



THE LAW REFORM COMMISSION
OF WESTERN AUSTRALIA

Project No 65 – Part I

**Privacy and Statutory Powers
of Intrusion**

WORKING PAPER & SURVEY

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The Law Reform Commission of Western Australia was established by the *Law Reform Commission Act 1972-1978*.

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CONTENTS

	Paragraph
PREFACE	
CHAPTER 1 - INTRODUCTION	1.1
CHAPTER 2 - SUMMARY OF THE SURVEY	
1. ENTRY FOR INSPECTION AND OTHER PURPOSES	2.1
2. SEARCH AND/OR SEIZURE	2.5
3. REQUIRING INFORMATION TO BE SUPPLIED AND/OR DOCUMENTS TO BE PRODUCED	2.8
4. INQUIRY	2.10
5. ARREST OR APPREHENSION OF A PERSON	2.12
6. MEDICAL EXAMINATION AND/OR TREATMENT	2.14
7. OTHER FORMS OF INTRUSION	2.16
CHAPTER 3 - PROPOSALS FOR REFORM IN AUSTRALIA AND NEW ZEALAND	
1. AUSTRALIAN LAW REFORM COMMISSION	3.1
(a) Search and seizure	
(i) Search of premises	3.2
(ii) Search of persons	3.5
(b) Entry for purposes other than search and seizure	3.6
(c) Summons of witnesses/production of documents	3.7
(d) Other powers	3.8
2. NEW ZEALAND PUBLIC AND ADMINISTRATIVE LAW REFORM COMMITTEE	3.10
(a) General principles	3.11
(b) Other matters	3.12
CHAPTER 4 – DISCUSSION	4.1

SURVEY

PRIVACY AND STATUTORY POWERS OF INTRUSION IN WESTERN AUSTRALIA

PART 1 - ENTRY FOR INSPECTION AND OTHER PURPOSES	
PART 2 - SEARCH AND/OR SEIZURE	
PART 3 - REQUIRING INFORMATION TO BE SUPPLIED AND/OR DOCUMENTS TO BE PRODUCED	
PART 4 - INQUIRY	
PART 5 - ARREST OR APPREHENSION OF A PERSON	
PART 6 - MEDICAL EXAMINATION AND/OR TREATMENT	
PART 7 - OTHER FORMS OF INTRUSION	

INDEX OF ACTS

PREFACE

As part of its project on privacy, the Law Reform Commission of Western Australia has been asked to examine statutory powers of intrusion such as powers of entry, search and seizure which may be exercised by State officials. The Commission has completed its first consideration of these powers and now issues this working paper and survey. The purpose of issuing the working paper and survey is to invite comments, with reasons where appropriate, on the issues raised by the working paper and survey or on any other matter coming within the Commission's terms of reference. The Commission requests that comments be submitted to it by 16 November 1981.

Unless advised to the contrary, the Commission will assume that comments received on this working paper and survey are not confidential and that commentators agree to the Commission quoting from or referring to their comments, in whole or part, and to their comments being attributed to them. The Commission emphasises, however, that any desire for confidentiality or anonymity will be respected.

A notice has been placed in *The West Australia* offering to send, without charge, a copy of the working paper and survey to anyone interested in it and inviting comments thereon.

The research material on which the working paper and survey are based will, upon request, be made available at the offices of the Commission.

This working paper and survey are based on material available to the Commission in Perth on 1 August 1981.

CHAPTER 1 - INTRODUCTION

1.1 The Commission has been asked to enquire into and report upon the extent to which undue intrusions into or interferences with privacy arise or are capable of arising under the laws of Western Australia. The Commission's reference is parallel¹ to a reference given by the Commonwealth Attorney General to the Australian Law Reform Commission.² The purpose of the parallel reference was to enable this Commission to evaluate the recommendations of the ALRC, to make appropriate recommendations at the State level, and to explore the possibility of developing legislation suitable for adoption on a uniform basis throughout Australia.

1.2 The terms of reference are broad. They cover both the public and private sectors and include physical intrusions upon an individual's seclusion or solitude as well as invasions of privacy that may result from the collection, use and dissemination of personal information. Within these broad categories, a number of specific areas of enquiry are enumerated. One such area is the exercise of statutory powers by police and other government officials, and in particular:

- "(c) powers of entry on premises or search of persons or premises by police and other officials; and
- (d) powers exercisable by persons or authorities other than courts to summon the attendance of persons to answer questions or produce documents."

1.3 The ALRC has issued a discussion paper, *Privacy and Intrusions*,³ which explores a number of issues relating to intrusions upon the physical privacy of persons and which deals in part with the entry, search and seizure powers of Commonwealth officials. In its discussion paper, the ALRC reviews the common law position with respect to searches and discusses the statutory extensions of entry and search powers exercisable by Commonwealth police and administrative officials. This working paper⁴ is supplementary to the ALRC discussion paper and deals with the exercise of statutory powers of intrusion by State officials.

¹ This Commission's terms of reference were extended in March 1978 to include a consideration of the question whether a person's criminal record should be expunged after a certain time. Although not specifically referred to in its terms of reference it is understood that the Australian Law Reform Commission will also consider this aspect of the reference in its report.

² Referred to herein as the "ALRC".

³ ALRC Discussion Paper No 13 (1980) ("ALRC DP 13"). The proposals of the ALRC are discussed in Chapter 3.

⁴ Referred to herein as the "Working Paper".

1.4 As the first step in its analysis of statutory powers of intrusion, this Commission undertook a review of Western Australian statutes up to and including the first thirty-three Acts enacted in 1981.⁵ More than 450 statutory provisions were found which authorise some form of intrusion.⁶ Although the search of statutes was extensive, the Commission cannot be certain that all statutory powers have been recorded in the survey which accompanies this Working Paper.⁷ Nevertheless, the Commission considers that the number of provisions that were found provide an accurate gauge by which to assess the extent to which such powers are conferred and the impact they have on personal privacy.

1.5 The various provisions recorded in the Survey have been adopted on an ad hoc basis in statutes enacted over a long period of time. There is no clearly definable correlation between the type of powers conferred and the type of regulatory activity involved nor does there appear to be a correlation between the scope of the power conferred and the time when the legislation was enacted. Thus, some early statutes provided for warrantless entries but others did not, and the same is true for recent enactments. Perhaps the most that can be said is that the number of powers has increased as the number of regulatory bodies and activities has increased. Moreover, there has been a tendency in some cases to add to powers in a given Act over a period of time. For example, the *Indecent Publications Act 1902* created certain offences but conferred no special powers of entry, search or seizure in relation to those offences. A 1974 amendment to that Act,⁸ however, authorises a member of the police force to enter without a warrant any premises carrying on the business of selling or distributing publications in order to search for and seize any publications which appear to him to be indecent or obscene. The same amendment also states that other premises may be entered pursuant to a warrant issued by a justice.

1.6 The powers found in Western Australian statutes have been categorised by the Commission under seven headings⁹ which are listed below together with the number of provisions falling within each category -

⁵ The Commission has not undertaken a review of subordinate legislation.

⁶ A large number of provisions necessarily involve the exercise of more than one power. Thus, one provision may confer powers to enter, to search, and to require information. In these cases, an attempt was made to classify the provision according to its main purpose. In a few cases, however, the same provision may be recorded in more than one category. See para 1.6 below for the various categories under which powers were classified.

⁷ Referred to herein as the "Survey".

⁸ *Indecent Publications Act Amendment Act 1974*, s 9.

⁹ The first three headings cover the powers specifically mentioned by the terms of reference. However, since the reference is not limited to those specified powers, the Commission has included other analogous

1. Entry for inspection and other purposes (175)
2. Search and/or seizure (54)
3. Requiring information to be supplied and/or documents to be produced (164)
4. Inquiry (14)
5. Arrest or apprehension of a person (23)
6. Medical examination and/or treatment (19)
7. Other forms of intrusion (9).

powers which might be considered to give rise to undue intrusions. The provisions under the first six headings are further divided into the following sub-groups: (1) Primary production, (2) Manufacture or marketing, (3) Conservation and environment, (4) Occupational or commercial matters, (5) Safety, (6) Social benefit or welfare, (7) Public health, (8) Public works, (9) Taxation and/or valuation, (10) Criminal offences, (11) Miscellaneous .

CHAPTER 2 - SUMMARY OF THE SURVEY

1. ENTRY FOR INSPECTION AND OTHER PURPOSES

2.1 The review of Western Australian statutes disclosed 175 provisions which authorise some form of entry. A large number of these provisions authorise entry for the purpose of making an inspection. Others authorise entry for such purposes as controlling vermin, prospecting for minerals, carrying out surveys, controlling fires and constructing waterworks or railways. The major sub-groups are primary production (36), public works (21), safety (17), occupational or commercial matters (13), conservation and environment (12) and social benefit or welfare (11).

2.2 Generally, there are no judicial or procedural limits on the powers of entry. However, the circumstances in which an entry may be made are often stated with particularity. In some cases it is necessary to have a reasonable belief in the existence of a state of facts.¹ Some statutes authorise entry "at any time" or "at any time of the day or night".² Others specify that the entry may be made at "all reasonable times".³ In a number of cases it is necessary to have the consent of the owner or occupier of the premises before the entry is made.⁴ If consent is refused, entry can usually be made if a warrant is granted by a justice.⁵ In a few cases it is necessary to obtain a warrant or the authority of a court or a Minister in the first instance.⁶

2.3 Once entry is made, some statutes place an obligation on the inspector to conform with the reasonable requirements of the occupier so as not to interfere with the business operations on the premises.⁷ Some also require the occupier to furnish all reasonable assistance to the inspector.⁸ Most, however, simply make it an offence to obstruct a person exercising these powers.⁹ In a number of cases, it is also made an offence for an inspector or other official to

¹ See for example, *Aerial Spraying Control Act 1966-1978*, s 13A(6) [The provision appears in the Survey].

² See for example, *Beekeepers Act 1963-1980*, s 6 [Survey].

³ See for example, *Real Estate and Business Agents Act, 1978- 1980*, s 15(1)(c) [Survey].

⁴ See for example, *Radiation Safety Act 1975-1979*, s 42(2)(a) [Survey].

⁵ See for example, *Radiation Safety Act 1975-1979*, s 42(2)(b) [Survey].

⁶ See for example, *Grain Marketing Act 1975-1981*, s 38 [Survey].

⁷ See for example, *Aboriginal Heritage Act 1972-1980*, s 51(2) [Survey].

⁸ See for example, *Aboriginal Heritage Act 1972-1980*, s 51(3) [Survey].

⁹ See for example, *Painters' Registration Act 1961-1976*, s 16A [Survey].

disclose, other than in the course of his duties, any information which he obtains in the exercise of his duties.¹⁰

2.4 As has been discussed,¹¹ there is no particular pattern to the requirements of the various statutes and in fact different standards apply to provisions serving apparently similar functions. For example -

- * An inspector under section 12 of the *Seeds Act 1950* may without warrant enter any place where he believes that seeds are stored, sold or kept for sale whereas an inspector under section 27 of the *Fertilizers Act 1977* may enter premises which he reasonably believes to be used in connection with the production, marketing or sale of fertilizers only with the consent of the occupier or pursuant to a warrant.

- * An inspector under section 46 of the *Clean Air Act 1964-1981* may enter and inspect premises without warrant and the occupier is required under section 47 to furnish him all reasonable assistance whereas an inspector under section 68 of the *Environmental Protection Act 1971-1980* must obtain either the occupier's consent or a warrant unless there is an urgent need for a warrantless entry and he must further conform with the reasonable requirements of the occupier so as not to interfere with the business operations on the premises .

- * An inspector may enter premises without warrant to inspect books under section 34(9) of the *Security Agents Act 1976-1979* whereas an inspector under section 15 of the *Real Estate and Business Agents Act 1978-1980* must obtain a warrant.

2. SEARCH AND/OR SEIZURE

2.5 Of the fifty-four provisions recorded in the Survey which authorise a search and/or seizure, fourteen require a warrant. Of these, five relate to offences under the *Criminal Code*¹²

¹⁰ See for example, *Trade Descriptions and False Advertisements Act 1936-1979*, s 10 [Survey].

¹¹ Para 1.5 above.

¹² See for example, *Criminal Code 1913-1980*, s 711A [Survey].

or *Police Act*,¹³ three relate to various gambling and betting offences¹⁴ and three relate to prohibited poisons,¹⁵ firearms,¹⁶ and explosives or dangerous goods.¹⁷

2.6 Of the forty provisions which authorise a search and/or seizure without a warrant, most fall within the sub-groups of conservation and environment, public health and primary production and most are directed at the search for or seizure of property which does not comply with the requirements of a particular Act¹⁸ or which has been used in contravention of a particular Act.¹⁹ Approximately half of the provisions require the officer concerned to have reasonable grounds for the search or seizure.²⁰ One of the broader provisions authorising a warrantless search is section 49B of the *Fisheries Act 1905-1979* which allows inspectors, for the purposes of the Act, "to enter and search any premises or place at any time without warrant...".²¹ In a number of cases a piece of property which has been seized can be forfeited to the Crown.²² In these cases it is necessary for a hearing to be held before a justice before the property is forfeited to the Crown.

2.7 Section 20 of the *Wildlife Conservation Act 1950-1980* is noteworthy because it sets three separate standards for conducting searches. Under that provision, no warrant is required to enter and search premises which are not a dwelling-house. However, where a wildlife officer enters upon or searches without warrant the enclosed garden or curtilage of a dwelling-house, the owner or occupier may complain to a justice that there were no reasonable grounds for the exercise of that power. The justice must enquire into the matter and report his findings to the complainant and to the Minister. Where a wildlife officer desires to search the dwelling-house itself, a warrant must be obtained prior to the search.

¹³ See for example, *Police Act 1892-1980*, s 68 [Survey].

¹⁴ See for example, *Betting Control Act 1954-1978*, s 28A [Survey].

¹⁵ *Poisons Act 1964-1978*, s 55 [Survey].

¹⁶ *Firearms Act 1973-1980*, s 26 [Survey].

¹⁷ *Explosives and Dangerous Goods Act 1961-1978*, s 12(1)(d) [Survey].

¹⁸ *Fruit Cases Act 1919-1973*, s 8(1)(b)(v) [Survey].

¹⁹ *Fisheries Act 1905-1979*, s 49A [Survey].

²⁰ See for example, *Western Australian Products Symbol Act 1972*, s 9 [Survey].

²¹ According to a submission to this Commission from a university, this power apparently was invoked on one occasion to search student records.

²² See for example, *Fisheries Act 1905-1979*, s 21(3) [Survey].

3. REQUIRING INFORMATION TO BE SUPPLIED LAND/OR DOCUMENTS TO BE PRODUCED

2.8 The survey disclosed 164 provisions which authorise a government body or instrumentality to require information to be supplied or documents to be produced. The major sub-groups are occupational licensing or registration (51), primary production (19), safety (9) and taxation and/or valuation (9). Some of the provisions confer formal powers to summon the attendance of persons to answer questions or produce documents. Others simply provide that a government official may require persons to furnish information or authorise the official to inspect books or documents. A few of the latter provisions specifically authorise the official to enter premises in order to inspect the books or documents²³ but most are silent in this regard. In only one case is it necessary to obtain a court order requiring a person to produce documents.²⁴

2.9 Generally, there are few limits on the exercise of these powers. In a small number of cases it is necessary to establish reasonable grounds for believing in the existence of a state of facts before the power can be exercised. Under section 51(1)(b) of the *Aboriginal Heritage Act 1972-1980*, for example, a member of the staff of the Museum must have reasonable grounds for believing that a site has been or is of sacred, ritual or ceremonial significance to Aboriginals before a request may be made for information relating to the site. More frequently, however, safeguards take the form of confidentiality or immunity provisions. The former make it an offence for officials or other persons who obtain information under an Act to disclose that information except in the performance of their duties.²⁵ The latter either excuse persons from answering questions which might tend to incriminate them²⁶ or require persons to answer questions but make the information obtained inadmissible in evidence against them other than in proceedings for perjury or making a false statement.²⁷

²³ See for example, *Business Franchise (Tobacco) Act 1975-1981*, s 4(1) [Survey]. A number of other provisions which specifically authorise entry in order to inspect books or documents can be found in the Survey under the heading "Entry for inspection and other purposes".

²⁴ *Securities Industry Act 1975-1978*, s 10 [Survey].

²⁵ See for example, *Consumer Affairs Act 1971-1980*, s 19 [Survey].

²⁶ See for example, *Hire-Purchase Act 1958-1980*, s 23D [Survey]; *Land Valuers Licensing Act 1978*, s 13 [Survey]; *Public Service Act 1978*, s 18 [Survey]; *Real Estate and Business Agents Act 1978-1980*, s 20 [Survey], compare s 16.

²⁷ See for example, *Companies Act 1961-1979*, s 367A [Survey]; *Consumer Affairs Act 1971-1980*, s 23P [Survey]; *Credit Unions Act 1979*, s 159 [Survey]; *Securities Industry Act 1975-1978*, s 18 [Survey].

4. INQUIRY

2.10 Fourteen provisions authorise a government body or instrumentality to conduct an investigation. Twelve of these powers relate to occupational matters of which involve inquiries for the purpose of determining licensing applications for such occupations as debt collectors, employment agents, finance brokers, liquor licensees, security agents and settlement agents. Three of the powers involve audits of the trust accounts of debt collectors, legal practitioners and settlement agents. Other powers authorise inquiries into the conduct of the affairs of a Friendly Society and the conduct of a legal practice.

2.11 Apart from specifying the circumstances in which an inquiry may be conducted these provisions do not provide any limit on the exercise of these powers.

5. ARREST OR APPREHENSION OF A PERSON

2.12 The Survey lists twenty-three provisions which provide for the arrest or apprehension of a person. The majority of these involve offences under the *Criminal Code*, *Police Act* and various other Acts. In only three cases is a warrant required.²⁸ In the other cases the officer, usually a police officer, may arrest without a warrant where he has found a person committing an offence or has reasonable grounds for believing that the person has committed an offence.²⁹ Persons other than police officers given power to arrest include inspectors under section 40 of the *Fisheries Act 1905-1979* who may arrest with or without warrant any person they reasonably believe to have committed an offence against the Act. Arrest powers are also given to officers under section 78 of the *State Energy Commission Act 1979*, officers of the Minister under section 114 of the *Country Areas Water Supply Act 1947-1980* and inspectors under section 7(b) of the *Spear-guns Control Act 1955-1972* who may arrest without a warrant any person they suspect on reasonable grounds to have committed an offence against their respective Acts if the person refuses to give his name and address. Neither the *Fisheries Act* nor the *Country Areas Water Supply Act* specifies what steps should be taken once an arrest is effected. However, the *State Energy Commission Act* directs that the person arrested must be delivered to a police officer or a justice to be dealt with according to the law while the *Spear-guns Control Act* directs that the person must be taken before any two justices.

²⁸ *Criminal Code 1913-1980*, s 580 [Survey]; *Police Act 1892-1980*, s 122 [Survey]; *Prevention of Cruelty to Animals Act 1920-1976*, s 9 [Survey].

²⁹ See for example, *Firearms Act 1973-1980*, s 24(4) [Survey].

2.13 The second major sub-group of arrest and apprehension powers involves social benefit or welfare matters. There are five in this group, four of which relate to children. Under section 29 of the *Child Welfare Act 1947-1979*, for example, any child appearing to be in need of care may be apprehended without a warrant by a police officer or officer of the Department for Community Welfare. Any child so apprehended must be taken before a Children's Court to be dealt with according to law.

6. MEDICAL EXAMINATION AND/OR TREATMENT

2.14 Nineteen provisions were found which either make it obligatory for a person to undergo medical examination and/or treatment or which make a medical examination a pre-condition to the receipt of some benefit or to the exercise of some right. Of these, fourteen involve compulsory examinations which relate to public health matters. The Commissioner of Public Health, for example, has extensive powers under the *Health Act 1911-1979* to order the examination of persons he reasonably believes to be suffering from venereal disease³⁰ or tuberculosis³¹ as well as certain other diseases.³² Similarly, under various provisions of the *Mental Health Act 1962-1979*,³³ people suffering or suspected of suffering from mental disorder may be committed by justices to an approved hospital for examination and treatment.

2.15 Provisions which make undergoing a medical examination a pre-condition to the receipt of some benefit or to the exercise of some right include section 38 of the *Government Railways Act 1904-1980* which provides that no action for damages for personal injuries may be taken against the Western Australian Government Railways Commission unless the plaintiff submits himself to an examination by a medical practitioner appointed by the Commission. A medical examination may also be required by the Motor Vehicle Insurance Trust where a claim for damages for bodily injury has been made.³⁴

Under section 7(1A)(c) of the *Coal Mine Workers (Pensions) Act 1943-1980*, any applicant for a pension may be required to submit himself to a medical board for examination as to the degree or his incapacity for work.

³⁰ See for example, s 307 [Survey].

³¹ See for example, s 294 [Survey].

³² See for example, s 251(5) [Survey].

³³ See for example, ss 29 and 32 [Survey].

³⁴ *Motor Vehicle (Third Party Insurance) Act 1943-1976*, s 30 [Survey].

7. OTHER FORMS OF INTRUSION

2.16 This category includes nine other matters which do not readily fall within one of the other categories referred to above. They include the following powers -

- * The Director of the Department for Community Welfare may undertake the general care, protection and management of the property of any person who, in his opinion, is disadvantaged.³⁵
- * The Supreme court may appoint a person to manage the affairs of a person if the Court is satisfied he is incapable by reason of mental illness of managing his own affairs.³⁶
- * A patrolman may, in certain circumstances, require the driver of a vehicle to provide a sample of his breath for a preliminary test or to allow a medical practitioner to take a sample of his blood for analysis.³⁷
- * A Fisheries inspector may, for the purpose of carrying out his duties under the Act, requisition a boat, engine, oars, paddles or rowlocks. The Director of Fisheries must pay compensation to any person deprived of the use of such items.³⁸

³⁵ *Community Welfare Act 1972-1978*, s 14 [Survey].

³⁶ *Mental Health Act 1962-1979*, s 64 [Survey].

³⁷ *Road Traffic Act 1974-1980*, s 66 [Survey].

³⁸ *Fisheries Act 1905-1979*, s 8 [Survey].

CHAPTER 3 - PROPOSALS FOR REFORM IN AUSTRALIA AND NEW ZEALAND

1. AUSTRALIAN LAW REFORM COMMISSION

3.1 In its report on *Criminal Investigation*,¹ the ALRC discussed the common law powers of police in such areas as arrest, search and seizure and examined the numerous statutory extensions of those powers. In its discussion paper on *Privacy and Intrusions*,² the ALRC reviewed the areas covered in its earlier report and extended its enquiry to the exercise of search and seizure powers by government officials other than police officers .

(a) Search and seizure

(i) Search of premises

3.2 In its discussion paper on *Privacy and Intrusions*, the ALRC reported that it had undertaken a limited review of Commonwealth statutes from 1901 to 1977 which revealed that of thirty-three provisions authorising searches to be conducted, thirteen allow warrantless searches.³ In evaluating the circumstances under which warrantless powers are conferred, the ALRC commented that most appeared to deal with situations where speedy action might be required, namely where vehicles, aircraft, ships and boats are involved.⁴

3.3 The ALRC proposed that powers of entry, search and seizure, whether exercised by police or administrative officials, should be controlled and should normally be exercisable only pursuant to a warrant.⁵ The warrant should be granted by a judicial officer who is satisfied that there are reasonable grounds of suspicion related to specific matters and should describe with particularity the things which are to be searched and seized.

3.4 The ALRC recognised an exception to the warrant requirement, however, where there is a reasonable belief as to the need for urgent action. In these circumstances, the ALRC

¹ ALRC Interim Report No 2 ("ALRC 2").

² ALRC DP 13, paras 60 to 73. It is understood that the ALRC will complete its report on privacy early next year.

³ Id, para 69.

⁴ Ibid.

⁵ Id, para 67.

proposed that the exercise of the power should be subject to review within a short period by a judicial officer on an application for a retrospective warrant, that a record of the details of a retrospective warrant should be kept and that the judicial officer should be empowered to refer the matter to the relevant disciplinary authorities if he considered that the official acted without any genuine belief in the reasonableness of his action.⁶

(ii) Search of persons

3.5 The ALRC also touched on the issue of intrusive body searches in its discussion paper on *Privacy and Intrusions*.⁷ It drew attention to amendments⁸ to the *Customs Act 1901* (Cth) which substantially incorporated recommendations made by the ALRC in its report on *Criminal Investigation*.⁹ In that report, the ALRC recommended that intrusive body searches such as searches of body cavities should only be carried out with the written consent of the person concerned or in the absence of such consent by a medical practitioner pursuant to a court order.¹⁰

(b) Entry for purposes other than search and seizure

3.6 At the time its discussion paper on *Privacy and Intrusions* was issued, the ALRC had not completed a review of statutes conferring powers of entry for purposes other than search and seizure, but its tentative view was that the safeguards recommended for the exercise of powers of entry relating to search and seizure should also apply to powers of entry on premises for other purposes.¹¹ The ALRC has since conducted further research with respect to these powers and has decided not to undertake an exhaustive search of statutory provisions. The ALRC will deal with the issue in its report on privacy and will make its recommendations on the basis of common legislative patterns revealed in the course of its research.

⁶ Id, para 71.

⁷ Id, para 66.

⁸ *Customs Amendment Act 1979* (Cth), s 6.

⁹ ALRC 2, paras 130 to 133, 207.

¹⁰ Id, paras 131, 133.

¹¹ ALRC DP 13, para 72.

(c) Summons of witnesses/production of documents

3.7 The question of the exercise of powers by persons other than courts to summon the attendance of persons to answer questions or produce documents was not examined by the ALRC in its discussion paper on *Privacy and Intrusions*¹² but will be addressed in its report on privacy.

(d) Other powers

3.8 The ALRC previously considered powers of arrest in its *Criminal Investigation* report and recommended that police officers should arrest persons without a warrant only if they believe on reasonable grounds that the person has committed or is committing an offence and that proceeding against him by way of summons would not be effective in the circumstances.¹³ An arrest would be justified where there is a need to -

- * ensure the appearance of the person before a court of competent jurisdiction ;
- * prevent a continuation or repetition of the offence; or
- * prevent the loss or destruction of evidence relating to the offence.

The ALRC recommended that these standards be incorporated into legislation.¹⁴

3.9 The ALRC report on privacy will focus on the powers specifically mentioned in its terms of reference and will not deal with other powers of intrusion such as arrest and compulsory medical examination except to review the extent to which relevant recommendations in its previous report on *Criminal Investigation* have been implemented.

2. NEW ZEALAND PUBLIC AND ADMINISTRATIVE LAW REFORM COMMITTEE

3.10 The New Zealand Public and Administrative Law Reform Committee has released an interim report on powers of entry.¹⁵ The Committee surveyed New Zealand statutes and found

¹² Ibid.

¹³ ALRC 2, paras 38 to 44.

¹⁴ Id, para 39.

¹⁵ *Powers of Entry - An Interim Report*, (June 1981) reprinted in 1981 NZLJ 287. (Citations are to the reprint.) The New Zealand Public and Administrative Law Reform Committee (referred to herein as the "Committee") hopes to issue its final report by the end of 1981.

more than 150 separate powers of entry. Preliminary comments were solicited from government departments and the Committee has undertaken to evaluate each power in light of the departmental comments received and in light of fourteen general principles which it formulated in the course of its study.¹⁶

(a) General principles

3.11 The principles¹⁷ which the Committee intends to apply in examining each statutory provision are quoted below together with a summary of a number of the Committee's explanatory comments.

1. The essential power principle

"The grant of a power enabling officials to enter property must be essential to achieve a purpose of the Act."

The Committee noted that the fact that a statutory power is seldom invoked did not necessarily mean that it should be repealed since in many cases the existence of the power is used to induce a person to consent to entry although the power itself is not formally invoked. The Committee explained, however, that a power of entry could not be justified on the basis it might be needed in the future if in fact it had not been found to be needed in recent practice.

2. The express power principle

"A power to enter should be conferred expressly and not by implication."

The Committee considered that powers should be conferred by the authorising Act itself and not by regulations or by-laws made pursuant to the Act. Moreover, powers of entry should be expressly conferred and not implied as necessary or ancillary to another power such as the power to search.

¹⁶ Ibid.

¹⁷ Id, 287 to 290.

3. The precise purposes principle

"The purpose that justifies an entry should be expressed in terms which are as precise as the subject matter permits."

The Committee rejected the legislative drafting practice of couching the purpose that justifies the exercise of the power in such general terms as "for the purposes of the Act".

4. The objective belief principle

"The lawfulness of an entry should not be conditional on the official's or his employer's 'opinion' ('where ...is of the opinion that ...'). Any condition precedent should be stated objectively (typically - 'where he has reason to believe ...')."

The Committee considered that tests framed in objective terms provide greater safeguards against arbitrary official actions.

5. The notice principle

"Sometimes the giving of reasonable advance notice of entry would defeat the purpose of the power. When that is not the case, notice should be required. The notice should contain a reference to the particular statutory source of the power, to its purpose and to the time when entry will occur."

The Committee noted that in some cases notice by telephone would be sufficient. The Committee also considered that different standards might apply to situations where the occupier of the premises is licensed or regulated or contractually related to the person making the entry than apply to situations where there is no special relationship with the person entering. The Committee, however, had not reached a final decision with respect to the standards that should apply in these situations.

6. The evidence/warrant principle

"Where the power is required for the purpose of ascertaining whether an offence has been committed, the official should obtain a warrant from the person acting judicially, following an application in writing on oath.

A power to enter without warrant (or notice) should be conferred only when an overriding public interest demands such a power, and it should be accompanied both by the requirement of authorisation from a senior officer in the relevant department and by an obligation to report on the exercise of the power. "

The Committee explained that persons authorised to issue warrants would not be limited to judges but would include court registrars and justices of the peace. The Committee stressed that a power to enter without warrant or notice should be conferred only in very exceptional circumstances.

7. The reasonable time principle

"Where the power is silent as to the time of day when it may be exercised, or specifies 'at any time', it should be confined to 'at reasonable times'."

The Committee emphasised there would have to be strong and convincing reasons to support the exercise of a power to enter at any time of the day or night.

8. The forcible entry principle

" A power to enter should not be accompanied by a power to use force or to 'break into any building' unless the absence of such an ancillary power would frustrate the purpose of entry."

The Committee noted that a power of entry which is silent about the use of force does not authorise force.

9. The identification principle

"An inspector should carry a warrant of authority to identify himself, the position he holds, and the source and nature of his authority. Further, he should be obliged to produce this, whether asked to do so or not."

The warrant of authority envisaged by the Committee would contain more information than the identification certificates required by many existing statutes in that it would set out the source of the holder's authority and the precise powers which are conferred on the holder.

10. The precise-power principle

"The acts that the official can perform, and the questions he may ask once he has gained admission, should be specified as precisely as possible, and should be related to the purpose of the particular entry."

The Committee noted that many statutes failed to specify what an official may do once he has made a lawful entry.

11. The questions principle

"The relationship between the privilege against self-incrimination and the asking of questions by the inspector should be clarified by either expressly affirming or, negating the privilege, depending on what the circumstances require."

The Committee considered that as a general rule the privilege against self-incrimination should be expressly affirmed.

12. The challenge requirement principle

"Where, consequent upon a power of entry, an individual is required to do a piece of work, or pay for its completion should he fail to complete it himself, he should be entitled to challenge the need for the work, and the cost of it, in ...[a Court of competent jurisdiction]."

13. The compensation principle

"When the power gives a right to compensation for damage occasioned by the entry, this should be assessed by an independent tribunal or Court."

14. The placement principle

"A power of entry should wherever possible be placed in juxtaposition to any section to which the power of entry is an ancillary enforcement power."

(b) Other matters

3.12 The Committee noted that several issues remained to be settled.¹⁸ The Committee considered, for example, that it would be appropriate to require a warrant for entry into a dwelling-house in cases where it would not be necessary for other premises; however, it had not arrived at a satisfactory definition of "dwelling-house". The Committee raised the question whether the term "dwelling-house" should include such areas as a garden, a garden shed, a patio or a motel unit. It also had not reached a decision as to the length of time a warrant should remain valid.

¹⁸ Id, 290.

CHAPTER 4 - DISCUSSION

4.1 The Commission decided to publish this Working Paper and Survey because of the number and variety of the statutory powers of intrusion that have been found in Western Australian statutes. The Commission desires to solicit comments from government bodies and members of the public as to the need for such provisions, their impact on personal privacy and any safeguards which might be adopted without impairing the ability of regulatory bodies to carry out their functions. The Commission also invites comments on the ALRC proposals for reform and the general principles formulated by the New Zealand Public and Administrative Law Reform Committee.

4.2 The Commission has already received submissions from a number of government authorities¹ in response to an invitation issued in connection with a public hearing on privacy conducted jointly by the ALRC and this Commission in Perth on 10 November 1980. Most of those who have made submissions have commented in general terms, indicating that statutory powers of the kind under examination are essential to carrying out their designated regulatory functions and emphasising that the powers are exercised with care and discretion.

4.3 By its terms of reference, the Commission is required to enquire into whether these statutory powers give rise or are capable of giving rise to intrusions into personal privacy, and if so, what measures are required to provide proper protection and redress. The Commission believes it may be necessary to reappraise the need for such powers. In this regard, it may be possible not only to establish criteria for ensuring that statutory powers of intrusion are no greater than is necessary to achieve a particular legislative purpose but also to establish criteria for balancing the need for privacy against the need to achieve that purpose. The

¹ Agricultural Protection Board, written submission, 6 November 1980; Agriculture Department, written submission, 5 January 1981; Audit Department, written submission, 10 September 1980; Bureau of Consumer Affairs, written submission, 6 November 1980, and oral submission at Perth public hearing, 10 November, 1980, transcript 120-128/129; Corporate Affairs Office, written submission, undated; Director General of Transport, written submission, 11 September 1980; Fire Brigades Board, written submission, 6 November 1980, and oral submission at Perth public hearing, 10 November 1980, transcript 24-27; Fisheries and Wildlife Department, written submission, 4 November 1980; Fremantle Port Authority, written submission, 3 November 1980; Labour and Industry Department, written submission, 7 November 1980; Main Roads Department, written submission, 6 March 1981; Metropolitan Water Supply, Sewerage, and Drainage Board, written submission, 20 October 1980; Mines Department, written submission, 22 September 1980; Motor Vehicle Insurance Trust, written submission, 25 November 1980; Potato Marketing Board, written submission, undated; State Taxation Department, written submission, 10 November 1980.

Commission considers it may also be desirable to standardise and rationalise the statutory provisions in order to provide a uniform and consistent approach.

4.4 The Commission welcomes comment on these and other privacy issues related to the exercise of statutory powers of the kind detailed in the Survey, and in particular on the following -

1. As a general rule, should a warrant be required to enter or search premises?
2. If not, should prior notice to owners or occupiers be required to enter or search premises?
3. In what circumstances should entry or search without a warrant or notice be authorised?
4. Should there be special standards for entering or searching –
 - * dwelling-houses?
 - * licensed or regulated premises?
 - * rural land?
 - * any other types of premises?
5. As a general rule, should the power to enter premises be restricted to certain times?
6. Should officials be required to carry and produce a certificate of authority before seeking to enter premises?
7. Should administrative officials be required to have police accompany them to make an entry where consent to enter has been refused?
8. In what circumstances should force to enter premises be authorised?

9. Should there be a review procedure or complaints mechanism where searches are carried out without a warrant or where searches authorised by a warrant are carried out improperly? If so, what form should it take?
10. What standards should apply to searches of a person and in particular searches of body cavities? Should they be required to be carried out by persons of the same sex? In the case of body cavities, by a medical practitioner?
11. As a general rule, should the privilege against self-incrimination be preserved where statutes require information or documents to be supplied? If so, should a person be informed that he need not answer questions if they tend to incriminate him?
12. In what circumstances should officials other than police officers have power to arrest and what safeguards should apply?
13. Should departments be required to keep statistics or records relating to the exercise of their statutory powers to enter, search, require information or arrest?
14. Should procedures for entering, inspecting and searching premises, searching persons and seizing property be set out in a general code?

SURVEY ON PRIVACY
AND
STATUTORY POWERS OF INTRUSION
IN
WESTERN AUSTRALIA

CONTENTS

PART 1 - ENTRY FOR INSPECTION AND OTHER PURPOSES

- (a) Primary Production
- (b) Manufacture or Marketing
- (c) Conservation and Environment
- (d) Occupational or Commercial Matters
- (e) Safety
- (f) Social Benefit or Welfare
- (g) Public Health
- (h) Public Works
- (i) Taxation and/or Valuation
- (j) Criminal Offences
- (k) Miscellaneous

PART 2 - SEARCH AND/OR SEIZURE

- (a) Primary Production
- (b) Manufacture or Marketing
- (c) Conservation and Environment
- (d) Occupational or Commercial Matters
- (e) Safety
- (f) Social Benefit or Welfare
- (g) Public Health
- (h) Public Works
- (i) Taxation and/or Valuation
- (j) Criminal Offences
- (k) Miscellaneous

PART 3 - REQUIRING INFORMATION TO BE SUPPLIED AND/OR DOCUMENTS TO BE PRODUCED

- (a) Primary Production
- (b) Manufacture or Marketing
- (c) Conservation and Environment
- (d) Occupational or Commercial Matters
- (e) Safety
- (f) Social Benefit or Welfare
- (g) Public Health
- (h) Public Works
- (i) Taxation and/or Valuation
- (j) Criminal Offences
- (k) Miscellaneous

PART 4 - INQUIRY

- (a) Primary Production
- (b) Manufacture or Marketing
- (c) Conservation and Environment

- (d) Occupational or Commercial Matters
- (e) Safety
- (f) Social Benefit or Welfare
- (g) Public Health
- (h) Public Works
- (i) Taxation and/or Valuation
- (j) Criminal Offences
- (k) Miscellaneous

PART 5 - ARREST OR APPREHENSION OF A PERSON

- (a) Primary Production
- (b) Manufacture or Marketing
- (c) Conservation and Environment
- (d) Occupational or Commercial Matters
- (e) Safety
- (f) Social Benefit or Welfare
- (g) Public Health
- (h) Public Works
- (i) Taxation and/or Valuation
- (j) Criminal Offences
- (k) Miscellaneous

PART 6 - MEDICAL EXAMINATION AND/OR TREATMENT

- (a) Primary Production
- (b) Manufacture or Marketing
- (c) Conservation and Environment
- (d) Occupational or Commercial Matters
- (e) Safety
- (f) Social Benefit or Welfare
- (g) Public Health
- (h) Public Works
- (i) Taxation and/or Valuation
- (j) Criminal Offences
- (k) Miscellaneous

PART 7 - OTHER FORMS OF INTRUSION

INDEX OF ACTS

1. ENTRY FOR INSPECTION AND OTHER PURPOSES

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
<i>(a) Primary Production</i>			
<i>Abattoirs Act 1909-1978, s 8</i>	Any officer appointed under the Act.	To enter property on which any stock are slaughtered or kept for slaughter contrary to the regulations made under the Act.	The officer must have reason to believe that stock are so slaughtered or kept for slaughter.
<i>Aerial Spraying Control Act 1966-1978, s13A(6)</i>	An inspector appointed under the Act.	To enter and inspect for the purpose of determining whether any method of working, aircraft, apparatus or other thing conforms with the requirements of the Act having particular regard to the safety aspects in relation to the effect of spraying on plants or animals.	The inspector must have reason to believe that aerial spraying is or may be taking place on the land, premises or thing or may be affected thereby or that the land, premises or thing are being used in connection with aerial spraying. Persons appointed to be inspectors should be furnished with a certificate which must be produced on request of any person in respect of whom he exercises any of his powers (s 13A(2)).
<i>Aerial Spraying Control Act 1966-1978, s 14</i>	The Director of Agriculture or a person authorised by him.	To enter land to determine whether crops, trees, pastures or growth or animal life has been injuriously affected by spray drift or aerial spraying.	

<i>Agricultural Products Act 1929-1974, s 4</i>	An inspector appointed under the Act or under the <i>Plant Diseases Act 1914</i> .	To enter and inspect a place and take samples of agricultural products in order to determine whether the products comply with the requirements of the Act.	The inspector must have reasonable grounds for believing that agricultural products are exposed or offered for sale or are held in storage for the purpose of sale. He may only enter the premises at a reasonable time.
<i>Agricultural Products Act 1929-1974, s 4A</i>	An inspector appointed under the Act or under the <i>Plant Diseases Act 1914</i> .	To enter a place and inspect any wool found therein to determine whether the wool, intended for sale or sold, has been packed in accordance with the Act.	The inspector must have reasonable grounds for suspecting that such wool is in the place.
<i>Agriculture and Related Resources Protection Act 1976-1980, s 52</i>	An inspector or authorised person.	To enter land and carry out work to control declared plants and animals.	The inspector or authorised person must be of the opinion that the owner or occupier of the land has not complied with a direction to carry out the work.
<i>Agriculture and Related Resources Protection Act 1976-1980, s 58</i>	The Agriculture Protection Board through inspectors and authorised persons.	To enter land and do such things as may be necessary for or conducive to the control of declared plants and declared animals.	
<i>Agriculture and Related Resources Protection Act 1976-1980, s 84(1)</i>	An inspector or authorised person.	To enter upon land and into premises to search for declared plants or animals or any chemical stored or used upon the land contrary to the Act or to patrol and inspect any fence on or bounding the land.	The power does not apply to a dwelling-house, hut, tent, caravan or other erection used as a permanent residence.

1. ENTRY FOR INSPECTION AND OTHER PURPOSES

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
(a) <i>Primary Production</i> cont'd			
<i>Agriculture and Related Resources Protection Act 1976-1980, s 84(2)</i>	An inspector or authorised person.	To enter into premises to search for declared plants or animals or any chemical stored or used upon the land contrary to the Act.	This power relates to properties exempted from the operation of the power referred to above. The inspector or authorised officer must obtain a warrant authorising entry to the premises from a justice of the peace. The applicant must show that there are reasonable grounds for suspecting that such things are on the premises. Where an entry has been made under this power or the power referred to above the officer must make a report to the Agriculture Protection Board.
<i>Artificial Breeding of Stock Act 1965-1976, s 11(1)(a)</i>	An inspector or veterinary surgeon employed in the State Department of Agriculture.	To enter and inspect any licensed premises and examine any semen or ova found on the premises.	

<p><i>Beekeepers Act 1963-1980, s 6</i></p>	<p>An inspector appointed under the Act.</p>	<p>To enter and inspect any apiary, beekeeping store and any plant or place used for extracting, processing or storing any hive product at any time and examine any bees, combs, appliances or hive product or any other article used in connection with that place. The inspector may order that any such materials which are infected by disease or pests be destroyed or disinfected (s 16).</p>	
<p><i>Carnarvon Banana Industry (Compensation Trust Fund) Act 1961-1980, s 34</i></p>	<p>A member of the Carnarvon Banana Industry Compensation Committee, its Secretary, and any inspector or officer appointed under the Act.</p>	<p>To enter premises and inspect books, accounts, registers, records, documents in the possession or control of any grower or wholesaler and which relate to the business carried on by him. The power appears to be related to the fact that growers must contribute to the compensation trust fund and that wholesalers must deduct contributions from moneys payable to the grower.</p>	<p>The inspector or other officer must enter the premises at a reasonable time.</p>
<p><i>Closer Settlement Act 1927-1953, s 3(2)</i></p> <p><i>Closer Settlement Act 1927-1953, s 6B</i></p>	<p>The Land Acquisition (Closer Settlement) Board.</p> <p>A Committee appointed under s 6A of the Act.</p>	<p>To enter unutilised land and obtain sufficient information to report to the Minister on the suitability of the land for closer settlement.</p> <p>To enter upon and inspect any land to obtain information as to the suitability of land for closer settlement.</p>	

1. ENTRY FOR INSPECTION AND OTHER PURPOSES

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
<i>(a) Primary Production cont'd</i>			
<i>Fertilizers Act 1977, s 27</i>	An inspector appointed under the Act.	To enter land or premises in order to make a search to ascertain whether any fertilizer is on the property.	The inspector must have reasonable grounds for believing that the property is used for or in connection with the production, importation, treatment, storage, preparation for sale, marketing or sale of a fertilizer. He must have the consent of the occupier. He must also conform to the reasonable requirements of the occupier as are necessary to prevent working of the business being obstructed. If the occupier refuses entry, or if the premises are unoccupied, a justice may, by warrant , authorise the inspector to enter the property.
<i>Fisheries Act 1905-1979, s 7</i>	An inspector.	For the purpose of giving effect to or carrying out any of the provisions of the Act or the regulations every inspector has a right of entry on all lands.	

<i>Fisheries Act 1905-1979</i> , s 35N	The Minister or any officer authorised by him.	The person has full and free access to all buildings, places, books, documents and other papers for any of the purposes of Part IIIB of the Act - Processing Establishments.	It is an offence for a person who obtains information under the Act to disclose that information except in circumstances permitted under the Act. The person having custody of information obtained under the Act cannot be required to produce that information to any court (s 19).
<i>Fruit Growing Industry (Trust Fund) Act 1941-1956</i> , s 14	The Fruit Growing Industry Trust Fund Committee or any officer authorised by the Committee.	To enter premises and inspect any books, accounts, registers, records, documents, or writings in the custody or control of any grower or dealer which relate to the business carried on by him.	The entry must be made at a reasonable time.
<i>Marketing of Eggs Act 1945-1977</i> , s 32L(6)	A member or officer of the Western Australian Egg Marketing Board.	The person may enter and inspect any place at which breeding fowls are kept.	
<i>Mining Act 1978</i> , ss 30 and 32	A Warden of Mines.	The warden may grant a permit. The permit entitles the holder to enter and remain upon private land to which the permit relates, search for minerals and remove samples.	

1. ENTRY FOR INSPECTION AND OTHER PURPOSES

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
(a) <i>Primary Production cont'd</i>			
<i>Mining Act 1978, s 48</i>	A person issued with a prospecting licence.	To enter the land the subject of the licence to prospect for minerals, extract and remove for treatment and sale ore and take and divert water and use the water for his domestic purposes and for any purposes in connection with prospecting for minerals on the land.	
<i>Mining Act 1978, s 66</i>	The holder of an exploration licence.	To enter land, explore for minerals, extract and remove ore for sampling, and take and divert water and use the water for his domestic purposes and for any purposes in connection with prospecting for minerals on the land.	
<i>Mining Act 1978, s 104</i>	Any person.	For the purpose of marking out any land and posting notices in connection with an application for a mining tenement, any person may enter land and affix and set up pegs.	

<i>Mining Act 1978</i> , s 115	Director, Geological Survey.	For the purpose of making aerial, geological, geophysical or geochemical surveys of land he may enter land, extract and remove specimens and set up pegs.	Reasonable notice of the entry must be given to the owner and occupier of the land. If required by the owner or occupier of the land, he must produce the authority under which he claims to enter the land.
<i>Petroleum Act 1967-1972</i> , s 14	Any person.	Subject to the consent of the Minister any person may enter land comprised in any permit or licence to carry out works relating to the permit or licence.	A person may recover compensation for any damage by reason of the exercise of any of the powers.
<i>Petroleum Act 1967-1972</i> , s 119	An inspector.	An inspector is entitled to enter any part of the State and any structure, vehicle, aircraft, or building in the State to inspect and test any equipment used in connection with petroleum exploration operations.	The inspector must be of the opinion that the land or conveyance is being or is to be used in connection with those operations.
<i>Petroleum Pipelines Act 1969-1975</i> , s 7	An applicant for a licence.	The Minister may authorise a person who proposes to apply for a pipeline construction licence to enter land for the purpose of making surveys and preliminary investigations.	The person must, if practicable, give reasonable notice to the owner or occupier of the land of his intention to enter the land.
<i>Petroleum Pipelines Act 1969-1975</i> , s 63	An inspector.	An inspector may enter any licensed area, inspect and test any pipeline, take samples of any substance being conveyed by a pipeline.	The entry must be made at a reasonable time.

1. ENTRY FOR INSPECTION AND OTHER PURPOSES

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
<i>(a) Primary Production cont'd</i>			
<i>Petroleum (Submerged Lands) Act 1967-1970, s 126</i>	An inspector.	The inspector is entitled to access to any adjacent area and may inspect and test equipment used in that area and inspect documents relating to the operations for the recovery of petroleum or construction or operation of a pipeline.	The entry must be made at a reasonable time. The inspector must produce an identification certificate.
<i>Plant Diseases Act 1914-1979, s 13</i>	An inspector.	To enter any orchard, land or premises used for the storage of fruit or stop and enter any conveyance for the purpose of determining whether it is infected.	
<i>Potato Growing Industry Trust Fund Act 1947-1973, s 18</i>	An inspector or member of the Potato Growing Industry Trust Fund Advisory Committee.	To enter premises and inspect documents or records in the custody or control of a grower or dealer which relate to the business carried on by him.	The entry must be made at a reasonable time.
<i>Poultry Industry (Trust Fund) Act 1948-1969, s 14</i>	A member of the Poultry Industry Trust Fund Committee or an inspector.	To enter premises for the purpose of inspecting records and documents relating to the business of a producer or dealer. The Fund is used to eradicate pests and disease and pay compensation to producers.	The entry must be made at a reasonable time.

<i>Seeds Act 1950, s 12</i>	An inspector.	To enter at any time any place where seeds are kept, inspect the seeds, take samples, seize any seed which does not comply with the Act.	
<i>Stock (Brands and Movement) Act 1970-1980, s 47</i>	A police officer or inspector.	To inspect any travelling stock and waybill and compare the brands of the stock with those on the waybill.	
<i>Timber Industry Regulation Act 1926-1969, s 9</i>	A district, special or workmen's inspector.	To enter, inspect and examine any timber holding and require any person to answer any question relating to an enquiry into the state and condition of any holding.	
<i>Veterinary Preparations and Animal Feeding Stuffs Act 1976, s 38</i>	An inspector.	For the purpose of determining whether the Act is being complied with, the inspector may enter and search any property used in connection with animal products or stop and search any vehicle used to transport such a product. Where entry has been refused a warrant may be sought from a justice of the peace.	The inspector must have reasonable grounds for believing that the property or conveyance is being so used.

1. ENTRY FOR INSPECTION AND OTHER PURPOSES

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
<i>(b) Manufacture or Marketing</i>			
<i>Dairy Industry Act 1973-1980, s 87</i>	An inspector.	For the purposes of the execution of the Act to enter and inspect any dairy produce premises, enter and search a conveyance, and examine and take such quantity of samples of milk or samples of dairy produce as is necessary to have them examined or analysed.	The entry must be made at a reasonable time.
<i>Fruit Cases Act 1919-1973, s 10</i>	An inspector or police officer.	To enter property or a conveyance for the purpose of measuring any case on the premises or conveyance or to do any act or thing required or permitted by regulation to be done for the purpose of the Act.	The officer must reasonably suppose that fruit to be sold or packed or kept for sale, carriage, or export is on the property or conveyance.
Grain Marketing Act 1975-1981, s 38	A person authorised by the Board of Directors of the Grain Pool.	To enter and search any place, premises or vessel where the grain is or is suspected to be and inspect any stocks of that grain, and accounts, books and documents relating to that grain.	Where there are reasonable grounds for believing that a provision of the Act has been or may have been contravened the person may so enter and search if he obtains a warrant from a magistrate or justice of the peace.

Margarine Act 1940-1979, s 9	An inspector.	For the purpose of ensuring that margarine is produced in conformity with the Act, an inspector may enter premises in which margarine is manufactured, stored, packed or sold.	The entry must be made at a reasonable time.
Marketing of Lamb and Hogget Act 1967-1975, s 8	An inspector.	For the purpose of determining whether or not the provisions of the Act are being complied with the inspector may enter any abattoir or any place at which meat is stored or sold or offered for sale.	
Marketing of Potatoes Act 1946-1974, s 22A	An inspector.	To search a vehicle to determine whether or not it is carrying a quantity of potatoes exceeding 63.5 kilograms.	The inspector must have reasonable grounds for suspecting that there is on a vehicle a quantity of potatoes exceeding 63.5 kilograms.
Wheat Marketing Act 1947-1978, s 33	A police officer authorised by the Western Australian Wheat Marketing Board.	To enter and search any place where any wheat acquired by the Board is, or is suspected to be.	The entry must be made at a reasonable time.

1. ENTRY FOR INSPECTION AND OTHER PURPOSES

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
<i>(b) Manufacture or Marketing cont'd</i>			
<i>Wheat Marketing Act 1979, s 29</i>	An authorised person.	To enter premises where he has reason to believe wheat or corn sacks are stored, stop or detain any vehicle carrying such items, search for and inspect the items, require documents to be produced and take possession of any wheat reasonably suspected of being the property of the Board.	
<i>Wheat Products (Prices Fixation) Act 1938-1964, s 18</i>	An officer authorised by the Minister.	To enter premises and inspect books or documents in the custody or control of a person carrying on the business of manufacturing or preparing flour or buying or selling flour.	The entry must be made at a reasonable time.
<i>(c) Conservation and Environment</i>			
<i>Aboriginal Heritage Act 1972-1980, s 16(2)</i>	A person authorised by the trustees of the Museum.	To enter upon and excavate an aboriginal site and to examine or remove any thing on or under the site.	The trustees may set conditions as to the manner in which the power may be exercised.
<i>Aboriginal Heritage Act 1972-1980, s 23(1)</i>	The trustees of the Museum.	To delineate or enclose any area of land which has become a protected area.	

<p><i>Aboriginal Heritage Act 1972-1980, s 51</i></p>	<p>A member of the staff of the Museum.</p>	<p>To enter any premises, other than a private dwelling, to examine and test any aboriginal site or place or object.</p>	<p>The person must have reasonable grounds for believing that the site, place or object has been traditionally or currently of sacred ritual or ceremonial significance to persons of aboriginal descent. The person exercising the power must conform, so far as is practicable, to such reasonable requirements of the person owning or using the premises in question as are necessary to prevent the working of the business on the premises being obstructed.</p>
<p><i>Country Areas Water Supply Act 1947-1980, s 42</i></p>	<p>An officer of the Minister.</p>	<p>To enter land to ascertain whether or not water being supplied to a property is being wasted.</p>	<p>The entry must be made at a reasonable time.</p>

1. ENTRY FOR INSPECTION AND OTHER PURPOSES

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
<i>(c) Conservation and Environment cont'd</i>			
<i>Environmental Protection Act 1971-1980, s 68</i>	A member of the Environmental Protection Authority or an inspector.	To enter premises and examine and inspect any equipment, industrial plant, or process and make such examination and enquiry and tests as he considers necessary or desirable to ascertain whether the provisions of the Act or order made under the Act have been complied with.	The person must conform with such reasonable requirements of the owner of the premises to prevent the working of the business or the conduct of operations on the premises being obstructed. A person may not enter premises unless the occupier has consented, a justice of the peace has issued a warrant , or a member of the Authority considers that such an entry is urgently required and a delay caused by the need to obtain a warrant or the consent of the occupier would significantly impede the purpose of the entry.
<i>Forests Act 1918-1976, s 52</i>	The Conservator of Forests	To enter any land held or occupied or any forest officer acting with his authority.	by virtue of a permit, licence or agreement or forest lease under the Act to make inspections, carry out silvicultural operations or other forest work and prevent or suppress fires.

<i>Prevention of Pollution of Waters by Oil Act 1960-1973, s 10</i>	The Harbour Master or person appointed by the Minister.	For the purpose of investigating a discharge or suspected discharge of oil, the person may board and inspect any ship and inspect records. The person may also enter and inspect any place on land.	The person must not unnecessarily detain or delay the ship from proceeding on any voyage.
<i>Prevention of Pollution of Waters by Oil Act 1960-1973, s 14</i>	A person appointed by the Minister.	For the purpose of reporting on the proper observance of the Act, the person may enter ships or land, inspect records, inspect and test equipment, require a person to answer questions and require the production of documents.	
<i>Rights in Water and Irrigation Act 1914-1978, s 11</i>	The Crown by its officers and servants.	To enter land, inspect water in water-courses, lakes, swamps, dam or well and take measures to protect those waters.	
<i>Soil Conservation Act 1945-1974, s 21</i>	The Commissioner of Soil Conservation or an officer or employee.	For the purpose of carrying out duties under the Act the officer may enter land and make surveys and investigations.	The entry must be made only after reasonable notice has been given to the owner or occupier of the land and the minimum of interference with the lawful activities upon the land.

1. ENTRY FOR INSPECTION AND OTHER PURPOSES

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
<i>(c) Conservation and Environment cont'd</i>			
<i>Waterways Conservation Act 1976-1980, s 63</i>	An inspector.	For the purpose of determining whether the provisions of the Act are being complied with, an inspector may enter land and inspect equipment, plant or process.	The inspector must obtain the consent of the occupier. If such consent is refused or if the premises are unoccupied a justice of the peace by a warrant may give authority for the entry. In exercising the power, the inspector must conform, so far as is practicable, to such reasonable requirements of the person owning or using the premises as are necessary to prevent the working of the business being obstructed.
<i>Whaling Act 1937-1973, s 19</i>	An officer.	To enter any factory or board any ship and inspect the factory or ship, or require records to be produced.	The officer must have reason to believe that the ship is used for taking or treating whales or that the factory is used for treating whales.

<i>(d) Occupational or Commercial Matters</i>			
<i>Employment Agents Act 1976, s 46</i>	An inspector or person authorised by the Under Secretary.	To enter any place and inspect all records required to be kept under the Act, all documents relating to any transaction in connection with the business of an employment agent and to answer any questions or supply any information required by the person.	A person is not required to answer any question or give any information that tends to incriminate him, and before any person is questioned he must be so informed. It is an offence for an inspector or authorised person to disclose to any person not authorised to receive it any information respecting any business or employment agent (s 48).
<i>Finance Brokers Control Act 1975, s 75(2)(b)</i>	A supervisor appointed after the District Court has found that a finance broker is incapable of properly conducting his business or is not conducting it in accordance with the Act or where a sole finance broker has died.	For the purpose of carrying on the business of the finance broker, the supervisor may enter upon any premises of the broker or deceased broker and take possession of all books, files, papers, documents relevant to or necessary for the carrying on of the business.	
<i>Legal Practitioners Act 1893-1979, s 58E(2)(b)</i>	The supervising solicitor appointed to conduct a practice.	The solicitor may enter upon any premises or former premises of the practitioner and take possession of all documents or other things relating to the conduct of the practice.	

1. ENTRY FOR INSPECTION AND OTHER PURPOSES

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
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(d) <i>Occupational or Commercial Matters cont'd</i>			
<i>Motor Vehicle Dealers Act 1973-1979, s 27</i>	A police officer, officer of the Road Traffic Authority or traffic inspector.	The officer may enter registered premises to examine any second-hand vehicle. A vehicle may be declared unfit for sale.	The entry must be made at a reasonable time.
<i>Painters' Registration Act 1961-1976, s 16A</i>	Any member of the Painters' Registration Board or person appointed by the Board.	To enter any premises for the purpose of examining any painting.	When so required, the person must produce a certificate of his appointment.
<i>Pearling Act 1912-1975 s 44</i>	An inspector or officer appointed under the Act	To enter and inspect any area held under an exclusive licence.	
<i>Pearling Act 1912-1975, s 72</i>	A magistrate or inspector.	To enter any place of business of the holder of a pearl dealer's licence and inspect his books.	An inspector must preserve the secrecy of all matters which come to his knowledge in his official capacity (076).
<i>Pearling Act 1912-1975, s 101</i>	An inspector.	To enter and search any vessel engaged in pearling, enter any fishing station and require the production of documents.	

<i>Real Estate and Business Agents Act 1978-1980</i> , s 15	The Registrar or an inspector.	For the purpose of carrying out an investigation or duties under the Act, the officer may enter premises.	A warrant must first be obtained from a justice of the peace or magistrate. That officer must be satisfied that the entry is sought in good faith for the prescribed purposes. The entry must be made at a reasonable time.
<i>Securities Industry Act 1975-1978</i> , s 8	Commissioner for Corporate Affairs.	The Commissioner may inspect books required to be kept under the Act and bankers' books to determine whether a person to whom the Act applies is complying with the provisions of the Act.	The person carrying out the inspection must make a declaration that he will not divulge information he acquires except for the purposes of the Act or in the course of criminal proceedings, proceedings under the Act or the <i>Companies Act 1961</i> .
<i>Security Agents Act 1976-1979</i> , s 34(9)	A police officer or authorised person.	To enter the office of a licensee and inspect and examine documents or records found therein.	It is an offence to disclose to any person not authorised to receive it any information respecting any business acquired in the exercise of his functions under the Act (s 36).

1. ENTRY FOR INSPECTION AND OTHER PURPOSES

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
<i>(d) Occupational or Commercial Matters cont'd</i>			
<i>Settlement Agents Act 1981, s 76.</i>	A supervisor appointed by the District Court where the Court is satisfied that a settlement agent is incapable of properly conducting his business or is not conducting it in accordance with the Act or where a sole settlement agent has died (s 74).	In order to carry on the business of the settlement agent for the purpose of concluding or disposing of matters commenced but not concluded on behalf of clients of the business, the supervisor may enter upon any premises of the settlement agent and take possession of documents relating to the practice and require a bank or building society to disclose every account of the settlement agent.	
<i>Shearers' Accommodation Act 1912-1974, s 11</i>	An inspector.	For the purpose of carrying out the provisions of the Act, the inspector may enter every shearing shed and every building used for the accommodation of shearers.	
<i>(e) Safety</i>			
<i>Bush Fires Act 1954-1979, s 14</i>	A member of the Bush Fires Board, its Executive Officer, an officer authorised by the Board, and a police officer.	To enter land and to examine fires which have been lit, fires believed not to be under proper control, fire-breaks, inspect fire precaution measures, investigate and examine equipment of bush fire brigades.	A police officer may only enter land for the purpose of examining a fire, to examine a fire which he believes is not under proper control or to investigate the cause and origin of a fire burning on land.

<i>Bush Fires Act 1954-1979</i> , s 44(1)(d)	The Captain, the next Senior Officer, or a member of a bush fire brigade.	For the purpose of controlling and extinguishing or preventing the occurrence or spread of a bush fire the officer may enter land and take or cause to be taken water from any source whatsoever.	The water cannot be taken if it is for use at a school or the domestic supply of an occupier contained in a tank at his dwelling-house.
<i>Coal Mines Regulation Act 1946-1976</i> , s 12(1)(b) and (2)(b)	A departmental or special inspector or a workmen's inspector as the case may be.	To enter, inspect and examine any mine when there is any person in the mine. The inspectors may examine into and enquire respecting the state and condition of any mine and against any persons offending against the Act.	The inspectors should not unnecessarily impede or obstruct the working of the mine.
<i>Construction Safety Act 1972-1978</i> , s 11(1)(a)	Inspectors.	To enter any place where work to which the Act applies is being carried out and to inspect the work in order to ascertain whether or not the provisions of the Act are being complied with.	The entry must be made at a reasonable time.
<i>Construction Safety Act 1972-1978</i> , s 20(3)	A member of the Construction Safety Advisory Board.	To enter and inspect any site and any work to which the Act applies, that is, being carried out thereon. The purpose of the Board is to make recommendations to the Minister with regard to all measures necessary for securing the safety and welfare of employees.	The entry must be made at a reasonable time. It is an offence for a member of the Board to disclose or make use of information relating to any owner, contractor or work that comes to his knowledge from the records of the Department of Labour and Industry and in consequence of his position as a member, except for the purpose of the performance of his duties.

1. ENTRY FOR INSPECTION AND OTHER PURPOSES

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
<i>(e) Safety cont'd</i>			
<i>Consumer Affairs Act 1971-1980, s 23X(2)</i>	A person authorised by the Commissioner for Consumer Affairs.	To enter any place and carry out investigations for the purposes of Part 3A of the Act relating to Consumer Products Safety.	The person must obtain a warrant from a magistrate or justice of the peace. The warrant cannot be granted unless that officer is satisfied that the entry is sought in good faith for the purpose of carrying out the investigation. It is an offence to record or divulge information concerning the affairs of any other person acquired by him by reason of his office, except in the performance of a duty under the Act (s 24).
<i>Electricity Act 1945-1979, s 26</i>	An inspector appointed under the Act.	To enter and inspect electrical works and fittings used for the generation, transmission, distribution and supply and use of electricity.	The entry must be made at a reasonable time.

<p><i>Explosives and Dangerous Goods Act 1961-1978, s 12</i></p>	<p>An inspector.</p>	<p>To enter, inspect and examine any premises, magazine, vehicle, vessel or aircraft where he has reason to believe or suspect explosives or dangerous goods may be found. He may make general or particular enquiries as to the observance of the Act and take samples of any substance which he believes to be an explosive or ingredient thereof or dangerous goods.</p>	<p>An inspector may not enter a dwelling-house except by authority of a search warrant of a justice of the peace issued under s 53 of the Act unless he has reason to believe that imminent danger to the public or to any person exists.</p>
<p><i>Government Railways Act 1904-1980, s 85(6)</i></p>	<p>The Western Australian Government Railways Commission or any person authorised by the Commission.</p>	<p>The Commission may give notices to occupiers of premises displaying or burning lights which are likely to be mistaken for or obscure or conflict with any railway light to extinguish, remove or modify the light. If the occupier fails to comply with the notice the Commission may enter the premises to carry out or otherwise give effect to the directions contained in the notice.</p>	
<p><i>Local Government Act 1960-1981, s 245A(5)</i></p>	<p>An authorised officer.</p>	<p>To enter premises for the purpose of ascertaining whether a fence has been placed around a swimming pool.</p>	

1. ENTRY FOR INSPECTION AND OTHER PURPOSES

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
<i>(e) Safety cont'd</i>			
<i>Machinery Safety Act 1974, s 27</i>	An inspector.	An inspector may enter premises where there is machinery to inspect the premises or machinery to ascertain whether or not the provisions of the Act are being complied with, and question persons as to compliance with the Act.	The entry must be made at a reasonable time. A person is not required to answer any question tending to incriminate himself.
<i>Mines Regulation Act 1946-1974, s 12</i>	A district or special inspector, or a workmen's inspector, as the case may be.	To enter and inspect any mine to ascertain whether the provisions of the Act affecting any mine are complied with.	An inspector may not divulge to any person information obtained in the exercise of his duties, except in an official report to his superior officer or the Minister (s 14).
<i>Poisons Act 1964-1978, s 54</i>	An inspector.	For the purpose of ascertaining whether the provisions of the Act are being complied with an inspector may enter any premises occupied by a person licensed under the Act, inspect any goods or records, and obtain a sample of any poison or prohibited plant.	The entry must be made at a reasonable time.

<p><i>Radiation Safety Act 1975-1979, s 42</i></p>	<p>An authorised officer.</p>	<p>To enter, inspect and search any premises or conveyance, test radio-active substances, take samples, examine records for the purpose of enforcing the Act.</p>	<p>The entry must be made at a reasonable time. The consent of the owner is required before entry can be made. If the occupier does not consent to the entry a warrant must be obtained. Entry may be made in an emergency without consent or a warrant. The officer may be required to produce his written authority before he can enter the premises. The officer must conform to such reasonable requirements of the person owning or using the premises so as to prevent the conduct of the business being obstructed. It is an offence to disclose information obtained under the Act unless that disclosure is made for the purpose of giving effect to the objects of the Act or with the consent of the person carrying on the business (s 49).</p>
<p><i>State Energy Commission Act 1979, s 48</i></p>	<p>The State Energy Commission.</p>	<p>To enter land in the case of an emergency without requirement for a notice or warrant.</p>	

1. ENTRY FOR INSPECTION AND OTHER PURPOSES

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
<i>(e) Safety cont'd</i>			
<i>State Energy Commission Act 1979, s 68(8)</i>	An inspector.	To enter any land where the generation, transmission, distribution or supply of energy is taking place and inspect the supply systems. If an installation is unsafe or does not conform to the requirements of the Act its use may be prohibited.	
<i>Western Australian Marine Act 1948-1980, s 56</i>	An inspector.	For the purpose of the prevention of accidents, an inspector may board any ship and inspect its machinery and enter and inspect premises. He may also summon witnesses and require the production of documents.	
<i>(f) Social Benefit or Welfare</i>			
<i>Bread Act 1903-1973, s 10</i>	Any justice of the peace, Police Constable authorised by him or an inspector of a council, or appointed under the Health Act or the Factories and Shops Act.	To enter premises for the purpose of seeing that the provisions of the Act are being observed, to test all weights and scales, to weigh bread or dough, to test flour or dough and bread, to seize and take samples or to seize and take any adulterated dough, flour or mixture.	The power is restricted to allowing entry to premises of a person who sells, or offers or exposes for sale, or bakes bread, or grinds, dresses, bolts, or otherwise treats for sale any grain, meal or flour.

(f) <i>Social Benefit or Welfare cont'd</i>			
<i>Builders' Registration Act 1939-1979, s 20A</i>	Any member of the Builders' Registration Board or any person authorised by the Chairman of the Board.	To enter land and inspect any building work being carried out on the land.	
<i>Child Welfare Act 1947-1979, s 18</i>	A special magistrate or member of a Children's Court.	To enter, visit and inspect any centre or facility declared to be such pursuant to the Act.	
<i>Child Welfare Act 1947-1979, s 18A</i>	The Director of the Department for Community Welfare or an officer of the Department.	To enter, visit and inspect any subsidised centre, facility, or any voluntary centre or facility.	
<i>Child Welfare Act 1947-1979, s 109</i>	The Director of the Department for Community Welfare or an authorised officer.	To enter any theatre, place of amusement, shop, factory, warehouse, or other place in which children are employed or are reasonable supposed to be employed, and to make all such investigations and enquiries relative to such children as shall be considered advisable.	The entry must be at reasonable hours of the day or night.

1. ENTRY FOR INSPECTION AND OTHER PURPOSES

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
(f) <i>Social Benefit or Welfare</i> cont'd			
<i>Child Welfare Act 1947-1979, s 146A</i>	The Director of the Department for Community Welfare, an officer of the Department or a police officer.	To enter premises, inspect the premises and investigate and enquire into whether a child on the premises is in need of care and protection and apprehend any such child.	An application must be made to a justice of the peace for an order authorising the entry at all reasonable times. The justice must be satisfied that there is reasonable ground for suspecting that a child in need of care and protection is residing on the premises.
<i>Clothes and Fabrics (Labelling) Act 1973-1977, s 6</i>	An inspector appointed under the <i>Factories and Shops Act 1963</i> .	To enter premises where any scheduled article is manufactured or sold, to inspect the article, to require any person on the premises to answer any question in relation to the article, and to seize and detain any article which he has reasonable cause to believe may afford evidence of the Commission of an offence against or a contravention of the Act.	

<p><i>Consumer Affairs Act 1971-1980, s 19</i></p>	<p>The Commissioner for Consumer Affairs.</p>	<p>For the purpose of carrying out any investigation or enquiry under the Act, he may enter and search any premises and inspect any documents that he finds thereon and take samples of any stock or goods and inspect any services carried on therein.</p>	<p>The entry must be made at a reasonable time and the person seeking entry must furnish identification. Before entering any premises, the Commissioner must obtain a warrant to do so from a magistrate or justice of the peace. Such an officer must be satisfied that the entry is sought in good faith for the purpose of carrying out any investigation or enquiry under the Act. Except in certain circumstances, it is an offence to disclose information obtained under the Act (s 24).</p>
<p><i>Noise Abatement Act 1972 - 1981, s 33D</i></p>	<p>An authorised person</p>	<p>For the purpose of giving a noise abatement direction or ascertaining whether or not an offence against s 33C of the Act has been committed, an authorised person may enter premises from which noise has been emitted with the use of reasonable force.</p>	<p>Between 9 pm on one day and 6 am on the following day the authorised person may not use force unless he is a police officer or is accompanied by a police officer.</p>

1. ENTRY FOR INSPECTION AND OTHER PURPOSES

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
(f) <i>Social Benefit or Welfare</i> cont'd			
<i>Noise Abatement Act 1972-1981, s 33H</i>	A police officer.	Where an alarm has been sounding on any premises for a period not less than thirty minutes and an offensive noise is thereby being emitted from the premises, the officer may enter the premises and take all such steps as appear to him to be reasonably necessary in connection with stopping the alarm from sounding.	

<p><i>Noise Abatement Act 1972 - 1981, s 35</i></p>	<p>A member of the Noise and Vibration Control Council, or the Noise Abatement Advisory Committee or an inspector.</p>	<p>To enter premises to examine any equipment, industrial plant or process to ascertain whether the provisions of the Act have been complied with.</p>	<p>Unless the owner or occupier of the premises consents, it is necessary to obtain a warrant from a justice of the peace or magistrate. That officer must be satisfied that the entry is sought in good faith for any purpose permitted by the Act. The person must, so far as is practicable, conform to such reasonable requirements of the owner or occupier as are necessary to prevent the working of the business being obstructed. Except in certain circumstances, it is an offence to disclose any information relating to any manufacturing process or trade secret obtained under the Act or in connection with the execution of this Act (s 39).</p>
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1. ENTRY FOR INSPECTION AND OTHER PURPOSES

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
<i>(g) Public Health</i>			
<i>Clean Air Act 1964-1981, s 46</i>	A member of the Pollution Control Council or Scientific Advisory Committee or an inspector.	To enter premises to inspect any fuel burning equipment, control equipment and industrial plant to ascertain whether the provisions of the Act have been complied with.	Except in certain cases it is an offence to disclose any information relating to manufacturing process or trade secrets that has been obtained under the Act (s 51).
<i>Country Areas Water Supply Act 1947-1980, s 12BD</i>	Officers of the Department of Water Supply, Sewerage and Drainage.	Under the Act, where land has been cleared without authority, an order may be made that the land be restored by establishing tree cover on the land. Where the order is not complied with, the officers may enter upon the land and carry out such works as are necessary for the purpose of restoration.	
<i>Country Areas Water Supply Act 1947-1980, s 12ED</i>	The minister or persons acting with his authority.	Entry may be made upon land for purposes of the Part of the Act relating to the control of water catchment areas including conducting tests and taking samples. Entry may be made without a notice or warrant where it appears that an offence against the Part of the Act is being, or is about to be, committed on any land.	Notice must be given to the owner or occupier in relation to the entry specifying the purposes for which entry is required. Where entry is refused, opposed, prevented, or the land is unoccupied and consent cannot be obtained, authority to enter upon the land may be obtained by a warrant issued by a justice of the peace.

<i>Factories and Shops Act 1963-1978</i> , s 16	An inspector.	To enter, inspect and examine any place used or intended to be used as a factory, shop or warehouse. To make such examination and enquiry and conduct such tests as may be necessary to ascertain whether the provisions of the Act or laws relating to public health are being complied with in respect of the place.	It is an offence for an inspector to disclose any secrets furnished to an inspector or obtained by an inspector in exercising his powers under the Act (s 18A).
<i>Health Act 1911-1979</i> , s 122(7)	A local authority or person executing works.	For the purpose of executing works in order to clean offensive water courses or ditches on boundaries of local authority districts, a person may enter land and do whatever may be reasonably necessary on the land.	
<i>Health Act 1911-1979</i> , s 153	An officer of a local authority.	To enter any lodging-house within the authority's district.	
<i>Health Act 1911-1979</i> , s 201	A medical officer or health surveyor.	To enter any house, land or premises to inspect any food offered for sale. The officer may take samples of the food for analysis.	
<i>Health Act 1911-1979</i> , s 257	A medical officer of health or a health surveyor.	For the purpose of preventing or checking the spread of an infectious disease the officer may enter any property to inspect and examine it or do sanitary or other work.	

1. ENTRY FOR INSPECTION AND OTHER PURPOSES

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
<i>(g) Public Health cont'd</i>			
<i>Health Act 1911-1979, s 349</i>	The Commissioner of Public Health, public health officials, a local authority and its officers.	To enter any property for the purpose of examining as to the existence of any nuisance or determining whether any of the provisions of the Act are being contravened or executing any work or making any inspection authorised by the Act and regulation, order or by-law.	The entry must be made between 7 am and 6 pm or in the case of a nuisance or contravention arising in respect of any business, at any hour when such business is in progress.
<i>(h) Public Works</i>			
<i>Country Areas Water Supply Act 1947-1980, s 19</i>	Persons acting with the authority of the Minister.	To enter land and carry out work relating to the construction, extension, maintenance, repair, alteration or improvement of waterworks.	
<i>Country Areas Water Supply Act 1947-1980, s 44</i>	A person authorised by the Minister.	To enter land to place or fix upon any land to which water is supplied or is intended to be supplied such fittings as the Minister may think expedient.	The entry must be made at a reasonable time.

<i>Country Towns Sewerage Act 1948-1978</i> , s 16	A person acting with the authority of the Minister.	To enter land for the purpose of construction, extension, maintenance, repair, alteration, or improvement of any sewerage works constructed or maintained under the Act.	
<i>Country Towns Sewerage Act 1948-1978</i> , s 31	A person authorised by the Minister.	To enter any land connected or intended to be connected with a sewer to place thereon such fittings as the Minister may think expedient.	The entry must be made at a reasonable time.
<i>Country Towns Sewerage Act 1948-1978</i> , s 36	The Minister.	To enter land and construct drains, fixtures and fittings.	The Minister must first give notice to the owner or occupier to construct the facilities. If they are not constructed, the Minister may then enter the land to perform the work.
<i>Electricity Act 1945-1979</i> , s 18	A supply authority.	To enter upon any land, street or place to survey and take levels of the land.	
<i>Land Drainage Act 1925-1978</i> , s 65(1)	A drainage board.	To enter land in a drainage district for the purpose of carrying out drainage works.	
<i>Local Government Act 1960-1981</i> , s 281	A council or a person authorised in writing.	To enter land for the purpose of taking materials in order to make or repair a street, bridge, culvert, fence or gate.	The power does not apply to land which is a garden, yard, vineyard, orchard, park, recreation ground or cemetery.

1. ENTRY FOR INSPECTION AND OTHER PURPOSES

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
(h) <i>Public Works</i> cont'd			
<i>Local Government Act 1960-1981</i> , s 372	A council.	To enter land for the purpose of laying or placing a new pipe, apparatus or replacing an existing pipe or apparatus for the supply of water or gas.	
<i>Main Roads Act 1930-1980</i> , s 29	The Commissioner of Main Roads.	To enter upon and survey land compulsorily acquired in accordance with the <i>Public Works Act 1902</i> for the purposes of the Act.	
<i>Metropolitan Water Supply, Sewerage, and Drainage Act 1909-1980</i> , s 24	The Metropolitan Water Supply, Sewerage, and Drainage Board and its officers.	To enter land for the purpose of the construction, extension or maintenance of any works.	
<i>Metropolitan Water Supply, Sewerage, and Drainage Act 1909-1980</i> , ss 49 and 51	An officer or person authorised by the Metropolitan Water Supply, Sewerage, and Drainage Board.	To enter land for the purpose of ascertaining the quantity of water consumed and examining whether water is wasted or to fix fittings to land supplied or intended to be supplied under the Act.	The entry must be made at a reasonable time.
<i>Metropolitan Water Supply, Sewerage, and Drainage Act 1909-1980</i> , ss 65 and 67	A person authorised by the Board.	To enter land to inspect sewers and drains connecting with sewers of the Board.	The entry under s 67 must be made at a reasonable time.

<i>Public Works Act 1902-1979, s 13(3)</i>	The Minister.	To enter on any land for the purpose of laying, examining or repairing waterworks.	
<i>Public Works Act 1979, s 17A</i>	A person authorised by the Minister.	To enter land to inspect it or assess the compensation payable where land is to be resumed.	The entry must be made at a reasonable time and only after notice of intention to take the land has been published in the <i>Government Gazette</i>
<i>Public Works Act 1979, s 112</i>	The Minister.	To temporarily occupy and use land for the purpose of constructing or repairing a railway.	
<i>Public Works Act 1979, s 112A</i>	The Minister or any authorised person.	Where it may be necessary to take land for public works the person may enter the land to study the feasibility of any proposal.	Where practicable the person should give seven days' notice of the proposed entry.
<i>State Energy Commission 1979, s 28(1)(c)</i>	The State Energy Commission.	To enter upon land and carry out works thereon.	Notice must be served on the owner or occupier. If entry is opposed or prevented or the notice cannot be served without undue delay or difficulty, a warrant can be sought from a justice of the peace authorising the entry (s 46).
<i>State Energy Commission 1979, s 54</i>	The State Energy Commission.	The Commission may enter land without notice to clear or remove any vegetation interfering with or obstructing the maintenance or safe use of any supply system.	
<i>Water Boards Act 1979, s 46</i>	A water board.	To enter land, take levels and carry out works on the land.	

1. ENTRY FOR INSPECTION AND OTHER PURPOSES

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
<i>(h) Public Works cont'd</i>			
<i>Water Boards Act 1979, s 70</i>	Any officer of a water board.	To enter land and place or fix fittings thereon.	The entry must be made at a reasonable time.
<i>(i) Land Taxation and/or Valuation</i>			
<i>Land Tax Assessment Act 1980, s 9</i>	The Commissioner of State Taxation or any person authorised by him.	To enter any property and inspect documents for the purpose of ascertaining the ownership of any land or for any purpose relating to the assessment of land for taxation.	Except in certain circumstances it is an offence to disclose information concerning the affairs of any other person acquired by him by reason of his office (s 11).
<i>Local Government Act 1981, s 533(7)</i>	A valuer.	To enter property for the purpose of making valuations under the Act and to put to the owner of the property questions relating to the particulars required to state the value of the land.	
<i>Pay-roll Tax Assessment 1971-1979, s 45</i>	The Commissioner of State Taxation or authorised officer.	To enter premises and inspect any documents for the purposes of the Act.	The entry must be made at a reasonable time. Except in certain circumstances, it is an offence to disclose any information obtained by him in connection with the administration of the Act.
<i>Stamp Act 1921-1980, s 7</i>	The Commissioner of State Taxation.	To enter premises and inspect documents and require the production of instruments.	The entry must be made at a reasonable time.

<i>Transport Act 1966-1981,</i> s 471	The Commissioner of Transport or an authorised officer.	For the purpose of the tax on petroleum products the officer may enter premises at which the business of selling the products is carried on and inspect documents and records.	The officer must reasonably suspect that the business of selling petroleum products is carried on at the premises. Except in certain circumstances, it is an offence for an officer to disclose information acquired by him respecting the affairs of any other person acquired in the course of that employment (s 47J).
<i>Valuation of Land Act 1981,</i> s 10	The Valuer-General.	The Valuer-General has free access to all land and documents for the purpose of ascertaining the ownership or valuing any land.	The entry must be made at a reasonable time. Except in certain circumstances, information acquired respecting the affairs of any person acquired by reason of his office may not be disclosed (s 13).
(j) Criminal Offences			
<i>Prevention of Cruelty to Animals Act 1920-1976,</i> s 16	A deponent or a police officer.	A Court may authorise the person to enter premises and inspect animals confined therein if the Court is satisfied that an offence against the Act has been committed or is about to be committed on the premises.	

1. ENTRY FOR INSPECTION AND OTHER PURPOSES

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
<i>(j) Criminal Offences cont'd</i>			
<i>Trade Descriptions and False Advertisements Act 1936-1979, s 10</i>	An inspector.	For the purpose of determining whether the provisions of the Act are being infringed an inspector may enter a place where goods are being manufactured or sold.	If and when called upon, the inspector must produce satisfactory evidence of his appointment. The inspector must not disclose, other than in the course of his duties, any information which he obtains in the exercise of his duties.
<i>(k) Miscellaneous</i>			
<i>Anatomy Act 1930-1971, s 7</i>	The Commissioner of Public Health or an inspector.	To visit and inspect any place where the practice of anatomy is carried on.	
<i>Argentine Ant Act 1968, s 10</i>	An authorised person.	To enter premises to detect ants and carry out treatment of the premises to control, prevent or destroy the ants.	The person is required to give to the occupant as much notice as is, in the circumstances, practicable of his intention to enter the premises. If required to do so by the occupier, the inspector must produce for inspection his authorisation from the Minister.
<i>Censorship of Films Act 1947-1979, s 25</i>	The censor or any person authorised by the Minister.	To enter any picture theatre for the purposes of the Act during the screening of any film.	

<i>Coal Mines Regulation Act 1946-1976, s 69</i>	An inspector together with a mining surveyor or experienced miner.	To enter a mine or land for the purpose of ascertaining whether the mine has encroached upon the land of an adjoining mine.	It is necessary to obtain authority from the Minister in writing. The application for such authority must be by affidavit to the effect that the person believes that an encroachment has been made.
<i>Country Towns Sewerage Act 1948-1978, s 29</i>	An officer of the Minister.	To enter land and examine the quantity of sewerage being discharged, whether there has or is any blockage, leakage or misuse of the sewerage or water.	
<i>Country Towns Sewerage Act 1948-1978, s 41</i>	An engineer, surveyor, or other person authorised by the Minister.	To enter land and inspect any drain made to communicate with any sewer and cause any drain found to be improperly laid to be properly laid.	
<i>Country Towns Sewerage Act 1948-1978, s 43</i>	A person acting under the authority of the Minister.	To enter land to examine if there is any drain communicating with the sewers.	The entry must be made at a reasonable time.
<i>Dividing Fences Act 1961-1969, s 21</i>	Any person engaged in constructing or repairing a fence under the Act.	To enter upon the lands adjoining the fence to carry into effect the construction or repair of the fence.	

1. ENTRY FOR INSPECTION AND OTHER PURPOSES

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
(k) <i>Miscellaneous cont'd</i>			
<i>Dog Act 1976-1977, s 30</i>	A police officer or officer of a council.	To enter land and seize a dog found wandering at large.	The officer must on reasonable grounds believe that it is necessary to enter the premises and he must have the consent of the owner or occupier of the premises. The person may obtain a warrant where he can satisfy a justice of the peace that it is reasonably necessary for the due enforcement of the provisions of this Act that entry be made to any premises to which admission has been refused or that are apparently unoccupied or where a request for admission might defeat the object of the entry.

(k) <i>Miscellaneous cont'd</i>			
<i>Electricity Act 1945-1979,</i> s 24	An officer appointed by a supply authority.	To enter any place in which electricity is or has been supplied by the supply authority and inspect all distribution works and an service apparatus and electrical fittings in the place belonging to the supply authority for the purpose of ascertaining the quantity of electricity consumed or supplied. The entry may also be made for the purpose of discontinuing the supply of electricity.	If the occupier so requests, the officer must produce the instrument of his appointment before he enters the premises. The entry must be made at a reasonable time.

1. ENTRY FOR INSPECTION AND OTHER PURPOSES

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
<i>(k) Miscellaneous cont'd</i>			
<i>Electricity Act 1945-1979, s 37</i>	A supply authority.	To enter premises and remove and take away all service apparatus and electrical fittings belonging to the supply authority where a contract for the supply of electricity to a consumer has expired or been terminated.	The entry must be made at a reasonable time.
<i>Gas Standards Act 1972-1979, s 12</i>	An inspector.	An inspector may enter any land, premises, works or installations of any person making or supplying gas or any consumer for the purpose of conducting tests, inspections and examinations and to take samples of gas for the purpose of ascertaining whether the provisions of the Act and the regulations are being complied with.	When required to do so, the inspector must produce his certificate of appointment.
<i>Health Act 1911-1979, s 176</i>	A public health official or any officer of a local authority.	The officer may inspect from time to time any public building within the jurisdiction of the authority.	

<i>Industrial Arbitration Act 1979-1981, s 98</i>	An industrial inspector.	For the purpose of carrying out investigations in relation to the observance of provisions of the Act the inspector may enter work places to inspect any work, material, machinery, books, documents, and interview any employee engaged therein.	The entry must be made during working hours.
<i>Land Act 1933-1980, s 21</i>	The Minister or an authorised officer.	To enter land for the purpose of making a survey, inspection or examination.	
<i>Licensed Surveyors Act 1909-1976, s 17</i>	A licensed surveyor.	For the purpose of making any authorised survey a surveyor may enter upon any land.	This power does not exempt the surveyor for liability for any damage caused.
<i>Liquefied Petroleum Gas Subsidy Act 1980-1981, s 13</i>	An authorised officer.	To enter any premises of a registered distributor of liquefied petroleum gas or distributor of eligible reticulation gas or any vehicle used by such a distributor or to which gas has been supplied and inspect the accounts or other documents relating to the sale or purchase of liquefied petroleum gas, and the production or sale of eligible reticulation gas or the purchase of liquefied petroleum gas or naphtha.	The entry must be made at reasonable times.
<i>Liquid Petroleum Gas Act 1956-1979, s 7</i>	A person authorised by the State Energy Commission.	To enter premises to test gas.	

1. ENTRY FOR INSPECTION AND OTHER PURPOSES

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
<i>(k) Miscellaneous cont'd</i>			
<i>Local Government Act 1960-1981, s 390</i>	A building owner.	To enter the land of another person for the purpose of executing work relating to party walls. If the premises are closed the person, accompanied by a police officer, may break open fences or doors in order to effect entry. Except in an emergency, 14 days' notice must be given of such an intention.	The entry must be made at the usual times of working.
<i>Local Government Act 1960-1981, s 408(5)</i>	A council.	To enter land to take a neglected building down or put the building in a state of repair.	
<i>Local Government Act 1960-1981, s 411(4)</i>	A council.	To enter land to demolish or alter a building commenced in contravention of the Act.	
<i>Local Government Act 1960-1981, s 420</i>	The Minister, building surveyor or authorised person.	To enter and inspect buildings as to which a duty is imposed by the Act.	A person other than the Minister entering a building must produce his authority to so enter.

<i>Local Government Act 1960-1981</i> , s 661	A council.	The council and its officers have a general authority to enter buildings within the district for the purpose of executing works or making inspections or doing anything authorised by the Act.	The entry must be made at a reasonable time in the day-time. Occupied premises may not be entered without the consent of the occupier unless the council has given notice of its intention to enter the land.
<i>Long Service Leave Act 1958-1973</i> , s 29	An inspector.	For the purpose of enquiring whether the requirements of the Act are being complied with to enter premises in which employees are working and inspect the long service leave records of the employer.	The inspector must have reasonable cause to believe that any employee is working at his employment on the premises or that an offence against the Act has been committed on the premises. If called upon to do so the inspector must produce evidence of his appointment. The inspector must not disclose to any person, except in the course of his duties, any information which he obtains in the exercise of his duties.
<i>Marine Stores Act 1902-1963</i> , s 24	A police officer.	The officer may, at any time, demand entrance to the premises of a marine dealer for the purpose of inspecting his records.	
<i>Petroleum Products Subsidy Act 1965-1978</i> , s 12	An authorised officer.	To enter any premises of a registered distributor of eligible petroleum products to inspect and take stock of products, take samples and inspect documents.	The entry must be made at a reasonable time.

1. ENTRY FOR INSPECTION AND OTHER PURPOSES

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
(k) <i>Miscellaneous cont'd</i>			
<i>Police Act 1892-1980, s 40</i>	A police officer.	A police officer is by virtue of his office an Officer of Customs and may enter any vessel lying in State waters for the purpose of searching and inspecting it.	
<i>Police Act 1892-1980, s 42</i>	A police officer.	A police officer may enter a place where games are carried on or theatres and may remove prostitutes and reputed thieves.	
<i>Prevention of Cruelty to Animals Act 1920-1976, s 8</i>	A police officer or officer of the RSPCA.	To enter premises where animals are sold and inspect the animals and their accommodation.	
<i>Public Works Act 1902-1979, s 82</i>	The Minister, a local authority or an authorised person.	To enter land for the purpose of making a survey.	Where practicable he should give 48 hours' notice of his intention to enter the land.
<i>Standard Survey Marks Act 1924, s 4</i>	The Surveyor General or any authorised surveyor.	For the purpose of fixing standard survey marks, a surveyor may enter land and do all things necessary for carrying out such a survey.	
<i>Street Alignment Act 1844-1970, s 3</i>	The Surveyor General.	For the purpose of carrying out a survey the Surveyor General may enter lands.	

<i>Trade Descriptions and False Advertisements Act 1936-1979, s 4E</i>	An inspector.	An inspector is entitled to access to all records required to be kept by the Act by every manufacturer and distributor.	The inspection must be made at a reasonable time.
<i>Water Boards Act 1904-1979, s 68</i>	Any officer of a water board.	To enter land in order to determine the quantity of water consumed and whether water has been wasted.	The entry must be made at a reasonable time.
<i>Weights and Measures Act 1915-1978, s 27Q</i>	An inspector.	To enter any place and search for, examine, and weigh any pre-packed article.	The inspector must have reasonable cause to believe that there is a pre-packed article at the place. The entry must be made at a reasonable time.
<i>Weights and Measures Act 1915-1978, s 36</i>	An inspector.	To enter premises in which weighing instruments are kept and inspect and examine the weights. He may seize any weight not stamped in accordance with the Act.	The entry must be made at a reasonable time.
<i>Weights and Measures Act 1915-1978, s 37</i>	An inspector.	To enter premises or stop a vehicle, and inspect any article therein kept or exposed for sale and weigh or measure the article.	The entry must be made at a reasonable time.
<i>Western Australian Marine Act 1948-1980, s 15</i>	An inspector or surveyor.	To board any ship to examine the hull or machinery, boats or report on the nature and cause of any casualty on the ship.	The entry must be made at a reasonable time.

1. ENTRY FOR INSPECTION AND OTHER PURPOSES

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
(k) <i>Miscellaneous cont'd</i>			
<i>Workers' Compensation Supplementation Fund Act 1980-1981, s 15(2)</i>	A member of the staff of the Workers' Compensation Board.	To enter the premises of an insurer and inspect any books or documents of the insurer relating to amounts received by the insurer for an employer's policy.	The entry must be made at a reasonable time of the day. The officer is not authorised to remain on the premises if, on being requested to produce evidence of his authority, he does not produce that evidence.

2. SEARCH AND/OR SEIZURE

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
<i>(a) Primary Production</i>			
<i>Agriculture and Related Resources Protection Act 1976-1980, s 82(1)(d)</i>	An inspector or authorised person.	To seize and destroy certain categories of declared animals.	
<i>Agriculture and Related Resources Protection Act 1976-1980, s 85</i>	An inspector or authorised person.	To search and inspect at any time any vehicle, vessel, aircraft or train in order to ascertain if any declared plant, animal or prohibited material is on the conveyance, and to seize any such material found.	
<i>Artificial Breeding of Stock Act 1965-1976, s 11(1)(b) - (d)</i>	An inspector or veterinary surgeon employed by the State Department of Agriculture.	To enter and search any place used for the collection of semen or ova for sale; to enter and search any vehicle, ship or aircraft used for the conveyance of semen or ova; and in each case to examine any semen or ova found in the place or conveyance, and to seize any semen or ova in respect of which, in his opinion, an offence against the Act has been committed.	The officer must have reasonable grounds to suspect that semen or ova are on the premises or conveyance.

<i>Stock (Brands and Movement) Act 1970-1980, s 37(3)</i>	A police officer or inspector.	To enter certain places or in some cases to stop vehicles in order to search for and seize various items such as unauthorised branding irons; unbranded stock; sheep being moved in contravention of the Act; or stock and skins in connection with a breach or offence against the Act.	
<i>Veterinary Preparations and Animal Feeding Stuffs Act 1976, s 40</i>	An inspector.	To seize any animal products or packaging.	The inspector must have reasonable grounds for believing the item seized, does not comply with the requirements of the Act. A person aggrieved may within six months of the seizure appeal to a court of summary jurisdiction. If no appeal is instituted, the item is forfeited to Her Majesty.
(b) <i>Manufacture or Marketing</i>			
<i>Dried Fruits Act 1947-1973, s 29(4)</i>	An officer authorised by the Chairman or Deputy Chairman of the Dried Fruits Board.	To enter any place at any time and use any force which may be necessary in order to seize fruit which has been declared by written order to have been acquired by the Board.	

2. SEARCH AND/OR SEIZURE

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
<i>(b) Manufacture or Marketing</i>			
<i>Hide and Leather Industries Act 1948, s 16</i>	A police officer or any person authorised by the Australian Hide and Leather Industries Board or its Chairman.	To enter any premises, vessel, vehicle or aircraft and inspect any hides or leather and any related accounts and documents and to seize any hides which are the property of the Board or which have not been submitted for appraisalment. Any hides seized are deemed to have been acquired by the Board under the Act.	The entry must be made at a reasonable time.
<i>(c) Conservation and Environment</i>			
<i>Fisheries Act 1905-1979, ss 21(3) and 49</i>	An inspector or a police officer exercising the powers of an inspector under s 5(3).	To seize any unlawful net found in certain waters without any person in actual possession. The net may be forfeited to her Majesty.	The net must be taken before a justice who may forfeit it to Her Majesty if he is satisfied that there are reasonable grounds for believing that it was intended to be used in contravention of the Act.
<i>Fisheries Act 1905-1979, ss 24(1b), (3a), 24A(2), and 49(4)</i>	An inspector or a police officer exercising the powers of an inspector under s 5(3).	To seize underweight or undersized fish or any female rock lobster having eggs or spawn attached beneath its body, or underweight rock lobster tails. The fish or lobster are forfeited to Her Majesty.	Any fish seized must be taken before a justice .

<i>Fisheries Act 1905-1979</i> , ss 42 and 49(4)	An inspector; a police officer exercising the powers of an inspector under s 5(3); any person holding a written authority of or a search warrant signed by a justice; or any person authorised by regulation.	To search for, seize and forfeit all fish of which the taking or possession is prohibited by the Act or regulations.	Any fish seized must be taken before a justice.
<i>Fisheries Act 1905-1979</i> , ss 48(3) and 49(4)	Any person authorised under the Act.	To seize, detain and forfeit a boat.	Any boat seized must be taken before a justice. The boat can only be forfeited by order of the Court following conviction of a person for an offence against the Act or by a justice if he is satisfied there are reasonable grounds for believing that the boat had been or was intended to be used in contravention of the Act.
<i>Fisheries Act 1905-1979</i> , s 49	An inspector or a police officer exercising the powers of an inspector under s 5(3).	To seize any boat, net, rock lobster pot, line, engine or other article for taking fish found in any closed waters without any person in actual possession. The item may be forfeited to Her Majesty.	The item must be taken before a justice who may forfeit it to Her Majesty if he is satisfied that there are reasonable grounds for believing that the item had been or was intended to be used in contravention of the Act.

2. SEARCH AND/OR SEIZURE

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
<i>(c) Conservation and Environment cont'd</i>			
<i>Fisheries Act 1905-1979, s 49A</i>	An inspector or a police officer exercising the powers of an inspector under s 5(3).	To seize any plant or appliance being used for processing undersized rock lobster or rock lobster tails. The plant may be forfeited to Her Majesty.	The item must be taken before a justice who may forfeit it to Her Majesty if he is satisfied that there are reasonable grounds for believing that the plant had been or was intended to be used for processing undersized lobster.
<i>Fisheries Act 1905-1979, s 49B(3)</i>	An inspector or a police officer exercising the powers of an inspector under s 5(3).	To enter and search any premises or place at any time for the purposes of the Act.	
<i>Forests Act 1918-1976, s 55</i>	A forest officer.	To seize forest produce which shall thereupon become and remain the property of the Crown until the title of a lawful owner is established.	The officer must have reason to believe that an offence has been committed in respect of the produce.
<i>Forests Act 1918-1976, s 59</i>	A forest officer.	To seize unbranded timber in the course of conveyance without a permit and to detain it pending an enquiry. The timber is deemed to be the property of the Crown in the absence of proof that it is private property.	

<i>National Parks Authority Act 1976, s 28</i>	A ranger who is not a police officer.	A ranger who finds a person committing an offence or who on reasonable grounds suspects that an offence against the Act has been committed may enter and search a hut or tent, stop and search a conveyance, or remove any vehicle from land.	The ranger must first take all reasonable steps to communicate to the owner or person in charge of the thing or conveyance concerned his intention to exercise the power and his reasons for believing that he is authorised to exercise the power.
<i>Parks and Reserves Act 1895-1978, s 7A</i>	An authorised person who is not a police officer.	An authorised person who finds a person committing an offence against a by-law made under the Act or on reasonable grounds suspects such a breach may enter and search any hut or tent, stop and search any conveyance or remove any vehicle from the Park.	The authorised person must first take all reasonable steps to communicate to the owner or person in charge of the thing or vehicle concerned his intention to exercise the power and his reasons for believing that he is authorised to exercise the power.
<i>Waterways Conservation Act 1976-1980, s 63(7)</i>	An inspector, a member of the Commission or of a management authority, an honorary warden, or an authorised person.	An inspector who finds a person committing an offence or on reasonable grounds suspects that an offence has been committed may enter and search a hut or tent, stop and search a vehicle, or remove any vehicle from land.	The inspector must first take all reasonable steps to communicate to the owner or person in charge of the thing or vehicle concerned his intention to exercise the power and his reasons for believing that he is authorised to exercise the power.

2. SEARCH AND/OR SEIZURE

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
<i>(c) Conservation and Environment cont'd</i>			
<i>Wildlife Conservation Act 1950-1980, s 20(2)(a)</i>	A wildlife officer who is not a police officer.	A wildlife officer who finds a person committing an offence against the Act or on reasonable grounds suspects that an offence is being committed may seize any weapon, fauna, flora or wildlife involved in the offence and deliver them to a police officer or other person appointed by the Minister.	
<i>Wildlife Conservation Act 1950-1980, s 20(2)(b)</i>	A wildlife officer who is not a police officer.	To detain and search any vehicle or enter and search any premises not being a dwelling-house and seize any fauna, flora or weapon involved in an offence and deliver the seized items to a police officer or other person appointed by a Minister.	The officer must have reasonable grounds to believe that flora or fauna or a weapon involved in an offence are on the vehicle or premises.

<i>(c) Conservation and Environment cont'd</i>			
<i>Wildlife Conservation Act 1950-1980, s 20(3)</i>	A wildlife officer.	To search a dwelling-house and to seize items connected with an offence. Any thing found on a search may be seized.	A warrant must be obtained from a justice who must be satisfied that there are reasonable grounds for suspecting that there is on the premises something relating to the commission of an offence. The warrant must be executed by day unless otherwise authorised. The owner or occupier of a dwelling-house whose enclosed garden or curtilage has been searched may complain to a justice that there were no reasonable grounds for the search. The justice must enquire into the matter and report his findings to the complainant and to the Minister.
<i>(d) Occupational or Commercial Matters</i>			
<i>Liquor Act 1970-1979, s 144</i>	A police officer.	To seize any liquor sold or supplied contrary to the Act or the conditions of a licence. The liquor may be sold in the same manner as lost or unclaimed property under the <i>Police Act</i> .	

2. SEARCH AND/OR SEIZURE

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
(e) <i>Safety</i>			
<p><i>Explosives and Dangerous Goods Act 1961-1978, s 12 (1)(a) and (d), and s 53</i></p>	<p>An inspector.</p>	<p>To seize, remove or detain any explosives or dangerous goods.</p>	<p>To enter a dwelling-house, the inspector must obtain a warrant of a justice unless he has reason to believe that imminent danger to the public or to any person exists. The justice may grant a warrant to enter and search a dwelling-house, if need be by force, if he is satisfied there are reasonable grounds for the search. The warrant is to be executed by the inspector together with a police constable within 14 days of its issue. To seize explosives or dangerous goods, the inspector must have reason to believe that there has been a contravention of the Act.</p>

(e) <i>Safety</i>			
<i>Firearms Act 1973-1980, s 24</i>	A police officer.	To seize a firearm or ammunition; to search any person or any vehicle or conveyance.	The power to seize may be exercised if the person has no licence or permit to have possession of the firearm or ammunition or if the officer is of the opinion that the person is not at the time a fit and proper person to be in possession of it. Any firearm seized must be taken before a justice to be dealt with according to law. The power to search may be exercised if there are reasonable grounds to suspect that a firearm is being kept without lawful excuse.
<i>Government Railways Act 1904-1980, s 53</i>	Any person employed on or about any railway.	To impound cattle trespassing on a railway.	
<i>Spear-guns Control Act 1955-1972, s 7</i>	An inspector.	To examine a spear-gun to see if it is safe or fit for use and to seize any gun which is unsafe or which will afford evidence of the commission of an offence.	

2. SEARCH AND/OR SEIZURE

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
<i>(f) Social Benefit or Welfare</i>			
<i>Essential Foodstuffs and Commodities Act 1979-1980, s 5(2)(d)</i>	The Minister.	Where it appears to the Minister that the supply of any essential commodities is or is likely to be interrupted, the Minister may authorise the taking of possession and the use of such commodities and any premises, vehicles, plant or other equipment ordinarily used for the manufacture, transportation, storage or marketing of such commodities.	A person who suffers loss, damage or injury as a result of compliance with a direction given under the Act is entitled to compensation (s 7).
<i>(g) Public Health</i>			
<i>Fruit Cases Act 1919-1973, s 8(1)(b)(v)</i>	An inspector.	To seize and destroy a second hand case which in his opinion is unfit to contain fruit by reason of disease or uncleanness or which has been used in contravention of the Act.	
<i>Health Act 1911-1979, s 132</i>	A local authority.	To destroy or seize and sell any pigs, dogs, ducks, or geese trespassing on any water supply required for drinking purposes. The proceeds of any sale shall be paid into the funds of the local authority.	The authority must first post a notice at the water supply to the effect that the water is required for drinking purposes and that the animals are prohibited from trespassing thereon.

<i>Health Act 1911-1979</i> , s 202	A medical officer or health surveyor.	To seize any animal or food offered for sale.	The officer must have reasonable grounds for believing that the animal or food is diseased or unfit for human consumption. The owner may complain to a justice of the seizure. The complaint is to be determined by any two justices.
<i>Health Act 1911-1979</i> , s 230	A medical officer of health or health surveyor or any other officer authorised by local authority or the Commissioner of Public Health.	To enter any commercial premises where food or drugs are offered or stored for sale and seize or procure samples of any such food or drugs.	
<i>Poisons Act 1964-1978</i> , s 55	A police officer.	To enter and search any premises for any poison, prohibited plant, or related documents and seize any substance reasonably suspected of containing poison or any documents relating to an offence.	A warrant must be obtained from a justice who must be satisfied that there is reasonable ground for suspecting that a poison, prohibited plant, or related documents are on the premises.
<i>Radiation Safety Act 1975-1979</i> , s 54	An authorised officer.	To seize any radioactive substance, irradiating apparatus, or product.	The officer must have reasonable grounds for believing that the substance constitutes a danger to the life or health of any person. A person aggrieved may, within six months of the seizure, appeal to a Court of Petty Sessions. If no appeal is instituted the item is forfeited to Her Majesty.
(h) <i>Public Works</i>			
None.			

2. SEARCH AND/OR SEIZURE

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
<i>(i) Taxation and/or Valuation</i>			
<i>Forests Act 1918-1976, s 61</i>	A forest officer.	To search for forest produce liable to the payment of any royalty, dues, or charges.	A warrant must be obtained from a justice. The officer must state his belief on oath that forest produce liable to the payment of royalty, dues, or charges is secreted in a place other than a State forest or timber reserve.
<i>(j) Criminal Offences</i>			
<i>Betting Control Act 1954-1978, s 28A</i>	A police officer.	To enter into and search any place in which it is suspected that unlawful betting is or is about to be carried on, and to seize all betting material found upon the premises.	A warrant must be obtained from a justice. The application must be made by complaint on oath that there are reasonable grounds for suspecting that unlawful betting is or is about to be carried on in or upon the premises.
<i>Criminal Code 1913-1980, s 236</i>	A police officer.	When a person is in lawful custody upon a charge of committing any offence, his person may be searched. Such force as is reasonably necessary may be used. Where there are reasonable grounds for believing that an examination of his person will afford evidence as to the commission of the offence, the examination may be made by a medical practitioner.	

(j) <i>Criminal Offences</i> cont'd			
<i>Criminal Code 1913-1980</i> , s 504	A police officer.	To search a house or premises for goods or things by means of or in relation to which an offence under Chapter 52 of the Code - Counterfeiting Trade Marks and Trade Descriptions - was committed.	A warrant must be obtained from a justice of the peace. The justice must be satisfied that there is reasonable cause to suspect that such things are in the premises.
<i>Criminal Code 1913-1980</i> , s 711	A police officer.	To search a house, vessel, vehicle, aircraft, or place for items relating to an offence and to seize any such thing found and take it before a justice.	A warrant must be obtained from a justice. The application must be made by complaint on oath that there are reasonable grounds for believing that items relating to an offence are on the premises, vessel, vehicle or aircraft. The warrant is to be executed by day unless otherwise authorised.
<i>Criminal Code 1913-1980</i> , s 711A	The person in command of an aircraft.	To search an aircraft, or any person, luggage or freight on or about to board the aircraft and to seize anything relating to the committing of an offence.	The person must have reasonable grounds for suspecting that an offence involving the safety of the aircraft has been or may be committed aboard or in relation to the aircraft.
<i>Firearms Act 1973-1980</i> , s 26	A police officer.	To search any place for firearms and ammunition and seize and take any firearms or ammunition found before a justice to be dealt with according to law.	A warrant must be obtained from a justice who must be satisfied that there are reasonable grounds for suspecting that a firearm or ammunition is being kept in contravention of the Act.
<i>Lotteries (Control) Act 1954-1972</i> , s 21	A police officer.	To enter premises where a lottery is being or is supposed to be	A warrant must be obtained from a justice. The application must be

2. SEARCH AND/OR SEIZURE

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
		conducted, and seize all moneys and things used in connection with it.	made by complaint on oath that there are reasonable grounds for suspecting that an illegal lottery is being conducted.
<i>Police Act 1892-1980, s 68</i>	A police officer.	An officer apprehending persons charged with certain offences such as having no visible means of support, habitual drunkenness and consorting with known criminals may seize property in the possession of the person. The property may be sold on the order of a justice and the proceeds used to defray the costs of apprehending and maintaining the person in gaol.	
<i>Police Act 1892-1980, s 70</i>	A police officer.	To search any place in which there is reasonable cause for suspecting that a thing stolen or unlawfully obtained is concealed or lodged. Any property so found must be taken before a justice.	A warrant may be obtained from a justice.
<i>Police Act 1892-1980, s 85</i>	A police officer.	To search a place suspected of being a common gaming house and to seize instruments of gaming found on the premises.	A warrant may be obtained from a justice.

(j) <i>Criminal Offences</i> cont'd			
<i>Police Act 1892-1980</i> , ss 94D(1), (2) and (4)	A police officer.	To enter the premises of a person carrying on the business of distributing a drug to inspect the stock of drugs; to search any person and stop and search any vehicle, using force if necessary, and to seize any drugs or documents in connection with an offence against the Act.	The officer must have reasonable grounds for suspecting an offence has been committed in order to exercise the powers of search and seizure.
<i>Police Act 1892-1980</i> , ss 94D(3) and (4)	A police officer.	To search any premises. Any drug reasonably suspected of being connected with an offence may be seized.	A warrant must be obtained from a justice who must be satisfied by information on oath that there are reasonable grounds for suspecting that a prohibited drug may be on the premises. The warrant must be executed within one month of its date of issue.
<i>Prevention of Cruelty to Animals Act 1920-1976</i> , s 12	A police officer.	To seize any vehicle or animal in the charge of a person arrested for an offence against the Act in order that the property may be detained as evidence or as security for the payment of any penalty to which the person is liable.	The property may only be sold by order of the court.

2. SEARCH AND/OR SEIZURE

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
<i>Totalisator Agency Board Betting Act 1960-1973, s 46A</i>	A police officer.	To enter and search premises in which it is suspected that unlawful betting is taking place, and seize betting material found on the premises.	A warrant must be obtained from a justice. The application must be made by complaint on oath that there are reasonable grounds for suspecting that unlawful betting is taking place.
<i>(k) Miscellaneous</i>			
<i>Factories and Shops Act 1963-1978, s 71</i>	An inspector.	To enter any place where boots are manufactured or sold, inspect any articles and take any boots after paying a just price therefore.	

<p><i>Indecent Publications and Articles Act 1902-1974,</i> s 12A</p>	<p>A police officer.</p>	<p>To enter premises and search for and seize any publications which appear to him to be indecent or obscene.</p>	<p>To search premises other than premises where the business of selling or distributing publications is carried on, a warrant must be obtained from a justice who must be satisfied that there are reasonable grounds for suspecting that indecent or obscene publications are kept for the purpose of gain on the premises. At least one copy of each publication seized must be delivered as soon as practicable to the State Advisory Committee on Publications who shall consider the publication and report to the Minister. Publications found not to be indecent or obscene are to be returned to the owner.</p>
<p>(k) <i>Miscellaneous cont'd</i></p>			
<p><i>Trade Descriptions and False Advertisements Act 1936-1979,</i> s 15</p>	<p>An inspector.</p>	<p>To seize any goods on sale to which the prescribed trade description has not been applied and to detain them until it is decided what action should be taken against the person holding the goods. If no action is taken the goods must be returned. The goods may be forfeited in certain circumstances.</p>	<p>The goods may be forfeited to the Crown only by order of the court.</p>

2. SEARCH AND/OR SEIZURE

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
(k) <i>Miscellaneous cont'd</i>			
<i>Western Australian Marine Act 1948-1980, s 218</i>	A person authorised by the Minister.	To search any vessel in any port.	The officer must have grounds for believing the search to be necessary for the due performance of his duty under the Act.
<i>Western Australian Products Symbol Act 1972, s 9</i>	An inspector.	To enter premises and to seize goods or documents relating to an offence against the Act. If no prosecution is instituted the goods must be returned to the owner.	The entry must be made during normal working hours and the inspector must have reason to believe that relevant products are produced on the premises or that an offence against the Act has been committed on the premises.

3. REQUIRING INFORMATION TO BE SUPPLIED AND/OR DOCUMENTS TO BE PRODUCED

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
<i>(a) Primary Production</i>			
<i>Agriculture and Related Resources Protection Act 1976-1980, s 86</i>	An inspector or authorised person.	For the purpose of the performance of his powers, duties or functions under the Act, the person may require another person to supply his name and address, and any occupier of land to state the name and address of the owner of the land.	
<i>Artificial Breeding of Stock Act 1965-1976, s 11</i>	An inspector or veterinary surgeon employed by the State Department of Agriculture.	To provide records or other documents relating to semen or ova and to answer questions in relation thereto or in relation to any suspected contravention of the Act, and to require the owner of any stock in which an ovum has been artificially implanted to furnish information as to the operation or resulting progeny.	The information relating to an artificially implanted ovum must be reasonably required for the purpose of assessing the success of the implant and the characteristics of the progeny.
<i>Carnarvon Banana Industry (Compensation Trust Fund) Act 1961-1980, s 33</i>	The Carnarvon Banana Industry Compensation Committee.	A grower or wholesaler may be required to furnish such information relating to his business as the Committee deems necessary for the purposes of the Act, such as collecting contributions to the Trust Fund and making compensation payments.	

<i>Fisheries Act 1905-1979</i> , s 18	Department of Fisheries and Wildlife.	People involved in various fisheries operations are required to furnish a written return as to the catch, sale, output, purchases, receipts, fishing gear used, time occupied in fishing or the business.	Except in certain circumstances, it is an offence to disclose or use information obtained under the Act (s 19).
<i>Fruit Growing Industry (Trust Fund) Act 1941-1956</i> , s 13	The Fruit Growing Industry Trust Fund Committee.	The Committee may require a grower or dealer to supply such information relating to his business as it may deem necessary for the purposes of the Act. Contributions to the Trust Fund are based on the quantity of fruit produced or sold. The fund may be used to compensate growers for losses and to promote research to improve fruit crops and the transportation of such crops.	
<i>Fruit-growing Reconstruction Scheme Act 1972-1975</i> , s 11	The Rural Reconstruction Authority, now the Rural Adjustment Authority.	The Authority may require a grower who applies for financial assistance under the Reconstruction Scheme to provide such further information, accounts, documents and papers as it considers necessary for the purpose of considering the application.	

3. REQUIRING INFORMATION TO BE SUPPLIED AND/OR DOCUMENTS TO BE PRODUCED

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
<i>(a) Primary Production cont'd</i>			
<i>Fruit-growing Reconstruction Scheme Act 1972-1975, s 15</i>	The Rural Reconstruction Authority, now the Rural Adjustment Authority.	A grower or a creditor of such grower may be required to produce such documents, including any document of title, and furnish such information and such accounts as the Authority may require for the purposes of the Act.	
<i>Marketing of Eggs Act 1945-1977, s 32L(6)</i>	The Western Australian Egg Marketing Board.	A person who keeps breeding fowls is required to furnish to the Board information relating to the production of hatching eggs for sale.	
<i>Mining Act 1978, s 56</i>	A Warden of Mines or the Minister.	For the purpose of determining how many prospecting licences may be issued to a person, that person may be required to give such information as is required and to answer questions put to him.	Information may not be required relating to assays or other results of any testing or sampling.
<i>Petroleum Act 1967-1972, ss 78 and 79</i>	The Minister.	The Minister may require information to be furnished where an instrument concerning a permit, licence or access authority has been lodged for approval or to produce any documents relating to the instrument.	

<p><i>Petroleum Act 1967-1972</i>, s 109</p>	<p>The Minister or an inspector.</p>	<p>A person may be required to furnish information relating to petroleum exploration operations.</p>	<p>The Minister or inspector must have reason to believe that the person is capable of giving information or producing documents relating to the operations. Any information which might tend to incriminate the person is not admissible in evidence against him.</p>
<p><i>Petroleum Pipelines Act 1969-1975</i>, ss 50 and 51</p>	<p>The Minister.</p>	<p>The Minister may require such information to be furnished as appears to be necessary or desirable where an instrument concerning a licence to construct a pipeline has been lodged for approval or to produce any documents relating to the instrument.</p>	
<p><i>Petroleum (Submerged Lands) Act 1967-1970</i>, ss 84 and 85</p>	<p>The Designated Authority.</p>	<p>The Authority may require a person lodging an instrument for approval relating to a permit, licence, pipeline licence or access authority to furnish further information and to produce documents.</p>	

3. REQUIRING INFORMATION TO BE SUPPLIED AND/OR DOCUMENTS TO BE PRODUCED

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
(a) <i>Primary Production</i> cont'd			
<i>Petroleum (Submerged Lands) Act 1967-1970, s 115</i>	The Designated Authority or an inspector.	The person may require information to be supplied or documents produced relating to petroleum exploration operations, or operations relating to the construction or operation of a pipeline.	The Authority or inspector must have reason to believe that the person is capable of giving the information or producing the documents. A person is not excused from furnishing information on the ground that it might tend to incriminate him, but information so furnished is not admissible in evidence against him.
<i>Plant Diseases Act 1914-1979, s 21</i>	An inspector.	A person having in his possession any fruit or plants for sale may be required to answer any question relating to such fruit or plants.	
<i>Poultry Industry (Trust Fund) Act 1948-1969, s 13</i>	The Poultry Industry Trust Fund Committee.	The Committee may require any producer or dealer to supply such information as may be necessary for the purposes of the Act, including the eradication of pests and diseases affecting the industry and the payment of compensation to producers.	

<i>Rural Reconstruction and Rural Adjustment Schemes Act 1971-1980, s 28</i>	The Rural Adjustment Authority.	A person who applies for assistance under the scheme or a creditor may be required to furnish information and documents.	
<i>Veterinary Preparations and Animal Feeding Stuffs Act 1976. s 31</i>	The Registrar of Veterinary Preparations and Animal Feeding Stuffs.	On an application for registration of a veterinary preparation or feed, the Registrar may require additional information to be supplied.	
<i>Veterinary Preparations and Animal Feeding Stuffs Act 1976, s 39</i>	An inspector.	An inspector may require any person in possession of or selling an animal product to furnish him with information relating to the sale or purchase of the product.	
(b) Manufacturing or Marketing			
<i>Dairy Industry Act 1973-1980, s 44</i>	The Dairy Industry Authority of Western Australia.	For the purpose of carrying out the functions and powers conferred upon and the duties imposed upon the Authority (eg the purchase, production and supply and distribution of milk), a dairyman and others may be required to make available for inspection any documents kept or prepared in connection with his business.	

3. REQUIRING INFORMATION TO BE SUPPLIED AND/OR DOCUMENTS TO BE PRODUCED

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
<i>(b) Manufacturing or Marketing cont'd</i>			
<i>Dairy Industry Act 1973-1980, s 90</i>	An inspector.	The owner or manager of a dairy produce premises or premises or conveyance upon which produce is found and every vendor of dairy produce is required to furnish the inspector with a list of the names and addresses of the persons supplying milk or dairy produce to him and to give information to the inspector to aid the inspector in determining the cause of any defect or deterioration in the produce	
<i>Dried Fruits Act 1947-1973, ss 21 and 22</i>	The Dried Fruits Board.	Any person who produces dried fruits for sale is required to furnish the Board with information, including particulars with respect to the dried fruits produced by him in any year.	
<i>Dried Fruits Act 1947-1973, s 25</i>	The Dried Fruits Board.	Dealers in dried fruit may be required to supply the Board with information, including particulars of dried fruits sold or likely to be sold. A person in charge of a registered packing shed may also be required to supply information to the Board.	

<i>Fruit Cases Act 1919-1973</i> , s 9(4)	An inspector.	A person is required to produce the records required to be kept under s 9 of the Act relating to the purchase of fruit.	
<i>Wheat Marketing Act 1979</i> , s 26	The Australian Wheat Board.	The Board may require a person to furnish information relating to wheat, wheat products or corn sacks.	A person is not excused from furnishing the information on the grounds that it might tend to incriminate him, but it is not admissible as evidence against him in proceedings other than those for making a false return.
<i>Aboriginal Heritage Act 1972-1980</i> , s 51(1)(b)	Any member of the staff of the Museum.	To request information relating to an aboriginal site, place or object.	
<i>(c) Conservation and Environment</i>			
<i>Environmental Protection Act 1971-1980</i> , s 37(2)	A Committee of Inquiry appointed under s 37(1) of the Act.	The Committee has all the powers, rights and privileges of a Royal Commission including the power to summon witnesses. The enquiry is with respect to proposals on a policy to be followed with respect to any aspect of environmental protection or enhancement.	Except in certain circumstances, it is an offence to disclose any manufacturing process or trade secret that has been furnished or obtained under the Act (s 72).
<i>Environmental Protection Act 1971-1980</i> , s 51	An Environmental Appeal Board.	For the purpose of hearing an appeal against the proposals of the Environment Protection Authority as to environmental protection policy, the Board may summon witnesses.	Except in certain circumstances, it is an offence to disclose any manufacturing process or trade secret that has been furnished or obtained under the Act (s 72).

3. REQUIRING INFORMATION TO BE SUPPLIED AND/OR DOCUMENTS TO BE PRODUCED

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
<i>(c) Conservation and Environment cont'd</i>			
<i>Environmental Protection Act 1971-1980, s 69</i>	A member of the Environmental Protection Authority or an inspector.	The occupier of any premises is required to furnish all such information as to any equipment, industrial plant or process in or on the premises as he is capable of furnishing with respect to the exercise of the inspector's powers and duties under the Act.	Except in certain circumstances, it is an offence to disclose any manufacturing process or trade secret that has been furnished to him or obtained under the Act (s 72).
<i>Environmental Protection Act 1971-1980, s 70</i>	The Environmental Protection Authority.	The Authority may require the occupier of premises to furnish to the Authority such information as to any equipment, industrial plant or process in or on the premises as the Authority requires.	Except in certain circumstances, it is an offence to disclose any manufacturing process or trade secret that has been furnished to him or obtained under the Act (s 72).

<i>(d) Occupational or Commercial Matters</i>			
<i>Auction Sales Act 1973-1978, s 28</i>	A person authorised by the Minister.	To inspect all books, accounts, documents and other records that are required to be kept under the Act by a licensee and to answer any questions or supply any information with respect to those documents. The manager of a bank in which a licensee has deposited money may be required to disclose accounts of the licensee.	A person is not required to answer any question or give any information that tends to incriminate him.
<i>Coal Mining Industry Long Service Leave Act 1950-1951, s 7</i>	The Administrator.	For the purpose of the administration of the Act, the Administrator may summon witnesses and require the production of documents or records.	
<i>Credit Unions Act 1979, s 152</i>	The Registrar of the Credit Unions.	To ascertain whether the provisions of the Act or rules are being complied with, the Registrar may inspect books kept by a credit union and bankers' books kept by a banker who acts for a credit union.	A person must not make such an inspection unless he has made a declaration to the effect that he will not make, except for the purposes of this Act, or in the course of criminal proceedings, a record of, or divulge or communicate to another person any information that he acquires by reason of the making of the inspection. Except in certain circumstances, it is an offence to disclose information obtained under the Act (s 153).

3. REQUIRING INFORMATION TO BE SUPPLIED AND/OR DOCUMENTS TO BE PRODUCED

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
(d) <i>Occupational or Commercial Matters</i> cont'd			
<i>Credit Unions Act 1979,</i> s 159	An inspector.	To require a person to appear before an inspector for examination on oath where the inspector is carrying out an investigation under the Act and to produce books to the inspector which relate to the investigation.	The inspector must give notice in a prescribed form. A person may be represented by a qualified legal practitioner at an examination. A person is not excused from answering a question put to him on the ground that the answer might tend to incriminate him, but neither the question nor the answer is admissible in evidence against him in criminal proceedings except in relation to a charge of perjury in respect of the answer. Except in certain circumstances, it is an offence to disclose information obtained under the Act (s 153).

<i>Debt Collectors Licensing Act 1964-1966</i> , s 16	A person authorised by the Minister.	A Bank must disclose each account of a licensee and permit the person to examine the books of a bank.	
<i>Debt Collectors Licensing Act 1964-1966</i> , s 18	A person authorised by the Minister.	To inspect all books and records of accounts required to be kept under the Act by a licensee. The licensee may also be required to answer questions or supply information with respect to the records or documents.	A person is not required to answer any question or give any information that tends to incriminate him.
<i>Dental Act 1939-1980</i> , s 45	The Dental Board of Western Australia.	To summon people with respect to an enquiry relating to a breach of an undertaking arising out of disciplinary proceedings against a dentist or dental therapist and to summon any applicant for registration. The person may also be required to produce documents.	
<i>Dental Act 1939-1980</i> , s 51C(3)	The Dental Charges Committee.	To require a person to furnish information relating to a review of fees or remuneration charged for dental services by a dentist.	

3. REQUIRING INFORMATION TO BE SUPPLIED AND/OR DOCUMENTS TO BE PRODUCED

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
<i>(d) Occupational or Commercial Matters cont'd</i>			
<i>Employment Agents Act 1976, s 18</i>	The Commissioner of Police.	At the request of the licensing officer, the Commissioner of Police is authorised to disclose to the Minister any record or information relevant to an application under the Act.	Except in certain circumstances, it is an offence to disclose information obtained under the Act (s 48).
<i>Finance Brokers Control Act 1975, s 20</i>	The Finance Brokers Supervisory Board.	For the purpose of exercising its powers and functions under the Act, the Board may summon any person to attend before it and require the production of documents. The Board may require any person before it to answer all questions put to him relating to any matter being enquired into by the Board or by any other person appearing before the Board.	A person is not obliged to answer any question if the answer to that question would tend to incriminate him. Except in certain circumstances, it is an offence to disclose information obtained under the Act (s 88).

<i>Finance Brokers Control Act 1975, s 58</i>	An auditor.	For the purpose of carrying out an audit of a finance broker's trust account, every banker of a finance broker is required to produce to the auditor all books, documents and securities as may be reasonably necessary for the purpose of the audit.	Except in certain circumstances, it is an offence to disclose information obtained under the Act (s 62).
<i>Finance Brokers Control Act 1975, s 80</i>	The Finance Brokers Supervisory Board.	Where the District Court has made an order restraining dealings with the trust account or any other account of a broker, the bank may be required to disclose to the Board each and every account kept at the Bank in the name of the finance broker and permit the Board to inspect and make and take away a copy of or an extract from the account.	Except in certain circumstances, it is an offence to disclose information obtained under the Act (s 88).
<i>Gas Standards Act 1972-1979, s 13A(12)(c)</i>	The State Energy Commission of Western Australia.	For the purpose of an enquiry into whether or not a gas fitting worker's certificate of competence, permit or authorisation should be returned, the Commission may summon and examine that person or any other person likely to be able to give evidence or produce documents touching the matter in question.	

3. REQUIRING INFORMATION TO BE SUPPLIED AND/OR DOCUMENTS TO BE PRODUCED

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
<i>(d) Occupational or Commercial Matters cont'd</i>			
<i>General Insurance Brokers and Agents Act 1981, s 19(5)</i>	The Insurance Brokers Licensing Board.	For the purpose of an enquiry into whether or not the licence of an insurance broker should be suspended or cancelled, the Board may summon and examine witnesses and require the production of documents.	A statement or disclosure made at an enquiry before the Board by a witness, except in an appeal under the Act or in proceedings for giving false testimony before the Board, is not admissible in evidence against him in any civil or criminal proceedings (s 19(7)).
<i>Hairdressers Registration Act 1946-1975, s 17</i>	The Hairdressers Registration Board of Western Australia.	The Board has power to compel the attendance of witnesses for the purpose of conducting any investigation or enquiry authorised under the Act, for example, an enquiry into whether or not the registration of a person should be cancelled or suspended.	A person is not obliged to answer any question put to him if the answer to that question would tend to incriminate him or to, produce documents if their contents would tend to incriminate him.
Hire-Purchase Act 1958-1980, s 23D	The Hire-Purchase Licensing Tribunal.	The Tribunal in the exercise of its powers to control hire-purchase credit providers may summon the attendance of any person, require the production of any books etc, inspect any books produced before it or require any person appearing before it to answer any relevant questions put to him by the Tribunal or by any other person appearing before the Tribunal.	

<i>Land Valuers Licensing Act</i> 1978, s 13	The Land Valuers Licensing Board.	In the exercise of its powers, including the registration and disciplining of valuers, the Board may summon any person to attend before it, to produce documents, and to answer any relevant questions put to him by the Board or by any other person appearing before the Board.	A person is not obliged to answer any question if the answer to the question would tend to incriminate him or to produce any documents if their contents would tend to incriminate him. Except in certain circumstances, it is an offence to disclose information obtained under the Act (s 33).
<i>Legal Practitioners Act</i> 1893-1979, s 26	The Barristers' Board.	The Board may summon any practitioner to investigate his conduct, and also the complainant (if any) and any person who can give evidence or produce documents touching the matter in question.	
<i>Legal Practitioners Act</i> 1893-1979, s 39	A person appointed by the Barristers' Board to examine the Trust accounts of a practitioner.	The person may require the practitioner or his staff, if he is absent, and his bank manager to produce or disclose documents relating to his accounts relevant to the examination of the trust account.	Except in certain circumstances, it is an offence to disclose information obtained under the Act (s 40).
<i>Licensed Surveyors Act</i> 1909-1976, s 8	The Land Surveyors' Licensing Board.	The Board may require the attendance of any person who applies for a licence or registration under the Act, and any other person, and may examine and question such a person.	

3. REQUIRING INFORMATION TO BE SUPPLIED AND/OR DOCUMENTS TO BE PRODUCED

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
<i>(d) Occupational or Commercial Matters cont'd</i>			
<i>Liquor Act 1970-1979, s 12</i>	The Licensing Court of Western Australia.	In the case of any matter before the Court, the Court may summon witnesses and examine them on oath.	
<i>Liquor Act 1970-1979, s 112</i>	The Licensing Court of Western Australia.	For the purpose of an enquiry as to whether or not licences existing in an area should be rationalised, the Court may require a licensee to produce documents relating to his business.	
<i>Machinery Safety Act 1974, s 49(3)</i>	The Chief Inspector.	For the purpose of disciplinary proceedings relating to a person who holds a certificate of competency under the Act, the Chief Inspector may summon that person or any witnesses. The person may also be required to produce documents.	A statement or disclosure is not admissible in evidence against him in any civil or criminal proceedings, except in an appeal under the Act or in proceedings, except in an appeal under the Act or in proceedings for giving false testimony. Except in certain circumstances. it is an offence to disclose information obtained under the Act (s 33).

<i>Medical Act 1894-1981</i> , s 9	The Medical Board.	The Board may require the attendance of any person who applies for registration and any other person and may examine and question such persons.	
<i>Motor Vehicle Dealers Act 1973-1979</i> , s 14	The Motor Vehicle Dealers Licensing Board.	For the purpose of considering any matter the Board may summon witnesses and require the production of documents.	
<i>Nurses Act 1968-1980</i> , s 31	A Committee of members of the Nurses Board of Western Australia.	The Committee in the exercise of powers relating to an enquiry involving the disciplining of a nurse has all the powers of a Royal Commission including power to summon witnesses.	
<i>Occupational Therapists Registration Act 1980</i> , s 31	The Occupational Therapists Registration Board of Western Australia.	For the purpose of conducting an enquiry into disciplinary action against a therapist, the Board may summon witnesses and/or require the production of documents.	A statement or disclosure made at an enquiry, except in an appeal under the Act or in proceedings for giving false testimony before the Board, is not admissible in evidence against him in civil or criminal proceedings.
<i>Pearling Act 1912-1975</i> , s 13	A licensing officer.	When an application is made for the grant, transfer or removal of a licence, the officer may obtain information (including documents) from the applicant or any person.	

3. REQUIRING INFORMATION TO BE SUPPLIED AND/OR DOCUMENTS TO BE PRODUCED

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
<i>(d) Occupational or Commercial Matters cont'd</i>			
<i>Pearling Act 1912-1975, s 34(3)</i>	A special inspector.	A special inspector carrying out an enquiry into whether an unqualified person has acquired an interest in a ship has all the powers of a Royal Commission, including the power to summon and examine witnesses.	
<i>Pearling Act 1912-1975, s 112</i>	An inspector.	An inspector may obtain information from any licensed pearl-dealer or cleaner relating to his business and inspect his documents.	
<i>Pharmacy Act 1964-1980, s 17</i>	The Pharmaceutical Council of Western Australia.	For the purpose of the Act, the Council may summon any person to give evidence and produce documents in his custody or control.	
<i>Police Act 1892-1980, s 33G(2)</i>	The Police Appeal Board.	Upon the hearing of an appeal relating to the disciplining of a police officer, the Board may summon witnesses and require the production of documents.	

Psychologists Registration Act 1976, s 42(3)	The Psychologists Registration Board of Western Australia.	For the purpose of conducting an enquiry into whether or not a psychologist should be disciplined, the Board may summon that person or any other person who can give evidence touching the matter in question.	A statement or disclosure made to the Board is not admissible in evidence against a person in any civil or criminal proceedings, except in an appeal under the Act or in proceedings for giving false testimony.
<i>Public Service Arbitration Act 1966-1978, s 20</i>	The Public Service Arbitrator.	For the purpose of any claim, appeal or application, the Arbitrator may summon and examine witnesses and require the production of documents.	
<i>Public Service Arbitration Act 1966-1978, s 37</i>	The Public Service Appeal Board.	For the purpose of hearing an appeal, the Board may summon and examine witnesses and require the production of documents.	
<i>Real Estate and Business Agents Act 1978-1980, s 15</i>	The Registrar or an inspector.	For the purpose of carrying out an investigation or duties under the Act, the officer may require any person to supply information or produce documents.	Except in certain circumstances, it is an offence to disclose information obtained under the Act (s 138).
<i>Real Estate and Business Agents Act 1978-1980, s 20</i>	The Real Estate and Business Agents Supervisory Board.	For the purpose of supervising agents, the Board may summon and examine any person, require the production of documents and inspect documents.	A person is not obliged to answer any question or produce any document which would tend to incriminate him. Except in certain circumstances, it is an offence to disclose information obtained under the Act (s 138).

3. REQUIRING INFORMATION TO BE SUPPLIED AND/OR DOCUMENTS TO BE PRODUCED

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
<i>(d) Occupational or Commercial Matters cont'd</i>			
<i>Real Estate and Business Agents Act 1978-1980, s 100</i>	The Registrar, inspector, supervisor, or police officer.	For the purpose of an enquiry authorised by the Act, the manager of a financial institution may be required to disclose information concerning accounts of an agent.	The officer must have reasonable cause to believe that an agent has deposited any money with the institution. Except in certain circumstances, it is an offence to disclose information obtained under the Act (s 138).
<i>Securities Industry Act 1975-1978, s 9</i>	Commissioner for Corporate Affairs.	The Commissioner may require a dealer, authorised trustee corporation or a person who has disposed of securities to disclose information concerning the acquisition or disposal of securities.	
<i>Securities Industry Act 1975-1978, s 10</i>	Commissioner for Corporate Affairs.	The production and inspection of books may be required where it is suspected that an offence has been committed in connection with dealing in securities.	An order for the disclosure must be obtained from the Supreme Court.

<p><i>Securities Industry Act 1975-1978, s 18</i></p>	<p>An inspector.</p>	<p>For the purpose of an investigation, a person may be required to appear before the inspector for examination and to produce documents.</p>	<p>A person is not excused from answering the questions on the ground that it might tend to incriminate him, but the answer is not admissible against him in criminal proceedings other than in proceedings for perjury or under s 18(3) of the Act. Except in certain circumstances, it is an offence to disclose information obtained under the Act (s 13).</p>
<p><i>Securities Industry Act 1975-1978, s 70</i></p>	<p>Commissioner for Corporate Affairs.</p>	<p>Where an order has been made restraining dealings with a dealer's bank account, the bank manager must disclose to the Commissioner for Corporate Affairs every account kept by the dealer.</p>	
<p><i>Securities Industry Act 1975-1978, s 78</i></p>	<p>Commissioner for Corporate Affairs.</p>	<p>The Commissioner may require a person to produce a register of interests in securities required to be kept under s 75 of the Act.</p>	
<p><i>Security Agents Act 1976-1979, s 34(7)</i></p>	<p>A police officer or authorised person.</p>	<p>The officer may require the production for inspection of all records or documents required to be kept under the Act or in connection with the business of a licensee, and to answer questions with respect to those documents.</p>	<p>A person who acts as a professional or expert adviser to, or interpreter for, the officer may not, except in conformity with the Act, disclose information respecting any business acquired under the Act (s 36).</p>

3. REQUIRING INFORMATION TO BE SUPPLIED AND/OR DOCUMENTS TO BE PRODUCED

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
<i>(d) Occupational or Commercial Matters cont'd</i>			
<i>Security Agents Act 1976-1979, s 34(8)</i>	A person authorised by the Commissioner of Police.	The manager of a financial institution may be required to disclose the accounts of a licensee. Those accounts may be inspected.	The officer must have reasonable cause to believe that a licensee has deposited money with the financial institution. Notice must be given in writing to the manager of the institution. A person who acts as a professional or expert adviser to, or interpreter for, the officer may not, except in conformity with the Act, disclose information respecting any business acquired under the Act (s 36).
<i>Settlement Agents Act 1981, s 15</i>	The Registrar or an Inspector.	For the purpose of carrying out any investigation or enquiry under the Act, the officer may require any person to give him information and answer questions or produce for inspection any document and enter at all reasonable times and search any premises.	The officer must not, except in the performance of a duty under the Act, divulge or communicate to any person any information concerning the affairs of any other person acquired by him by reason of his office or employment (s 116).

<p><i>Settlement Agents Act 1981</i>, s 20</p>	<p>The Settlement Agents Supervisory Board.</p>	<p>In the exercise of its powers and functions under the Act, the Board may summon and examine any person and require the production of documents.</p>	<p>A person is not obliged to answer a question put to him by the Board if the answer to that question would tend to incriminate him, or produce any documents if their contents would tend to incriminate him.</p>
<p><i>Settlement Agents Act 1981</i>, s 81</p>	<p>The Registrar, an inspector, a supervisor or a police officer.</p>	<p>An authorised officer may require that accounts of a settlement agent with a bank, building society or other financial institution be disclosed to him so that they may be inspected and a copy or extract of the accounts be made.</p>	<p>The Officer must have reasonable cause to believe that an agent has deposited money with the financial institution and must not, except in the performance of a duty under the Act, divulge or communicate to any person any information concerning the affairs of any other person acquired by him by reason of his office or employment (s 116).</p>

3. REQUIRING INFORMATION TO BE SUPPLIED AND/OR DOCUMENTS TO BE PRODUCED

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
<i>(d) Occupational or Commercial Matters cont'd</i>			
<i>Transport Act 1966-1981, s 42D(2)</i>	Commissioner of Transport.	For the purpose of an investigation into matters related to the operational and economic stability of the commercial goods vehicle sector of the transport industry, the Commissioner has the powers of a Royal Commission, including the power to summon witnesses.	Except in certain circumstances, it is an offence to disclose information obtained under the Act (s 42F).
<i>Transport Act 1966-1981, s 49</i>	A police officer or person authorised by the Commissioner of Transport.	For the purpose of ascertaining whether the provisions of the Act are being contravened, the officer may inspect a vehicle and its load and require the owner and driver of the vehicle to give information in respect of the load.	The officer must have reasonable grounds to believe that a person other than the owner or driver of the vehicle has such information.
<i>Veterinary Surgeons Act 1960-1977, s 23(6) and (7)</i>	The Veterinary Surgeons' Board.	For the purpose of determining whether a veterinary surgeon has been guilty of unprofessional conduct, the Board may conduct an enquiry, and on such an enquiry has all the powers of a Royal Commission.	

(e) <i>Safety</i>			
<i>Coal Mines Regulation Act 1946-1976, s 23(2)</i>	The Registrar of a Mining District.	When holding an enquiry into the nature and cause of a mine accident, to summon and examine such persons as he thinks fit and to call and to require returns to such enquiries as he thinks fit to make.	
<i>Construction Safety Act 1972-1978, s 11(1)(g)</i>	An inspector.	To question any person as to compliance with the provisions of the Act.	Such questioning must take place at reasonable hours of the day or night. A person is not required to answer any question or give any information tending to incriminate him. The person must be advised of this limitation (s 11(2)).
<i>Construction Safety Act 1972-1978, s 37(3)</i>	A stipendiary magistrate	For the purpose of carrying out an enquiry into an accident which causes loss of life or serious bodily injury, the magistrate may summon and examine witnesses and require the production of documents.	
<i>Consumer Affairs Act 1971-1980, s 19</i>	The Commissioner for Consumer Affairs.	For the purpose of carrying out any investigation or enquiry under the Act, he may require any person to give him such information as he requires, to answer any question and to produce documents.	Except in certain circumstances, it is an offence to disclose information obtained under the Act (s 24).

3. REQUIRING INFORMATION TO BE SUPPLIED AND/OR DOCUMENTS TO BE PRODUCED

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
(e) <i>Safety cont'd</i>			
<i>Consumer Affairs Act 1971-1980, s 23P</i>	The Consumer Products Safety Committee.	For the purpose of an investigation into whether, in the interests of the safety of the public, the supply of goods should be prohibited or allowed subject to restrictions by reason of the goods being dangerous, the Committee may require the attendance of any person to give information to the Committee.	A person cannot refuse to supply information on the ground that the answer may tend to incriminate him, but the information is not admissible in evidence in any proceeding against him, other than for giving false testimony or failing to give testimony. Except in certain circumstances, the member of the Committee, who is also an officer of the Bureau of Consumer Affairs, cannot disclose information obtained under the Act (s 24).
<i>Firearms Act 1973-1980, s 24(4)</i>	A police officer.	To question any person.	The officer must suspect on reasonable grounds that the person is able to furnish information or evidence relating to an offence or suspected offence under the Act.
<i>Machinery Safety Act 1974, s 74(3)</i>	A stipendiary magistrate.	For the purpose of an enquiry into an accident involving loss of life or serious bodily injury, the magistrate may summon and examine witnesses and require the production of documents.	

<i>Radiation Safety Act 1975-1979, s 39</i>	The Radiological Council.	The Council may require any applicant, licensee or registered person to provide information concerning any radioactive substance, irradiating apparatus, product or premises.	Except in certain circumstances, it is an offence to disclose information obtained under the Act (s 49).
<i>Timber Industry Regulation Act 1926-1969, s 15(5)</i>	A stipendiary magistrate or industrial magistrate.	For the purpose of an enquiry into the cause of an accident which caused death or incapacity, the magistrate may summon and examine witnesses.	
(f) <i>Social Benefit or Welfare</i>			
<i>Education Act 1928-1979, s 34</i>	The Education Department.	The proprietor, headmaster or principal teacher of every primary or secondary school is required to send to the Education Department monthly and quarterly returns of attendances of students and such statistical information as may be prescribed.	
<i>Essential Food-Stuffs and Commodities Act 1979-1980, s 5(2)(d)(iii)</i>	The Minister.	During the operation of the Act, where it appears to the Minister that the supply or provision of any essential food stuffs or essential commodities is or is likely to be interrupted, the Minister may require a person to disclose information as to any relevant matter.	

3. REQUIRING INFORMATION TO BE SUPPLIED AND/OR DOCUMENTS TO BE PRODUCED

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
<i>Factories and Shops Act 1963-1978, s 16</i>	An inspector.	An inspector may question an employee working in a factory, shop or warehouse. He may require the production of records kept by an employee relating to his employment.	The inspector must have reasonable cause to believe that the person is or was within the last preceding two months, an employee of the occupier of a factory, shop or warehouse. A person is not required to answer any question or give any information tending to incriminate himself. The person must be advised of this right. Except in certain circumstances, it is an offence to disclose information obtained under the Act (s 18A).
<i>National Companies and Securities Commission (State Provisions) Act 1980, s 8</i>	A member of the National Companies and Securities Commission.	For the purpose of performing a function or the exercise of a power, a member may summon a person to appear before the Commission to give evidence and produce documents.	
<i>Welfare and Assistance Act 1961, s 31</i>	The Minister or Director of the Department for Community Welfare.	For the purpose of deciding whether to grant assistance under the Act to an indigent person, information may be required to be furnished by any person.	The Minister or Director must believe that the person is in a position to provide the information.

<i>(g) Public Health</i>			
<i>Clean Air Act 1964-1981, s 41</i>	The Air Pollution Control Council.	To require information to be supplied as to any fuel burning equipment, control equipment or industrial plant.	Except in certain circumstances, it is an offence to disclose information obtained under the Act (s 51).
<i>Clean Air Act 1964-1981, s 47</i>	Members of the Air Pollution Control Council and the Scientific Advisory Committee or an inspector.	The occupier of any premises is required to furnish all reasonable assistance and all such information with respect to the exercise of powers and the discharge of duties under the Act.	Except in certain circumstances, it is an offence to disclose information obtained under the Act (s 51).
<i>Health Act 1911-1979, s 14</i>	A person authorised by the Commissioner of Public Health to hold an enquiry in relation to any matter concerning public health.	The person has power to summon and examine witnesses and require the production of documents relating to the enquiry.	
<i>Health Act 1911-1979, s 152</i>		Every lodging-house keeper is required to advise a medical officer of health and the secretary of the local authority immediately it comes to his knowledge that a person in a lodging-house is affected with any infectious disease.	
<i>Health Act 1911-1979, s 276</i>		The occupier of a house or a medical practitioner who becomes aware that any person in the house is suffering from any infectious disease must give notice thereof to the local authority.	

3. REQUIRING INFORMATION TO BE SUPPLIED AND/OR DOCUMENTS TO BE PRODUCED

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
<i>(g) Public Health cont'd</i>			
<i>Health Act 1911-1979, s 283</i>		The Master or any other person in charge of a vessel lying in Western Australian waters must report to the nearest local authority any illness of a suspicious kind or infectious or contagious disease occurring in his vessel.	
<i>Health Act 1911-1979, s 284</i>		Every medical practitioner who gives a death certificate in any case of tubercular disease is required to notify the Commissioner of Public Health and the local authority of the death.	
<i>Health Act 1911-1979, s 287</i>	The Commissioner of Public Health.	All medical practitioners, deputy registrars, school-teachers, police officers and occupiers of houses are required to report the occurrence of any dangerous infectious or contagious disease.	Before the people are required to report the information, the Commissioner must be of the opinion that the area concerned is affected by such a disease.

<p><i>Health Act 1911-1979, s 300</i></p>		<p>A medical practitioner who becomes aware that a patient is suffering from any venereal disease in an infectious stage or the person in charge of a laboratory who ascertains that a person who is suffering from a venereal disease must give a notice to the Commissioner of Public Health.</p>	<p>The notice must omit the patient's name and address. Except in certain circumstances, it is an offence for a person employed in the administration of this part of the Act to disclose information obtained under the Act (s 314).</p>
<p><i>Health Act 1911-1979, s 301</i></p>		<p>If any patient suffering from a venereal disease in an infectious stage fails to attend a practitioner on any day required under s 299 of the Act and for a period of ten days thereafter, the practitioner must send a notice to the Commissioner of Public Health stating the name and address of the patient.</p>	<p>Except in certain circumstances, it is an offence for a person employed in the administration of this part of the Act to disclose information obtained under the Act (s 314).</p>

3. REQUIRING INFORMATION TO BE SUPPLIED AND/OR DOCUMENTS TO BE PRODUCED

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
<i>(g) Public Health cont'd</i>			
<i>Health Act 1911-1979, s 336A</i>		A medical practitioner must report to the Commissioner whenever any child of more than twenty weeks gestation is still-born or any child under the age of one year dies from any cause whatsoever. Unless the Commissioner does not consider that the matter requires further investigation, he must direct an investigator to enquire into the circumstances of the still-birth or death and make a full report of the investigation to the Chairman of the Perinatal and Infant Mortality Committee.	No information, record or report relating to an investigation is admissible in any Court or before any Tribunal or may be disclosed except in accordance with the Act.
<i>Hospitals Act 1927-1980, s 9(2)</i>	A person appointed to conduct an enquiry or investigation into any matter concerning the public hospitals or any public hospital.	The person has the same powers in relation to witnesses, their examination and the production of documents as are conferred upon a Royal Commission under the <i>Royal Commissions Act 1968</i> . He may also enter and inspect any property necessary for the purpose of the enquiry.	

<i>Mental Health Act 1962-1979, s 26C</i>	The Minister.	A person licensed to conduct a private psychiatric hospital, hostel, day activity centre or sheltered workshop may be required to furnish financial accounts relating to the business.	
<i>Noise Abatement Act 1972-1981, s 33D(1)(d)</i>	An authorised person.	For the purpose of enabling the authorised person to give a noise abatement direction and to ascertain whether or not an offence against s 33C(1) has been committed, the authorised person may require any persons or premises to furnish their names and addresses and the names and addresses of the occupier of the premises.	
<i>Noise Abatement Act 1972-1981, s 33F</i>	An authorised person.	For the purpose of the exercise of the powers and the discharge of duties of the authorised person, the occupier of any premises must furnish all information that the authorised person requires of him and which he is capable of furnishing.	Except in certain circumstances, it is an offence to disclose any information relating to any manufacturing process or trade secret obtained under the Act (s 39).

3. REQUIRING INFORMATION TO BE SUPPLIED AND/OR DOCUMENTS TO BE PRODUCED

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
<i>(g) Public Health cont'd</i>			
<i>Noise Abatement Act 1972-1981, s 38</i>	Commissioner of Public Health.	The occupier of any premises may be required to furnish information as to any equipment or industrial plant in or on the premises.	Except in certain circumstances, it is an offence to disclose any information relating to any manufacturing process or trade secret obtained under the Act (s 39). The occupier may object to the disclosure of a trade secret. Where such an objection is made, the Minister may exempt the person concerned of the obligation to disclose the information either generally or to a limited extent (s 40).
<i>(h) Public Works</i>			
<i>Public Works Act 1902-1979, s 59</i>	The Compensation Court.	The Court may summon and examine witnesses and require the production of documents. The Court hears claims for compensation under the Act.	

(i) <i>Taxation and/or Valuation</i>			
<i>Betting Control Act 1954-1978, s 20</i>	An officer authorised by the Commissioner of State Taxation.	To require a bookmaker or his employee, or a member or executive officer of the committee or other body controlling any racing club to produce for inspection any thing in his control relating to betting or to answer questions relating to betting. The power appears to be related to the collection of a betting tax.	
<i>Business Franchise (Tobacco) Act 1975-1981, s 4(1)</i>	The Commissioner of State Taxation or an officer authorised by him.	To enter premises to take copies of accounts, records, books or documents relating to the sale or purchase of tobacco and to require any person on the premises to answer any question with respect to those documents.	The officer must reasonably suspect that the premises are being used to sell tobacco or to store the documents.
<i>Death Duty Assessment Act 1973-1978, s 65</i>	The Commissioner of State Taxation	The Commissioner may require any person to furnish him with such information and documents as he requires for the purpose of enquiring into any matter or thing that may arise in connection with the Act, including the assessment of death duties.	

3. REQUIRING INFORMATION TO BE SUPPLIED AND/OR DOCUMENTS TO BE PRODUCED

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
<i>(i) Taxation and/or Valuation</i>			
<i>Fire Brigades Act 1942-1979, s 42</i>	The Western Australian Fire Brigades Board.	In order to verify any return or declaration made pursuant to the Act, any person appointed by the Board may inspect the books and papers of any insurance company. The purpose of the return is to determine the contribution of insurance companies to the maintenance of fire brigades.	Except for the purpose of a prosecution for an offence against the Act, the Board is required to keep information obtained secret.
<i>Land Tax Assessment Act 1976-1980, s 10</i>	The Commissioner of State Taxation.	The Commissioner may summon any person to attend and give evidence before him concerning any assessment and require him to produce any documents in his custody or control.	Except in certain circumstances, it is an offence to disclose information obtained under the Act (s 11).
<i>Pay-roll Tax Assessment Act 1971-1979, s 16</i>	Commissioner of State Taxation.	The Commissioner may require any employer or person to furnish him with such information or produce such documents as he requires for the purpose of ascertaining his or another person's liability under the Act.	Except in certain circumstances, it is an offence to disclose information obtained under the Act (s 5).

<i>Stamp Act 1921-1980, s 7A</i>	Commissioner of State Taxation.	For the purposes of the Act, the Commissioner may require a person to furnish him with such information as he may require and to attend and give evidence.	
<i>Transport Act 1966-1981, s 47S</i>	Commissioner of Transport.	In relation to the collection of the tax on petroleum products, the Commissioner may require any person to give him such information as he requires and to attend and give evidence.	Except in certain circumstances, it is an offence to disclose information obtained under the Act (s 47J).
<i>Valuation of Land Act 1978-1981, s 11</i>	The Valuer-General.	For the purpose of determining the ownership or value of land, the Valuer-General may require information to be supplied by the owner or trustee of land or any person in occupation of the land.	Except in certain circumstances, it is an offence to disclose information obtained under the Act (s 13).
<i>(j) Criminal Offences</i>			
<i>Fisheries Act 1905-1979, s 28</i>	An inspector.	An inspector may require a person to state his true name and address.	The inspector must have found the person committing or have reasonable grounds to suspect that the person has committed an offence against the Act.
<i>Road Traffic Act 1974-1980, ss 57 and 58</i>	A patrolman.	The owner of a vehicle is required to give information concerning the person who had control of a vehicle when it was involved in an accident in which a person was killed or injured or when an offence was committed by its driver.	

3. REQUIRING INFORMATION TO BE SUPPLIED AND/OR DOCUMENTS TO BE PRODUCED

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
<i>(j) Criminal Offences</i>			
<i>Spear-guns Control Act 1955-1972, s 7</i>	An inspector.	The inspector may question a person with respect to an offence against the Act.	The inspector must have reasonable grounds for believing that the person has information relating to the offence.
<i>Wildlife Conservation Act 1950-1980, s 20</i>	A wildlife officer.	A wildlife officer who is not a police officer may require a person to give him his name and address, and if he refuses to give him his name detain him until a police officer takes him into custody.	The officer must have reasonable grounds for suspecting that the person is committing or has committed an offence against the Act or the regulations.
<i>(k) Miscellaneous</i>			
<i>Audit Act 1904-1978, ss 14 and 15</i>	The Auditor General.	For the purpose of exercising the duties and powers vested in him, the Auditor General may require a person to produce various documents to him and he may examine all persons whom he shall think fit to examine respecting the receipt or expenditure of money or any stores.	In the case of the production of documents such production must appear to be necessary for the purpose of his examination.

<p><i>Coal Mine Workers (Pensions) Act 1943-1980</i>, s 19</p>	<p>The Pensions Tribunal, the Chairman or the Registrar.</p>	<p>For the purposes of any enquiry or investigation under the Act, witnesses may be summoned and examined and required to produce documents.</p>	
<p><i>Companies Act 1961-1979</i>, s 7(6)</p>	<p>The Commissioner for Corporate Affairs or a person authorised by him.</p>	<p>For the purpose of ascertaining whether the provisions of the Act have been complied with, the person may inspect any books required to be kept by the corporation and those of a banker that relate to the corporation.</p>	<p>A person cannot make an inspection unless he has made a declaration in the form prescribed in form one of the Second Schedule of the Companies Regulations 1976. This declaration is to the effect that the person will not divulge any information acquired by reason of an inspection except for the purposes of the Act or in the course of any criminal proceedings or proceedings under the Act.</p>

3. REQUIRING INFORMATION TO BE SUPPLIED AND/OR DOCUMENTS TO BE PRODUCED

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
(k) <i>Miscellaneous cont'd</i>			
<i>Companies Act 1961-1979, s 249</i>	The Supreme Court.	To summon and examine any officer of a company or person known or suspected to have in his possession any property of the company or supposed to be indebted to the company or any person whom the court deems capable of giving information concerning the promotion, formation, trade dealings, affairs or property of the company. The person may also be required to produce any books and papers in his custody or power relating to the company.	
<i>Companies Act 1961-1979, s 367A</i>	The Supreme Court.	An officer or former officer of a company whom the Commissioner for Corporate Affairs believes has conducted himself in such a way that he has rendered himself liable to action by the company in relation to the performance of his duties as an officer of the company may be summoned to appear before the court and to be examined as to his conduct and dealings as an officer of the company.	If the person claims that the answer to any question might incriminate him, and but for the section he would have been entitled to refuse to answer the question, the answer cannot be used in any subsequent criminal proceedings against him except in the case of a charge against him for perjury committed by him in answer to that question.

<i>Coroners Act 1920-1979</i> , ss 37 and 38	The Coroner.	To summon any person to give evidence or produce documents at an inquest or to summon a Medical Practitioner who attended the deceased person at or immediately before his death.	
<i>Electoral Act 1907-1980</i> , s 35	The Chief Electoral Officer.	All public officers in the service of the State or a local governing body are required to furnish all such information as the officer requires to enable him to prepare or to revise the electoral roles.	
<i>Explosives and Dangerous Goods Act 1961-1978</i> , s 31	An inspector or a police officer.	To inspect any book required to be kept by a licensee relating to the sale of explosives.	
<i>Fire Brigades Act 1942-1979</i> , s 62	The Western Australian Fire Brigades Board.	The owner of any premises or property involved in a fire is required to furnish the Board with particulars of any policy of insurance thereon.	
<i>Government Employees' Housing Act 1964-1973</i> , s 18(3)	The Permanent Head of a Department.	In the case of an application by a government employee for a house owned or controlled by the Government Employees' Housing Authority, the Permanent Head may require the applicant to provide further or other information in respect of an application.	

3. REQUIRING INFORMATION TO BE SUPPLIED AND/OR DOCUMENTS TO BE PRODUCED

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
(k) <i>Miscellaneous cont'd</i>			
<i>Government School Teachers Arbitration and Appeal Act 1979, s 34(1)(a)</i>	The Government School Teachers Tribunal.	To summon and examine any witness and compel the production of books, documents and things for the purpose of determining a claim, appeal or application before the tribunal.	
<i>Legal Aid Commission Act 1976-1979, s 63A</i>	The Director of Legal Aid.	The Director may require a legal practitioner performing services under the Act to furnish information as to the performance of those services or information disclosed to the practitioner by an assisted person in the course of or with respect to the performance of those services.	Except in certain circumstances, it is an offence to disclose information obtained under the Act (s 64).
<i>Legal Contribution Trust Act 1967-1976, s 23</i>	The Legal Contribution Trust.	The Trust may require a claimant for compensation for pecuniary loss suffered by reason of defalcation by a legal practitioner to produce such documents in his possession as may be necessary to support the claim or an action or criminal proceedings against a person with respect to the defalcation.	

<i>Liquefied Petroleum Gas Subsidy Act 1980-1981</i> , s 14	An authorised officer.	The officer may, by notice, require a person whom he believes to be capable of giving information relevant to a claim for a payment under the Act to attend before him and to answer questions and produce documents in relation to the claim.	A person is not excused from answering a question or producing a document on the ground that the answer to the question or the production of the document might tend to incriminate him, but his answer to any such question is not admissible in evidence against him in proceedings other than proceedings for an offence of failing to answer a question or produce a document.
<i>Liquor Act 1970-1979</i> , s 145	A police officer.	The officer may demand the name and address of any person found on or seen leaving any licensed premises at a time when the premises should not be open to sell or supply liquor.	
<i>Local Government Act 1960-1981</i> , s 158(8)	A person appointed by the Governor.	For the purpose of holding an enquiry into the termination of the appointment of a person holding the office of clerk, engineer, treasurer, traffic inspector or building surveyor, the person has the powers conferred on a Royal Commission including the power to summon witnesses.	

3. REQUIRING INFORMATION TO BE SUPPLIED AND/OR DOCUMENTS TO BE PRODUCED

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
(k) <i>Miscellaneous cont'd</i>			
<i>Long Service Leave Act 1958-1973, s 16(1)</i>	The Board of Reference.	For the purpose of hearing appeals and settling disputes relating to long service leave, the Board may summon witnesses, receive evidence or require the production of documents.	
<i>Mining and Petroleum Research Act 1981, s 31</i>	The Western Australian Mining and Petroleum Research Institute.	The Institute may require any person to whom funds have been allocated for a research project to furnish information on funds expended, work conducted and progress made in relation to the project.	Members or officers of the Institute may not divulge or communicate information concerning the affairs of another person acquired by reason of his office or employment under the Act (s 32).
<i>Motor Vehicle (Third Party Insurance) Act 1943-1976, s 31</i>	The Committee set up to enquire into enquire into premium rates.	For the purpose of an inquiry into premiums charged for insurance under the Act, the Committee has all the powers of a Royal Commission, including the power to summon witnesses.	
<i>Offenders Probation and Parole Act 1963-1980, s 33</i>	The Parole Board.	For the purpose of carrying out its functions the Parole Board has the powers of a Royal Commission, including the power to summon witnesses.	Except in certain circumstances, information obtained under the Act cannot be disclosed (s 51).

<i>Parliamentary Commissioner Act 1971-1976, s 20</i>	The Parliamentary Commissioner for Administrative Investigations.	The Commissioner has all the powers of a Royal Commission, including the power to summon witnesses.	Except in certain circumstances, it is an offence to disclose information obtained in the course of or for the purposes of an investigation (s 23).
<i>Pawnbrokers Act 1860-1973, s 20</i>	A justice of the peace.	The justice may require a pawnbroker to produce any documents in his custody.	
<i>Petroleum Products Subsidy Act 1965-1978, s 13</i>	An authorised officer.	The officer may require a person whom he believes is capable of giving information relevant to a claim for payment under the Act, to furnish information and produce documents in relation to the claim.	A person is not excused from answering questions or producing documents on the ground that it might tend to incriminate him, but the information is not admissible in evidence against him.
<i>Police Act 1892-1980, s 50</i>	A police officer.	An officer may demand that any person, with whose name and address he is unacquainted, disclose his name and address.	
<i>Public Service Act 1978-1980, s 18</i>	The Public Service Board.	For the purpose of any inspection, enquiry or investigation under the Act, the Board may summon and examine witnesses and require the production of documents.	A person is not obliged to answer any question if the answer would tend to incriminate him or produce any documents the contents of which might tend to incriminate him.
<i>Registration of Births, Deaths and Marriages Act 1961-1979, s 58</i>	A minister of religion or district registrar celebrating a marriage.	The person may require the parties to a marriage to give him the particulars required to be registered under the Act concerning the marriage.	

3. REQUIRING INFORMATION TO BE SUPPLIED AND/OR DOCUMENTS TO BE PRODUCED

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
(k) <i>Miscellaneous cont'd</i>			
<i>Registration of Births, Deaths and Marriages Act 1961-1979, s 60</i>	The Registrar General.	Where information is required concerning any birth, death or marriage a person may be summonsed or required to give that information.	
<i>Royal Commissions Act 1968, s 9</i>	The Chairman of a Royal Commission.	To summon witnesses to give evidence or to produce documents.	It is not compulsory for a witness before a Commission to disclose to the Commission any secret process of manufacture (s 19(1)). Evidence relating to the profits or financial position of any person may be given in private (s 19(2)).
<i>Rural Housing (Assistance) Act 1976-1978, s 20</i>	The Rural Housing Authority.	The Authority may require the manager of a financial institution to make available documents which relate to an advance the subject of an indemnity under the Act.	

<i>Securities Industry Act 1975-1978, s 79</i>	The Commissioner for Corporate Affairs.	The Commissioner may require the proprietor or publisher of a newspaper to name the person who contributed any advice specified in a notice, or prepared an analysis or report.	
<i>Solar Energy Research Act 1977, s 31</i>	Solar Energy Research Institute of Western Australia.	A person allocated funds to undertake or continue a solar energy project may be required to supply the Institute with information on progress being made with the project.	Except in certain circumstances, it is an offence to disclose information obtained under the Act (s 32).
<i>State Energy Commission Act 1979, s 70</i>	The State Energy Commission of Western Australia.	For the purpose of obtaining information necessary for an appreciation of the energy resources or requirements of the State, the Commission may require any person to supply information relating to these matters.	Except in certain circumstances, it is an offence to disclose information obtained under the Act (ss 71 and 72). A person required to disclose a trade secret may object to the Minister. The Minister may exempt the person from the obligation either generally or to a limited extent (s 73).
<i>State Transport Co-ordination Act 1981, s 10</i>	The Co-ordinator General of Transport.	For the purpose of carrying out his duties, the Co-ordinator General has the powers of a Royal Commission, including the power to summon witnesses.	

3. REQUIRING INFORMATION TO BE SUPPLIED AND/OR DOCUMENTS TO BE PRODUCED

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
(k) <i>Miscellaneous cont'd</i>			
<i>Taxi-cars (Co-ordination and Control) Act 1963-1980, s 23(3)</i>	An inspector or police officer.	Where the officer has reason to believe that a vehicle is being operated as a taxi, the vehicle may be stopped, inspected and the operator or hirer required to supply information as to the use of the vehicle.	
<i>Trade Associations Registration Act 1959, s 22</i>	The Registrar of Trade Associations.	The Registrar may require a person to notify him whether or not he is a party to a trade agreement, and if so, to furnish particulars of the agreement.	The Registrar must have reason to believe that a person is a party to a trade agreement which has to be registered under the Act. Except in certain circumstances, information obtained under the Act must not be disclosed (s 13).
<i>Trade Associations Registration Act 1959, s 34(4)</i>	The Registrar of Trade Associations.	For the purpose of an enquiry into collusive tendering schemes, the Registrar may require any person carrying on business relating to the subject matter of the investigation to produce documents for inspection or supply information on the matter the subject of the investigation. The Registrar also has the powers of a Royal Commission including the power to summon witnesses.	Except in certain circumstances, information obtained under the Act must not be disclosed (s 13).

<i>Transfer of Land Act 1893-1978</i> , s 180	The Commissioner of Titles.	The Commissioner may summon people lodging documents for registration to give an explanation of the documents or the land concerned.	
<i>Western Australian Marine Act 1948-1980</i> , s 11	The Harbour and Light Department.	For the purpose of ensuring that the provisions of the Act are complied with, the Department may require the owner or master of a ship to produce his log book, a list of persons on the ship and summon the master to appear and give an explanation concerning the ship and her crew.	The Department must have reason to suspect the provisions of the Act are not being complied with.
<i>Western Australian Marine Act 1948-1980</i> , s 12	The Harbour and Light Department.	The Department may summon witnesses for any enquiry authorised by the Act and require answers to questions.	

4. INQUIRY

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
<i>(a) Primary Production</i>			
None.			
<i>(b) Manufacturing or Marketing</i>			
None.			
<i>(c) Conservation and Environment</i>			
None.			
<i>(d) Occupational or Commercial Matters</i>			
<i>Debt Collectors Licensing Act 1964-1966, s 8(4)</i>	A police officer.	To enquire into the character and suitability of an applicant for a debt collector's licence.	
<i>Debt Collectors Licensing Act 1964-1966, s 19</i>	An auditor.	The Minister may arrange for the audit of the trust account of the licensee.	The Minister must be of the opinion that it is desirable to arrange an audit for the protection of the public, or the creditor of a licensee.
<i>Employment Agents Act 1976, s 20(2)</i>	The Commissioner of Police.	To cause his officers to make an investigation or inquiry and report relating to any matter that is the subject of an objection to the grant or renewal of a licence under the Act.	Except in certain circumstances, it is an offence to disclose information acquired under the Act (s 48).

<p><i>Finance Brokers Control Act 1975, ss 13-15</i></p>	<p>The Registrar of the Finance Brokers Supervisory Board or an inspector.</p>	<p>To carry out an investigation or inquiry for the purpose of determining any application or any other matter before the Board, determining whether or not finance brokers are acting in conformity with their licences and annual certificates and complying with requirements of the Act, and detecting offences against the Act. The assistance of the Commissioner of Police can be obtained.</p>	<p>Entry can be made to any premises, but only after obtaining a warrant to do so from a magistrate or justice of the peace. That officer must be satisfied that the entry is sought in good faith for the purpose of carrying out any investigation or inquiry under the Act. A person cannot refuse to comply with a requirement that he answer a question or produce a document on the ground that it may tend to incriminate him, but the information given or document produced is not admissible in evidence in any proceedings against him other than proceedings for giving false information. Except in certain circumstances, it is an offence to disclose information obtained under the Act (s 88).</p>
<p><i>Friendly Societies Act 1894-1975, s 23</i></p>	<p>An inspector.</p>	<p>Upon the application of a specified number of members of the society and with the consent of the Minister, an inspector may carry out an inquiry into the affairs of a Friendly Society and make a report thereon.</p>	

4. INQUIRY

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
<i>(d) Occupational or Commercial Matters cont'd</i>			
<i>Legal Practitioners Act 1893-1979, s 38</i>	The Barristers' Board.	The Board may appoint a registered company auditor to examine a practitioner's books of account relating to his trust account and furnish the Board with a confidential report on the matters disclosed by the examination.	Except in certain circumstances, it is an offence to disclose information obtained in the course of an examination under the Act (s 40).
<i>Legal Practitioners Act 1893-1979, s 58G</i>	The Barristers' Board.	The Board may appoint a practitioner to enquire whether or not another practitioner is incapable of properly conducting his practice and report thereon to the Board. The practitioner is entitled to access to documents relating to the practice and to examine bank accounts.	
<i>Liquor Act 1970-1979, s 53</i>	The Commissioner of Police.	The Commissioner may give directions for the investigation of the character, reputation and suitability of an applicant for a licence.	

<i>Real Estate and Business Agents Act 1978-1980</i> , ss 13 and 14	The Registrar of the Real Estate and Business Agents Supervisory Board, an inspector or the Commissioner of Police.	The Registrar or inspector may instigate an investigation or inquiry for the purpose of determining an application or any other matter before the Board and whether or not agents are acting in conformity with the Act. At the request of the Registrar of the Board, the Commissioner of Police is required to cause his officers to conduct an investigation or inquiry.	Except in certain circumstances, it is an offence to disclose information obtained under the Act (s 138).
<i>Security Agents Act 1976-1979</i> , s 15(3)	The Commissioner of Police.	Where there is an objection to the grant or renewal of a security agent's licence, the Commissioner of Police must cause his officers to investigate such matter.	
<i>Settlement Agents Act 1981</i> , ss 13 and 14	The Registrar of the Settlement Agents Supervisory Board, an inspector or the Commissioner of Police.	To make any investigation or inquiry considered necessary or expedient for the purpose of determining an application under the Act, determining whether or not a settlement agent is acting in conformity with his licence or certificate and the Act, or detecting offences against the Act.	The Registrar or inspector must not, except in the performance of a duty under the Act, divulge or communicate to any person any information concerning the affairs of any other person acquired by him by reason of his office or employment (s 116).
<i>Settlement Agents Act 1981</i> , s 69	The Settlement Agents Supervisory Board.	Where the Board is of opinion that it is in the public interest to do so, it may cause the trust accounts of a settlement agent to be audited by an auditor nominated by the Board.	

4. INQUIRY

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
<i>(e) Safety</i>			
None			
<i>(f) Social Benefit or Welfare</i>			
None			
<i>(g) Public Health</i>			
<i>Health Act 1911-1979, ss 13 and 14</i>	A public health official or other person.	To hold such inquiries or investigations as the Commissioner of Public Health deems necessary in relation to any matter concerning public health in any place or in relation to the administration of the Act.	
<i>(h) Public Works</i>			
None			
<i>(i) Taxation and/or Valuation</i>			
None			
<i>(j) Criminal Offences</i>			
None			

<i>(k) Miscellaneous</i>			
<i>(Lotteries (Control) Act 1954-1972, s 13</i>	The Commissioner of Police.	The Commissioner, at the request of the Lotteries Commission, may conduct an investigation into the suitability of a person to conduct a lottery.	

5. ARREST OR APPREHENSION OF A PERSON

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
<i>(a) Primary Production</i>			
<i>Fisheries Act 1905-1979, s 40</i>	An inspector.	To arrest any person, with or without warrant.	The inspector must have reason to believe that the person has committed an offence against any of the provisions of the Act or the regulations.
<i>(b) Manufacturing or Marketing</i>			
None.			
<i>(c) Conservation and Environment</i>			
None.			
<i>(d) Occupational or Commercial Matters</i>			
None.			
<i>(e) Safety</i>			
None.			
<i>(f) Social Benefit or Welfare</i>			
<i>Child Welfare Act 1947-1979, s 29</i>	An authorised officer of the Department for Community Welfare or a police officer.	To apprehend without warrant any child appearing or suspected to be in need of care.	A child apprehended under this power must, as soon as is practicable, be taken before the Children's Court to be dealt with according to law.

(f) <i>Social Benefit or Welfare</i> cont'd			
<i>Child Welfare Act 1947-1979, s 138B</i>	An authorised officer of the Department for Community Welfare or a police officer.	To apprehend without warrant a child whom the officer has reason to believe is away from its the usual place of residence and is not under the immediate supervision of a parent or responsible person and which child is, in his opinion, in physical or moral danger, misbehaving, or truanting from school. The child must be taken to its usual place of residence or school.	
<i>Child Welfare Act 1947-1979, s 146A</i>	The Director of the Department for Community Welfare, an officer of the Department or a police officer.	To enter and inspect premises. To investigate whether a child on the premises is in need of care and protection and to apprehend any such child.	An application must be made to a justice of the peace for an order authorising the entry at all reasonable times. The justice must be satisfied that there is reasonable ground for suspecting that a child in need of care and protection is residing on the premises.

5. ARREST OR APPREHENSION OF A PERSON

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
(f) <i>Social Benefit or Welfare</i> cont'd			
<i>Criminal Code 1913-1980</i> , s 716	A police officer.	To search for and detain a woman or girl who is unlawfully detained for immoral purposes by any person within the State. The woman or girl, once detained, must be taken before a justice of the peace who may cause her to be delivered to her parents.	A warrant must first be issued by a justice. The justice must be of the opinion that there is reasonable cause to suspect that the woman or girl is so detained.
<i>Education Act 1928-1979</i> , s 15	A welfare officer.	To enter any place to which the public resort or are admitted for the purpose of obtaining the names and addresses of children who are apparently of school age, and who are apparently not in attendance at school, to escort any such child to its parent at home. If no such parent is at home, the child must be taken to the school at which he should be in attendance.	
(g) <i>Public Health</i>			
<i>Health Act 1911-1979</i> , s 273	The Commissioner of Public Health.	To direct that a person suffering from leprosy be removed to and detained in a place for the reception and medical treatment of lepers until released by order of the Minister.	The Commissioner must have a certificate of a medical officer or any two legally qualified medical practitioners that the person is suffering from leprosy.

<i>(h) Public Works</i>			
None			
<i>(i) Taxation and/or Valuation</i>			
None.			
<i>(j) Criminal Offences</i>			
<i>Country Areas Water Supply Act 1947-1980, s 114</i>	An officer of the Minister.	To apprehend, without warrant, any person found committing an offence against the Act or any regulation or by-law under the Act, if the person refuses to give his name and address.	
<i>Criminal Code 1913-1980, Ch 60</i>	A police officer or in some cases any person.	To arrest, without warrant, a person found committing an offence, or a person whom a police officer believes on reasonable grounds has committed an offence.	
<i>Criminal Code 1913-1980, s 580</i>	A judge or the Chairman of the Court.	To issue a warrant for the arrest of a person against whom an indictment has been presented and who has not been committed for trial, that is, a person charged in an ex officio information.	The person must be taken before a justice of the peace after he is arrested and the justice may admit him to bail.
<i>Firearms Act 1973-1980, s 24(4)</i>	A police officer.	Without warrant to stop, search, and detain a person having a firearm or ammunition in his possession without lawful excuse and arrest any person who is suspected of committing an offence under the Act.	The police officer must have reasonable grounds for suspecting such possession or the commission of such an offence.

5. ARREST OR APPREHENSION OF A PERSON

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
(j) <i>Criminal Offences</i> cont'd			
<i>Government Railways Act 1904-1980, s 49</i>	A police officer or any officer or servant of the Western Australian Government Railways Commission.	Any person committing certain offences may be arrested without warrant, detained and taken before justices of the peace to be dealt with according to law.	
<i>Police Act 1892-1980, s 41</i>	A police officer.	A police officer may board a ship for the purpose of apprehending suspected persons and to take charge of property suspected of having been stolen.	The officer must have reasonable or probable cause to suspect that any offence has been or is about to be committed on the ship.
<i>Police Act 1892-1980, ss 43-47</i>	A police officer.	These sections give officers powers of arrest without warrant in various circumstances.	
<i>Police Act 1892-1980, s 49</i>	A police officer or the owner of property on or with respect to which an offence has been committed.	The officer may take into custody a person found committing any offence punishable in a summary manner. The aggrieved person may detain such a person until he can be delivered to a police officer.	

<i>Police Act 1892-1980</i> , s 122	A justice of the peace or a police officer.	A justice, or police officer on a warrant issued by a justice, may enter premises in which liquor is reasonably suspected of being illegally sold and apprehend persons and seize any liquor found therein.	
<i>Prevention of Cruelty to Animals Act 1920-1976</i> , ss 9 and 10	A police officer.	On a warrant being issued by a justice, the officer may apprehend a person who has committed an offence against the Act or without a warrant arrest a person who cruelly or wantonly beats, or abuses any animal.	
<i>Spear-guns Control Act 1955-1972</i> , s 7	An inspector.	The inspector may, without warrant, arrest a person he suspects of having committed an offence against the Act and who refuses to give his name and address.	The inspector must have reasonable grounds for suspecting that the person has committed an offence.
<i>State Energy Commission Act 1979</i> , s 78	An officer of the State Energy Commission of Western Australia.	A person who has contravened the Act or regulations and who fails or refuses to furnish his name and address may be apprehended.	The officer must have reasonable grounds to believe that a person has contravened the Act or regulations.

5. ARREST OR APPREHENSION OF A PERSON

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
(k) <i>Miscellaneous</i>			
<i>Absconding Debtors Act 1877-1965, ss 1 and 2</i>	Justice of the peace.	A warrant may be issued for the arrest of a person indebted to a creditor for a sum not less than forty dollars, or for a person under engagement to remain in the State or if the creditor has a good cause of action against the debtor.	There must be reasonable ground for believing that the creditor is so indebted or under engagement or liability and about to quit the State without paying his debt or meeting his obligation. It is an offence to obtain a warrant unlawfully or maliciously, injuriously or oppressively or by abuse of process (s 5(1)).
<i>Local Government Act 1960-1981, s 104</i>	A returning officer or presiding officer	To arrest, or cause to be arrested, a person who makes a false answer to a question under s 107(2) of the Act, knowingly and wilfully casts or attempts to cast votes greater than the number which he is entitled to cast, or personates or attempts to personate an elector.	The officer must reasonably suspect that such action has been taken.
<i>Royal Commissions Act 1968, s 16</i>	The Chairman of a Royal Commission.	A witness who fails to appear in response to a summons may be arrested.	

<i>State Energy Commission Act 1979, s 77</i>	An officer of the State Energy Commission of Western Australia.	A person may be restrained by such force as is reasonably necessary if his acts or behaviour may endanger life or health or interfere with an energy system.	
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6. MEDICAL EXAMINATION AND/OR TREATMENT

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
<i>(a) Primary Production</i>			
None.			
<i>(b) Manufacturing or Marketing</i>			
None.			
<i>(c) Conservation and Environment</i>			
None.			
<i>(d) Occupational or Commercial Matters</i>			
<i>Medical Act 1894-1981, s 13(5)</i>	The Medical Board	Where there is an opinion that the mental health of a practitioner is such that his ability to practise is impaired, the Board may cause the practitioner to be examined by two psychiatrists. If the reports confirm that the practitioner's mental health is impaired, his name may be removed from the Register or his registration suspended.	
<i>Mines Regulation Act 1946-1974, s 23B</i>	A Mines medical officer.	The medical officer may provide for the periodic medical examination of persons who are or seek to be employed in mines.	
<i>(e) Safety</i>			
None.			

(f) <i>Social Benefit or Welfare</i>			
None.			
(g) <i>Public Health</i>			
<i>Health Act 1911-1979, s 251(5)</i>	The Commissioner of Public Health.	The Commissioner may order a person to submit himself to medical examination and to provide or permit the medical practitioner carrying out the examination to take such samples and specimens as may be required.	The Commissioner must have reasonable grounds for believing or suspecting that the person is suffering from or harbouring organisms of a dangerous infectious disease.
<i>Health Act 1911-1979, s 263</i>	A medical officer of health.	The officer may order that any person who is suffering from any infectious disease be removed to any hospital available for the reception and treatment of such a person.	The officer must be satisfied that the order is in the interests of public health or that the patient is without proper lodging or accommodation.
<i>Health Act 1911-1979, s 293</i>	An approved medical officer.	The officer may require a person to submit to such X-ray examination for tuberculosis as the Commissioner of Public Health shall direct.	The officer must suspect that the person is suffering from tuberculosis.
<i>Health Act 1911-1979, s 294</i>	The Commissioner of Public Health or an approved medical officer.	The officer may direct that a person enter an institution as a patient for treatment.	The officer must be of the opinion that the person is suffering from communicable tuberculosis and does not conduct himself so as to preclude infection by him of other persons having regard to his condition, or consumes to excess intoxicating liquor or narcotic drugs.

6. MEDICAL EXAMINATION AND/OR TREATMENT

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
(g) <i>Public Health</i> cont'd			
<i>Health Act 1911-1979</i> , ss 298 and 299		A person who suspects or becomes aware that he is suffering from venereal disease must consult a medical practitioner and place himself under treatment by the practitioner and, as far as possible, follow the advice given by the practitioner.	
<i>Health Act 1911-1979</i> , s 307	The Commissioner of Public Health.	The Commissioner has power to order the compulsory examination of any person whom he has reason to believe is suffering from venereal disease. If the person is suffering from venereal disease in an infectious stage and it appears to the Commissioner that his detention is necessary in the interests of the public, the Commissioner may order that the person be detained and be subject to any treatment and examination which the Commissioner thinks necessary in the circumstances.	A person so detained may apply to a judge of the Supreme Court or a magistrate to be examined by two medical practitioners. If the medical practitioners are unanimously of the opinion that the person is cured or is free from venereal disease or, if not, but the Commissioner fails to satisfy the judge or magistrate that the person would be likely to infect others unless detained, the judge or magistrate must order the release of the person.

<i>Health Act 1911-1979</i> , s 308	A Children's Court.	At any time either before or after committal of any child, the Court may order an examination to be made of child by a duly qualified medical practitioner.	There must be reason to suspect that the child is suffering from venereal disease.
<i>Health Act 1911-1979</i> , s 309	A medical officer attached to a gaol or industrial school.	The officer must examine any prisoner whom he may suspect is suffering from venereal disease. If the prisoner is suffering from the disease the officer must notify the Commissioner in writing giving the name of the prisoner and particulars of his diagnosis. If a prisoner is found to be suffering from venereal disease prior to his release, the Commissioner of Public Health may order that he be transferred to a hospital for treatment.	
<i>Health Act 1911-1979</i> , s 337	Any medical officer, a school dental therapist or registered dentist.	The officer may examine medically and physically any child attending any school. The therapist or dentist may examine the teeth of any child attending any school.	

6. MEDICAL EXAMINATION AND/OR TREATMENT

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
<i>(g) Public Health cont'd</i>			
<i>Health Act 1911-1979, s 338A</i>	A medical practitioner.	The practitioner may perform a blood transfusion upon a child without the authority of any person who is legally entitled to authorise the transfusion.	Such action can be taken only if the person with legal authority to authorise a transfusion fails or refuses to authorise it or cannot be found. The practitioner and another practitioner must agree as to the condition from which the child is suffering, that the transfusion is a reasonable and proper treatment, and that without a transfusion the child is likely to die.
<i>Mental Health Act 1962-1979, ss 29 and 32</i>	A justice of the peace.	The justice may order that a person be conveyed to and received into an approved hospital.	The justice must be satisfied, on the referral of a medical practitioner, that the person is suffering from mental disorder, and that it is in the interest of that person or of the public that he be admitted to an approved hospital for treatment.

<i>Mental Health Act 1962-1979, s 30</i>	A justice of the peace.	The justice may order that a person be apprehended and be examined by a medical practitioner. If the practitioner is of the opinion that the person is suffering from mental disorder he must refer him to an approved hospital.	The justice must be satisfied that the person is without sufficient means of support, wandering at large, or intending to commit an offence or attempting to take his own life.
<i>Mental Health Act 1962-1979, ss 31 and 32</i>	A justice of the peace.	The justice may by special warrant require a police officer, with a medical practitioner, to enter a property and apprehend the person named in the warrant. The person may be apprehended if it appears to the medical practitioner that the person is suffering from mental disorder. Under s 32, a justice may order that the person be conveyed to and received into an approved hospital.	The justice must be satisfied that the person is not under proper care and control, is cruelly treated or neglected, or is detained in contravention of the Act. Before a person can be referred to a hospital the justice must be satisfied that the person was found in the circumstances referred to in s 31, is suffering from mental disorder and that it is in the interest of the person or of the public that the person be admitted to an approved hospital.
<i>Mental Health Act 1962-1979, s 36</i>	A court of summary jurisdiction.	The court may order that a person undergo a medical examination, and if necessary, be admitted to an approved hospital.	The court must be of the opinion that the person is, or may be, suffering from mental disorder.
(h) <i>Public Works</i>			
None			
(i) <i>Taxation and/or Valuation</i>			
None.			

6. MEDICAL EXAMINATION AND/OR TREATMENT

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
<i>(j) Criminal Offences</i>			
None.			
<i>(k) Miscellaneous</i>			
<i>Coal Mine Workers (Pensions) Act 1943-1980, s 7 (1A)(c)</i>	The Pensions Tribunal.	Any applicant for a pension may be required to submit himself to a medical board for examination as to the degree of incapacity. A mine worker is deemed to be permanently incapacitated if his permanent incapacity for work is not less than 85%.	
<i>Government Railways Act 1904-1980, s 38</i>		No action lies or may be brought or continued against the Western Australian Government Railways Commission in respect of an injury to a person, unless the person injured submits himself to an examination by a medical practitioner or medical practitioners appointed by the Commission	The examination must be at a reasonable time.
<i>Motor Vehicle (Third Party Insurance) Act 1943-1976, s 30</i>	The Motor Vehicle Insurance Trust.	Where a claim for damages has been received for bodily injury, the Trust may require the injured person to submit himself for medical examination.	The medical adviser of the person is entitled to be present at the examination.

7. OTHER FORMS OF INTRUSION

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
<i>Community Welfare Act 1972-1978</i> , ss 14 and 17	The Director of the Department for Community Welfare.	The Director may undertake the general care, protection and management of the property of any person who, in his opinion is disadvantaged, and may take possession of or dispose of such property.	Any person dissatisfied with such a decision may appeal to the Minister.
<i>Fisheries Act 1905-1979</i> , s 8	An inspector.	To requisition a boat, engine, oars, paddles or rowlocks for the purpose of carrying out duties under the Act.	The Director is required to pay any person deprived of the use of such items such sum as he considers reasonable.
<i>Health Act 1911-1979</i> , s 251(7)-(18)	The Commissioner of Public Health.	To place restrictions on the movement of people and make other orders for the purpose of preventing the spread of any dangerous infectious disease.	
<i>Local Government Act 1960-1981</i> , s 400(3)	A council.	To enter property and remove a building, awning, verandah or balcony which encroaches on a street, way or other public place.	The removal can take place only if a warrant is obtained from a Court of Petty Sessions.
<i>Local Government Act 1960-1981</i> , s 405(3)	The purchaser of a property.	If the costs of obtaining an order in respect of a dangerous building are not paid by the owner, the building may be sold and the purchaser may enter upon the land for the purpose of taking down the building.	

<i>Local Government Act 1960-1981</i> , s 406	A police officer.	To remove the occupants of a building from a building which is dangerous.	The building must be certified as dangerous by a building surveyor and a warrant must be obtained from a Court of Petty Sessions.
<i>Mental Health Act 1962-1979</i> , ss 64 and 68	The Supreme Court.	The Court may appoint a person to manage the affairs and take possession of property of a person whom the Court is satisfied is incapable by reason of mental illness of managing his own affairs.	
<i>Road Traffic Act 1974-1980</i> , s 66	A patrolman.	To require a driver of a vehicle to provide a sample of his breath for a preliminary test or for analysis or to allow a medical practitioner to take a sample of his blood for analysis.	The breath test can be sought if the patrolman has reasonable grounds to believe that the person caused injury or damage, committed an offence or had alcohol in his body while driving a motor vehicle. A sample may be sought if the breath test exceeds 0.08, the person cannot or will not provide a breath test or the patrolman has reasonable grounds to believe that the person was driving under the influence of alcohol.

7. OTHER FORMS OF INTRUSION

STATUTE	PERSON AUTHORISED TO EXERCISE POWER	SUBJECT MATTER OR PURPOSE OF POWER	SAFEGUARDS
<i>Strata Titles Act 1966-1978, s 22</i>	Public or local authority or other authorised person.	Where such a body or person has statutory authority to enter on any part of a parcel (ie land comprised in a strata title), entry may be made upon any other part of the parcel to the extent necessary to enable the power to be exercised.	

INDEX OF ACTS

ACT	ACT
Abattoirs Act 1909-1978 s 8	Auction Sales Act 1973-1978 s 28
Aboriginal Heritage Act 1972-1980 s 16(2) s 23(1) s 51 s 51(1)(b)	Audit Act 1904-1978 ss 14 & 15
Absconding Debtors Act 1877-1965 ss 1 & 2	Beekeepers Act 1963-1980 s 6
Aerial Spraying Control Act 1966-1978 s 13A(6) s 14 1	Betting Control Act 1954-1978 s 20 s 28A
Agricultural Products Act 1929-1974 s 4 s4A	Bread Act 1903-1973 s 10
Agriculture and Related Resources Protection Act 1976-1980 s 52 s 58 s 82(1)(d) s 84(1) s 84(2) s 85 s 86	Builders' Registration Act 1939-1979 s 20A
Anatomy Act 1930-1971 s 7	Bush Fires Act 1954-1979 s 14 s 44(1)(d)
Argentine Ant Act 1968 s 10	Business Franchise (Tobacco) Act 1975-1981 s 4(1)
Artificial Breeding of Stock Act 1965-1976 s 11 s 11(1)(a) s 11(1)(b)-(d)	Carnarvon Banana Industry (Compensation Trust Fund) Act 1961-1980 s 33 s34
Clean Air Act 1964-1981 s 41 s 46 s 47	Censorship of Films Act 1947-1979 s 25
	Child Welfare Act 1947-1979 s 18 s 18A s 29 s 109 s 138B s 146A
	Consumer Affairs Act 1971-1980 s 19 s 23P s 23X(2)

<p>Closer Settlement Act 1927-1953 s 3(2) s 6B</p> <p>Clothes and Fabrics (Labelling) Act 1973-1977 s 6</p> <p>Coal Mine Workers (Pensions) Act 1943-1980 s 7(1A)(c) s 19</p> <p>Coal Mines Regulation Act 1946-1976 s 12(1)(b) & (2)(b) s 23(2) s 69</p> <p>Coal Mining Industry Long Service Leave Act 1950-1951 s 7</p> <p>Community Welfare Act 1972-1978 14 & 17</p> <p>Companies Act 1961-1979 s 7(6) s 249 s 367A</p> <p>Construction Safety Act 1972-1978 s 11(1)(a) s 11(1)(g) s 20(3) s 37(3)</p> <p>Coroners Act 1920-1979 ss 37 & 38</p> <p>Country Areas Water Supply Act 1947-1980 s 12BD s 12ED s 19 s 42 s 44 s 114</p>	<p>Country Towns Sewerage Act 1948-1978 s 16 s 29 s 31 s 36 s 41 s 43</p> <p>Credit Unions Act 1979 s 152 s 159</p> <p>Criminal Code Act 1913-1980 CH 60 s 236 s 504 s 580 s 711 s 711A s 716</p> <p>Dairy Industry Act 1973-1980 s 44 s 87 s 90</p> <p>Debt Collectors Licensing Court Act 1964-1966 s 8(4) s 16 s 18 s 19</p> <p>Dental Act 1939-1980 s 45 s 51C(3)</p> <p>Death Duty Assessment Act 1973-1978 s 65</p> <p>Dividing Fences Act 1961-1969 s 21</p> <p>Dog Act 1976-1977 s 30</p> <p>Dried Fruits Act 1947-1973 ss 21 & 22 s 25 s 29(4)</p>
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<p>Essential Foodstuffs and Commodities Act 1979-1980 s 5(2)(d) s 5(2)(d)(iii)</p> <p>Explosives and Dangerous Goods Act 1961-1978 s 12 ss 12(1)(a) & (d), and 53 s 31,</p> <p>Education Act 1928-1979 s 15 s 34</p> <p>Electoral Act 1907-1980 s 35</p> <p>Electricity Act 1945-1979 s 18 s 24 s 26 s 37</p> <p>Employment Agents Act 1976 s 18 s 20(2) s 46</p> <p>Environmental Protection Act 1971-1980 s 37(2) s 51 s 68 s 69 s 70</p> <p>Factories and Shops Act 1963-1978 s 16 s 16 s 71</p> <p>Fertilizers Act 1977 s 27</p> <p>Fruit-growing Reconstruction Scheme Act 1972-1975 s 11 s 15</p>	<p>Finance Brokers Control Act 1975 ss 13-15 s 20 s 58 s 75(2)(b) s 80</p> <p>Firearms Act 1973-1980 s 24 s 24(4) s 26</p> <p>Fire Brigades Act 1942-1979 s 42 s 62</p> <p>Fisheries Act 1905-1979 s 7 s 8 s 18 ss 21(3) & 49 ss 24(1b), (3a), 24A(2) & 49(4) s 28 s 35N s40 ss 42 & 49(4) ss 48(3) & 49(4) s 49 s 49A s 49B(3)</p> <p>Forests Act 1918-1976 s 52 s 55 s 59 s 61</p> <p>Friendly Societies Act 1894-1975 s 23</p> <p>Fruit Cases Act 1919-1973 s 8(1)(b)(v) s 9(4) s 10</p> <p>Fruit Growing Industry (Trust Fund) Act 1941-1956 s 13 s 14</p>
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<p>Government Employees' Housing Act 1964-1973 s 18(3)</p> <p>Government Railways Act 1904-1980 s 38 s 49 s 53 s 85(6)</p> <p>Government School Teachers Arbitration and Appeal Act 1979 s 34(1)(a)</p> <p>Grain Marketing Act 1975-1981 s 38</p> <p>Gas Standards Act 1972-1979 s 12 s 13A(12)(c)</p> <p>General Insurance Brokers and Agents Act 1981 s 19(5)</p> <p>Hide and Leather Industries Act 1948 s 16</p> <p>Hire-Purchase Act 1958-1980 s 23D</p> <p>Hospitals Act 1927-1980 s 9(2)</p> <p>Hairdressers Registration Act 1946-1975 s 17</p> <p>Health Act 1911-1979 ss 13 & 14 s 14 s 122(7) s 132 s 152 s 153 s 176 s 201 s 202 s 230 s 251(5)</p>	<p>Health Act 1911-1979 cont... s 251(7)-(18) s 257 s 263 s 273 s 276 s 283 s 284 s 287 s 293 s 294 ss 298 & 299 s 300 s 301 s 307 s 308 s 309 s 336A s 337 s 338A s 349</p> <p>Indecent Publications and Articles Act 1902-1974 s 12A</p> <p>Industrial Arbitration Act 1979-1981 s 98</p> <p>Legal Practitioners Act 1893-1979 s 26 s 38 s 39 s 58E(2)(b) s 58G</p> <p>Licensed Surveyors Act 1909-1976 s 8 s 17</p> <p>Liquefied Petroleum Gas Subsidy Act 1980-1981 s 13 s 14</p> <p>Liquid Petroleum Gas Act 1956-1979 s 7</p>
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<p>Land Act 1933-1980 s 21</p> <p>Land Drainage Act 1925-1978 s 65(1)</p> <p>Land Tax Assessment Act 1976-1980 s 9 s 10</p> <p>Land Valuers Licensing Act 1978 s 13</p> <p>Legal Aid Commission Act 1976-1979 s 63A</p> <p>Legal Contribution Trust Act 1967-1976 s 23</p> <p>Lotteries (Control) Act 1954-1972 s 13 s 21</p> <p>Liquor Act 1970-1979 s 12 s 53 s 112 s 144 s 145</p> <p>Local Government Act 1960-1981 s 104 s 158(8) s 245A(5) s 281 s 372 s 390 s 400(3) s 405(3) s 406 s 408(5) s 411(4) s 420 s 533(7) s 661</p> <p>Long Service Leave Act 1958-1973 s 16(1) s 29</p>	<p>Mines Regulation Act 1946-1974 s 12 s 23B</p> <p>Mining Act 1978 ss 30 & 32 s 48 s 56 s 66 s 104 s 115</p> <p>Mining and Petroleum Research Act 1981 s 31</p> <p>Motor Vehicle Dealers Act 1973-1979 s 14 s 27</p> <p>Motor Vehicle (Third Party Insurance) Act 1943-1976 s 30 s 31</p> <p>Machinery Safety Act 1974 s 27 s 49(3) s 74(3)</p> <p>Main Roads Act 1930-1980 s 29</p> <p>Margarine Act 1940-1979 s 9</p> <p>Marine Stores Act 1920-1963 s 24</p> <p>Marketing of Eggs Act 1945-1977 s 32L(6)</p> <p>Marketing of Lamb and Hogget Act 1967-1975 s 8</p> <p>Marketing of Potatoes Act 1946-1974 s 22A</p>
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<p>Medical Act 1894-1981 s 9 s 13(5)</p> <p>Mental Health Act 1962-1979 s 26C ss 29 & 32 s 30 ss 31 & 32 s 36 ss 64 & 68</p> <p>Metropolitan Water Supply, Sewerage, and Drainage Act 1909-1980 s 24 ss 49 & 51 ss 65 & 67</p> <p>National Companies and Securities Commission (State Provisions) Act 1980 s 8</p> <p>National Parks Authority Act 1976 s 28</p> <p>Noise Abatement Act 1972-1981 s 33D s 33D(1)(d) s 33F s 33H s 35 s 38</p> <p>Nurses Act 1968-1980 s 31</p> <p>Occupational Therapists Registration Act 1980 s 31</p> <p>Offenders Probation and Parole Act 1963- 1980 s 33</p> <p>Painters' Registration Act 1961-1976 s 16A</p> <p>Parks and Reserves Act 1895-1978 s 7A</p>	<p>Parliamentary Commissioner Act 1971-1979 s 20</p> <p>Pawnbrokers Act 1860-1973 s 20</p> <p>Pay-roll Tax Assessment Act 1971-1979 s 16 s 45</p> <p>Pearling Act 1912-1975 s 13 s 34(3) s 44 s 72 s 101 s 112</p> <p>Petroleum Act 1967-1972 s 14 ss 78 & 79 s 109 s 119</p> <p>Petroleum (Submerged Lands) Act 1967-1970 ss 84 & 85 s 115 s 126</p> <p>Pharmacy Act 1964-1980 s 17</p> <p>Plant Diseases Act 1914-1979 s 13 s 21</p> <p>Poisons Act 1964-1978 s 54 s 55</p>
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<p>Petroleum Pipelines Act 1969-1975 s 7 ss 50 & 51 s 63</p> <p>Petroleum Products Subsidy Act 1965-1978 s 12 s 13</p> <p>Prevention of Pollution of Waters by Oil Act 1960-1973 s 10 s 14</p> <p>Psychologists Registration Act 1976 s 42(3)</p> <p>Public Service Act 1978-1980 s 18</p> <p>Public Service Arbitration Act 1966-1978 s 20 s 37</p> <p>Public Works Act 1902-1979 s 13(3) s 17A s 59 s 82 s 112 s 112A</p> <p>Police Act 1892-1980 s 33G(2) s 40 s 41 s 42 ss 43-47 s 49 s 50 s 68 s 70 s 85 s 94D(1), (2) & (4) s 94D(3) & (4) s 122</p>	<p>Potato Growing Industry Trust Fund Act 1947-1973 s 18</p> <p>Poultry Industry (Trust Fund) Act 1948-1969 s 13 s 14</p> <p>Prevention of Cruelty to Animals Act 1920-1976 s 8 ss 9 & 10 s 12 s 16</p> <p>Road Traffic Act 1974-1980 ss 57 & 58 s 66</p> <p>Royal Commissions Act 1968 s 9 s 16</p> <p>Rural Housing (Assistance) Act 1976-1978 s 20</p> <p>Rural Reconstruction and Rural Adjustment Schemes Act 1971-1980 s 28</p> <p>Radiation Safety Act 1975-1979 s 39 s 42 s 54</p> <p>Real Estate and Business Agents Act 1978-1980 ss 13 & 14 s 15 s 20 s 100</p> <p>Registration of Births, Deaths and Marriages Act 1961-1979 s 58 s 60</p> <p>Rights in Water and Irrigation Act 1914-1978 s 11</p>
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<p>Soil Conservation Act 1945-1979 s 21</p> <p>Solar Energy Research Act 1977 s 31</p> <p>Spear-guns Control Act 1955-1972 s 7</p> <p>Stamp Act 1921-1980 s 7 s 7A</p> <p>Standard Survey Marks Act 1924 s 4</p> <p>State Energy Commission Act 1979 s 28(1)(c) s 48 s 54 s 68(8) s 70 s 77 s 78</p> <p>State Transport Co-ordination Act 1981 s 10</p> <p>Stock (Brands and Movement) Act 1970-1980 s 37(3) s 47</p> <p>Strata Titles Act 1966-1978 s 22</p> <p>Street Alignment Act 1844-1970 s 3</p> <p>Securities Industry Act 1975-1978 s 8 s 9 s 10 s 18 s 70 s 78 s 79</p>	<p>Security Agents Act 1976-1979 s 15(3) s 34(7) s 34(8) s 34(9)</p> <p>Seeds Act 1950 s 12</p> <p>Settlement Agents Act 1981 ss 13 & 14 s 15 s 20 s 69 s 76 s 81</p> <p>Shearers' Accommodation Act 1912-1974 s 11</p> <p>Taxi-cars (Co-ordination and Control) Act 1963-1980 s 23(3)</p> <p>Timber Industry Regulation Act 1926-1969 s 9 s 15(5)</p> <p>Totalisator Agency Board Betting Act 1960-1973 s 46A</p> <p>Trade Associations Registration Act 1959 s 22 s 34(4)</p> <p>Trade Descriptions and False Advertisements Act 1936-1979 s 4E s 10 s 15</p> <p>Transfer of Land Act 1893-1978 s 180</p>
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<p>Transport Act 1966-1981 s 42D(2) s 471 s 47S s 49</p> <p>Valuation of Land Act 1978-1981 s 10 s 11</p> <p>Veterinary Preparations and Animal Feeding Stuffs Act 1976 s 31 s 38 s 39 s 40</p> <p>Veterinary Surgeons Act 1960-1977 s 23(6) & (7)</p> <p>Water Boards Act 1904-1979 s 46 s 68 s 70</p> <p>Workers' Compensation Supplementation Fund Act 1980-1981 s 15(2)</p> <p>Welfare and Assistance Act 1961 s 31</p> <p>Western Australian Marine Act 1948-1980 s 11 s 12 s 15 s 56 s 218</p>	<p>Western Australian Products Symbol Act 1972 s 9</p> <p>Whaling Act 1937-1973 s 19</p> <p>Wheat Marketing Act 1947-1978 s 33</p> <p>Wheat Marketing Act 1979 s 26 s 29</p> <p>Wheat Products (Prices Fixation) Act 1938- 1964 s 18</p> <p>Wildlife Conservation Act 1950-1980 s 20(2)(a) s 20(2)(b) s 20(3) s 20</p> <p>Waterways Conservation Act 1976-1980 s 63 s 63(7)</p> <p>Weights and Measures Act 1915-1978 s 27Q s 36 s 37</p>
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