

ROAD DISTRICTS (No. 3).

11° and 12° GEO. VI., No. LVII.

No. 57 of 1947.

AN Act to amend section one hundred and thirty-four and the Second Schedule of the Road Districts Act, 1919-1947.

[Assented to 10th January, 1948.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same as follows:—

1. This Act may be cited as the *Road Districts Act Amendment Act (No. 3)*, 1947. and shall be read as one with the Road Districts Act, 1919-1947 (No. 38 of 1919, as reprinted pursuant to the Amendments Incorporation Act, 1938, in Volume 2 of the Reprinted Acts of the Parliament of Western Australia, 1943, and amended by No. 19 of 1943, Nos. 9, 46, and 64 of 1946, and No. 25 of 1947), hereinafter referred to as the principal Act.

Short title.
cf. No. 25 of
1947, s. 2.

Amendment of
s. 134.

2. Section one hundred and thirty-four of the principal Act is amended by adding thereto a proviso as follows:—

Provided that the prohibition imposed by this section shall not apply—

(a) in relation to any matter which may by regulation be declared exempt from the prohibition; or

(b) in relation to any matter before the board, to such members as the Minister, subject to such conditions as he may think fit to impose, may declare exempt from the prohibition, where it appears to the Minister that the number of members affected by the prohibition would be so great a proportion of the whole as to impede the transaction of business, and the board, by application in writing to the Minister, setting out the nature and extent (so far as known or believed) of the interest in such matter of each member affected by the prohibition, requests the removal of the prohibition from such members in relation to such matter.

cf. Public
Acts of Q'ld.,
Vol. 5, p. 859.

Amendment of
Second
Schedule.

3. The Second Schedule to the principal Act is amended as follows:—

(a) By deleting from subregulation (1) of regulation twenty-three the words “any two justices” in line four and inserting in lieu thereof the words “a stipendiary, police or resident magistrate”; and

(b) by inserting after regulation thirty-two a new regulation as follows:—

Appearance
of dwelling-
house having
walls in
which wood
or other
structural
material is
used to
conform with
general
standard of
appearance.

32A. When a building intended for use as a dwelling-house has walls in which wood or other structural material is used and is in a district or portion of a district to which these regulations extend pursuant to section two hundred and eight subsection (1) of the Road Districts Act, 1919-1947, and is so dilapidated in appearance as to be out of

conformity with the general standard of appearance of the other neighbouring dwelling-houses therein, a stipendiary, police or resident magistrate on complaint by or on behalf of the board may order the owner to cause the appearance of the building to conform with that general standard within a reasonable time to be fixed by the order. If the order is not obeyed, the Board may enter upon the building and land and may cause the order to be executed and may authorise all such acts and things to be done as may be necessary for that purpose, and the Board may recover from the owner, in any court of competent jurisdiction, all costs and expenses incurred.