

FISHERIES**FI301****FISHERIES ADJUSTMENT SCHEMES ACT 1987
FISHERIES ADJUSTMENT SCHEMES AMENDMENT
REGULATIONS 1995**

Made by the Lieutenant-Governor and deputy of the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Fisheries Adjustment Schemes Amendment Regulations 1995*.

Commencement

2. These regulations come into operation on the day the *Fisheries Adjustment Schemes Amendment Act 1994* comes into operation.

Principal regulations

3. In these regulations the *Fisheries Adjustment Schemes Regulations 1988** are referred to as the principal regulations.

[* *Published in Gazette of 17 June 1988 at p. 1953.*
For amendments to 2 August 1995 see 1994 Index to Legislation of Western Australia, Table 4, p. 92.]

Regulations 8, 9 and 10 and Schedule 1 added

4. After regulation 7 of the principal regulations the following regulations and Schedule are added —

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Applications to Tribunal

8. (1) An application made to the Tribunal for —

- (a) a determination under section 14J of the Act; or
- (b) a review under section 14L of the Act,

shall be in a form approved for that purpose by the Executive Director.

(2) An application referred to in subregulation (1) shall be sent to the Executive Director at the head office of the Department in Perth accompanied by —

- (a) a copy of the notice published in the *Gazette* under section 14B (1) of the Act by which the relevant scheme was established;
- (b) a copy of any representations made by the affected person to the Minister under section 14D (3) of the Act concerning the relevant scheme;
- (c) a copy of the notification given by the Minister to the affected person under section 14F (1) of the Act;
- (d) if the application is for —
 - (i) a determination under section 14J of the Act, a copy of the application by the affected person to the Minister under section 14H (1) of the Act; or
 - (ii) a review under section 14L of the Act, a copy of the notification given by the Minister to the affected person under section 14K (2) of the Act;
- (e) any other information that, having regard to the assessment under section 14G of the Act of the value of an authorization that is to be cancelled or part of an entitlement that is to be reduced, the applicant considers relevant to the determination or the review of the amount of compensation payable to the affected person; and
- (f) if the applicant is the affected person, a fee of \$300.

(3) In this regulation —

“Department” means the department of the Public Service principally assisting the Minister in the administration of the Act;

“relevant scheme” means the compulsory fisheries adjustment scheme under which an affected person's authorization is to be cancelled or entitlement is to be reduced.

Summons issued by Tribunal under section 14X

9. (1) A summons issued by the Tribunal under section 14X of the Act shall be in the form of Form 1 in Schedule 1.

(2) A summons shall be served on a person —

- (a) by delivering the summons to the person; or

- (b) by leaving the summons at the person's usual or last known place of abode with a person who is, or appears to the person serving the summons to be, over the age of 16 years.

(3) A summons remains in force from the date of issue until the conclusion of the hearing at which the attendance of the person served with the summons is required or until the person is excused by the Tribunal.

Documents signed by the Tribunal

10. A document bearing the signature of --

- (a) each member of the Tribunal; or
- (b) a person authorized in writing by each member of the Tribunal to sign documents on behalf of the Tribunal,

shall be taken to be signed by the Tribunal.

SCHEDULE 1

[Regulation 9]

FORM 1

Fisheries Adjustment Schemes Act 1987
(Section 14X)

SUMMONS TO ATTEND OR PRODUCE DOCUMENTS

No. of summons:

To:

Postcode

A hearing is being held by the Tribunal under section 14S of the Act.

The hearing is about:	
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What you must do:

You must: Attend before the Tribunal: <input type="checkbox"/> Produce the following documents before the Tribunal: <input type="checkbox"/>	
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Information about the hearing:

Where you must go:				
When:	Time	Date	Month	Year
and then from day to day until the end of the hearing or until excused by the Tribunal.				

Information about this summons:

Issued at:	Date:
by:	
Signature:	
Telephone contact:	

If you do not attend:

It is an offence not to comply with this summons unless you have a reasonable excuse.

The maximum penalty to which you may be liable is \$2 000.

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By Command of the Lieutenant-Governor and deputy of the Governor,

J. PRITCHARD, Clerk of the Council.
