Emergency Services Authority of Western Australia Act 1998

FESA (Emergency Services Levy) (Declarations) Amendment Notice (No. 2) 2005

Made by the Minister under section 36F(2) of the Act.

1. Citation

This notice is the *FESA (Emergency Services Levy) (Declarations) Amendment Notice (No. 2) 2005*.

2. Commencement

This notice comes into operation immediately after the *Fire Brigades (Fire Districts) Notice (No. 2) 2005* comes into operation.

3. The notice amended

The amendments in this notice are to the *Fire and Emergency Services Authority (Emergency Services Levy) (Declarations) Notice 2003**.

[* *Published in Gazette 17 June 2003, p. 2210-13.*
For amendments to 4 November 2005 see Western Australian Legislation Information Tables for 2004, Table 4, p. 118, and Gazette 28 June 2005.]

4. Clause 6 amended

Clause 6(2) is amended in the Table by deleting “Version 3” and inserting instead —

“ Version 4 ”.

5. Declaration in respect of areas moving into different emergency services categories

An area of Western Australia that, as a consequence of —

- (a) the amendment of the *Fire and Emergency Services Authority (Emergency Services Levy) (Declarations) Notice 2003* by clause 4; or

- (b) the uniting of the Metropolitan Fire District and the Kwinana Fire District under the *Fire Brigades (Fire Districts) Notice (No. 2) 2005*,

is moved into an emergency services category (the “**new ESL category**”) different from the emergency services category that the area was in immediately before the amendment was made or those fire districts were united, is declared to be in the new ESL category.

MICHELLE ROBERTS, Minister for Police and Emergency Services.

FE302*

Fire Brigades Act 1942

Fire Brigades (Fire Districts) Notice (No. 2) 2005

Made by the Minister under section 5(2) of the Act.

1. Citation

This notice is the *Fire Brigades (Fire Districts) Notice (No. 2) 2005*.

2. Metropolitan Fire District and Kwinana Fire District united

- (1) The Metropolitan Fire District and the Kwinana Fire District are united and assigned the name the “Metropolitan Fire District”.
- (2) The boundaries of the fire district assigned the name the “Metropolitan Fire District” under subclause (1) correspond to the boundaries of the area shown coloured yellow on Department of Land Information Deposited Plan 38530 Edition 1, Version 4.

3. Second Schedule to Act amended

The *Fire Brigades Act 1942** Second Schedule is amended as follows:

- (a) in Part II after “Wanneroo”, by inserting —
“ Joondalup ”;
- (b) in Part II after “Rockingham”, by inserting —
“ Kwinana ”;

- (c) in Part IV, by deleting the item relating to the Kwinana Fire District.

[* Reprint 6 as at 7 March 2003.

For subsequent amendments see Western Australian Legislation Information Tables for 2004, Table 1, p. 171, and Gazette 28 June 2005, p. 2918-9.]

MICHELLE ROBERTS, Minister for Police and Emergency Services.

LOCAL GOVERNMENT

LG301*

LOCAL GOVERNMENT ACT 1995

City of South Perth

AMENDMENT (SPECIAL EVENTS & PARKING LOCAL LAWS) LOCAL LAW 2005

In pursuance of the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the City of South Perth resolved on 22 November 2005 to make the Amendment (Special Events & Parking Local Laws) Local Law.

Part 1—Preliminary

1.1 Citation

This Local Law may be cited as the City of South Perth Amendment (Special Events & Parking Local Laws) Local Law 2005.

1.2 Commencement

This Local Law comes into operation on the 14th day after it is published in the *Government Gazette*.

1.3 Application and intent

The application and intent of this Local Law is to amend certain local laws, to provide for the Scheduling of Special Event Days, Special Event Locations and General No Parking Zones in the City of South Perth and to make consequential amendments to those local laws.

1.4 Local Laws Amended

The local laws amended are the *Special Events Local Law 2005*, as published in the *Government Gazette* on 17 December 2004, and the *Parking Local Law 2003* as published in the *Government Gazette* on 23 December 2003 and as amended as published in the *Government Gazette* on 17 December 2004.

Part 2—Amendment of Local Laws

Division 1—Special Events Local Law 2005

2.1 The local law to be amended in this Division is the Special Events Local Law 2005.

2.2 Clause 5—Interpretation—is amended by—

- 2.2.1 Amending the definition of “alcohol free location” by deleting all words after “means” and inserting instead “an alcohol free location as described in a Schedule to this law”;
- 2.2.2 Amending the definition of “large object” by deleting sub-clause (k) and inserting instead: “any other object with any dimension greater than 1.5 metres but excluding shade structures (such as beach umbrellas or beach tents) which may have a maximum permissible dimension of 2.5 metres”;
- 2.2.3 Amending the definition of “special event day” by deleting all the words after “means” and inserting instead “that period of the day commencing at 6:00 a.m. on the 26th of January and finishing at midnight, and that period of the day commencing at midnight and finishing at 6:00 p.m. on the 27th of January each year as prescribed in Schedule 1 to this local law”; and,
- 2.2.4 Amending the definition of “special event location” by deleting all the words after “means” and inserting instead “the area occupied by the Wards of Civic and Mill Point in the City of South Perth which area is bounded by and

includes South Terrace to the south, Canning Highway to the east, and the Swan River Foreshore to the west and north as prescribed in Schedule 1 to this local law”.

2.3 Clauses 6(a), 7(a) and 9(a)—Possession of Liquor, Possession of Large Objects and Use of Loud Stereos—are amended by deleting the phrase “licensed area” wherever it appears and inserting instead “licensed premises”.

2.4 Clauses 15 and 16—Special Event Location and Special Event Day—are deleted.

2.5 Schedule 1—Special Event Day and Special Event Location—is added to the local law—

Special Events Local Law

Schedule 1

Special Event Day and Special Event Location

Special Event Day

That period of the day commencing at 6:00 a.m. and finishing at midnight on the 26th of January, and that period of the day commencing at midnight and finishing at 6:00 p.m. on the 27th of January each year is declared to be a Special Event Day for the purposes of this local law.

Special Event Location

The area contained within the Wards of Civic and Mill Point in the City of South Perth which area is bounded by and includes South Terrace to the south, Canning Highway to the east and the Swan River foreshore to the west and north is declared to be a Special Event Location for the purposes of this local law.

Division 2—Parking Local Law 2003

3.1 The local law to be amended in this Division is the *Parking Local Law 2003*.

3.2 Clause 7.4—General No Parking Zone—is amended by deleting sub-clause (a) and inserting instead “(a) General No Parking Zones are established as prescribed in Schedule 4.”

3.3 Schedule 2—Prescribed Offences—is amended by—

3.3.1 Deleting the text in column three of row 60 in the table and inserting instead “Parking in an easy access zone without a permit”; and,

3.3.2 Deleting the text in column three of row 66 in the table and inserting instead “Parking a vehicle for advertising or whilst under repair”.

3.4 Schedule 4—General No Parking Zone—is added to the local law—

Parking Local Law 2003

[Clause 7.4]

Schedule 4

General No Parking Zone

From 6:00 a.m. on the 26th of January to 6:00 p.m. on the 27th of January each year, the area contained within the Wards of Civic and Mill Point in the City of South Perth which area is bounded by and includes South Terrace to the south, Canning Highway to the east and the Swan River foreshore to the west and north is declared to be a General No Parking Zone for the purposes of this local law.

Dated this 22nd day of November 2005.

The Common Seal of the City of South Perth was affixed by the authority of a resolution of the Council in the presence of—

JOHN COLLINS JP, Mayor.
CLIFF FREWING, Chief Executive Officer.

— PART 2 —

EDUCATION AND TRAINING

ED401*

CURTIN UNIVERSITY OF TECHNOLOGY ACT 1966**REPEAL AND ESTABLISHMENT OF A NEW STATUTE**

It is hereby notified that the Lieutenant-Governor and Administrator in Executive Council, acting under the provisions of Section 35 of the *Curtin University of Technology Act 1966*, has approved the repeal of Statute No. 21—*Academic Senate* and the establishment of a new Statute No. 21—*Academic Board* as set out in the attached schedule.

Hon. LJILJANNA RAVLICH MLC, Minister for Education and Training.
G. M. PIKE, Clerk of the Executive Council.

Curtin University of Technology
Statute

Repeal of Statute 21—*Academic Senate*

Whereas the Statute 21—*Academic Senate* was gazetted in the *Government Gazette* of Western Australia on 16 June 1992,

Now, this Statute is repealed.

CURTIN UNIVERSITY OF TECHNOLOGY
STATUTE NO 21
ACADEMIC BOARD

1. The Council shall establish an Academic Board as a committee of the Council.
2. The Academic Board is responsible to the Council for helping to ensure the academic quality and credibility of the University's operations as an academic institution.
3. The responsibilities of the Academic Board, its membership, and all matters necessary or desirable to ensure the effective exercise of the functions of the Academic Board shall be prescribed in Rules made under this Statute.

EXECUTED by the Parties as an Agreement.

IN WITNESS WHEREOF the Parties hereto have executed this Agreement on the date first hereinbefore written:

The Common Seal of Curtin University of Technology was hereto affixed on the 21st day of September 2005 by the authority of the Vice-Chancellor.

LANCE TWOMEY, Vice-Chancellor.
GEM CHEONG, Administrative Secretary.

By Command of the Lieutenant-Governor and Administrator,

G. M. PIKE, Clerk of the Executive Council.

ENVIRONMENT

EV401

RIGHTS IN WATER AND IRRIGATION ACT 1914**RIGHTS IN WATER AND IRRIGATION DEWATERING EXEMPTION (SECTION 26C) ORDER 2005**

Made by the Lieutenant-Governor and Administrator in Executive Council under section 26C of the Act.

1. Citation

This Order may be cited as the *Rights in Water and Irrigation Dewatering Exemption (Section 26C) Order 2005*.

2. Interpretation

In this Order—

“**dewatering**” means removing underground water to facilitate excavation for the purposes of carrying out works, construction or other similar activity.

3. Application

This Order applies to all parts of the State that are proclaimed areas for the purposes of section 26B of the Act.

4. Exemptions from sections 5C and 26B(3) to (6)

Sections 5C and 26B(3) to (6) of the Act do not apply in relation to a non-artesian well if—

- (a) the only water that is able to be taken from the well is from the water table aquifer; and
- (b) the water is taken from the well at a pump rate of less than five litres per second over a period of less than seven days; and
- (c) the water taken from the well is taken for the purposes of dewatering.

By Command of the Lieutenant-Governor and Administrator,

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

FISHERIES

FI401*

FISH RESOURCES MANAGEMENT ACT 1994

PROHIBITION ON FISHING FOR ROCK LOBSTER (CAPE NATURALISTE TO CAPE LEEUWIN) AMENDMENT ORDER 2005

Order No. 25 of 2005

FD 1620/98 [724]

Made by the Minister under section 43.

1. Citation

This order may be cited as the *Prohibition on Fishing for Rock Lobster (Cape Naturaliste to Cape Leeuwin) Amendment Order 2005*.

2. Order amended

The amendments in this order are to the *Prohibition on Fishing for Rock Lobster (Cape Naturaliste to Cape Leeuwin) Order (No. 2) 2005**.

3. Clause 2 deleted

Clause 2 is deleted.

4. Clause 3 replaced

Clause 3 is deleted and the following clause is inserted instead—

“3. Prohibition on fishing by rock lobster pot

- (1) A person must not fish by means of a rock lobster pot in the waters described in the Schedule.
- (2) Subclause (1) does not apply to a person fishing for a recreational purpose in the waters specified in items 9, 13 and 15 of the Schedule. “.

5. Schedule amended

The Schedule is amended by—

- (a) deleting item 2 (Three Bears) and inserting instead—

“2. Three Bears

All waters bounded by a line commencing at the intersection of the high water mark on the coastline and 33° 35.673' south latitude; thence west along the parallel to the intersection of 115° 0.703' east longitude; thence north by west along the geodesic to the intersection of 33° 34.331' south latitude and 115° 0.345' east longitude; thence east along the parallel to the intersection of the high water mark on the coastline; thence generally southerly along the high water mark to the commencement point.”;

- (b) deleting items 7 (Gallows) and 8 (Guillotine) and inserting instead—

“7. Gallows/Guillotine

All waters bounded by a line commencing at the intersection of the high water mark on the coastline and 33° 49.717' south latitude; thence west along the parallel to the intersection of 114° 59.455' east longitude; thence north by east along the geodesic to the intersection of 33° 49.143' south latitude and 114° 59.600' east longitude; thence east

along the parallel to the intersection of the high water mark on the coastline; thence generally southerly along the high water mark to the commencement point.”; and

- (c) deleting items 10 (Thunder Bay), 11 (Lefthanders) and 12 (Ellensbrook) and inserting instead—

“10. Lefthanders

All waters bounded by a line commencing at the intersection of the high water mark on the coastline and 33° 54.413' south latitude; thence west along the parallel to the intersection of 114° 59.125' east longitude; thence north by west along the geodesic to the intersection of 33° 54.141' south latitude and 114° 58.841' east longitude; thence northerly along the geodesic to the intersection of 33° 51.935' south latitude and 114° 58.362' east longitude; thence east along the parallel to the intersection of the high water mark on the coastline; thence generally southerly along the high water mark to the commencement point.”.

[*Published in the gazette of 18 February 2005.]

Dated this 24th day of November 2005.

JON FORD, Minister for Fisheries.

HEALTH

HE101

CORRECTION

HEALTH SERVICES (QUALITY IMPROVEMENT) ACT 1994

HEALTH SERVICES (QUALITY IMPROVEMENT) (APPROVED COMMITTEE) ORDER (No. 10) 2004

An error occurred in the notice on page 5677 of *Government Gazette* No. 214 dated 22 November 2005 and is corrected as follows—

In the heading delete “ORDER (No. 10) 2004” and insert “ORDER (No. 10) 2005” and in item 1, delete “*Order (No. 10) 2004*” and replace with “*Order (No. 10) 2005*”.

In item 3, delete “St John of God Health Care Murdoch” and replace with “the Chief Executive Officer of St John of God Health Care (Murdoch) exercising the delegated authority of the Board of St John of God Health Care Inc”.

Dated this 22nd day of November 2005.

Dr DOROTHY JONES, Principal Medical Officer and Divisional Director.

HERITAGE

HR101*

CORRECTION

HERITAGE OF WESTERN AUSTRALIA ACT 1990

ENTRY OF PLACES IN THE REGISTER OF HERITAGE PLACES

In the notice published in the *Government Gazette* dated 22 November 2001, item HR401 on page 6038, an error occurred.

Under Schedule 1, the land description for Tampina was shown as: Lot 100 on Diagram 100451 being the whole of the land comprised in Certificate of Title Volume 2199 Folio 724.

In the notice published in the *Government Gazette* dated 14 October 2003, item HR101 on page 4427, the land description was amended to read: Lot 100 on Diagram 100451 being the whole of the land comprised in Certificate of Title Volume 2119 Folio 724.

The correct entry should read: Lot 100 on Diagram 100451 being the whole of the land comprised in Certificate of Title Volume 2199 Folio 274.

Dated this 29th day of November 2005.

IAN BAXTER, Director,
Office of the Heritage Council of W.A.
108 Adelaide Terrace, East Perth WA 6004.

LOCAL GOVERNMENT

LG401***DOG ACT 1976***Shire of Wyalkatchem***APPOINTMENTS**

It is hereby notified for public information that the following persons have been appointed by the Council of the Shire of Wyalkatchem as Dog Registration Officers—

Scott McKenzie
Kahu Ratima

Ellen Della Bosca

Cira Garn

Caroline Pattinson

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

Scott McKenzie
Mike Sims

Peter Murray

David Jones

Robert Bending

All previous appointments as Dog Registration Officers and Authorised Officers of the Shire of Wyalkatchem are hereby cancelled.

S. D. McKENZIE, Chief Executive Officer.

LG402**Shire of Tambellup***APPOINTMENTS**

The Shire of Tambellup wishes to advise for public information the appointment of Mr Guiseppe Silvestro as an authorised officer to operate within the Local Government of the Shire of Tambellup to enforce the following Acts, Regulations and Local Laws effective immediately—

Local Government Act 1995

Local Government (Miscellaneous Provisions) Act 1960

Dog Act 1976

Shire of Tambellup Dogs Local Laws 2002

Control of Vehicles (Off Road) Act

Litter Act 1979

Bush Fires Act 1954

Caravan Park & Camping Ground Regulations

JOANNE TREZONA, Chief Executive Officer.

MARINE/MARITIME

MX401***WESTERN AUSTRALIAN MARINE ACT 1982****NAVIGABLE WATERS REGULATIONS**

Water Ski Areas

Barefoot Water Skiing

Barkers Bridge / Lilac Hill

Department for Planning and Infrastructure,
Fremantle WA, 29 November 2005.

Acting pursuant to the powers conferred by Regulation 48A of the Navigable Waters Regulations, the Department for Planning and Infrastructure, by this notice defines and sets aside all that portion of the Swan River commencing at a point 175 metres upstream of Barkers Bridge and extending for 750 metres upstream, for the purpose of barefoot water skiing, providing that this area is confined to members of the Australian Barefoot Water Ski Club (Western Australian Division (Inc)) and will only apply between the times as shown on the dates listed hereunder—

Day	Date	Month	Year	Time
Saturday	19th	November	2005	0800-1700
Wednesday	23rd	November	2005	0800-Sunset
Saturday	26th	November	2005	0800-Sunset
Wednesday	30th	November	2005	0800-Sunset

Day	Date	Month	Year	Time
Saturday	3rd	December	2005	0800-Sunset
Wednesday	7th	December	2005	0800-Sunset
Saturday	10th	December	2005	0800-1700
Wednesday	14th	December	2005	0800-Sunset
Saturday	17th	December	2005	0800-Sunset
Wednesday	21st	December	2005	0800-Sunset
Saturday	24th	December	2005	0800-Sunset
Wednesday	28th	December	2005	0800-Sunset
Saturday	31st	December	2005	0800-Sunset
Wednesday	4th	January	2006	0800-Sunset
Saturday	7th	January	2006	0800-1700
Wednesday	11th	January	2006	0800-Sunset
Saturday	14th	January	2006	0800-Sunset
Wednesday	18th	January	2006	0800-Sunset
Saturday	21st	January	2006	0800-1700
Wednesday	25th	January	2006	0800-Sunset
Saturday	28th	January	2006	0800-Sunset
Wednesday	1st	February	2006	0800-Sunset
Saturday	4th	February	2006	0800-Sunset
Wednesday	8th	February	2006	0800-Sunset
Saturday	11th	February	2006	0800-Sunset
Wednesday	15th	February	2006	0800-Sunset
Saturday	18th	February	2006	0800-1700
Wednesday	22nd	February	2006	0800-Sunset
Saturday	25th	February	2006	0800-Sunset
Wednesday	1st	March	2006	0800-Sunset
Saturday	4th	March	2006	0800-1700
Wednesday	8th	March	2006	0800-Sunset
Saturday	11th	March	2006	0800-Sunset
Wednesday	15th	March	2006	0800-Sunset
Saturday	18th	March	2006	0800-1700
Wednesday	22nd	March	2006	0800-Sunset
Saturday	25th	March	2006	0800-Sunset
Wednesday	29th	March	2006	0800-Sunset
Saturday	1st	April	2006	0800-Sunset
Wednesday	5th	April	2006	0800-Sunset
Saturday	8th	April	2006	0800-Sunset
Wednesday	12th	April	2006	0800-Sunset
Saturday	15th	April	2006	0800-Sunset
Wednesday	19th	April	2006	0800-Sunset
Saturday	22nd	April	2006	0800-1700
Wednesday	26th	April	2006	0800-Sunset
Saturday	29th	April	2006	0800-Sunset
Wednesday	3rd	May	2006	0800-Sunset
Saturday	6th	May	2006	0800-1700
Wednesday	10th	May	2006	0800-Sunset
Saturday	13th	May	2006	0800-Sunset
Wednesday	17th	May	2006	0800-Sunset
Saturday	20th	May	2006	0800-Sunset
Wednesday	24th	May	2006	0800-Sunset
Saturday	27th	May	2006	0800-Sunset
Wednesday	31st	May	2006	0800-Sunset
Saturday	3rd	June	2006	0800-Sunset
Wednesday	7th	June	2006	0800-Sunset
Saturday	10th	June	2006	0800-Sunset
Wednesday	14th	June	2006	0800-Sunset
Saturday	17th	June	2006	0800-Sunset
Wednesday	21st	June	2006	0800-Sunset
Saturday	24th	June	2006	0800-Sunset
Wednesday	28th	June	2006	0800-Sunset
Saturday	1st	July	2006	0800-Sunset
Wednesday	5th	July	2006	0800-Sunset
Saturday	8th	July	2006	0800-Sunset
Wednesday	12th	July	2006	0800-Sunset
Saturday	15th	July	2006	0800-Sunset
Wednesday	19th	July	2006	0800-Sunset
Saturday	22nd	July	2006	0800-Sunset
Wednesday	26th	July	2006	0800-Sunset
Saturday	29th	July	2006	0800-Sunset
Wednesday	2nd	August	2006	0800-Sunset
Saturday	5th	August	2006	0800-Sunset
Wednesday	9th	August	2006	0800-Sunset

Day	Date	Month	Year	Time
Saturday	12th	August	2006	0800-Sunset
Wednesday	16th	August	2006	0800-Sunset
Saturday	19th	August	2006	0800-Sunset
Wednesday	23rd	August	2006	0800-Sunset
Saturday	26th	August	2006	0800-Sunset
Wednesday	30th	August	2006	0800-Sunset

DAVID HARROD, General Manager, Marine Safety,
Department for Planning and Infrastructure.

DECEASED ESTATES

ZX401

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

In the matter of George Ronald MacKenzie late of 23A Hollis Street, Samson in the State of Western Australia, 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 abovementioned deceased who died on 21 July 2005 at Murdoch in the State of Western Australia are required by the Executor of his estate, Michael Ryan of 310 Summit Road, Mundaring in the said State, to send particulars of their claims to him at the address hereunder by 24 December 2005 after which date the Executor may convey or distribute the assets, having regard only to the claims of which he has notice.

Dated this 23rd day of November 2005.

BOSTOCK & RYAN, Solicitors for the Executor,
4th Floor, 172 St George's Terrace,
Perth WA 6000.

WESTERN AUSTRALIA

RETIREMENT VILLAGES ACT 1992

Price: \$9.05 counter sales

Plus postage on 105 grams

RETIREMENT VILLAGES REGULATIONS 1992

***Price: \$5.30 counter sales**

Plus postage on 55 grams

* Prices subject to change on addition of amendments.



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