

Western Australia

Regional Development Commissions Regulations 1994

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NOTES

Western Australia

INTERPRETATION ACT 1984

REGIONAL DEVELOPMENT COMMISSIONS ACT 1993

Regional Development Commissions Regulations 1994

Made by His Excellency the Governor in Executive Council under section 25 (1) of the *Interpretation Act 1984* and section 15 (1) and 16 of the *Regional Development Commissions Act 1993*.

1. Citation

These regulations may be cited as the *Regional Development Commissions Regulations 1994*.

2. Appointed members of Boards

For the purposes of section 15 (1) (b) of the Act, the board of management of a commission is to have 9 appointed members of whom —

- (a) 3 are to be persons who are resident in the commission's region and nominated in accordance with regulation 11;
- (b) 3 are nominated by local governments in that region in accordance with regulation 12; and
- (c) 3 are to be appointed at the Minister's discretion.

[Regulation 2 inserted in Gazette 29 April 1997 p.2140.]

[3-10. *Repealed in Gazette 29 April 1997 p.2140.]*

11. Board members resident in the region — method of nomination (section 16)

- (1) The members referred to in regulation 2 (a) must be nominated in the following manner —
- (a) nominations will be sought from —
 - (i) the community, by way of advertisements placed in newspapers circulating in the appropriate region; and
 - (ii) a wide range of community organisations, including employer and employee groups, education and training institutions, tourism and recreation bodies and other sections of the community, by way of direct correspondence with those organisations;
 - (b) the period for nominations will be noted on the advertisement or correspondence, being a period of not less than 42 days from the day on which the advertisement is published or the correspondence is sent (as the case may be).
- (2) Where nominations are sought for a particular region in accordance with subregulation (1) and —
- (i) names have not been provided by the community and the community organisations in that region; or
 - (ii) sufficient nominations are not received by the Minister,
- within the nomination period, the Minister may (after the expiry of the nomination period) nominate for appointment to the Board as members such persons as he or she thinks fit, in sufficient numbers to fill the remaining places available, and those persons are appointed as if they were nominated in accordance with subregulation (1).

[Regulation 11 amended in Gazette 29 April 1997 p.2140.]

**12. Members nominated by local government authorities —
method of nomination (section 16)**

- (1) The members referred to in regulation 2 (b) must be nominated in the following manner —
 - (a) nominations will be sought from local governments in the appropriate region by way of direct correspondence with those local governments;
 - (b) the local governments will be requested to provide the names of twice as many persons who are willing and able to be candidates for appointment as there are places available to local government nominees on the Board in that region;
 - (c) the period for nominations will be noted on the correspondence, being a period of not less than 42 days from the day on which the correspondence is sent.
- (2) Where local governments have been requested to provide the names of twice as many persons who are willing and able to be candidates for appointment as there are places available to local government nominees on the Board in that region and —
 - (i) a list of names has not been provided by any of the local governments in that region; or
 - (ii) sufficient nominations are not received by the Minister,within the nomination period, the Minister may (after the expiry of the nomination period) nominate for appointment to the Board as members such persons as he or she thinks fit, in sufficient numbers to fill the remaining places available, and those persons are appointed as if they were nominated in accordance with subregulation (1).

[Regulation 12 amended in Gazette 29 April 1997 pp.2140-1.]

Notes

- ¹. This is a compilation of the *Regional Development Commissions Regulations 1994* and includes the amendments referred to in the following Table.

Compilation table

Citation	Gazettal	Commencement
<i>Regional Development Commissions Regulations 1994</i>	1 Mar 1994 p. 779-82	1 Mar 1994
<i>Regional Development Commissions Amendment Regulations 1997</i> ²	29 Apr 1997 p. 2140-1	29 Apr 1997

- ² Regulation 3 (2) of the *Regional Development Commissions Amendment Regulations 1997* reads as follows —

“

- (2) From the commencement of these regulations until the 1 July 1997, the board of management of the Gascoyne Development Commission, the Great Southern Development Commission or the South West Development Commission is not to be taken to be improperly constituted due to the fact that it does not comply with regulation 2 of the principal regulations if it complies with regulation 2, 4 or 9 (whichever is relevant) of the principal regulations as in force before the commencement of these regulations.

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