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— PART 1 —

PROCLAMATIONS

AA101*

NURSES AND MIDWIVES ACT 2006

No. 50 of 2006

PROCLAMATION

Western Australia

By His Excellency

Doctor Kenneth Comminos Michael,
Companion of the Order of Australia,
Governor of the State of Western Australia

[L.S.]

KENNETH COMMINOS MICHAEL
Governor

I, the Governor, acting under the *Nurses and Midwives Act 2006* section 2 and with the advice and consent of the Executive Council, fix the day after the day on which this proclamation is published in the *Government Gazette* as the day on which the provisions of that Act, other than sections 1 and 2, come into operation.

Given under my hand and the Public Seal of the State on 12 September 2007.

By Command of the Governor,

J. McGINTY, Minister for Health.

Note: Under section 22 of the *Interpretation Act 1984*, sections 1 and 2 came into operation on 6 October 2006.

RACING, GAMING AND LIQUOR

RG301*

Racing and Wagering Western Australia Act 2003

Rules of Wagering Amendment Rules 2007

Made by Racing and Wagering Western Australia with the approval of the Commission under section 120 of the Act.

1. Citation

These rules are the *Rules of Wagering Amendment Rules 2007*.

2. Commencement

These rules come into operation as follows:

- (a) rules 1 and 2 — on the day on which these rules are published in the *Gazette*;
- (b) the rest of the rules — on the day after that day.

3. The rules amended

The amendments in these rules are to the *Rules of Wagering 2005*.

4. Rule 3 amended

Rule 3(1) is amended by inserting in the appropriate alphabetical position —

“

“**Flexi Bet**” means a method of wagering an amount on one or more of the wagers described in rule 22A, where the amount of the investment on each combination covered by that wager can be a percentage, or fraction, of a unit;

”.

5. Rule 18 amended

Rule 18 is amended after “RWWA Regulations” by inserting —

“ , rule 18A ”.

6. Rule 18A inserted

After rule 18 the following rule is inserted —

“

18A. Trifecta, quaddie and quartet dividends if less than one unit is invested on correct selections

Despite rule 22, where the total of trifecta investments, quartet investments or quaddie investments in respect of which a dividend is to be paid (“winning trifecta combination”, “winning quartet combination” or “winning quaddie combination” as the case may be) is less than one unit —

- (a) only the amount of the trifecta dividend pool, the quartet dividend pool or the quaddie dividend pool determined in accordance with the following formula will be distributed amongst the investors on the winning trifecta combination, winning quartet combination or winning quaddie combination —

$$da = di \times (ai \div ui)$$

where —

da is the amount of the trifecta dividend pool, quartet dividend pool or quaddie dividend pool that is to be distributed among the investors on the winning trifecta combination, winning quartet combination or winning quaddie combination;

- di** is the total amount that would be distributed to investors on the winning trifecta combination, winning quartet combination or winning quaddie combination, if the total of trifecta investments, quartet investments or quaddie investments in respect of which a dividend is to be paid was not less than a unit of investment;
- ai** is the total of all trifecta investments, quartet investments or quaddie investments (if any) on the winning trifecta combination, the winning quartet combination or the winning quaddie combination;
- ui** is the unit of investment for the trifecta, quartet or quaddie;

and

- (b) there is to be transferred to the trifecta jackpot pool, the quartet jackpot pool or the quaddie jackpot pool conducted on the succeeding trifecta event, the succeeding quartet event or the succeeding quaddie an amount calculated in accordance with the following formula —

$$t = di - da$$

where —

- t** is the amount transferred to the trifecta jackpot pool, quartet jackpot pool or quaddie jackpot pool on the succeeding trifecta event, the succeeding quartet event or the succeeding quaddie;
- di** has the same meaning as in paragraph (a);
- da** has the same meaning as in paragraph (a).

”.

7. **Rule 22A inserted**

After rule 22 the following rule is inserted —

“

22A. Flexi Bets

- (1) A Flexi Bet is available on a trifecta wager, a quaddie wager or a quartet wager.
- (2) The amount wagered on each combination covered by a Flexi Bet is determined by dividing the total amount of the Flexi Bet by the number of combinations covered by the Flexi Bet (with any fractions rounded

down to the nearest ten thousandth of a cent — i.e. rounded down to 4 decimal places).

- (3) Any amount resulting from rounding down a Flexi Bet under subrule (2) forms a part of the investment pool of the relevant totalisator upon which the Flexi Bet is made.
- (4) The minimum amount that may be wagered on a totalisator in a single Flexi Bet is as follows —
 - (a) where the wager is placed through a retail agency — 50 cents or 1%, whichever is the greater, and that minimum amount must be, or rounded up to be, a multiple of 50 cents;
 - (b) where the wager is placed through a call centre — 50 cents or 1%, whichever is the greater, and that minimum amount must be, or rounded up to be, a multiple of 50 cents;
 - (c) where the wager is placed using the internet using the “Easy Bet” system — 50 cents or 1%, whichever is the greater, and that minimum amount must be, or rounded up to be, a multiple of 50 cents;
 - (d) where the wager is placed using the internet using the “Expert Bet” system — 1 cent or 1%, whichever is the greater.
- (5) The percentage of a wager in subrule (4) is to be based upon the amount that would be invested if all combinations of the Flexi Bet were to be covered using a unit wager per combination.

”.

Approved by the Gaming and Wagering Commission of Western Australia on the 28th day of August 2007.

JANINE BELLING, D/Chairman.

Made by Racing and Wagering Western Australia on the 30th day of August 2007.

RAY BENNETT, Chief Executive Officer.

RG302*

Racing and Wagering Western Australia Act 2003

Racing and Wagering Western Australia Amendment Regulations 2007

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Racing and Wagering Western Australia Amendment Regulations 2007*.

2. Commencement

These regulations come into operation as follows:

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

3. The regulations amended

The amendments in these regulations are to the *Racing and Wagering Western Australia Regulations 2003*.

4. Regulation 3 amended

Regulation 3(1) is amended by inserting in the appropriate alphabetical position —

“

“**Flexi Bet**” means a method of wagering an amount on one or more combinations of outcomes, where the amount of the investment on each combination covered by the wager can be a percentage, or fraction of the unit of investment;

”.

5. Regulation 30 amended

- (1) Regulation 30(1) is amended by deleting “The” and inserting instead —

“ Subject to subregulation (3), the ”.

- (2) After regulation 30(2) the following subregulation is inserted —

“

- (3) The minimum amount of a Flexi Bet made with or through RWWA is an amount determined by reference to the Rules of Wagering.

”.

6. Regulation 38 amended

- (1) Regulation 38 is amended as follows:

- (a) before “Every” by inserting the subregulation designation “(1)”;
(b) by deleting “and the amount of the wager expressed in units of 50 cents”.

- (2) After regulation 38(1) the following subregulation is inserted —

“

- (2) A ticket issued by RWWA must show details of the amount of the wager and —

- (a) where the wager is not a Flexi Bet, the amount is to be expressed in units of 50 cents;
(b) where the wager is a Flexi Bet, the amount may be expressed in units of 50 cents, percentages of 50 cent units or fractions of units of 50 cents.

”.

By Command of the Governor,

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

RG303*

Betting Control Act 1954

Betting Control Amendment Regulations (No. 3) 2007

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Betting Control Amendment Regulations (No. 3) 2007*.

2. Commencement

These regulations come into operation as follows:

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

3. The regulations amended

The amendments in these regulations are to the *Betting Control Regulations 1978*.

4. Regulation 3 amended

Regulation 3(1) is amended by inserting in the appropriate alphabetical position —

“

“**Flexi Bet**” means a method of betting an amount on one or more combinations of outcomes, where the amount of the investment on each combination covered by the bet can be a percentage, or fraction, of the unit of investment;

”.

5. Regulation 81 amended

- (1) Regulation 81(1) is amended by deleting “The” and inserting instead —

“ Subject to subregulation (3), the ”.

- (2) After regulation 81(2) the following subregulation is inserted —

“

- (3) The minimum amount of a Flexi Bet made with or through an on-course totalisator or a local on-course totalisator is an amount determined by reference to the Rules of Wagering.

”.

6. Regulation 90 amended

- (1) Regulation 90(1) is amended by deleting “and the amount of the bet expressed in units of 50 cents”.

- (2) After regulation 90(1) the following subregulation is inserted —

“

- (1a) A ticket issued by an on-course totalisator or local on-course totalisator must show details of the amount of the bet and —

- (a) where the bet is not a Flexi Bet, the amount is to be expressed in units of 50 cents;

- (b) where the bet is a Flexi Bet, the amount may be expressed in units of 50 cents, percentages of 50 cent units or fractions of units of 50 cents.

”.

By Command of the Governor,

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

— PART 2 —

AGRICULTURE

AG401*

GENETICALLY MODIFIED CROPS FREE AREAS ACT 2003

GENETICALLY MODIFIED CROPS FREE AREAS EXEMPTION ORDER (No. 3) 2007

Made by the Minister under Section 6.

1. Citation

This is the *Genetically Modified Crops Free Areas Exemption Order (No. 3) 2007*.

2. Duration

This order comes into operation on the date of its publication and remains in force until 31 December 2010.

3. Exemption

The persons covered by this exemption are the South East Premium Wheat Growers Association; Nufarm Limited; Monsanto Australia Ltd; Pioneer Hi-Bred Australia Pty Ltd; Pacific Seeds; the Department of Agriculture and Food, Western Australia; and Kaylx Agriculture.

For the purpose of conducting research field trials the persons covered by this exemption may, cultivate genetically modified canola varieties (Roundup Ready®) that have been licensed for commercial release under the *Gene Technology Act 2000* (Commonwealth) within an area of 2.5ha on the Esperance Downs Research Station.

The conditions of this exemption are that—

1. The persons covered by this exemption must agree to publication of the details of the trial on the Department's website.
2. The area cultivated is to be located more than 750 metres from the boundary of any neighbouring property and be surrounded by a 20 metre pollen trap of non genetically modified canola.
3. The seed produced in the trials is to be disposed of on the Research Station site in an un-used fenced-off section that adjoins the area that was cultivated. The seed is to be buried at least one metre deep.
4. The field trial must comply with relevant GMO licence conditions and other requirements of the Gene Technology Regulator and include the management of any biosecurity risk.
5. The Department will audit compliance with the conditions of this exemption and undertake post-trial monitoring activities.

KIM CHANCE, Minister for Agriculture and Food.

FISHERIES

FI401*

FISH RESOURCES MANAGEMENT ACT 1994

PILBARA TRAP LIMITED ENTRY FISHERY NOTICE 1992

Determination of the Capacity of the Pilbara Trap Managed Fishery for the 2007 Licensing Period

I, Peter Millington, Chief Executive Officer of the Department of Fisheries, in accordance with clause 14 (3) of the *Pilbara Trap Limited Entry Fishery Notice 1992*, consider it appropriate to do so and do hereby determine the capacity of the Pilbara Trap Managed Fishery shall be limited to 5456 trap days for the period commencing 1 January 2007 and ending 31 December 2007.

P. J. MILLINGTON, Chief Executive Officer.

Dated this 10th day of September 2007.

HEALTH

HE401**MEDICAL ACT 1894****MEDICAL (UNMET AREA OF NEED) DETERMINATION (No. 25) 2007**

Made by the Minister for Health pursuant to section 11AF of the *Medical Act 1894*.

Citation

1. This determination may be cited as the *Medical ((Unmet Area of Need) Determination (No. 25) 2007*.

Commencement

2. This determination comes into operation on the day on which it is published in the *Government Gazette*.

Unmet area of need

3. The area of need specified in the Schedule is determined to be an unmet area of need for the purposes of section 11AF(1)D of the Act.

Expiry of determination

4. This determination expires 5 years after its commencement.

SCHEDULE

- JUNIOR AND SENIOR PRACTITIONERS (EXCLUDING CONSULTANTS) EMPLOYED IN WESTERN AUSTRALIAN COUNTRY HEALTH SERVICE.

Dated this 5th day of September 2007.

JIM MCGINTY MLA, Minister for Health.

JUSTICE

JU401***PRISONS ACT 1981****PERMIT DETAILS**

Pursuant to the provisions of section 15P of the *Prisons Act 1981*, the Commissioner of the Department of Corrective Services has revoked the following Permit to do High-Level Security Work—

Surname	Other Names	Permit No.	Revocation Date
Cairns	Andrew Stuart	AP 0082	12/09/2007

This notice is published under section 15P of the *Prisons Act 1981*.

Dated 14 September, 2007.

BRIAN LAWRENCE, Manager, Acacia Prison Contract.

JU402***PRISONS ACT 1981****PERMIT DETAILS**

Pursuant to the provisions of section 15P of the *Prisons Act 1981*, the Commissioner of the Department of Corrective Services has revoked the following Permit to do High-Level Security Work—

Surname	Other Names	Permit No.	Revocation Date
Hodge	Erin Peta	AP 0405	14/09/2007

This notice is published under section 15P of the *Prisons Act 1981*.

Dated 14 September, 2007.

BRIAN LAWRENCE, Manager Acacia Prison Contract.

LAND

LA401***TRANSFER OF LAND ACT 1893**

APPLICATION J986966

Take notice that Teresa De Luca of 26 Frederic Street, Midland and Vittoria Lough of 96 Blackadder Road, Swan View as Executors of the Will of Pietro De Luca have made application to be registered under the Act as proprietor of an estate in fee simple in possession in the land situated at Frederic Street, Midland.

Being—

Lot 128 on Plan 2112 containing 1396 square metres being the whole of the land comprised in Memorial Book XXV Vol. No. 274.

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 9 October 2007 a caveat forbidding the land being brought under the operation of the Act.

BRUCE ROBERTS, Registrar of Titles.

LOCAL GOVERNMENT

LG401***DOG ACT 1976***Shire of Tambellup*

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

Joanne Marie Trezona
Vicki Noreen Webster
Kay Patricia O'Neill
Adelle Mae Andrews
Pamela Audrey Hull
Zita Renee Kellow
Paul Reece
Geoff Copley

Authorised Officers

Joanne Marie Trezona
Graeme John Squibb
Bryan Thomas Trezona
Edward John Farmer
Francis Edward Coyne
Paul Reece
Geoff Copley

All previous appointments are hereby cancelled.

J. M. TREZONA, Chief Executive Officer.

LG402**CITY OF WANNEROO**

AUTHORISED OFFICERS

It is hereby notified for public information that the following persons have been appointed by Council as officers empowered to enforce the provisions of the following—

Local Government Act 1995 and related Local Laws

All other legislation Council is empowered to enforce.

- Helen Woods
- Julie Sturcke
- Tanya Politis
- Joseph Coppola
- Karen Evans
- Pas Bracone
- Neil Maull
- John Culmer
- Brian Evans

- Aiton Sheppard
- Mark Donnelly
- Gavin Smith
- Carmen Boyd
- Resmie Greer

The following appointments are hereby cancelled—

- David Shimmin
- Andrew Pachioli
- Dejan Guja
- Alice Brown
- Gordon Boettcher
- Wesley Miller
- Glynn Dobson
- Graham De Villiers

DANIEL SIMMS, Acting Chief Executive Officer.

PLANNING AND INFRASTRUCTURE

PI401*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT

Shire of Capel

Town Planning Scheme No. 7—Amendment No. 25

Ref: 853/6/7/7 Pt 25

It is hereby notified for public information, in accordance with section 87 of the Planning and Development Act 2005 that the Minister for Planning and Infrastructure approved the Shire of Capel local planning scheme amendment on 31 August 2007 for the purpose of—

1. Modifying the Scheme Text provisions of “Clause 5.10 Dalyellup Development Zone” and Scheme Map references by changing the description of the zone and adding new provisions to create an ‘Urban Development Zone’;
2. Rezoning lots 300 and 301 of Wellington Locations 619 and 2426, Barlee Road, Capel; Lot 1 being portion of Wellington Location 2426 Goodwood Road, Capel; and Portion of Wellington Location 2426 Goodwood Road, Capel from “Rural Zone” to “Urban Development Zone” and including the lots within “Development Precinct No. 2” as depicted on the Scheme Amendment Map; and
3. Including lots 300 and 301 of Wellington Locations 619 and 2426, Barlee Road, Capel; Lot 1 being portion of Wellington Location 2426 Goodwood Road, Capel; and Portion of Wellington Location 2426 Goodwood Road, Capel within Appendix 16—Development Precincts of the Scheme Text as Development Precinct No. 2—South East Capel and identifying specific provisions which will apply to the subdivision and development of the precinct area.

M. T. SCOTT, Shire President.
P. F. SHEEDY, Chief Executive Officer.

PI402*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT

Shire of Capel

Town Planning Scheme No. 7—Amendment No. 35

Ref: 853/6/7/7 Pt 35

It is hereby notified for public information, in accordance with section 87 of the Planning and Development Act 2005 that the Minister for Planning and Infrastructure approved the Shire of Capel local planning scheme amendment on 28 August 2007 for the purpose of amending the Scheme Maps by changing the density coding of Lot 125 Kookaburra Way, Capel from ‘Residential Density Code R10/R15’ to a ‘Residential Density Code R20’.

M. T. SCOTT, Shire President.
P. F. SHEEDY, Chief Executive Officer.

PI403*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT

Shire of Harvey

Town Planning Scheme No. 1—Amendment No. 69

Ref: 853/6/12)18 Pt 69

It is hereby notified for public information, in accordance with section 87 of the Planning and Development Act 2005 that the Minister for Planning and Infrastructure approved the Shire of Harvey Local Planning Scheme Amendment on 28 August 2007 for the purpose of—

1. Rezoning Lot 16 Papps Road, Brunswick from the 'General Industry' zone to 'General Industry' and 'Additional Use: Car Sales'.
2. Amending the Scheme Maps accordingly.
3. Inserting Particulars of Land details and Permitted Uses in Schedule 7 of the Scheme—

	Street Locality	Particulars of Land	Only Use Permitted
A9	Papps Road, Brunswick	Lot 16	Car Sales Premises (max of 5 motor vehicles for sale at any one time.)

P. F. MONAGLE, Shire President.

M. A. PARKER, Chief Executive Officer.

POLICE

PO501

POLICE ACT 1892**POLICE AUCTION**

Under the provisions of the *Police Act 1892*, unclaimed and forfeited property and bicycles will be sold by public auction Ross's Sales and Auctions, 241 Railway Parade, Maylands on Wednesday 3 October 2007 at 10.00am.

The auction is to be conducted by Mr Craig Edwards, Mr Kevin Grickage, Mr Ryan Power.

K. O'CALLAGHAN, Commissioner of Police,
Western Australia Police Service.

DECEASED ESTATES

ZX401

TRUSTEES ACT 1962**DECEASED ESTATES****Notice to Creditors and Claimants**

Terence William Anderson, late of 768 Ocean Beach Road, Denmark in the State of Western Australia, Retired Plant Operator, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the estate of Terence William Anderson deceased who died on the 6th day of May 2007 at Denmark, Western Australia are required by the personal representative Paul Bradshaw Anderson of 768 Ocean Beach Road, Denmark, Western Australia to send particulars of their claims to David Moss & Co of PO Box 5744, Albany W.A. 6332 by the 15th day of October 2007 after which date the personal representative may convey or distribute the assets having regard only to the claim for which he has then had notice.

ZX402

TRUSTEES ACT 1962**DECEASED ESTATES****Notice to Creditors and Claimants**

Robert Royce Davies late of Bethel Village, Bethel Way, Albany, Western Australia.

Creditors and other persons having claims (to which Section 63 of the Trustees Act 1962 relates) in respect of the estate of the deceased, who died on 27 May 2007, are required by the trustee of the late Robert Royce Davies of c/- Haynes Robinson Solicitors of PO Box 485, Albany, Western Australia to send particulars of their claims to them within one (1) month from the date of publication of this notice, after which date the trustee may convey or distribute the assets, having regard only to the claims of which it then has notice.

Dated this 14th day of September 2007.

HAYNES ROBINSON.

STATE LAW PUBLISHER

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