

Western Australia

**State Trading Concerns (Authorisation)
Regulations 1998**

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Western Australia

State Trading Concerns (Authorisation) Regulations 1998

CONTENTS

1.	Citation	1
2.	Prescribed financial entities (section 4A(2)(a))	1
3.	Prescribed activities by financial entities (section 4A(2)(b))	1
4.	Prescribed statutory corporations (section 4B(2))	1
5.	Prescribed activities by statutory corporations (section 4B(2))	2
	Schedule 1	3
	Part 1 — Prescribed financial entities (regulation 2)	3
	Part 2 — Prescribed activities (regulation 3)	4
	Schedule 2	10
	Part 1 — Prescribed statutory corporations (regulation 4)	10
	Part 2 — Prescribed activities (regulation 5)	10
	Notes	
	Compilation table	13

Western Australia

State Trading Concerns Act 1916

State Trading Concerns (Authorisation) Regulations 1998

1. Citation

These regulations may be cited as the *State Trading Concerns (Authorisation) Regulations 1998*¹.

2. Prescribed financial entities (section 4A(2)(a))

The financial entities set out in Schedule 1 Part 1 are prescribed financial entities for the purposes of section 4A(2)(a) of the Act.

3. Prescribed activities by financial entities (section 4A(2)(b))

The activities set out in Schedule 1 Part 2 are prescribed activities for the financial entities to which they relate, for the purposes of section 4A(2)(b) of the Act.

4. Prescribed statutory corporations (section 4B(2))

The statutory corporations set out in Schedule 2 Part 1 are prescribed statutory corporations for the purposes of section 4B(2) of the Act.

[Regulation 4 inserted in Gazette 18 Feb 2000 p. 916.]

**5. Prescribed activities by statutory corporations
(section 4B(2))**

The activities set out in Schedule 2 Part 2 are prescribed activities for the prescribed statutory corporations to which they relate, for the purposes of section 4B(2) of the Act.

[Regulation 5 inserted in Gazette 18 Feb 2000 p. 916.]

Schedule 1

[Heading inserted in Gazette 31 Aug 1999 p. 4241.]

Part 1 — Prescribed financial entities (regulation 2)

Chemistry Centre (WA)

Commissioner for Equal Opportunity

Department for Community Development

Department for Planning and Infrastructure

Department of Consumer and Employment Protection

Department of Environment

Department of Fisheries

Department of Health

Department of Industry and Resources

Department of Justice

Department of Land Information

Department of Treasury and Finance

Fire and Emergency Services Authority of Western Australia

Department of Culture and the Arts

Department of Premier and Cabinet

Office of the Auditor General

Office of the Public Sector Standards Commissioner

Office of Water Regulation

Schedule 1

Western Australia Police Service

[Part 1 inserted in Gazette 31 Aug 1999 p. 4241; amended in Gazette 21 Jan 2000 p. 346; 18 Feb 2000 p. 916 (correction in Gazette 29 Feb 2000 p. 996); 5 May 2000 p. 2140; 3 Nov 2000 p. 6109; 7 Jun 2002 p. 2733; 9 Aug 2002 p. 3856; 12 Nov 2002 p. 5468; 3 Jan 2003 p. 12; 13 Jun 2003 p. 2118; 30 Sep 2003 p. 4259; 24 Oct 2003 p. 4500; 19 Mar 2004 p. 916 and 917; 23 Mar 2004 p. 979; 1 Oct 2004 p. 4285; 15 Jul 2005 p. 3303-4; 12 Aug 2005 p. 3657.]

Part 2 — Prescribed activities (regulation 3)

Chemistry Centre (WA)

The provision by the Chemistry Centre (WA) of scientific support (primarily chemistry based) to industry and to the public.

In this item —

“scientific support” includes —

- (a) providing analytical information;
- (b) providing expert advice and expert evidence;
- (c) solving problems; and
- (d) carrying out investigative and applied research projects.

Commissioner for Equal Opportunity

The provision by the Commissioner for Equal Opportunity of training services related to promoting the objects of the *Equal Opportunity Act 1984*.

Department for Community Development

The sale by the Department for Community Development of goods, information, publications, or intellectual property, relating to community development.

The provision or sale by the Department for Community Development of advertising opportunities or opportunities having a purpose similar to advertising, relating to community development.

The provision by the Department for Community Development of training, management, or advisory services, relating to community development.

Department for Planning and Infrastructure

The provision by the Department for Planning and Infrastructure (in the State or elsewhere) of goods, information, or intellectual property relating to transport matters.

Department of Consumer and Employment Protection

The provision by the Department of Consumer and Employment Protection —

- (a) of services to overseas clients, including training, and services of a technical, educational, managerial and advisory nature;
- (b) generally, of goods, information and intellectual property, and of services, relating to consumer protection matters;
- (c) of goods (including technical and safety publications), information and intellectual property relating to technical and safety issues in the energy industry;
- (d) specifically, of —
 - (i) intellectual property; and
 - (ii) the sale or provision of advertising opportunities, or opportunities having a purpose similar to advertising, relating to Worksafe Western Australia.

Department of Environment

The provision by the Department of Environment of goods information or intellectual property, scientific, technical, educational, training, management or advisory services relating to activities it carries out.

The provision or sale by the Department of Environment of advertising opportunities, or opportunities having a purpose similar to advertising in relation to its activities.

Department of Fisheries

The sale by the Department of Fisheries of publications relating to fisheries matters.

The provision or sale by the Department of Fisheries of advertising opportunities, or opportunities having a purpose similar to advertising.

Schedule 1

The provision or sale by the Department of Fisheries of physical resources, information, intellectual property, scientific, technical, educational, training, management or advisory services to the Commonwealth Government or the private sector (whether in Australia or overseas).

Department of Health

The provision by the Department of Health of goods, information or intellectual property relating to health matters.

Department of Industry and Resources

The sale, leasing or licensing of intellectual property or software that is or has been developed by the Department of Industry and Resources.

The provision of management, advisory and training services relating to activities developed or currently carried out, by the Department of Industry and Resources.

Department of Justice

The provision of information or intellectual property that is or has been developed by the Department of Justice in relation to scientific, technical, educational, training, management and advisory services provided by the Department of Justice.

Department of Land Information

The provision by the Department of Land Information of services, maps, land information and computer software developed primarily by the department for the administration of land, and the sales and licensing of intellectual property rights, and access to digital land information and software.

The provision by the Department of Land Information of land information value adding services, by means of entering into contractual arrangements with organisations that provide —

- (a) land information value adding services; or
- (b) services that add value to intellectual property developed by the Department of Land Information.

In this item —

“land information” includes information relating to land ownership, land boundaries, topographic features, the geodetic network infrastructure, property street address, mapping, aerial photography and satellite remote-sensed data.

“land information value adding services” includes specialist analysis of data contained in land information, integrating different sets of data contained in land information and creating new data from data contained in land information.

“services” includes technical, educational, training, managerial and advisory services.

Department of Treasury and Finance

The provision by the Department of Treasury and Finance of —

- (a) goods, information or intellectual property; and
- (b) scientific, technical, educational, training, management or advisory services,

relating to services provided by, or activities carried out by, the Department of Treasury and Finance.

Fire and Emergency Services Authority of Western Australia

The provision by the Fire and Emergency Services Authority of Western Australia of advertising opportunities, by means of entering into arrangements under which departmental property specified in the arrangement may be used for the display of advertising, in return for money or goods.

Department of Culture and the Arts

Participation in the marketing, licensing and sale of intellectual property associated with a grants administration system developed primarily to administer the arts funding division of the Department.

Participation in the licensing and sale of intellectual property associated with any multimedia productions, developed by the Department either singly or jointly, that relate to the subjects of culture or the arts.

Department of Premier and Cabinet

The provision by the Department of Premier and Cabinet of —

Schedule 1

- (a) goods, information, or intellectual property;
- (b) training, management, or advisory services; or
- (c) advertising opportunities, or opportunities to participate in arrangements having a purpose similar to advertising.

Office of the Auditor General

The provision by the Office of the Auditor General of information or intellectual property, and training, management or advisory services, relating to auditing, and other activities developed, or currently carried out, by the Office of the Auditor General.

Office of the Public Sector Standards Commissioner

The sale of the Office of the Public Sector Standards Commissioner of equal employment opportunity publications or the sale or licensing by that Office of equal employment opportunity intellectual property, developed primarily to meet the operational requirements of the Director of Equal Opportunity in Public Employment.

The provision by the Office of the Public Sector Standards Commissioner of equal employment opportunity educational or advisory services.

Office of Water Regulation

The provision or sale by the Office of Water Regulation of goods, information, or publications as a part of, or incidental to, the hosting of a 4 day international conference between 29 September and 2 October 2003.

Western Australia Police Service

The provision by the Western Australia Police Service of goods, information or intellectual property, technical, educational, training, management or advisory services relating to services provided by or activities carried out by Western Australia Police Service.

[Part 2 inserted in Gazette 31 Aug 1999 p. 4241-3; amended in Gazette 21 Jan 2000 p. 346; 18 Feb 2000 p. 916 (correction in Gazette 29 Feb 2000 p. 996); 5 May 2000 p. 2140; 3 Nov 2000 p. 6109; 5 Jan 2001 p. 126; 7 Jun 2002 p. 2733; 9 Aug 2002 p. 3856; 12 Nov 2002 p. 5468; 3 Jan 2003 p. 12; 13 Jun 2003 p. 2118-19; 30 Sep 2003 p. 4259; 24 Oct 2003 p. 4500; 19 Mar 2004 p. 916 and 917; 23 Mar 2004 p. 979; 1 Oct 2004 p. 4285; 15 Jul 2005 p. 3303 and 3304; 12 Aug 2005 p. 3657; 15 Nov 2005 p. 5620; 17 Mar 2006 p. 1028.]

Schedule 2

Schedule 2

[Heading inserted in Gazette 18 Feb 2000 p. 917.]

[r. 4, 5]

Part 1 — Prescribed statutory corporations (regulation 4)

Boards of public hospitals where the management and control of the hospital is vested in the Minister under section 7 of the *Hospitals and Health Services Act 1927* (thereby deeming the Minister to be the board of that hospital and to be incorporated under the name of that board).

Disability Services Commission

Metropolitan Cemeteries Board

Small Business Development Corporation

The Western Australian Government Railways Commission

Western Australian Alcohol and Drug Authority

Wheatbelt Development Commission

WorkCover Western Australia Authority

[Part 1 inserted in Gazette 18 Feb 2000 p. 917; amended in Gazette 20 Feb 2001 p. 1085; 22 Feb 2002 p. 766; 26 Feb 2002 p. 787; 3 Jan 2003 p. 12-13; 28 Mar 2003 p. 985; 1 Jul 2003 p. 2664; 28 Oct 2003 p. 4530; 15 Jul 2005 p. 3305.]

Part 2 — Prescribed activities (regulation 5)

Boards of public hospitals

The provision by a hospital board of goods, information or intellectual property relating to the functions of that hospital board.

Disability Services Commission

The sale, leasing or licensing by the Disability Services Commission of goods, information, publications or intellectual property relating to disability services.

The provision or sale by the Disability Services Commission of advertising opportunities or opportunities having a purpose similar to advertising, relating to disability services.

The provision by the Disability Services Commission of educational, training, management or advisory services relating to disability services.

Metropolitan Cemeteries Board

The provision by the Metropolitan Cemeteries Board of —

- (a) the cemetery renewal manual and records system and enhancements of the manual or system;
- (b) scientific, technical, educational, training, management or advisory services relating to cemetery management services; and
- (c) advertising opportunities on the Board's property.

Small Business Development Corporation

The provision by Small Business Development Corporation of —

- (a) goods, information, or intellectual property developed by the Corporation;
- (b) scientific, technical, educational, training, management, or advisory services; or
- (c) advertising opportunities.

The Western Australian Government Railways Commission

The provision (in the State or elsewhere) by The Western Australian Government Railways Commission of training, management, or advisory services.

Western Australian Alcohol and Drug Authority

Subject to section 5(4)(e) of the *Alcohol and Drug Authority Act 1974*, the sale, leasing or licensing by the Western Australian Alcohol and Drug Authority of goods that are, or have been, developed in relation to alcohol or drug programs.

Schedule 2

The sale, leasing or licensing by the Western Australian Alcohol and Drug Authority of information or intellectual property that is, or has been, developed in relation to alcohol or drug programs.

The provision by the Western Australian Alcohol and Drug Authority of scientific, technical, educational, training, managerial and advisory services, in relation to alcohol or drug programs.

Wheatbelt Development Commission

The provision by the Wheatbelt Development Commission of —

- (a) goods, information or intellectual property developed by the Commission;
- (b) scientific, technical, educational, training, management or advisory services; or
- (c) advertising opportunities.

WorkCover Western Australia Authority

The sale, leasing or licensing by the WorkCover Western Australia Authority of intellectual property or software that is, or has been, developed to meet the operational requirements of the WorkCover Western Australia Authority.

[Part 2 inserted in Gazette 18 Feb 2000 p. 917; amended in Gazette 20 Feb 2001 p. 1085; 22 Feb 2002 p. 766; 26 Feb 2002 p. 788; 3 Jan 2003 p. 13; 28 Mar 2003 p. 986; 1 Jul 2003 p. 2664; 28 Oct 2003 p. 4530-1; 15 Jul 2005 p. 3305.]

Notes

¹ This is a compilation of the *State Trading Concerns (Authorisation) Regulations 1998* and includes the amendments made by the other written laws referred to in the following table. The table also contains information about any reprint.

Compilation table

Citation	Gazettal	Commencement
<i>State Trading Concerns (Authorization) Regulations 1998</i>	17 Apr 1998 p. 2105	17 Apr 1998
<i>State Trading Concerns (Authorization) Amendment Regulations (No. 2) 1998</i>	26 Jun 1998 p. 3398	26 Jun 1998
<i>State Trading Concerns (Authorization) Amendment Regulations 1998</i>	30 Jun 1998 p. 3547	30 Jun 1998
<i>State Trading Concerns (Authorization) Amendment Regulations (No. 3) 1998</i>	3 Nov 1998 p. 6085-6	3 Nov 1998
<i>State Trading Concerns (Authorization) Amendment Regulations 1999</i>	19 Mar 1999 p. 1237	19 Mar 1999
<i>State Trading Concerns (Authorization) Amendment Regulations (No. 3) 1999</i>	6 Jul 1999 p. 3073-4	6 Jul 1999
<i>State Trading Concerns (Authorization) Amendment Regulations (No. 2) 1999</i>	13 Jul 1999 p. 3173-4	13 Jul 1999
<i>State Trading Concerns (Authorization) Amendment Regulations (No. 4) 1999</i>	31 Aug 1999 p. 4241-4	31 Aug 1999
<i>State Trading Concerns (Authorization) Amendment Regulations (No. 5) 1999</i>	21 Jan 2000 p. 345-6	21 Jan 2000
<i>State Trading Concerns (Authorization) Amendment Regulations 2000</i>	18 Feb 2000 p. 915-17 (Correction in <i>Gazette</i> 29 Feb 2000 p. 996)	18 Feb 2000

State Trading Concerns (Authorisation) Regulations 1998

Citation	Gazettal	Commencement
<i>State Trading Concerns (Authorization) Amendment Regulations (No. 2) 2000</i>	5 May 2000 p. 2139-40	5 May 2000
Reprint of the State Trading Concerns (Authorization) Regulations 1998 as at 15 Sep 2000 (includes amendments listed above)		
<i>State Trading Concerns (Authorisation) Amendment Regulations (No. 5) 2000</i>	3 Nov 2000 p. 6108-9	3 Nov 2000
<i>State Trading Concerns (Authorisation) Amendment Regulations (No. 6) 2000</i>	5 Jan 2001 p. 126	5 Jan 2001
<i>State Trading Concerns (Authorisation) Amendment Regulations (No. 7) 2000</i>	20 Feb 2001 p. 1084-5	20 Feb 2001
<i>State Trading Concerns (Authorisation) Amendment Regulations 2001</i>	22 Feb 2002 p. 766	22 Feb 2002
<i>State Trading Concerns (Authorisation) Amendment Regulations (No. 2) 2001</i>	26 Feb 2002 p 787-8	26 Feb 2002
<i>State Trading Concerns (Authorisation) Amendment Regulations (No. 2) 2002</i>	7 Jun 2002 p. 2732-3	7 Jun 2002
<i>State Trading Concerns (Authorization) Amendment Regulations 2002</i>	9 Aug 2002 p. 3856	9 Aug 2002
<i>State Trading Concerns (Authorisation) Amendment Regulations (No. 3) 2002</i>	12 Nov 2002 p. 5467-8	12 Nov 2002
<i>State Trading Concerns (Authorisation) Amendment Regulations (No. 5) 2002</i>	3 Jan 2003 p. 12-13	3 Jan 2003
<i>State Trading Concerns (Authorisation) Amendment Regulations (No. 2) 2003</i>	28 Mar 2003 p. 985-6	28 Mar 2003
<i>State Trading Concerns (Authorisation) Amendment Regulations (No. 4) 2002</i>	13 Jun 2003 p. 2118-19	13 Jun 2003

State Trading Concerns (Authorisation) Regulations 1998

Citation	Gazettal	Commencement
<i>State Trading Concerns (Authorisation) Amendment Regulations (No. 4) 2003</i>	1 Jul 2003 p. 2663-4	1 Jul 2003
<i>State Trading Concerns (Authorisation) Amendment Regulations (No. 3) 2003</i>	30 Sep 2003 p. 4259	30 Sep 2003
<i>State Trading Concerns (Authorisation) Amendment Regulations (No. 7) 2003</i>	24 Oct 2003 p. 4499-500	24 Oct 2003
<i>State Trading Concerns (Authorisation) Amendment Regulations 2003</i>	28 Oct 2003 p. 4530-1	28 Oct 2003
<i>State Trading Concerns (Authorisation) Amendment Regulations (No. 5) 2003</i>	19 Mar 2004 p. 915-16	19 Mar 2004
<i>State Trading Concerns (Authorisation) Amendment Regulations (No. 10) 2003</i>	19 Mar 2004 p. 916-17	19 Mar 2004
<i>State Trading Concerns (Authorisation) Amendment Regulations (No. 9) 2003</i>	23 Mar 2004 p. 978-9	23 Mar 2004
Reprint 2: The State Trading Concerns (Authorisation) Regulations 1998 as at 6 Aug 2004 (includes amendments listed above)		
<i>State Trading Concerns (Authorisation) Amendment Regulations (No. 2) 2004</i>	1 Oct 2004 p. 4285	1 Oct 2004
<i>State Trading Concerns (Authorisation) Amendment Regulations 2005</i>	15 Jul 2005 p. 3303-5	15 Jul 2005
<i>State Trading Concerns (Authorisation) Amendment Regulations (No. 2) 2005</i>	12 Aug 2005 p. 3657	12 Aug 2005
<i>State Trading Concerns (Authorisation) Amendment Regulations (No. 3) 2005</i>	15 Nov 2005 p. 5620	15 Nov 2005
<i>State Trading Concerns (Authorisation) Amendment Regulations (No. 4) 2005</i>	17 Mar 2006 p. 1028	17 Mar 2006