

# TASMANIAN GOVERNMENT GAZETTE

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### **Tasmanian Government Gazette**

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# **Notices to Creditors**

DAVID GREGORY DAND late of 9 Cloak Place Old Beach in Tasmania meat worker and single deceased: Creditors next of kin and others having claims in respect of the property or Estate of the deceased David Gregory Dand who died on the fourteenth day of July 2012 are required by the Executor Tasmamian Perpetual Trustees Limited of 23 Paterson Street Launceston in Tasmania to send particulars to the said Company by the thirty-first day of November 2012 after which date the Executor may distribute the assets having regard only to the claims of which it then has notice.

Dated this thirty-first day of October 2012.

LAURA ALLEN, Trust Administrator.

ANNELIESE ROSS (also known as ANNELIESA ROSS and ANNELIESSE ROSS) late of 48 Sixth Avenue West Moonah in Tasmania retired registered nurse/widow who died on the eighth day of March 2011: Creditors next of kin and others having claims in respect of the property or Estate of the abovenamed deceased are required by the Executors Ronald Ross and Thomas Ross c/- M+K dobson mitchell allport of 59 Harrington Street Hobart in Tasmania to send particulars of their claim to the Registrar of the Supreme Court of Tasmania in writing on or before the first day of December 2012 after which date the Executors may distribute the assets having regard only to the claims of which the Executors then have notice.

Dated this thirty-first day of October 2012.

M+K DOBSON MITCHELL ALLPORT, Practitioners for the Estate.

GLENN HAROLD ASHBY formerly of 31 St Andrews Drive Devonport in Tasmania retired contract supervisor who died on the twenty-eighth day of May 2012: Creditors next of kin and others having claims in respect of the property of the abovenamed deceased are required by the Executors Lorraine Audrey Ashby and Ashley Charles Brett c/- Friend & Edwards Lawyers 28a King Edward Street Ulverstone in Tasmania to send particulars to the said Executors on or before the twenty-eighth day of November 2012 after which date the Executors may distribute the assets having regard only to the claims of which the Executors then have notice.

Dated this thirty-first day of October 2012.

FRIEND & EDWARDS LAWYERS, Solicitors to the Estate.

IN the Estate of MARJORIE FRANCES BERWICK (in the will called MARJORIE FRANCES BERWICK) late of Aminya Hostel Scottsdale in Tasmania home duties/widowed deceased who died on the second day of May 2012 at Aminya Hostel Scottsdale in Tasmania: Notice is hereby given that all creditors next of kin and other persons having claims in respect of the property or the Estate of the abovenamed deceased are required by the Executors Ronald Laurence Thompson of 35 Ellenor Street Scottsdale in Tasmania and Peter Neil Berwick of 69 East Maurice Road Ringarooma in Tasmania to send particulars in writing to The Registrar Probate Registry Supreme Court of Tasmania Salamanca Place Hobart in Tasmania on or before thirty-first day of November 2012 after which date the Executors may distribute the assets having regard only to the claims of which they then have notice.

Dated this thirty-first day of October, 2012.

ARCHER BUSHBY, Solicitors for the Estate.

# **Water Management**

### WATER MANAGEMENT ACT 1999

NOTICE OF ADOPTION OF A WATER MANAGEMENT PLAN

IN ACCORDANCE with the provisions of section 29 of the *Water Management Act 1999*, notice is hereby given that the Minister for Primary Industries and Water the Hon. Bryan Green MHA, pursuant to section 28 of the Act, adopted the Boobyalla River Catchment Water Management Plan on the 11th day of April 2012.

Dated this thirty-first day of October 2012.

KIM EVANS, Secretary.

### WATER MANAGEMENT ACT 1999

NOTICE OF ADOPTION OF A WATER MANAGEMENT PLAN

IN ACCORDANCE with the provisions of section 29 of the *Water Management Act 1999*, notice is hereby given that the Minister for Primary Industries and Water the Hon. Bryan Green MHA, pursuant to section 28 of the Act, adopted the Tomahawk River Catchment Water Management Plan on the 11th day of April 2012.

Dated this thirty-first day of October 2012.

KIM EVANS, Secretary.

### WATER MANAGEMENT ACT 1999

NOTICE OF ADOPTION OF A WATER MANAGEMENT PLAN

IN ACCORDANCE with the provisions of section 29 of the *Water Management Act 1999*, notice is hereby given that the Minister for Primary Industries and Water the Hon. Bryan Green MHA, pursuant to section 28 of the Act, adopted the Sassafras Wesley Vale Water Management Plan on the 27th day of January 2012.

Dated this thirty-first day of October 2012.

KIM EVANS, Secretary.

# **Administration and Probate**

### THE ADMINISTRATION AND PROBATE ACT 1935

Notice of Intention to Apply for Letters of Administration

NOTICE is hereby given that after the expiration of fourteen days from the publication hereof application will be made to the Supreme Court of Tasmania in its Ecclesiastical Jurisdiction that Letters of Administration of the Estate of ROBERT CHARLES KINGSTON late of 301 Cambridge Road Mornington in Tasmania wood merchant divorced who died on the third day of August 2012 may be granted to Carol Ann Apted of Unit 2 13 Bounty Street Warrane in Tasmania retired housekeeper divorced and Anthony John Ryan of 10 Gray Court Acton Park in Tasmania state public servant married the duly appointed attorneys of Craig Robert Kingston of 7 Lowanna Drive Ashmore in Queensland program specialist in workforce services married the son of the said deceased.

Dated this thirty-first day of October, 2012.

MURDOCH CLARKE, Solicitors for the Applicant.

### THE ADMINISTRATION AND PROBATE ACT 1935

Notice of Intention to Apply for Letters of Administration

NOTICE is hereby given that after the expiration of fourteen days from the publication hereof application will be made to the Supreme Court of Tasmania in its Ecclesiastical Jurisdiction that Letters of Administration of the Estate of Regina Taylor formerly of 5 Oakley Street New Town in the State of Tasmania widowed retired caterer may be granted to Nadia Elizabeth Taylor of 5 Oakley Street New Town in the State of Tasmania aforesaid disability pensioner the lawful daughter of the said deceased.

Dated this thirty-first day of October 2012.

E. R. HENRY WHERRETT & BENJAMIN, Solicitors for the Applicant.

# **Government Notice**

The Department of Justice
HOBART
22 October 2012

### JUSTICE ACT 1959

IN ACCORDANCE with the provisions of the Justices Act 1959, His Excellency the Governor-in-Council has accepted the resignation of—

Mr Geoffrey Peter Tuting Mr Harley Ross Johnstone Mr Jan Goosen Hendrik Smit

as Justices of the Peace for the State of Tasmania.

By His Excellency's Command,

BRIAN WIGHTMAN, Attorney-General.

# **Animal Health**

### ANIMAL HEALTH ACT 1995

Section 21

### AMENDMENT OF GENERAL AUTHORITY

- I, RODERICK ANDREWARTHA, Chief Veterinary Officer, amend the General Authority for the Importation of South American Camelids made under section 18 (1) of the *Animal Health Act 1995* dated the 26 November 2009 and published in the Gazette on the 2 December 2009 by adding:
- 7) No alpacas may be imported to Flinders Island other than alpaca imported from either—
  - a. a Bovine Johne's Disease Protected Zone or Free Zone;
     or
  - b. an Alpaca MAP MN1 herd (or equivalent) or herd of higher status –
  - as defined under the National Johne's Disease Program Standard Definitions and Rules for Cattle (and for goats, deer and camelids infected with cattle strains of Mycobacterium paratuberculosis) applying at the time of import.

Dated 24 October 2012.

R. M. ANDREWARTHA, Chief Veterinary Officer, Department of Primary Industries, Parks, Water and Environment.

### ANIMAL HEALTH ACT 1995

Section 21

Amendment of General Authority

I, RODERICK ANDREWARTHA, Chief Veterinary Officer, amend the General Authority for the Importation of Cattle made under section 18 (1) of the *Animal Health Act 1995* dated the 17 December 2010 and published in the Gazette on the 22 December 2010 by deleting the words:

Cattle imported to Flinders Island must be either:

- a) from a Bovine Johne's disease Protected Zone or Free Zone; or
- b) from a Beef Only, Check Tested or herd of higher status under the National Johne's Disease Program Standard Definitions and Rules – for Cattle.

And substituting them with:

No cattle may be imported to Flinders Island other than cattle imported from either -

- a) a Bovine Johne's disease Protected Zone or Free Zone;
- b) a Beef Only herd, Cattle MAP MN1 herd or herd of higher status or Dairy score 8 or higher –

as defined under the National Johne's Disease Program – Standard Definitions and Rules for Cattle (and for goats, deer and camelids infected with cattle strains of Mycobacterium paratuberculosis) applying at the time of import.

Dated 24 October 2012.

R. M. ANDREWARTHA, Chief Veterinary Officer, Department of Primary Industries, Parks, Water and Environment.

### ANIMAL HEALTH ACT 1995

Section 21

AMENDMENT OF GENERAL AUTHORITY

I, RODERICK ANDREWARTHA, Chief Veterinary Officer, amend the General Authority for the Importation of Goats made under section 18 (1) of the *Animal Health Act 1995* dated the 26 November 2009 and published in the Gazette on the 2 December 2009 by deleting the words:

Goats consigned to Flinders Island

- a) must not originate from a herd of origin subject to any animal movement restrictions; AND
- b) must either originate from;
  - (i) a Bovine Johne's Disease Protected or Free Zone,; or
  - (ii) a Control Zone as defined by the National Johne's Disease Program - Standard Definitions and Rules for Cattle and the flock/herd is Check Test negative or better, according to the current National Johne's Disease Program - Standard Definitions and Rules for Cattle; or
  - (iii) a Residual Zone, and are Monitored Negative (MN) according to the current National Johne's Disease Program - Standard Definitions and Rules for Cattle.

And substituting them with:

No goats may be consigned to Flinders Island other than goats -

- a) that originate from;
  - (i) a Bovine Johne's Disease (BJD) Protected or Free Zone; or
  - (ii) a Beef Protected Area and the herd of origin meets the following criteria:
    - a) Dairy goats or non-dairy goats with risk factors must have a Goat Assurance Score of 6 or higher; or
    - b) Non-dairy goats with no risk factors must have a Goat Assurance Score of 5 or higher; or
  - (iii) a BJD Management area and the herd meets the following criteria:
    - a) Dairy goats must have a Goat Assurance Score of 8 or higher; or
    - b) Non-dairy goats must have a Goat Assurance Score of 7 or higher -
  - as defined in the National Johne's Disease Program Standard Definitions and Rules for Cattle (and for goats, deer and camelids infected with cattle strains of Mycobacterium paratuberculosis) applying at the time of import; AND
- b) not from a herd of origin subject to any animal movement restrictions.

Dated 24 October 2012.

R. M. ANDREWARTHA, Chief Veterinary Officer, Department of Primary Industries, Parks, Water and Environment.

# **Anti-Discrimination**

# OFFICE OF THE ANTI-DISCRIMINATION COMMISSIONER, TASMANIA

### EXEMPTION GRANTED

THE following application for exemption from the provisions of the *Anti-Discrimination Act 1998* (Tas) (the Act) has been granted:

1. The Archdiocese of Hobart - Centacare Tasmania (12/160) - Application for exemption granted under section 57 of the Act for a period of 3 years.

This exemption has been granted to permit the Archdiocese of Hobart to advertise for, and employ, men for the positions of Case Worker for Centacare Tasmania's Humanitarian Settlement Services program to increase the ratio of male Case Workers up to a maximum of 50%.

Granted on the 23rd day of October 2012.

This exemption is granted subject to the conditions of inviting the Office of the Anti-Discrimination Commissioner to conduct training relevant to the Archdiocese of Hobart – Centacare Tasmania's Humanitarian Settlement Services clients, members, officers, employees, volunteers and agents, on rights and obligations under the *Anti-Discrimination Act 1998*, and reporting to the Commissioner on actions and decisions taken in reliance on this exemption and compliance with the training and education condition.

A person may apply to the Anti-Discrimination Tribunal for a review of the Commissioner's decision within 28 days from the date of this notice being published.

ROBIN BANKS, Anti-Discrimination Commissioner.

# **Living Marine Resources**

LIVING MARINE RESOURCES MANAGEMENT ACT 1995

Fisheries (Change to Rock Lobster Management Plan) Order 2012

I make the following order under section 48A(1) of the *Living Marine Resources Management Act 1995*.

Dated 17/10/2012

**BRYAN GREEN** 

Minister for Primary Industries and Water.

### Short title

This order may be cited as the Fisheries (Change to Rock Lobster Management Plan) Order 2012.

### Commencement

This order takes effect on the day on which it is published in the *Gazette*.

### **Change to Rock Lobster Management Plan**

The Fisheries (Rock Lobster) Rules 2011 (SR 2011, No.92) are changed as follows:

(a) by omitting from rule 35(2)(b) "by the Office of Aboriginal Affairs or by other means approved by the Secretary" and substituting "by the Secretary or by a means approved by the Secretary";

- (b) by inserting in rule 36, after subrule (4), the following subrule:
  - (4A) Subrules (1), (2) and (4) do not apply to an Aborigine in respect of the setting or use of a rock lobster pot or rock lobster ring when engaging in an Aboriginal activity if –
  - (a) a UIC was allotted to that Aborigine by a means approved by the Secretary under rule 35(2)(b); and
  - (b) that UIC is clearly and legibly marked on that rock lobster pot or rock lobster ring in such a way that the UIC is located above the surface of the water, or on the surface of the water, or within 300 mm of the surface of the water.
- (c) by inserting after rule 36, the following rule:

### 36A. Identification of rock lobster pots and rock l

- The Secretary, by notice published in the Gazette, may determine the manner in which rock lobster pots and rock lobster rings are to be identified when set or used by Aborigines who-
  - (a) are engaging in Aboriginal activities; and
  - (b) have been allotted a UIC be a means approved by the Secretary under rule 35(2)(b).
- (2) A determination made under subrule 1 may be made so as to apply differently according to matters, limitations or restrictions, whether as to time, circumstances or otherwise, specified in the determination.
- (3) For the purposes of making a determination under subrule (1), and without the generality of that subrule, the Secretary may adopt or incorporate a means of identification approved or recommended by any Aboriginal community body.
- (4) An Aborigine must ensure that a rock lobster pot or rock lobster ring used when engaging in an Aboriginal activity is identified in the manner determined under subrule 1 if that rock lobster pot or rock lobster ring is identified with a IUC allotted by a means approved by the Secretary under rule 35(2)(b).

Penalty: Grade 2 penalty.

(Explanatory note)

This order changes the management plan for the rock lobster fishery so as to –

- (a) provide that the Office of Aboriginal Affairs may no longer allot unique identifying codes in respect of that fishery; and
- (b) provide that certain requirements relating to the identification of rock lobster pots and rock lobster rings set or used by non-commercial fishers do not apply to Aborigines engaging in Aboriginal activities if certain alternative requirements are met; and
  - (c) prescribe those alternative requirements.

# LIVING MARINE RESOURCES MANAGEMENT ACT 1995

Fisheries (Change to Scalefish Management Plan) Order 2012

I make the following order under section 48A(1) of the *Living Marine Resources Management Act 1995*.

Dated 17/10/2012

### **BRYAN GREEN**

Minister for Primary Industries and Water.

### **Short title**

This order may be cited as the Fisheries (Change to Scalefish Management Plan) Order 2012.

### Commencement

(Explanatory note)

This order takes effect on the day on which it is published in the *Gazette*.

### Change to Scalefish Management Plan

The Fisheries (Scalefish) Rules 2004 (SR 2004, No.91) are changed as follows:

- a) by omitting from rule 60(4) "by the Office of Aboriginal Affairs or by other means approved by the Secretary" from paragraph (a) of the definition of "unique identifying code" and substituting "by the Secretary or by a means approved by the Secretary";
- b) by inserting in rule 60, after subrule (3), the following subrule:
  - (3A) Subrules (2) and (3) do not apply to an Aborigine in respect of the setting or use of a graball net, mullet net or a set line when engaging in an Aboriginal activity if-
  - (a) a unique identifying code was allotted to that Aborigine by a means approved by the Secretary under rule 60 (4); and
  - (b) that unique identifying code is clearly and legibly marked on that graball net, mullet net or set line in such a way that the unique identifying code is located above the surface of the water, or on the surface of the water, or within 300 mm of the surface of the water.
- c) by inserting after rule 60, the following rule:

# 60A. Identification of graball net, mullet net or set line used in Aboriginal activities

- (1) The Secretary, by notice published in the Gazette, may determine the manner in which graball nets, mullet nets and set lines are to be identified when set or used by Aborigines who-
  - (a) are engaging in Aboriginal activities; and
  - (b) have been allotted a unique identifying code by a means approved by the Secretary under subrule 60(4).
- (2) A determination made under subrule 1 may be made so as to apply differently according to matters, limitations or restrictions, whether as to time, circumstances or otherwise, specified in the determination.
- (3) For the purposes of making a determination under subrule (1), and without the generality of that subrule, the Secretary may adopt or incorporate a means of identification approved or recommended by any Aboriginal community body.
- (4) An Aborigine must ensure that a graball net, mullet net or set line used when engaging in an Aboriginal activity is identified in the manner determined under subrule 1 if the graball net, mullet net or set line is identified with a unique identifying code by a means approved by the Secretary under rule 60(4).

Penalty: Grade 2 penalty.

This order changes the management plan for the scalefish fishery so as to –

- a) provide mechanisms to allot unique identifying codes in respect of that fishery for Aborigines conducting Aboriginal activities; and
- b) Provide for certain requirements relating to the identification of graball nets, mullet nets and set lines set or used by Aborigines conducting Aboriginal activities.

# **Veterinary Surgeons**

### VETERINARY SURGEONS ACT 1987

### APPROVAL OF FEES

The Veterinary Board of Tasmania, in pursuance of section 3 of the *Veterinary Surgeons Act 1987* and with reference to section 11 of the *Acts Interpretation Act 1931*, at a meeting on 27 September 2012, approved, in relation to each matter set out in an item described in column 2 of the Schedule, the fee specified opposite in column 3 of the Schedule, as the fees payable in relation to the matter, with effect on and from the date on which section 4 of the *Veterinary Surgeons Amendment Act 2011* comes into force.

### Dr NEIL LEIGHTON, Chairman.

### Schedule

Column 1 – Item number	Column 2 – Description	Column 3 – Fee \$
1.	Application for exemption under section 13 of the Act	550
2.	Application for registration under section 18 of the Act as a veterinary surgeon (plus pro-rata of initial registration fee under s21A)	110
3.	Application for registration under section 18 of the Act as a veterinary specialist (must also be registered as a veterinary surgeon s16(1)(a))	175
4.	Provisional registration under section 19 of the Act (plus pro-rata of initial registration fee under s21A)	110
5.	Temporary registration under section 20 of the Act (Out of session fast track fee only payable if registration required within 10 business days of receipt of application)	70
6.	Initial registration fee under section 21A of the Act –  (a) 1 January – 31 March  (b) 1 April – 30 June  (c) 1 July – 30 September  (d) 1 October – 31 December	350 262.50 175 87.50
7.	Annual registration fee under section 22 of the Act (renewal)	350

### **Forest Practices**

Forest Practices Authority

15th October, 2012

### **NOTIFICATION**

IN ACCORDANCE with the provision of Section 11 of the *Forest Practices Act 1985*, and on the recommendation of the Forest Practices Authority, His Excellency, the Governor-in-Council has declared part of each of the lands listed in the following schedule to be Private Timber Reserves.

### **SCHEDULE**

### PRIVATE TIMBER RESERVE

### PART TITLE

Application No. OWNER LAND TITLE REFERENCE LOCATION MUNICIPAL AREA

2042 M & S Johnston Pty Ltd C/T Vol 142329 Fol 1 Meander Meander Valley Council
C/T Vol 223953 Fol 1
C/T Vol 248996 Fol 1
C/T Vol 248996 Fol 2

Given under my hand at Hobart in Tasmania on 15th October, 2012.

By His Excellency's Command,

P. G. UNDERWOOD, Governor.

B. GREEN, Minister for Energy and Resources

Forest Practices Authority

# 15th October, 2012

### NOTIFICATION

IN ACCORDANCE with the provision of Section 14 of the Forest Practices Act 1985, and on the recommendation of the Forest Practices Authority, His Excellency, the Governor-in-Council has declared the lands listed in the following schedule previously declared a Private Timber Reserve shall cease to be a Private Timber Reserve.

### **SCHEDULE**

### REVOCATION OF PART OF PRIVATE TIMBER RESERVE

Application No.	OWNER	LAND TITLE REFERENCE	LOCATION	MUNICIPAL AREA
0612AR	Howell, EF	C/T Vol 124983 Fol 1	Pipers Brook	George Town Council
1406R	Johnston, SJ & VA	C/T Vol 100356 Fol 1	Montana	Meander Valley Council

Given under my hand at Hobart in Tasmania on 15th October, 2012.

By His Excellency's Command,

P. G. UNDERWOOD, Governor.

B. GREEN, Minister for Energy and Resources

# **Forest Practices**

Forest Practices Authority
15th October, 2012

### NOTIFICATION

IN ACCORDANCE with the provision of Section 11 of the Forest Practices Act 1985, and on the recommendation of the Forest Practices Authority, His Excellency, the Governor-in-Council has declared the lands listed in the following schedule to be Private Timber Reserves.

### **SCHEDULE**

### PRIVATE TIMBER RESERVE

### WHOLE TITLE

Application No.	OWNER	LAND TITLE REFERENCE	LOCATION	MUNICIPAL AREA
2195	Kraemers, VE	C/T Vol 13112 Fol 1	Southport	Huon Valley Council
		C/T Vol 239526 Fol 1		
2196	Lucadou-Wells, RC	C/T Vol 235105 Fol 1	Calder	Waratah/Wynyard Council
2197	Tubb, Neville John	C/T Vol 49966 Fol 1	Blackwood Creek	Northern Midlands Council

Given under my hand at Hobart in Tasmania on 15th October, 2012.

By His Excellency's Command,

P. G. UNDERWOOD, Governor.

B. GREEN, Minister for Energy and Resources

# **Royal Assent**

Government House Hobart Tasmania 26 October 2012

HIS EXCELLENCY the Governor has this day in the name of Her Majesty The Queen assented to the following Bills:—

A Bill for an Act to amend and repeal certain Acts consequential on the enactment of the *Surrogacy Act* 2012.

Surrogacy (Consequential Amendments) Act 2012 (Act No. 31 of 2012)

A Bill for an Act to provide for the transfer of parentage of children in relation to whom certain non-commercial surrogacy arrangements are made before their birth, to prohibit commercial surrogacy arrangements and certain associated actions, and for related matters. Surrogacy Act 2012

(Act No. 34 of 2012)

By His Excellency's Command DAVID OWEN, Official Secretary.

# **Fees Units**

# **Department of Treasury and Finance**

# Fees Units

Please be advised that the prescribed fees have been increased under the Liquor Licensing (Fees) Amendment Regulations 2012 effective 12 November 2012

Regulations Section headers and Fee number and descriptions	Fee to apply from 12 November 2012 (Exclusive of GST) (\$) Fee Unit =	GST Applicable (Yes/No)	GST Amount (\$)	Fee to apply from 12 November 2012 (Inclusive of GST) (\$)
Revenue, Gaming and Licensing Division	1.44			
Liquor Licensing (Fees) Regulations 2005				
PART I - LIQUOR LICENCES				
Annual liquor licence fee payable under section 26A of the Act for -				
(a) a general licence	\$806.40	No	\$0.00	\$806.40
(b) an on-licence	\$568.80	No	\$0.00	\$568.80
(c) an on-licence referred to in item I (c)	\$374.40	No	\$0.00	\$374.40
(d) an off-licence	\$568.80	No	\$0.00	\$568.80
(e) a club licence	\$374.40	No	\$0.00	\$374.40
(f) any special licence	\$374.40	No	\$0.00	\$374.40
PART 2 - LIQUOR PERMITS				
Application under section 32 of the Act for —				
(a) an out-of-hours permit valid for less than 7 days	\$72.00	No	\$0.00	\$72.00
(b) an out-of-hours permit valid for 7 days or more	\$568.80	No	\$0.00	\$568.80
(c) an on-permit	\$288.00	No	\$0.00	\$288.00
(d) an off-permit	\$288.00	No	\$0.00	\$288.00
(e) a special permit valid for less than 4 days	\$57.60	No	\$0.00	\$57.60
(f) a special permit valid for between 4 days and 30 days, both inclusive	\$158.40	No	\$0.00	\$158.40
(g) a special permit valid for 6 months	\$187.20	No	\$0.00	\$187.20
(h) a special permit valid for 12 months	\$374.40	No	\$0.00	\$374.40

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