



Western Australia

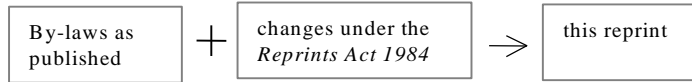
Parks and Reserves Act 1895

# **Parliamentary Reserve By-laws 1972**

**Reprint 1: The by-laws as at 6 August 2004**

## Guide for using this reprint

### *What the reprint includes*



### *Endnotes, Compilation table, and Table of provisions that have not come into operation*

1. Details about the original by-laws are shown in the Compilation table in endnote 1, at the back of the reprint. The table also shows any previous reprint.
2. A table of provisions that have not come into operation, to be found in endnote 1a if it is needed, lists any provisions that would amend the text if they were to come into operation. The table refers to another endnote setting out the text of the amendments in full.

### *Notes amongst text (italicised and within square brackets)*

Editorial notes show if something has been omitted under the *Reprints Act 1984* s. 7(4) (because, although still technically part of the text, it no longer has any effect).

The text of anything omitted can be found in an earlier reprint (if there is one) or the by-laws as published.

### *Reprint numbering and date*

1. The reprint number (in the footer of each page of the document) shows how many times the by-laws have been reprinted. For example, numbering a reprint as “Reprint 3” would mean that the reprint was the 3<sup>rd</sup> reprint since the by-laws were published. Reprint numbering was implemented as from 1 January 2003.
2. The information in the reprint is current on the date shown as the date as at which the by-laws are reprinted. That date is not the date when the reprint was published by the State Law Publisher and it is probably not the date when the most recent amendment had effect.

Reprinted under the  
*Reprints Act 1984* as  
at 6 August 2004

Western Australia

## Parliamentary Reserve By-laws 1972

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Parks and Reserves Act 1895

## Parliamentary Reserve By-laws 1972

### 1. Citation

These by-laws may be cited as the *Parliamentary Reserve By-laws 1972*<sup>1</sup>.

### 2. Interpretation

In these by-laws unless the contrary intention appears —

“**footpath**” means any thoroughfare of a width of less than 14 feet;

“**road**” means any thoroughfare surfaced with bitumen, gravel, concrete, wood, or other hard material, other than a footpath, and includes every part thereof;

“**the Board**” means the Parliamentary Reserve Board constituted under the *Parks and Reserves Act 1895* to control and manage the Reserve;

“**the Reserve**” means the land comprised in Reserve A↑1162;

“**the Traffic Act**” means the *Traffic Act 1919*<sup>2</sup> and includes regulations made thereunder.

**3. Board may close road or footpath**

The Board may close to any traffic, whether vehicular or pedestrian, any road or footpath in the Reserve by notice posted on such road or footpath.

**4. Person to keep to roads**

Except with the prior consent in writing of the Board, no person shall drive or ride upon or over the Reserve other than along a road or parking area.

**5. Destruction of flora**

(1) Except with the prior consent in writing of the Board, no person shall —

- (a) destroy, injure or remove any tree, shrub, plant or flower or cut, burn or remove any dead or fallen wood;
- (b) break up, damage or disfigure the natural surface, any natural feature or any turf;
- (c) destroy, damage or interfere with any improvement, fitting or installation; or
- (d) break up or damage the surface of any road or footpath,

on the Reserve or cause any of those things to be done on the Reserve.

(2) A person shall not deposit or leave any refuse or litter on the Reserve except in a receptacle provided by the Board for that purpose.

**6. Removal of mulch**

Except with the prior consent in writing of the Board, no person shall remove from the Reserve or disturb or move —

- (a) any leaf mould or other decayed or decaying vegetable lying within the Reserve; or

- (b) any article or property which is lying or left within the Reserve and of which he is not —
  - (i) the owner; or
  - (ii) legally entitled to possession.

**7. Misconduct**

No person shall misconduct himself, on the Reserve —

- (a) by singing any obscene song;
- (b) by writing or drawing any indecent or obscene word, figure or representation;
- (c) by using any profane, indecent or obscene language;
- (d) by using or manifesting any threatening, abusive or insulting words or behaviour, whether calculated to lead to a breach of the peace or not;
- (e) by molesting or annoying any other person lawfully on the Reserve;
- (f) by offending against decency in the nature of his apparel,

or behave in such a manner as may reasonably give offence to other persons lawfully on the Reserve.

**8. Camping**

No person shall camp on the Reserve.

**9. Bill posting**

Except with the prior consent in writing of the Board, no person shall post, mark, paint or affix any placard, bill, notice, or sign or document of any kind whatever on or to any tree or other natural feature, or any fence, post, gate, wall, flagging, road, or footpath, on the Reserve.

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**10. Explosive, guns, etc.**

Except with the prior consent in writing of the Board, no person shall —

- (a) fire or discharge any firearm;
- (b) throw, dislodge or discharge any stone or other missile;
- (c) throw or set fire to any fireworks;
- (d) kindle, make, light, or maintain any fire other than in a part set aside for that purpose by the Board; or
- (e) use any explosive substance of any kind whatever,

on the Reserve.

**11. Hawking**

- (1) Except with the prior consent in writing of the Board, no person shall sell or expose for sale or distribute for the purpose of promoting a sale any goods, wares, merchandise, or things, or solicit or gather money on the Reserve or place on the Reserve any chair, seat, or other thing of any kind whatever, for hire.
- (2) Except with the prior consent in writing of the Board, no person shall, within the Reserve, distribute, sell, carry for sale or distribution, or expose for sale or distribution any printed or written matter.

**12. Public meetings**

Except with the prior consent in writing of the Board, no person shall within the Reserve, organise, hold, advertise or take part in any fete, picnic or concert, or engage in public worship, in preaching or in public speaking of any kind whatever or hold or take part in any public meeting or collect money for any purpose.

**13. Tents, sheds, booths, etc.**

- (1) Except with the prior consent in writing of the Board, no person shall erect, place, or maintain any booth, tent, shed, stand, wall,



post, rail, fence, swing, chair, or seat or other erection or obstruction of any kind whatever on the Reserve, or make or maintain any enclosure of any part thereof.

- (2) No person shall remain in or about any booth, tent, shed, stand, wall, post, rail, fence, swing, chair, or seat or other erection or obstruction that is erected, placed, or maintained, or in or about any enclosure that is made or maintained, contrary to the provisions of sub-by-law (1), after being requested to leave it by the Secretary of the Board or any police constable or special constable.

**14. Toilets**

No person shall improvise any sanitary convenience or ablution on the Reserve or use or maintain thereon any sanitary convenience or ablution other than such as has been established by the Board.

**15. Vehicles**

- (1) Every person driving, riding, or in charge of any carriage, motor car, motor cycle, bicycle, tricycle, or other vehicle shall, while in the Reserve, observe and conform in all respect with the provisions of the Traffic Act.
- (2) A person shall not drive a vehicle on a road in the Reserve at a speed in excess of 25 miles per hour.
- (3) In this by-law the word, “**vehicle**”, has the same meaning as it has in, and for the purposes of, the Traffic Act.

**16. Parking**

- (1) A person in charge of a motor vehicle or any other class of vehicle shall not park that vehicle, or cause or permit it to be parked, within the Reserve —
  - (a) in any place that is off a carriageway, unless he is a visitor accredited by the Board and the place is within an

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area set apart by the Board for the parking of vehicles by visitors so accredited;

- (b) in any place that is on a carriageway, if the parking of vehicles in that place is prohibited by the Board;
- (c) in any place for any period in excess of the time during which a vehicle is permitted by the Board to be parked in that place.

(2) In and for the purposes of this by-law —

**“carriageway”** means all that portion of a road improved, designed and ordinarily used for vehicular traffic; and includes the shoulders and areas in the road used for the parking of vehicles.

**17. Driving on footpaths**

No person shall park, drive, ride, or impel any carriage, motor vehicle, motor cycle, bicycle, tricycle, or other vehicle, or ride or drive any animal along or over any footpath in the Reserve.

**18. Animals**

Except with the prior consent in writing of the Board, no person shall ride, drive or lead any animal on the Reserve.

**19. Offensive noise**

No person shall, by the use of any wireless, mechanical or other instrument or thing, make or cause to be made any offensive noise in the Reserve.

**20. Removal of persons**

The Secretary of the Board or any police constable or special constable may remove from the Reserve any person who contravenes or fails to comply with any of the provisions of these by-laws.

**21. Board may remove certain vehicles, animals etc.**

The Board may remove or cause to be removed from the Reserve —

- (a) anything that is on, or is placed, erected, used, or maintained on, the Reserve;
- (b) a vehicle of any kind whatever that is on, or is parked, driven, ridden, or impelled, on the Reserve; or
- (c) any animal that is on, or is ridden, driven, or lead on, the Reserve,

contrary to any of the provisions of these by-laws.

**22. Interference with Board member, etc.**

No person shall, on the Reserve, obstruct or interfere with any member of the Board, the Secretary of the Board or any police constable or special constable, or refuse to give, upon request, his name and address to any member of the Board, the Secretary of the Board, or any such constable.

**23. Proceedings**

The Secretary of the Board may institute proceedings with respect to an offence against these by-laws.

**24. Penalty**

Any person who contravenes or fails to comply with any of the provisions of these by-laws is guilty of an offence and is liable to a penalty of \$150.



### **Notes**

- <sup>1</sup> This is a reprint as at 6 August 2004 of the *Parliamentary Reserve By-laws 1972*. The following table contains information about those by-laws and any reprint.

#### **Compilation table**

<b>Citation</b>	<b>Gazettal</b>	<b>Commencement</b>
<i>Parliamentary Reserve By-laws 1972</i>	28 Jul 1972 p. 2827-9	28 Jul 1972
<b>Reprint 1: The <i>Parliamentary Reserve By-laws 1972</i> as at 6 Aug 2004</b>		

- <sup>2</sup> Repealed by the *Road Traffic Act 1974*.