

CE307*

Co-operative and Provident Societies Act 1903
Criminal Procedure Act 2004

Co-operative and Provident Societies Amendment Regulations 2006

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Co-operative and Provident Societies Amendment Regulations 2006*.

2. Commencement

These regulations come into operation on the later of —

- (a) the day on which they are published in the *Gazette*; and
- (b) the day on which the *Criminal Procedure Amendment Regulations (No. 2) 2006* come into operation.

3. The regulations amended

The amendments in these regulations are to the *Co-operative and Provident Societies Regulations 1904**.

[* Reprinted as at 2 December 2005.]

4. Regulation 46 inserted

After regulation 45 the following regulation is inserted —

“

46. Infringement notices

- (1) The offences specified in Schedule 2 are offences for which an infringement notice may be issued under Part 2 of the *Criminal Procedure Act 2004*.
- (2) The modified penalty specified opposite an offence in Schedule 2 is the modified penalty for that offence for the purposes of section 5(3) of the *Criminal Procedure Act 2004*.
- (3) The Commissioner may, in writing, appoint persons or classes of persons to be authorised officers or approved officers for the purposes of Part 2 of the *Criminal Procedure Act 2004*.
- (4) The Commissioner is to issue to each authorised officer a certificate, badge or identity card identifying the officer as a person authorised to issue infringement notices.
- (5) For the purposes of the *Criminal Procedure Act 2004* —
 - (a) an infringement notice is to be in Form 45 annexed hereto; and
 - (b) a withdrawal of infringement notice is to be in Form 46 annexed hereto.
- (6) In this regulation —

“**Commissioner**” has the same meaning as it has in the *Consumer Affairs Act 1971*.

”.

5. Schedule 1 amended

Schedule 1 is amended after Form 44 by inserting the following forms —

“

FORM 45

[Reg. 46(5)]

<i>Co-operative and Provident Societies Act 1903</i>		Infringement notice no.
Infringement notice		
Alleged offender	Name: Family name	
	Given names	
	or Company name _____	
	ACN _____	
Address _____		Postcode _____

Alleged offence	Description of offence _____
	<i>Co-operative and Provident Societies Act 1903 s.</i> <i>Co-operative and Provident Societies Regulations 1904 r.</i>
	Date / /20 Time a.m./p.m.
	Modified penalty \$
Officer issuing notice	Name
	Signature
	Office
Date	Date of notice / /20
Notice to alleged offender	It is alleged that you have committed the above offence. If you do not want to be prosecuted in court for the offence, pay the modified penalty within 28 days after the date of this notice. How to pay By post: Send a cheque or money order (payable to 'Approved Officer — <i>Co-operative and Provident Societies Act 1903</i> ') to: Approved Officer — <i>Co-operative and Provident Societies Act 1903</i> Department of Consumer and Employment Protection Locked Bag 14 Cloisters Square Perth WA 6850 In person: Pay the cashier at: Department of Consumer and Employment Protection 219 St George's Terrace, Perth WA
	If you do not pay the modified penalty within 28 days, you may be prosecuted or enforcement action may be taken under the <i>Fines, Penalties and Infringement Notices Enforcement Act 1994</i> . Under that Act your driver's licence and/or vehicle licence may be suspended. If you need more time to pay the modified penalty, you can apply for an extension of time by writing to the Approved Officer at the above postal address. If you want this matter to be dealt with by prosecution in court , sign here _____ and post this notice to the Approved Officer at the above postal address within 28 days after the date of this notice.

FORM 46

[Reg. 46(6)]

<i>Co-operative and Provident Societies Act 1903</i>		Withdrawal no.
Withdrawal of infringement notice		
Alleged offender	Name: Family name	
	Given names	
	or Company name _____	ACN
	Address _____	
Infringement notice	Infringement notice no.	
	Date of issue / /20	
Alleged offence	Description of offence _____	
	<i>Co-operative and Provident Societies Act 1903 s.</i> <i>Co-operative and Provident Societies Regulations 1904 r.</i>	
	Date / /20 Time a.m./p.m.	
	Modified penalty \$	
Officer withdrawing notice	Name	
	Signature	
	Office	
Date	Date of withdrawal / /20	

<p>Withdrawal of infringement notice</p> <p><i>[*delete whichever is not applicable]</i></p>	<p>The above infringement notice issued against you has been withdrawn.</p> <p>If you have already paid the modified penalty for the alleged offence you are entitled to a refund.</p> <p>* Your refund is enclosed.</p> <p>or</p>
	<p>* If you have paid the modified penalty but a refund is not enclosed, to claim your refund sign this notice and post it to:</p> <p style="padding-left: 40px;">Approved Officer — <i>Co-operative and Provident Societies Act 1903</i></p> <p style="padding-left: 40px;">Department of Consumer and Employment Protection</p> <p style="padding-left: 40px;">Locked Bag 14 Cloisters Square</p> <p style="padding-left: 40px;">Perth WA 6850</p> <p>Signature _____ / _____ /20</p>

6. Schedule 2 inserted

After Schedule 1 the following Schedule is inserted —

Schedule 2 — Prescribed offences and modified penalties

[r. 46]

Offences under <i>Co-operative and Provident Societies Act 1903</i>		Modified penalty
s. 53	Using business document not showing registered name	\$20
Offences under <i>Co-operative and Provident Societies Regulations 1904</i>		Modified penalty
r. 15, 44	Failing to lodge annual return	\$8

By Command of the Governor,

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