



Western Australia

Auction Sales Act 1973

## **Auction Sales Regulations 1974**



## Auction Sales Regulations 1974

### Contents

1.	Citation	1
1A.	Term used: designated period	1
2.	Forms	1
3.	Applications	1
3A.	Refund of fees in response to COVID-19 pandemic	4
4.	Renewals	5
5.	Application for transfer of licence	5
8.	Police inquiries	6
8A.	Prescribed period for general or restricted licence	6
8B.	Prescribed period for renewed general or restricted licence	6
8C.	Refund of prescribed fee if licence surrendered	7
9.	Stock register	7
10.	Waybills	8
11.	Misrepresentation	9

### Schedule

### Notes

Compilation table	28
Uncommenced provisions table	29
Other notes	30

### Defined terms



## Auction Sales Regulations 1974

### 1. Citation

- (1) These regulations may be cited as the *Auction Sales Regulations 1974*.
- (2) In these regulations the *Auction Sales Act 1973* is referred to as the *Act*.

*[Regulation 1 amended: Gazette 29 Aug 1986 p. 3205.]*

### 1A. Term used: designated period

In these regulations —

*designated period* means the period —

- (a) beginning on the day on which the *Commerce Regulations Amendment (COVID-19 Response) Regulations (No. 2) 2020* regulation 7 comes into operation; and
- (b) ending on 31 March 2021.

*[Regulation 1A inserted: SL 2020/196 r. 6.]*

### 2. Forms

The forms prescribed for the purposes of the Act are set out in the Schedule.

### 3. Applications

- (1) An application set out in Column 1 of the Table to subregulation (1A) must be made using the form set out opposite the application in Column 2.

**r. 3**

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(1A) The fee payable for an application set out in Column 1 of the Table is —

- (a) during the designated period — the fee set out opposite the application in Column 3; or
- (b) after the designated period — the fee set out opposite the application in Column 4.

**Table**

<b>Item</b>	<b>Column 1 Application</b>	<b>Column 2 Form</b>	<b>Column 3 Fee during designated period \$</b>	<b>Column 4 Fee after designated period \$</b>
1.	General licence	Form 1	395.00	592.00
2.	Restricted licence	Form 2	395.00	592.00
3.	Occasional licence	Form 3	—	69.50 per licence
4.	Interim licence	Form 4	—	16.00 per month or part of a month
5.	Provisional licence	Form 5	—	16.00 per month or part of a month

<b>Item</b>	<b>Column 1 Application</b>	<b>Column 2 Form</b>	<b>Column 3 Fee during designated period \$</b>	<b>Column 4 Fee after designated period \$</b>
6.	Duplicate licence	Form 6	–	1.70
7.	Transfer of licence	Form 7	–	55.50

- (2) Copies of the application forms required may be obtained, free of charge, from the registrar of the Magistrates Court<sup>1,2</sup>.
- (3) A licence set out in Column 1 of the Table must be in the form set out opposite the licence in Column 2.

Table

<b>Item</b>	<b>Column 1 Licence</b>	<b>Column 2 Form</b>
1.	General licence	Form 8
2.	Restricted licence	Form 9
3.	Occasional licence	Form 10
4.	Interim licence	Form 11
5.	Provisional licence	Form 12

- (4) The form of transfer of a licence shall be in Form 13 and shall be endorsed on the original licence to which it relates.

*[Regulation 3 amended: Gazette 28 Oct 1983 p. 4372; 29 Aug 1986 p. 3205; 5 Aug 1988 p. 2629; 30 Jun 1989 p. 1976; 1 Aug 1990 p. 3658; 13 Dec 1991 p. 6156; 14 Aug 1992 p. 4016-7; 27 Jun 2013 p. 2662; 17 Jun 2014 p. 1956; 23 Jun 2015 p. 2161; 3 Jun 2016 p. 1751; 23 Jun 2017 p. 3221; 27 Jun 2017 p. 3408-9; 25 Jun 2018 p. 2329; 18 Jun 2019 p. 2083; SL 2020/196 r. 7.]*

**3A. Refund of fees in response to COVID-19 pandemic**

- (1) In this regulation —

***commencement day*** means the day on which the *Commerce Regulations Amendment (COVID-19 Response) Regulations (No. 2) 2020* regulation 7 comes into operation;

***designated fee*** means a fee —

- (a) specified in regulation 3(1) as in force on 1 April 2020; or
- (b) for renewal of a licence under regulation 4 as in force on 1 April 2020;

***reduced fee*** means a fee —

- (a) set out in Column 3 of the Table to regulation 3(1A); or
- (b) that would be payable for renewal of a licence under regulation 4 during the designated period.

- (2) This regulation applies if —

- (a) a person paid a designated fee during the period beginning on 1 April 2020 and ending on the day before commencement day; and
- (b) the designated fee is greater than the corresponding reduced fee.

- (3) The registrar of the Magistrates Court must refund to the person an amount equal to the difference between the designated fee and the corresponding reduced fee.



- (4) However, subregulation (3) does not require the registrar of the Magistrates Court to refund an amount in respect of a fee or a part of a fee that has been refunded under regulation 8C.

*[Regulation 3A inserted: SL 2020/196 r. 8.]*

#### **4. Renewals**

- (1A) In addition to the fee payable under subregulation (1) on the renewal of a licence, the fee payable for an application for the renewal made after, but within 3 months of, the date on which the licence expires is 25% of the appropriate licence fee.
- (1) The fee payable on the renewal of a licence shall, subject to apportionment in respect of periods of less than 12 months, be the fee payable on application for that kind of licence as set out in the Table to regulation 3(1A).
- (2) A licence shall not be renewable as of right.
- (3) An application for the renewal of a licence shall be made in the same manner as an application for the grant of a licence, save that the applicant is not required to lodge character testimonials.

*[Regulation 4 amended: Gazette 6 Oct 1978 p. 3634; 27 Jun 2017 p. 3409; SL 2020/196 r. 9.]*

#### **5. Application for transfer of licence**

*[(1) deleted]*

- (2) Where the application is for the transfer of a licence the application shall be made in Form 7 by the proposed transferee and shall be endorsed with the consent of the proposed transferor and on behalf of the firm or corporation (if any) named in the original licence as that for the benefit of which the licence is to be used.

*[Regulation 5 amended: Gazette 27 Jun 2017 p. 3409.]*

*[6, 7. Deleted: Gazette 27 Jun 2017 p. 3409.]*

**8. Police inquiries**

On receipt of a copy of the application for the grant, renewal or transfer of a licence from the registrar of the Magistrates Court<sup>1,2</sup>, the senior police officer stationed within the police district shall —

- (a) inquire as to the character and suitability of the applicant; and
- (b) inquire as to the fitness and repute of the persons responsible for the management of that firm or corporation where the licence is sought for the benefit of a firm or corporation; and
- (c) inquire as to the circumstances and the likelihood of the occasion occurring, where an occasional licence is sought; and
- (d) inquire as to the genuineness of the incapacity by a medical certificate or other evidence, where an interim licence is sought; and
- (e) report in writing to the court the result of his inquiries.

**8A. Prescribed period for general or restricted licence**

For the purposes of section 19(2A)(b) of the Act, the prescribed period for a general or restricted licence is 3 years.

*[Regulation 8A inserted: Gazette 27 Jun 2017 p. 3409.]*

**8B. Prescribed period for renewed general or restricted licence**

- (1) In this regulation —  
*transition period* means the period commencing on the day on which the *Licensing Provisions Amendment Act 2016* section 8 comes into operation and ending 12 months after that day.
- (2) For the purposes of section 19(2B) of the Act, the prescribed period for a general or restricted licence that is renewed is 3 years.

- (3) However, if an application for renewal of a general licence or a restricted licence is made during the transition period, the prescribed period for the renewed licence is as follows —
- (a) for a licence that expires between 1 January and 30 April — a period of 3 years;
  - (b) for a licence that expires between 1 May and 31 August — a period of 2 years;
  - (c) for a licence that expires between 1 September and 31 December — a period of 1 year.

*[Regulation 8B inserted: Gazette 27 Jun 2017 p. 3409-10.]*

#### **8C. Refund of prescribed fee if licence surrendered**

- (1) In this regulation —
- surrendered licence* means a general licence or a restricted licence that is surrendered under section 21(1) of the Act.
- (2) The registrar of the Magistrates Court must, on application by a person who was the holder of a surrendered licensee, refund to the person an amount of the prescribed fee paid for the licence that, in the registrar's opinion, relates to the period between the day the licence is surrendered and the day the licence would have expired.

*[Regulation 8C inserted: Gazette 27 Jun 2017 p. 3410.]*

#### **9. Stock register**

- (1) The register to be kept for the purposes of section 30 of the Act shall be in Form 15.
- (2) On the same day as a sale of stock is conducted, the auctioneer shall cause to be entered in the register the following particulars as a separate entry for each lot of animals offered for sale —
- (a) the number of the pen where the animals were held when auctioned; and
  - (b) the name and address or identifying code of the vendor of the animals so auctioned; and

- (c) the quantity of animals auctioned in that lot; and
  - (d) a description of the breed and type of animal auctioned; and
  - (e) the identifier applied to the animals under the *Biosecurity and Agriculture Management (Identification and Movement of Stock and Apiaries) Regulations 2013*; and
  - (f) if sold by auction, the price per head of each animal when knocked down to the purchaser, and the name and address or identifying code of the purchaser of the animal; and
  - (g) if passed in or sold by private treaty, a description of the means of disposal and the name and address of any purchaser.
- (3) The auctioneer conducting the sale shall append his signature in the place provided, signifying that the particulars contained in that sheet are, to the best of his knowledge, accurate particulars of all stock offered for sale by him.
- (4) Where any alteration to particulars entered on the register appears, the auctioneer shall initial each alteration as being correct.

*[Regulation 9 amended: Gazette 5 Feb 2013 p. 833.]*

**10. Waybills**

A person who sells by auction or submits for sale by auction any stock, in relation to which a waybill issued under the *Biosecurity and Agriculture Management (Identification and Movement of Stock and Apiaries) Regulations 2013* is not furnished, commits an offence.

*[Regulation 10 amended: Gazette 5 Feb 2013 p. 833.]*

**11. Misrepresentation**

A person who wilfully makes any representation or statement which is false or misleading in a material particular in relation to any application, objection, register or other matter or proceeding under the Act or these regulations commits an offence and is liable to the penalties provided by section 35 of the Act.

**Schedule**

Form 1

WESTERN AUSTRALIA

*Auction Sales Act 1973*

**APPLICATION FOR A GENERAL LICENCE**

To the Magistrate<sup>3</sup> at .....  
I, .....  
now residing at .....  
and carrying on business at .....  
and having attained the age of 18 years, do hereby apply for the \* renewal/grant of a  
general licence to act as and carry on the business of, an auctioneer throughout the State  
in relation to all classes of business to which the *Auction Sales Act 1973* applies \* (for  
the benefit of .....  
.....  
of .....  
a \* firm/corporation of which I am an \* employee/partner/Director, which consents to  
this application).

Dated the ..... day of ....., 20.....

.....  
Signature of Applicant.

\* Strike out whichever not required.

† .....  
Consents to this Application.

.....  
Authorised person for  
firm or corporation.

† Insert name of firm or corporation.

The application will be heard before the .....  
Court at ..... on the ..... day of ....., 20.....,  
at ..... o'clock in the ..... noon.

.....  
Registrar of the Magistrates Court<sup>1</sup>.

A person wishing to object to this application should lodge with the registrar<sup>1</sup> of the  
above Court and serve on the applicant or his authorised representative, at least 7 days  
before the date appointed for the hearing, a notice stating the grounds of the objection.

Form 2  
WESTERN AUSTRALIA  
*Auction Sales Act 1973*

**APPLICATION FOR A RESTRICTED LICENCE**

To the Magistrate<sup>3</sup> at .....  
I, .....  
now residing at .....  
and carrying on business at .....  
and having attained the age of 18 years, do hereby apply for the \* grant/renewal of a  
restricted licence to act as and carry on the business of, an auctioneer in (1) .....  
.....  
in relation to the sale of (2) .....  
and during the times stated herein, (3) .....  
\* (for the benefit of .....  
of .....  
a \* firm/corporation of which I am an \* employee/partner/Director and which consents  
to this application).

Dated the ..... day of ....., 20 .....

.....  
Signature of Applicant.

- (1) Describe Police Dist.
- (2) Describe Class of Business.
- (3) Describe Time Periods.

\* Strike out whichever not required.

† .....  
Consents to this Application.

.....  
Authorised person for  
firm or corporation.

† Insert name of firm or corporation.

The application will be heard before the .....  
Court at ..... on the ..... day  
of ....., 20....., at ..... o'clock in the  
..... noon.

.....  
Registrar of the Magistrates Court<sup>1</sup>.

A person wishing to object to this application should lodge with the registrar<sup>1</sup> of the  
above Court and serve on the applicant or his authorised representative, at least 7 days  
before the date appointed for the hearing, a notice stating the grounds of the objection.

**Form 3**

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Form 3  
WESTERN AUSTRALIA  
*Auction Sales Act 1973*

**APPLICATION FOR AN OCCASIONAL LICENCE**

To the Magistrate<sup>3</sup> at .....  
I, .....  
now residing at .....  
and carrying on business at .....  
and having attained the age of 18 years, do hereby apply for the grant of an occasional  
licence in accordance with section 13 of the *Auction Sales Act 1973* to act as an  
auctioneer \* (for the benefit of .....  
.....  
of .....  
a \* firm/corporation of which I am an \* employee/partner/Director and which consents  
to this application) from (1) ..... to .....  
at (2) ..... in the ..... Police  
District in relation to the sale of (3) .....  
on the occasion and in the circumstances following (4) .....  
.....  
\* I am/am not the holder of a (5) ..... licence under the *Auction Sales  
Act 1973* in relation to the sale of (3) .....  
\* (granted to be used for the benefit of .....  
..... of .....  
which \* have/have not consented to the making of this application).

Dated the ..... day of ....., 20.....  
.....  
Signature of Applicant.

- \* Strike out whichever not required.
- (1) Insert period of licence.
  - (2) Describe place of sale.
  - (3) Describe class of business.
  - (4) Describe reasons for application.
  - (5) Describe kind of licence.

† .....  
Consents to this Application.

.....  
Authorised person for  
firm or corporation.

† Insert name of firm or corporation.

---



The application will be heard before the .....  
Court at .....on the .....day  
of....., 20....., at ..... o'clock in the  
..... noon.

.....  
Registrar of the Magistrates Court <sup>1</sup>.

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A person wishing to object to this application should lodge with the registrar <sup>1</sup> of the  
above Court and serve on the applicant or his authorised representative, at least 7 days  
before the date appointed for the hearing, a notice stating the grounds of the objection.

**Form 4**

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Form 4  
WESTERN AUSTRALIA  
*Auction Sales Act 1973*

**APPLICATION FOR AN INTERIM LICENCE**

To the Magistrate<sup>3</sup> at .....

\* I (1) .....

\* the \* firm/corporation for the benefit of which the licence was granted

\* a person acting on behalf and with the consent of the parties named in the licence of .....

hereby apply for the suspension of the (2) .....

licence No. .... granted to (3) .....

and for the grant of an interim licence in accordance with section 14 of the *Auction Sales Act 1973* in favour of (4) .....

now residing at .....

and carrying on business at .....

for the period from the ..... day of ..... to the ..... day of ..... in relation to the sale of (5) ..... on the grounds that (3) .....

will be incapacitated by reason of (6) .....

Dated the ..... day of ....., 20.....

.....  
Signature of Applicant.

\* Strike out whichever not required.

- (1) Name of auctioneer, firm, corporation or proposed licensee making the application.
- (2) Describe kind of licence.
- (3) Name of auctioneer.
- (4) Name of proposed licensee.
- (5) Describe class of business.
- (6) Describe reason for incapacity.

† .....  
Consents to this Application.

.....  
Authorised person for  
firm or corporation.

† Insert name of firm or corporation.

---

The application will be heard before the .....  
Court at .....on the .....day of  
....., 20....., at ..... o'clock in the  
..... noon.

.....  
Registrar of the Magistrates Court <sup>1</sup>.

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A person wishing to object to this application should lodge with the registrar <sup>1</sup> of the  
above Court and serve on the applicant or his authorised representative, at least 7 days  
before the date appointed for the hearing, a notice stating the grounds of the objection.

**Form 5**

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Form 5  
WESTERN AUSTRALIA  
*Auction Sales Act 1973*

**APPLICATION FOR A PROVISIONAL LICENCE**

To the Magistrate<sup>3</sup> at .....  
\* I (1) .....  
\* the \* firm/corporation for the benefit of which the licence was granted  
of .....  
hereby apply for the grant of a provisional licence under section 15 of the *Auction Sales Act 1973* in favour of (2) .....  
..... to act as an auctioneer under the direct supervision and  
instruction of (3) .....  
for the period from the ..... day of .....  
to the ..... day of ..... in relation to the sale  
of (4).....  
Dated the ..... day of ....., 20.....  
.....  
Signature of Applicant.

I (3) .....  
carrying on business at .....  
under a (5) ..... licence No. .... current until the  
..... day of .....  
\* (for the benefit of .....  
of .....  
a \* firm/corporation of which I am an \* employee/partner/Director and which consents  
to this application am aware that I am personally liable and responsible for any act or  
default of the holder of the provisional licence in the same manner and to the same  
extent that I would be liable had such act been done or such default been made by me.  
Dated the ..... day of ....., 20.....  
.....  
Signature of Auctioneer.

\* Strike out whichever not required.

- (1) Name of auctioneer, firm or corporation making the application.
  - (2) Name of proposed trainee.
  - (3) Name of auctioneer.
  - (4) Describe class of business.
  - (5) Describe kind of licence.
-

† .....  
Consents to this Application.

.....  
Authorised person for  
firm or corporation.

† Insert name of firm or corporation.

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The application will be heard before the .....  
Court at .....on the .....day  
of ....., 20....., at .....o'clock in  
the ..... noon.

.....  
Registrar of the Magistrates Court <sup>1</sup>.

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A person wishing to object to this application should lodge with the registrar <sup>1</sup> of the  
above Court and serve on the applicant or his authorised representative, at least 7 days  
before the date appointed for the hearing, a notice stating the grounds of the objection.

Form 6  
WESTERN AUSTRALIA  
*Auction Sales Act 1973*

**APPLICATION FOR A DUPLICATE LICENCE**

To the Magistrate<sup>3</sup> at .....  
I, .....  
now residing at .....  
and carrying on business at .....

do hereby apply for a duplicate of my (1) .....  
licence No. .... which was issued to me at the .....  
Court on the ..... day of ....., 20.....

My ..... licence was Lost/Destroyed under the following circumstances  
.....  
.....

Dated the ..... day of ....., 20 .....

.....  
Signature of Applicant.

(1) Describe kind of licence.

Form 7  
WESTERN AUSTRALIA  
*Auction Sales Act 1973*

**APPLICATION TO TRANSFER A LICENCE**

To the Magistrate<sup>3</sup> at .....  
I, .....  
now residing at .....  
and carrying on business at .....  
..... and having attained the age of  
18 years, do hereby apply for the transfer to me of the .....  
..... licence, number ..... issued at the  
..... Court on the ..... day of  
....., 20..... to .....

(to be used by me for the benefit of .....  
of .....  
a \* firm/corporation of which I am an \* employee/partner/Director, which consents to  
this application).

Dated the ..... day of ....., 20.....

.....  
Signature of Applicant.

\* Strike out if not required.

†.....the proposed transferor of the licence  
consents to this Application.

.....  
Signature of transferor.

† Insert name of transferor.

†.....for the benefit of which the licence was issued,  
consent to this Application.

.....  
Authorised person for  
firm or corporation.

† Insert name of firm or corporation.

‡..... for the benefit of which the transferred licence  
is to be used, consent to this Application.

.....  
Authorised person for  
firm or corporation.

‡ Insert name of firm or corporation.

**Auction Sales Regulations 1974**  
**Schedule**

**Form 7**

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The application will be heard before the .....  
Court at .....on the .....day  
of ....., 20....., at ..... o'clock in the  
..... noon.

.....  
Registrar of the Magistrates Court <sup>1</sup>.

A person wishing to object to this application should lodge with the registrar <sup>1</sup> of the  
above Court and serve on the applicant or his authorised representative, at least 7 days  
before the date appointed for the hearing, a notice stating the grounds of the objection.



Form 8  
WESTERN AUSTRALIA  
*Auction Sales Act 1973*

FEE \$

No. ....

**GENERAL LICENCE**

This is to certify that .....  
residing at

.....  
and carrying on business at .....

\* (for the benefit of .....

a \* firm/corporation of whom he is an \* employee/partner/Director), is hereby  
licensed — \* subject to the conditions, limitations or restrictions endorsed hereon — to  
act as, and carry on the business of, an auctioneer throughout the State in relation to all  
classes of business to which the *Auction Sales Act 1973* applies, from the date hereof,  
until the ..... day of .....,  
20 .....

Conditions, limitations or restrictions (if any) —

.....

Issued this ..... day of ....., 20 .....  
at the ..... Court.

.....  
Magistrate<sup>3</sup>.

Fee \$ ..... paid. Date ...../...../..... Receipt No. ....

.....  
Registrar of the Magistrates Court<sup>1</sup>.

\* Strike out if not applicable.

**Auction Sales Regulations 1974**  
**Schedule**

**Form 9**

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Form 9  
WESTERN AUSTRALIA  
*Auction Sales Act 1973*

FEE \$ ..... No. ....

**RESTRICTED LICENCE**

This is to certify that .....  
residing at

.....  
and carrying on business at .....

\* (for the benefit of .....  
of .....

a \* firm/corporation of whom he is an \* employee/partner/Director), is hereby  
licensed, subject to the conditions, limitations or restrictions endorsed hereon to act as,  
and carry on the business of, an auctioneer in accordance with the *Auction Sales*  
*Act 1973*, from the date hereof, until the ..... day  
of ....., 20 .....

Conditions, limitations or restrictions applicable .....

Issued this ..... day of ....., 20 .....  
at the ..... Court.

.....  
Magistrate<sup>3</sup>.

Fee \$ ..... paid. Date .... / .... / ..... Receipt No. ....

.....  
Registrar of the Magistrates Court<sup>1</sup>.

\* Strike out if not applicable.

Form 10  
WESTERN AUSTRALIA  
*Auction Sales Act 1973*

FEE \$ ..... No. ....

**OCCASIONAL LICENCE**

This is to certify that .....  
residing at .....  
and carrying on business at .....  
\* (for the benefit of .....  
of .....  
a \* firm/corporation of whom he is an \* employee/partner/Director), is hereby licensed  
as an auctioneer in accordance with the *Auction Sales Act 1973*, in relation to the  
occasion and circumstances specified herein, but subject to such conditions, limitations  
or restrictions endorsed herein, from the ..... day of .....,  
20....., until the ..... day of .....,  
20....., inclusive.

Occasion and circumstances .....  
.....

Conditions, limitations or restrictions applicable .....  
.....

Issued this ..... day of ....., 20.....  
at the ..... Court.

.....  
Magistrate<sup>3</sup>.

Fee \$ ..... paid. Date ...../...../..... Receipt No. ....

.....  
Registrar of the Magistrates Court<sup>1</sup>.

\* Strike out if inapplicable.

**Form 11**

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Form 11  
WESTERN AUSTRALIA  
*Auction Sales Act 1973*

FEE \$

No. ....

**INTERIM LICENCE**

This is to certify that .....  
residing at

.....  
and carrying on business at .....  
is hereby authorised under the *Auction Sales Act 1973* to sell by auction on behalf of,  
and to act as, and carry on the business of .....  
..... of .....  
whose † ..... licence would otherwise be current until

.....  
\* (for the benefit of .....  
of .....  
a \* firm/corporation of whom he is an \* employee/partner/Director).

This licence applies from the ..... day of ..... 20 .....,  
until the ..... day of ....., 20.....,  
inclusive during which time the licence held by  
..... is suspended.

This licence is subject to the following conditions, limitations or restrictions .....  
.....  
.....

Issued this ..... day of ....., 20..... at  
the ..... Court.

.....  
Magistrate<sup>3</sup>.

† Describe kind of licence.

Fee \$ ..... paid. Date ...../...../..... Receipt No. ....

.....  
Registrar of the Magistrates Court<sup>1</sup>.

\* Strike out if inapplicable.

Form 12  
WESTERN AUSTRALIA  
*Auction Sales Act 1973*

FEE \$ ..... No. ....

**PROVISIONAL LICENCE**

This is to certify that .....  
residing at .....  
is hereby authorised under the *Auction Sales Act 1973* to act as an auctioneer under the  
direct supervision and instruction of .....  
of .....  
the holder of a † ..... licence issued for the benefit of  
of .....  
until the ..... day of ....., 20 .....

The licence applies from the ..... day of ..... 20 ....., until  
the ..... day of ....., 20 ....., inclusive,  
and is subject to the following conditions, limitations or restrictions .....

Issued this ..... day of ....., 20.....  
at the ..... Court.

.....  
Magistrate<sup>3</sup>.

† Describe kind of licence.

Fee \$ ..... paid. Date ...../...../..... Receipt No. ....

.....  
Registrar of the Magistrates Court<sup>1</sup>.

Period of this licence not to exceed 2 months.

Form 13  
WESTERN AUSTRALIA  
*Auction Sales Act 1973*

**FORM OF ORDER OF TRANSFER TO BE ENDORSED ON LICENCE**

I,  
.....Magistrate<sup>3</sup>at  
....., having heard an application  
by .....,  
of ....., for an order  
transferring licence number .....  
issued at the .....Court on the ..... day  
of ..... 20 ..... to him, and being satisfied that the licensee (or  
the legal personal representative of the licensee) has consented to the application, and  
that the applicant is a fit and proper person to be the holder of a licence under the  
*Auction Sales Act 1973*, do hereby order the licence to be transferred, and the same is  
hereby transferred to the said  
....., who shall henceforth  
have the sole right to use and exercise the same, subject to the Act.  
Dated the ..... day of ....., 20.....  
.....  
Magistrate<sup>3</sup>.

*[Form 14 deleted: Gazette 22 Nov 1974 p. 5101.]*

Form 15

**WESTERN AUSTRALIA**

..... day of ....., 20 .....

Type of Stock *Auction Sales Act 1973*

**REGISTER**

Location .....

Pen	Vendor, Address	Quantity	Description	Identifier	Price	Purchaser, Address or How Disposed of

.....  
Licensed Auctioneer.

*[Form 15 amended: Gazette 5 Feb 2013 p. 833.]*



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## Notes

This is a compilation of the *Auction Sales Regulations 1974* and includes amendments made by other written laws. For provisions that have come into operation, and for information about any reprints, see the compilation table. For provisions that have not yet come into operation see the uncommenced provisions table.

### Compilation table

<b>Citation</b>	<b>Published</b>	<b>Commencement</b>
<i>Auction Sales Act Regulations 1974</i> <sup>4</sup>	13 Sep 1974 p. 3426-38	13 Sep 1974
Untitled regulations	22 Nov 1974 p. 5101	22 Nov 1974
Untitled regulations	6 Oct 1978 p. 3633-4	6 Oct 1978
<i>Auction Sales Amendment Regulations 1983</i>	28 Oct 1983 p. 4372	1 Nov 1983 (see r. 2)
<i>Auction Sales Amendment Regulations 1986</i>	29 Aug 1986 p. 3204-5	1 Sep 1986 (see r. 2)
<i>Auction Sales Amendment Regulations 1988</i>	5 Aug 1988 p. 2629	5 Aug 1988
<i>Auction Sales Amendment Regulations 1989</i>	30 Jun 1989 p. 1976	1 Jul 1989 (see r. 2)
<i>Auction Sales Amendment Regulations 1990</i>	1 Aug 1990 p. 3658	1 Aug 1990
<i>Auction Sales Amendment Regulations 1991</i>	13 Dec 1991 p. 6156	13 Dec 1991
<i>Auction Sales Amendment Regulations 1992</i>	14 Aug 1992 p. 4016-17	14 Aug 1992
<b>Reprint of the Auction Sales Regulations 1974 as at 8 Sep 2000</b> (includes amendments listed above)		
<i>Auction Sales Amendment Regulations 2013</i>	5 Feb 2013 p. 832-3	r. 1 and 2: 5 Feb 2013 (see r. 2(a)); Regulations other than r. 1 and 2: 1 May 2013 (see r. 2(b)(i) and <i>Gazette</i> 5 Feb 2013 p. 823)
<i>Auction Sales Amendment Regulations (No. 2) 2013</i>	27 Jun 2013 p. 2661-2	r. 1 and 2: 27 Jun 2013 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2013 (see r. 2(b))



<b>Citation</b>	<b>Published</b>	<b>Commencement</b>
<i>Auction Sales Amendment Regulations 2014</i>	17 Jun 2014 p. 1956	r. 1 and 2: 17 Jun 2014 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2014 (see r. 2(b))
<b>Reprint 2: The Auction Sales Regulations 1974 as at 7 Nov 2014</b> (includes amendments listed above)		
<i>Auction Sales Amendment Regulations 2015</i>	23 Jun 2015 p. 2160-1	r. 1 and 2: 23 Jun 2015 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2015 (see r. 2(b))
<i>Commerce Regulations Amendment (Fees and Charges) Regulations 2016 Pt. 2</i>	3 Jun 2016 p. 1745-73	1 Jul 2016 (see r. 2(b))
<i>Commerce Regulations Amendment (Fees and Charges) Regulations 2017 Pt. 3</i>	23 Jun 2017 p. 3213-52	1 Jul 2017 (see r. 2(b))
<i>Licensing Provisions Regulations Amendment Regulations 2017 Pt. 2</i>	27 Jun 2017 p. 3408-16	1 Jul 2017 (see r. 2(b))
<i>Commerce and Industrial Relations Regulations Amendment (Fees and Charges) Regulations 2018 Pt. 3</i>	25 Jun 2018 p. 2325-53	1 Jul 2018 (see r. 2(b))
<i>Commerce Regulations Amendment (Fees and Charges) Regulations 2019 Pt. 3</i>	18 Jun 2019 p. 2077-115	1 Jul 2019 (see r. 2(b))
<b>Reprint 3: The Auction Sales Regulations 1974 as at 22 Nov 2019</b> (includes amendments listed above)		
<i>Commerce Regulations Amendment (COVID-19 Response) Regulations (No. 2) 2020 Pt. 3</i>	SL 2020/196 27 Oct 2020	28 Oct 2020 (see r. 2(b))

### Uncommenced provisions table

To view the text of the uncommenced provisions see *Subsidiary legislation as made* on the WA Legislation website.

<b>Citation</b>	<b>Published</b>	<b>Commencement</b>
<i>Commerce Regulations Amendment (Fees and Charges) Regulations 2021 Pt. 4</i>	SL 2021/86 21 Jun 2021	1 Jul 2021 (see r. 2(b))

**Other notes**

- <sup>1</sup> Under the *Courts Legislation Amendment and Repeal Act 2004* s. 54(2), a reference in a written law to the clerk of petty sessions is, unless the contrary intention appears, to be construed as if it had been amended to be a reference to the registrar of the Magistrates Court. The reference was amended under the *Reprints Act 1984* s. 7(5)(a).
- <sup>2</sup> Under the *Courts Legislation Amendment and Repeal Act 2004* s. 58, a reference in a written law to the court of petty sessions is, unless the contrary intention appears, to be construed as if it had been amended to be a reference to the Magistrates Court. The reference was amended under the *Reprints Act 1984* s. 7(5)(a).
- <sup>3</sup> Under the *Courts Legislation Amendment and Repeal Act 2004* s. 15(7), a reference in a written law to a stipendiary magistrate is, unless the contrary intention appears, to be construed as if it had been amended to be a reference to a magistrate. The reference was changed under the *Reprints Act 1984* s. 7(5)(a).
- <sup>4</sup> Now known as the *Auction Sales Regulations 1974*; name changed (see note under r. 1).

**Defined terms**

*[This is a list of terms defined and the provisions where they are defined.*

*The list is not part of the law.]*

<b>Defined term</b>	<b>Provision(s)</b>
Act.....	1(2)
commencement day .....	3A(1)
designated fee .....	3A(1)
designated period .....	1A
reduced fee.....	3A(1)
surrendered licence .....	8C(1)
transition period .....	8B(1)