Western Australia

Biosecurity and Agriculture Management Act 2007

Biosecurity and Agriculture Management (Declared Pest Account) Regulations 2014

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Western Australia

Biosecurity and Agriculture Management Act 2007

Biosecurity and Agriculture Management (Declared Pest Account) Regulations 2014

##### 1. Citation

These regulations are the *Biosecurity and Agriculture Management (Declared Pest Account) Regulations 2014*.

##### 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. Prescribed areas

The local government districts specified in the Table are prescribed as areas for the purposes of section 130(1) of the Act.

Table

|  |  |
| --- | --- |
| Ashburton | Boyup Brook |
| Bridgetown‑Greenbushes | Broome |
| Bunbury | Capel |
| Carnarvon | Chapman Valley |
| Coolgardie | Cue |
| Dalwallinu | Dardanup |
| Derby‑West Kimberley | Donnybrook‑Balingup |
| Dundas | East Pilbara |
| Esperance | Exmouth |
| Greater Geraldton | Halls Creek |
| Harvey | Kalgoorlie‑Boulder |
| Karratha | Kondinin |
| Koorda | Kulin |
| Lake Grace | Laverton |
| Leonora | Mandurah |
| Meekatharra | Menzies |
| Merredin | Morawa |
| Mount Magnet | Mount Marshall |
| Mukinbudin | Murchison |
| Murray | Nannup |
| Narembeen | Ngaanyatjarraku |
| Northampton | Nungarin |
| Perenjori | Port Hedland |
| Ravensthorpe | Sandstone |
| Serpentine‑Jarrahdale | Shark Bay |
| Trayning | Upper Gascoyne |
| Waroona | West Arthur |
| Westonia | Wiluna |
| Wyndham‑East Kimberley | Yalgoo |
| Yilgarn |  |

[Regulation 3 amended: Gazette 3 May 2016 p. 1355‑6; 18 Aug 2017 p. 4445‑6; 15 May 2018 p. 1528‑9.]

##### 4. Consultation requirement

(1) In this regulation —

affected land, in relation to a proposal to determine a rate under section 130 of the Act, means the land or the class of land in respect of which it is proposed to determine the rate;

relevant newspaper, in relation to a proposal to determine a rate under section 130 of the Act, means a newspaper circulating generally in the area in which the affected land is situated.

(2) Not less than one month before determining a rate chargeable on land under section 130 of the Act, the Minister must —

(a) publish a notice in a relevant newspaper —

(i) identifying the affected land; and

(ii) stating the rate that the Minister proposes to determine; and

(iii) inviting submissions from interested persons regarding the proposed determination;

and

(b) in so far as is reasonably practicable, give a copy of the notice to each owner of affected land if —

(i) the Minister has not made a determination in relation to the rate chargeable on the affected land for the previous financial year; or

(ii) the rate the Minister proposes to determine is an increase of 5% or more on the rate determined in respect of the affected land in the previous financial year.

[Regulation 4 amended: Gazette 17 May 2019 p. 1433.]

##### 4A. Prescribed amount for flat rate

For the purposes of section 132(2) of the Act, the amount is $3 781.

[Regulation 4A inserted: Gazette 3 Feb 2017 p. 1110.]

##### 5. *Biosecurity and Agriculture Management (Declared Pest Account Rate Consultation) Regulations 2011* repealed

The *Biosecurity and Agriculture Management (Declared Pest Account Rate Consultation) Regulations 2011* are repealed.



Notes

1 This is a compilation of the *Biosecurity and Agriculture Management (Declared Pest Account) Regulations 2014* and includes the amendments made by the other written laws referred to in the following table.

Compilation table

| **Citation** | **Gazettal** | **Commencement** |
| --- | --- | --- |
| *Biosecurity and Agriculture Management (Declared Pest Account) Regulations 2014* | 30 May 2014 p. 1680‑2 | r. 1 and 2: 30 May 2014 (see r. 2(a)); Regulations other than r. 1 and 2: 31 May 2014 (see r. 2(b)) |
| *Biosecurity and Agriculture Management (Declared Pest Account) Amendment Regulations 2016* | 3 May 2016 p. 1355‑6 | r. 1 and 2: 3 May 2016 (see r. 2(a)); Regulations other than r. 1 and 2: 4 May 2016 (see r. 2(b)) |
| *Biosecurity and Agriculture Management (Declared Pest Account) Amendment Regulations 2017* | 3 Feb 2017 p. 1109‑10 | r. 1 and 2: 3 Feb 2017 (see r. 2(a)); Regulations other than r. 1 and 2: 4 Feb 2017 (see r. 2(b)) |
| *Biosecurity and Agriculture Management (Declared Pest Account) Amendment Regulations (No. 2) 2017* | 18 Aug 2017 p. 4445‑6 | r. 1 and 2: 18 Aug 2017 (see r. 2(a)); Regulations other than r. 1 and 2: 19 Aug 2017 (see r. 2(b)) |
| *Biosecurity and Agriculture Management (Declared Pest Account) Amendment Regulations 2018* | 15 May 2018 p. 1528‑9 | r. 1 and 2: 15 May 2018 (see r. 2(a)); Regulations other than r. 1 and 2: 16 May 2018 (see r. 2(b)) |
| *Biosecurity and Agriculture Management (Declared Pest Account) Amendment Regulations 2019* | 17 May 2019 p. 1433 | r. 1 and 2: 17 May 2019 (see r. 2(a)); Regulations other than r. 1 and 2: 18 May 2019 (see r. 2(b)) |

Defined terms

*[This is a list of terms defined and the provisions where they are defined. The list is not part of the law.]*

**Defined term Provision(s)**

affected land 4(1)

relevant newspaper 4(1)